

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Supervised Experience Requirements
 RULE NO.: 64B19-11.005
 PURPOSE AND EFFECT: The Board proposes to review the existing rule to determine if changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Supervised Experience Requirements.
 SPECIFIC AUTHORITY: 490.004(4) FS.
 LAW IMPLEMENTED: 490.005(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 AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II
 Proposed Rules**

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 CITRUS

RULE CHAPTER TITLE: Ownership and Use of "Florida Citrus Growers" Certification Mark
 RULE CHAPTER NO.: 20-109
 RULE TITLE: Standards for Citrus Fruit and Citrus Products Bearing the Mark
 RULE NO.: 20-109.005
 PURPOSE AND EFFECT: Modifying standards for use of the "Florida Citrus Growers" symbol to allow products exceeding maximum ratio Grade A limitations to qualify.
 SUMMARY: Modifying standards for use of the "Florida Citrus Growers" certification mark.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of 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: 601.10(1), 601.11, 601.15(10)(a) FS.

LAW IMPLEMENTED: 601.101, 601.9918, 601.15(2) FS.

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

TIME AND DATE: 10:30 a.m., February 18, 2004

PLACE: Department of Citrus Building, 1115 East Memorial Boulevard, Lakeland, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, License and Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148

THE FULL TEXT OF THE PROPOSED RULE IS:

20-109.005 Standards for Citrus Fruit and Citrus Products Bearing the Mark.

(1) through (4) No change.

(5) For the period January 1, 2004 ~~January 1, 2003~~, through December 31, 2004 ~~December 31, 2003~~, maximum Grade A standards for brix/acid ratio shall not apply, however the ratio allowed shall not exceed USDA maximum Grade B standards for orange juice.

Specific Authority 601.10(1), 601.11, 601.15(10)(a) FS. Law Implemented 601.101, 601.9918, 601.15(2) FS. History--New 2-16-98, Amended 12-24-98, 2-19-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ken Keck, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Keck, General Counsel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 2, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: Community Release Programs
 RULE NO.: 33-601.602

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify requirements for transportation of inmates in community release programs.

SUMMARY: The proposed rule limits transportation for inmates engaged in community release programs to the following means: employer furnished transportation; public transportation; transportation provided by a family member; bicycling; or walking.

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: 945.091 FS.

LAW IMPLEMENTED: 945.091 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.602 Community Release Programs.

(1) through (8) No change.

(9) Transportation.

(a) Transportation for inmates engaged in community release programs shall will be secured by the following means depending upon safety concerns and which method or combination of methods is most feasible in the given situation:

1. Employer furnished transportation;
2. Public transportation conveyance;
3. Transportation provided by a family member Employee car pools;
4. Bicycling; or
5. Walking; or
6. Sponsor furnished transportation.

(b) Transportation by motorized enclosed vehicle shall be mandatory after dark unless an exception is granted. For the purpose of this rule, "after dark" is defined as 30 minutes after sunset and extends until 30 minutes before sunrise. Exceptions to this requirement shall be granted on a case by case basis following review and approval by the warden over the work release center who shall assess whether the rehabilitative benefit to the inmate outweighs the risks to public safety. In making this assessment, the following factors shall be taken into account:

1. The type of employment, the salary, and the probability of keeping the employment upon release;
2. Criminal history of the inmate;
3. Circumstances of current and prior convictions; and
4. Time of departure and return to the community release facility.

(b)(e) In order to ensure that inmates are not working long distances from the center, the warden over the work release center shall establish maximum boundaries for employment

sites by center geographic location. The maximum boundaries shall not exceed one hour travel time to the employment site from the facility unless an exception has been granted. Any exceptions must be reviewed and approved on a case by case basis by the warden over the work release center, who shall assess whether the rehabilitative benefit to the inmate outweighs risks to public safety. In making the assessment, the factors listed in paragraph 33-601.602(9)(b), F.A.C., shall be taken into account.

(10) through (16) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History--New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Hewett

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 31, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE TITLE: RULE NO.:

Exemption from Licensure Renewal Provisions 61G2-2.0035
PURPOSE AND EFFECT: The Board proposes the development of a rule to address exemption from licensure renewal provisions for the spouses of a member of the armed forces in certain circumstances.

