

~~following electronic information in accordance with the provisions of Rule Chapter 69L-56, F.A.C. form equivalents and shall have received a "Transaction Accepted" (TA) Acknowledgement Code by the Division within the following deadlines time frames noted:~~

(1) Within thirty days of the effective date of each policy or contract for workers' compensation insurance issued, every insurer shall transmit the electronic Certificate of Insurance form equivalent of the Proof of Coverage.

(2) Within thirty days of the effective date of each endorsement to a policy or contract for workers' compensation insurance issued, every insurer shall transmit the electronic form equivalent of a Notice of Endorsement.

(3) Within thirty days of the effective date of each reinstatement to a cancelled policy or contract for workers' compensation insurance issued, every insurer shall transmit the electronic ~~form equivalent of a~~ Notice of Reinstatement.

(4) Within thirty days prior to the cancellation of a policy or contract for workers' compensation insurance coverage other than a cancellation for non-payment of premium, every insurer shall transmit the electronic ~~form equivalent of a~~ Notice of Cancellation.

(5) Within thirty days prior to the cancellation of any policy, renewal, or contract for workers' compensation insurance with a policy effective date prior to October 1, 2003, that is being cancelled for non-payment of premium, every insurer shall transmit the electronic Notice of Cancellation (Triplicate Code 00-41-59).

(6) Within ten days prior to the cancellation of any policy, renewal, or contract for workers' compensation insurance with a policy effective date on or after October 1, 2003, that is being cancelled for non-payment of premium, every insurer shall transmit the electronic Notice of Cancellation (Triplicate Code 00-41-59).

Specific Authority 440.185(7),(9), 440.42(3), 440.591, 440.593(5) FS. Law Implemented 440.185(7),(9), 440.42(3), 440.593 FS. History—New 2-2-00, Amended 3-5-02, Formerly 38F-6.014, 4L-6.014, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Yon, Insurance Administrator, Office of Data Quality and Collection, Department of Insurance

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don Davis, Bureau Chief, Office of Data Quality and Collection, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 11, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2003

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-3.002
RULE TITLE: Admission and Enrollment Requirements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule amendment published in The Florida Administrative Weekly, Vol. 29, No. 45, November 7, 2003, has been withdrawn.

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-3.0021
RULE TITLE: Individual Educational Plan

NOTICE OF CHANGE

The Florida School for the Deaf and the Blind hereby gives notice of change to the above proposed rule published in the Florida Administrative Weekly, Vol. 29, No. 45, November 7, 2003. These changes are in response to comments received from the Florida Department of Education, Bureau of Instructional Support and Community Service.

The changes of the rule shall be as follows:

Subsection (1)(c)4(c)2.b. At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment). The regular education teacher of a student with a disability must, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of:

1. Appropriate positive behavioral interventions and strategies for the student; and

2. Supplementary aids and services, classroom accommodations, modifications or supports for school personnel that will be provided for the student consistent with SBE paragraph 6A-6.03028(7)(c), F.A.C.

Subsection (1)(c)4 h. The student, beginning by the student's fourteenth birthday or younger if determined appropriate by the IEP team, when the purpose of the meeting is to consider the student's transition service needs, as described in paragraphs (7)(i)-(j) of SBE Rule 6A-6.03028, F.A.C. If the student does not attend, the School shall take other steps to ensure that the student's preferences and interests are considered.

Specific Authority 1002.36(4)(c) FS. Law Implemented 1002.36(4)(d) FS. History—New 5-5-87, Amended 9-16-93, 3-25-96, _____.

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 NOS.:	RULE TITLES:
33-209.101	Staff Development – Definitions
33-209.1015	Training Development and Delivery
33-209.102	Minimum Training Requirements
33-209.103	Firearms Training and Other Certification Requirements
33-209.104	Training Requests and Assignments
33-209.105	Training Attendance, Performance and Conduct
33-209.106	Contracting for Training Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 29, No. 33, (August 15, 2003), Vol. 29, No. 43, (October 24, 2003), Vol. 29, No. 44, (October 31, 2003) and Vol. 29, No. 47, (November 21, 2003) issues of the Florida Administrative Weekly have been withdrawn.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-3.502	Construction Methods

NOTICE OF CHANGE

Notice is hereby given in accordance with subparagraph 120.54(3)(d)1., F.S., that the following changes have been made to the proposed Rule 40D-3.502, F.A.C. published in Vol. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly:

The Southwest Florida Water Management District does not discriminate on the basis of any individual’s disability status. Anyone requiring reasonable accommodation as provided for in the American’s With Disability Act should contact: Dianne Lee, (352)796-7211 or 1(800)423-1476, Extension 4658, TDD only number 1(800)231-6103, Fax (352)754-6878, Suncom 663-6878.

40D-3.502 Construction Methods.

(1) No change.

(2) For wells constructed using the combination method of drilling a borehole and then driving the casing, the borehole shall be equal to or smaller in diameter than the inside diameter of the casing and shall be sealed by adding dry bentonite to the casing string at land surface and allowing that material to be carried down the outside of the casing as the casing is driven to

completion. Dry bentonite shall be applied to maintain a grout seal around the casing. The first length of water bearing casing, excluding the attached drive shoe, shall not exceed 21 feet in length and must be driven into the ground before any additional borehole is constructed.