SUMMARY: A rule will be developed to address licensure renewal exemption for a spouse of a member of the armed forces who is absent from the State because of the member's duties.

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: 455.02, 468.384(2) FS.

LAW IMPLEMENTED: 455.02, 468.384(2) 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: Julie Malone, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G2-2.0035 Exemption from Licensure Renewal Provisions.

(1) Notwithstanding the provisions of Rule 61G2-3.005, F.A.C., a spouse of a member of the armed forces who is absent from the State because of the spouse's duties with the armed forces and, having submitted documentation to the Board demonstrating same, shall be exempt from licensure renewal provisions without paying dues or fees or performing any other act on his or her part.

(2) This rule applies to all auctioneer licenses, apprenticed and business licenses.

Specific Authority 455.02, 468.384(2) FS. Law Implemented 455.02, 468.384(2) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Auctioneers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE TITLE: Disciplinary Guidelines

RULE NO.: 61G17-2.0015

PURPOSE AND EFFECT: The Board proposes to raise the minimum and maximum penalties for advertising goods or services fraudulently, falsely, deceptively, or misleading in content pursuant to statute 472.033(1)(f), F.S. as a deterrent to licensees.

SUMMARY: This rule sets forth a range of disciplinary guidelines from which penalties will be imposed upon practitioners and applicants for licensure guilty of violating Chapters 472 and 455, F.S., in order to give notice to licensees and applicants of the range of penalties which will normally be imposed for violations of the provisions of Chapters 472 and 455, F.S.

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: 472.008, 472.033 FS.

LAW IMPLEMENTED: 472.033 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: Juanita Chastain, Executive Director, 2639 North Monroe Street, Northwood Centre, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G17-2.0015 Disciplinary Guidelines.

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

(f) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content; (472.033(1)(f), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$ 250 400 fine	\$500 250 fine and probation
SECOND OFFENSE	\$ 500 250 fine	\$750 500 fine and suspension to be followed by probation
THIRD OFFENSE	\$750 500 fine and probation	\$1000 750 fine and suspension to be followed by probation

(g) through (p) No change.

(q) Exercising influence on the ~~patient~~ or client for the purpose of financial gain of the licensee or a third party; (455.227(1)(n), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$250 fine and probation	\$500 fine and denial or suspension followed by probation
SECOND OFFENSE	\$750 fine and probation	\$1000 fine and denial or permanent revocation

(r) through (3) No change.

(a) through (4)(j) No change.

Specific Authority 472.008, 472.033 FS. Law Implemented 472.033 FS. History—New 3-13-03, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Surveyors and Mappers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Surveyors and Mappers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2003

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

Office of Vital Statistics

RULE TITLES:	RULE NOS.:
PART I DELAYED BIRTH REGISTRATION	
Delayed Birth Registration Requirements; Fees	64V-1.001
PART II AMENDMENT OF BIRTH CERTIFICATES	
Birth Certificate Amendments; Who May Apply; Fees	64V-1.002
Birth Certificate Amendments; Documentary Evidence Requirements	64V-1.003
Birth Certificate Amendments by Adoption	64V-1.0031
Birth Certificate Amendments by Paternity Establishment; Judicial and Administrative Process	64V-1.0032
Birth Certificate Amendment by Legal Change of Name; Judicial Process	64V-1.0033
Change of Paternity; Evidence Required	64V-1.004
PART III BIRTH, DEATH AND FETAL DEATH REGISTRATION	
Birth Registration; Evidence Required for Births Occurring Outside of a Facility	64V-1.006
Death and Fetal Death Registration	64V-1.0061
PART IV AMENDMENT OF DEATH CERTIFICATES	
Death Certificate Amendment; Who May Apply; Fees; Documentary Evidence Requirements	64V-1.007
PART V DELAYED DEATH, DELAYED FETAL DEATH AND PRESUMPTIVE DEATH REGISTRATION	
Delayed Death or Delayed Fetal Death Registration	64V-1.008
Presumptive Death Registration	64V-1.0081
PART VI BURIAL-TRANSIT PERMIT	
PART VII CERTIFICATIONS OF VITAL RECORDS AND FEES FOR SERVICES	
Certification of Vital Records; Information Required for Release; Applicant Identification Requirements	64V-1.0131
Fees for Vital Statistics Services Provided by State Registrar	64V-1.014
PART VIII ASSOCIATED ACTIVITIES	
Florida Putative Father Registry	64V-1.016
Presumptive Death Certificates	64V-1.018
Disposition of Fetal Demise	64V-1.019

PART IX MARRIAGE AND DISSOLUTION

OF MARRIAGE REPORTING

Marriage Reporting 64V-1.020
 Dissolution of Marriage Reporting 64V-1.021

PURPOSE AND EFFECT: To incorporate by reference or update the forms used for registering, amending and applying for certifications of vital records as well as forms required by recent passage of legislation. Amending rules regarding the registering, filing and issuance of vital records.

SUMMARY: Amending rule to restrict, other than by departmental administrative clerical error or at the order of the court, the amendment of same fact on a birth record to once, clarifying rules in regard to amendment actions involving correcting a birth record or amending a birth record relative to paternity action. Amending rule referencing the use of the form required for registering birth events, incorporating by reference the forms used for registering other vital records. Requiring that the Certificate of Death filed for a presumptive death contain sufficient identifying information on decedent. Incorporating in rule the forms for applying for certifications of vital records and requiring certain information be provided before release of information deemed confidential by law and exempt from the provisions of s. 119.07, Florida Statutes is issued. Incorporating in reference forms for registering with, updating and searching the Florida Putative Father Registry and to establish fees as provided for in law for filing a claim of paternity or conducting a diligent search of the Florida Putative Father Registry. To incorporate in rule the form for notifying a mother of her disposition rights in case of a spontaneous fetal demise.

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: 63.054, 382.003(7),(10),(11), 382.015(6), 382.016, 382.025, 382.0255(3), 383.33625(3) FS.

LAW IMPLEMENTED: 63.054, 63.152, 68.07(4), 382.003(7),(11), 382.012, 382.013(2), 382.015, 382.016, 382.017, 382.019, 382.021, 382.023, 382.025, 382.0255(1), 383.33625, 742.10, 742.16 FS.

IF REQUESTED 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: 1:00 p.m., Monday, February 2, 2004

PLACE: Room 402, Boorde Building, 1217 Pearl Street, Jacksonville, Florida 32202

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Kathleen Dunkley Stephens, Sr. Management Analyst Supervisor, Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042

THE FULL TEXT OF THE PROPOSED RULES IS:

64V-1.001 Delayed Birth Registration Requirements; Fees.

(1) All delayed birth registrations must be accompanied by an Application for Florida Delayed Certificate of Birth, DH Form 521, Jun 03 hereby incorporated by reference and available from the department and the fee required by subsection (2) of Rule 64V-1.014, F.A.C., and by documents described in subsection (2) of Rule 64V-1.001, F.A.C., which substantiate the following facts of birth:

- (a) through (e) No change.
- (2) through (10) No change.

Specific Authority 382.003(10),(11), 382.019, 382.0255(3) FS. Law Implemented 382.003(7),(11), 382.019 FS. History—New 1-1-77, Formerly 10D-49.13, Amended 10-1-88, 10-1-90, 4-18-96, 12-26-96, Formerly 10D-49.013, Amended 11-11-98, 7-18-00,_____.

PART II AMENDMENT OF BIRTH CERTIFICATES

64V-1.002 Birth Certificate Amendments; Who May Apply; Fees.

(1) A request for an amendment to a birth certificate made pursuant to subsections (1) ~~and (2)~~ of 382.016, F.S., shall be submitted with an Application for Amended Florida Birth Record, DH Form 429, Mar 03 hereby incorporated by reference and available from the department and accompanied by statutory fees required pursuant to subsection (3) of Rule 64V-1.014, F.A.C., an Affidavit of Amendment to Certificate of Live Birth, DH Form 430, Jan 00, hereby incorporated by reference and available from the department and documentary evidence, if required, by ~~Rule Section~~ 64V-1.003, F.A.C. The required Affidavit of Amendment to Certificate of Live birth, DH Form 430, ~~hereby incorporated by reference and available from the department,~~ must be signed before a notarizing official by a registrant who is at least 18 years of age or if disability of nonage has been removed and the registrant provides proof of such removal; or if under 18, by his or her parent(s) named on the certificate or guardian or agency having legal custody of the registrant. When requesting any correction to the name of the registrant, both parents must sign the affidavit if both parents are named on the birth record.