During construction of a well in a delineated area, as defined in Rule 62-524.200, F.A.C., or a public supply well using the combination drilling method, the minimum acceptable grout seal shall be accomplished by undercutting or underreaming the last five feet of hole before sealing the casing. A minimum of one foot of such enlarged hole must be into the consolidated formation in which the casing is seated. The entire enlarged portion of the hole shall be filled with cement grout and then the casing shall be driven through the cement grout and seated into the enlarged portion of the consolidated formation. The top 20 feet of casing shall be sealed with no less than a 2-inch nominal thickness of cement grout. ~~No other minimum seal shall be acceptable unless approved by the District or delegated permitting authority.~~ Except as described above, the use of a drilling tool, such as an eccentric bit or an underreamer bit, that is capable of drilling a hole larger than the inside diameter of the casing is prohibited when constructing a well by combination method.

(2) through (7) renumbered (3) through (8) No change.

Specific Authority 373.044, 373.171, 373.309, 373.337 FS. Law Implemented 373.306, 373.308, 373.309 FS. History–New 7-1-90, Amended 9-3-91, 12-31-92, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.:	RULE TITLE:
61G4-15.015	Certification of Specialty Structure Contractors

NOTICE OF PUBLIC HEARING

The Construction Industry Licensing Board hereby gives notice of a public hearing on the above-referenced rule(s) to be held on January 16, 2004, at 8:00 a.m., or soon thereafter, at the Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida. This public hearing is being held in response to a request received from Woody Watters, President of Southeast Glass Association. The rule notice was originally published in Vol. 29, No. 44, of the October 31, 2003, issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD)

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: RULE TITLE:
61G6-10.007 Probation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 42, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures committee (JAPC). The Board, at its meeting held on November 21, 2003, voted to make changes to the rule to address the JAPC concerns.

The changes are as follows:

61G6-10.007 Probation.

All probation imposed by the Board for violations of Sections 489.531, F.S. and 489.533, F.S. shall require the probationer to file with the Board, quarterly reports every ninety (90) days from the date of the final order entered by the Board. The quarterly reports must be filed using DBPR ECLB 4458 Rev. 11-7-2003, titled Probation and Quarterly Report Form, which is hereby incorporated by reference and will be effective 11-7-2003, copies of which may be obtained from the Board office.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Knapp, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

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 NO.: RULE TITLE:
64B8-5.001 Examinations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 26, of the June 27, 2003, issue of the Florida Administrative Weekly. The Credentials Committee reviewed the written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC), and recommended changes to the Board. The Board, at its meeting on December 6, 2003, voted to make the following changes to the rule:

1. Subsection (2)(b) shall be changed to read: "the applicant must have passed each step of the USMLE in no more than 5 attempts unless the applicant complies with subsection (5) of this rule; and"

2. Subsection (3)(c) shall be changed to read: "the applicant must have passed each part/component/step of the exam combinations listed in subsection 3(a) in no more than five attempts unless the applicant complies with subsection (5) of this rule."

3. The reference in subsection (6) to 458.313(10)(c) shall be changed to 458.313(1)(c).

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-13.005 Continuing Education for Biennial
Renewal

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 48, of the Florida Administrative Weekly, November 26, 2003, has been withdrawn.

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-14.009 Standards for Office Based Opioid
Addiction Treatment

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 40, of the October 3, 2003, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board reviewed the Committee's comments at its meeting held on December 6, 2003, in Orlando, Florida, and voted to make the following changes. The changes are as follows:

1. Subsection (5)(a) shall be deleted. The subsequent subsections (b) through (f) shall be renumbered as (a) through (e).

2. Subsection (5)(g), shall be renumbered as (5)(f) and shall read: "(f) Medical Records. The medical record shall document the suitability of the patient for office-based treatment based upon recognized diagnostic criteria. Records should remain current and be maintained in an accessible

manner and readily available for review. The physician must adhere to confidentiality requirements which apply to the treatment of drug and alcohol addiction, including the prohibition against release of records or other information, except pursuant to a proper patient consent or court order, or in cases of true medical emergency or for the mandatory reporting of child abuse. The prescribing physician must keep accurate and complete records to include:”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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DEPARTMENT OF THE LOTTERY

RULE TITLE: Instant Game Number 518, RULE NO.: 53ER03-64

WINNER TAKE ALL

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 518, “WINNER TAKE ALL,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER03-64 Instant Game Number 518, WINNER TAKE ALL.


(1) Name of Game. Instant Game Number 518, “WINNER TAKE ALL.”

(2) Price. WINNER TAKE ALL lottery tickets sell for \$1.00 per ticket.

(3) WINNER TAKE ALL lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on the ticket. To be a valid winning WINNER TAKE ALL lottery ticket, a combination of essential

elements sufficient to validate the ticket must be present as set forth in paragraph 53ER92-63(1)(a), Florida Administrative Code. In the event a dispute arises as to the validity of any WINNER TAKE ALL lottery ticket, or as to the prize amount, the Void If Removed Number under the latex shall prevail over the bar code.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 THELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN
		19 NINTN			
			WIN ALL		

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX
7 SEVEN	8 EIGHT	9 NINE	10 TEN	11 ELEVN	12 THELV
13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN
		19 NINTN			

(6) The prize symbols and prize symbol captions are as follows:

TICKET	\$1.00	\$2.00	\$4.00	\$5.00	\$10.00
TICKET	ONE	TWO	FOUR	FIVE	TEN
\$20.00	\$25.00	\$50.00	\$100	\$1,000	\$5,000
TWENTY	THY FIVE	FIFTY	ONE HUN	ONE THO	FIV THO

(7) The legends are as follows:

YOUR NUMBERS WINNING NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a number in the “YOUR NUMBERS” play area that matches either number in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number. A ticket may have up to five sets of matching numbers. The prizes are: TICKET, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$1,000, and \$5,000. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$1.00 ticket, except as follows. A person who submits by mail a WINNER TAKE ALL lottery ticket that entitles the claimant to a prize of a \$1.00 ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.