(2) A request for an amendment to a birth certificate made pursuant to Section 68.07(4), F.S., 382.015, F.S., and subsection (1)(b)(3) of Section 382.016, F.S., and Section 742.16, F.S., requires statutory fees as prescribed in subsection (4) of Rule 64V-1.014, F.A.C., however, the amendment of the birth certificate shall not be withheld if the required fee does not accompany the request. The department shall in these instances amend the birth certificate and shall so notify the

attorney, parent, or registrant, if of legal age, of the fee required for processing the amendment which includes one certification of the amended certificate.

Specific Authority 382.003(10),(11), 382.015(6), 382.016(4), 382.0255(3) FS. Law Implemented 382.003(7),(11), 382.015, 382.016 FS. History—New 1-1-77, Formerly 10D49-14, Amended 10-1-88, 4-18-96, Formerly 10D-49.014, Amended 11-11-98, 7-18-00,_____.

64V-1.003 Birth Certificate Amendments; Documentary Evidence Requirements.

(1) The following amendments do not require supporting documentary evidence;

(a) Hour of birth, parent(s) age or date of birth, residence, mailing address, ~~social security numbers;~~

(b) Misspelling or transposition of letters in names of registrant or parent(s);

(c) Changing a child's given name or surname up to the child's 1st birthday;

~~(d)(e)~~ Adding given name(s) of registrant up to the registrant's 7th birthday;

~~(e)(f)~~ Adding of given name(s) of parent(s);

~~(f)(e)~~ Transposition of parent(s) given names;

~~(g)(f)~~ Sex if item was left blank, or if sex as recorded is clearly in conflict with given names as recorded;

~~(h)(g)~~ Date of birth up to 10 days within the same calendar year but not later than the file date;

~~(i)(h)~~ Mother's maiden name if married surname was originally recorded;

~~(j)(i)~~ Parent(s) state or country of birth except for a change from foreign country to United States; and

~~(k)(j)~~ Any other item not covered in this subsection or subsection (2) of Rule 64V-1.003, F.A.C.

(2) Amendments to birth certificates as specified below shall be accompanied by original, certified, or notarized supporting documentary evidence. Except for subsection (2)(e) of Rule 64V-1.003, F.A.C., documents submitted for registrant 18 years or older must have been established prior to the 18th birthday and at least five years old; documents submitted for registrant under the age of 18 must have been established within the first 7 years of the date of birth:

(a) through (h) No change.

(i) Parent(s) country of birth from foreign born to United States; ~~and~~

(j) Parent(s) race; ~~and-~~

(k) Social security number of registrant or parent(s).

(3) The documents submitted must substantiate the following facts of birth;

(a) through (b) No change.

(c) Sex of child, evidence supporting correction required only if correction to sex as recorded on birth record requested;

(d) No change.

(e) Place of birth, evidence required only if correction to place of birth requested; and

(f) Date the document was originally established.

(4) Suggested sources of documentary evidence are as follows:

(a) through (b) No change.

(c) Vital records of parent(s) ~~or and~~ sibling(s) upon submission of an affidavit from the parent or sibling authorizing such use;

(d) through (f) No change.

(g) Social security record containing birth information provided at the time of application for a social security account number application;

(h) through (i) No change.

(5) No change.

(6) Once a fact on a birth certificate is amended pursuant to this section, that fact shall not be subsequently amended again unless (1) it can be shown that the first amendment was made through clerical error of the department, or (2) a subsequent amendment of that fact is ordered by a court of competent jurisdiction.

Specific Authority 382.003(10),(11), 382.016, 382.0255(3)(+)(e) FS. Law Implemented 382.003(7), 382.016 FS. History--New 1-1-77, Formerly 10D-49.16, Amended 10-1-88, 10-1-90, 4-18-96, 12-26-96, Formerly 10D-49.016, Amended 11-11-98, _____.

64V-1.0031 Birth Certificate Amendments by Adoption.

(1) Any adoption entered by a court in this state shall be recorded on a Certified Statement of Final Decree of Adoption, DH Form 527, Jan. 03 00, hereby incorporated by reference and available from the department. ~~Sections A and B of this form shall be completed by the child placement agency, state agency or attorney, as applicable, and shall then be forwarded to the clerk of the circuit court for completion of Section C by the court.~~ Upon receipt of a Certified Statement of Final Decree of Adoption, properly DH Form 527, Jan. 00, completed and certified by the clerk of the circuit court entering the adoption, the department shall amend the birth certificate if the child was born in this state.

(2) The department shall, upon receipt of a Certified Statement of Final Decree of Adoption, DH Form 527, Jan. 03 00, incorporated by reference in subsection (1) of Rule 64V-1.0031, F.A.C., that has been granted pursuant to Section 382.017, F.S., and an Application for Certificate of Foreign Birth, DH Form 1178, Jun 03 Aug. 98, both hereby incorporated by reference and available from the department, prepare a Certificate of Foreign Birth, DH Form 1156, Jul 97, hereby incorporated by reference and available from the department.

Specific Authority 382.003(10), 382.015(6), ~~382.017~~, 382.0255(3) FS. Law Implemented 63.152, 382.003(7), 382.015, 382.017 FS. History--New 11-11-98, Amended 7-18-00, _____.

64V-1.0032 Birth Certificate Amendments by Paternity Establishment; Judicial and Administrative Process.

(1) Any judgment establishing paternity entered by a Florida court pursuant to Section 742.10, or Section 382.015(2), F.S., shall be recorded on a Certified Statement of Final Judgment of Paternity, DH Form 673, May 03 Jan. 00, hereby incorporated by reference and available from the department. Upon receipt of a Certified Statement of Final Judgment of Paternity, DH 673, completed and certified by the clerk of the circuit court entering the paternity judgment, the department shall amend the birth certificate if the child was born in this state. Sections A and B of this form shall be completed by the attorney, as applicable, and shall then be forwarded to the clerk of the circuit court for completion of Section C by the court.

(2) A request to amend a birth certificate upon written request of the parents pursuant to subsection ~~(1)(b)(3)~~ of Section 382.016, F.S., shall be submitted on a Consenting Affidavit Acknowledging Paternity, DH Form 432, Jun 02 Jan. 00, hereby incorporated by reference and available from the department. The Consenting Affidavit Acknowledging Paternity, DH Form 432 must be signed by both parents and both signatures must be notarized.

(3) An acknowledgment of paternity that was made at the hospital at the time of a child's birth or subsequently by acknowledging paternity pursuant to subsection (1)(b) of 382.016, F.S., may be rescinded by either party within 60 days of the date the acknowledgment was signed by filing a Paternity Acknowledgment Rescission Affidavit, DH Form 2102, May 98 hereby incorporated by reference and available from the department. Filing a rescission will not affect the parentage as recorded on the birth record and if the father's name is to be removed, an order from a court of competent jurisdiction directing that the birth record be amended to remove the father's name is required.

~~(4)(3)~~ Any judgment establishing paternity resulting from an affirmation of parental status for gestational surrogacy pursuant to Section 742.16, F.S., shall be recorded on a Certified Statement of Final Order of Affirmation of Parental Status, DH Form 1905, Oct 02 Jan. 00, hereby incorporated by reference and available from the department.

Specific Authority 382.003(10),(11), 382.015(6), 382.016(1), 382.0255(3) FS. Law Implemented 382.003(7),(11), 382.015(2),(3), 382.016(1)(b)(3), 742.10, 742.16 FS. History--New 11-11-98, Amended 7-18-00, _____.

64V-1.0033 Birth Certificate Amendment by Legal Change of Name; Judicial Process.

(1) Any judgment of change of name entered in this state pursuant to subsection (4) of Section 68.07, F.S., ~~for a person born in this state~~ shall be recorded on a Report of Legal Change of Name, DH Form 427, Jul 03 Apr. 97, hereby incorporated by reference and available from the department.

(2) In the case of a name change which also changes the name of the parent(s), only the name of the registrant shall be amended except when the court order specifically directs the department to amend the birth certificate in regard to the name change of the parent(s). In such cases, submission of a certified copy of the court order granting the name change shall be required.

(3) Upon receipt of a Report of Legal Change of Name, properly completed and certified DH Form 427, Apr. 97, incorporated by reference in subsection (1) of Rule 64V-1.0033, F.A.C., completed and certified by the clerk of circuit court entering the change of name or an order of name change entered by a court of competent jurisdiction in another state, the department shall, except in the case of a woman who has had her maiden name restored or in a case where the court directs the department to file a new birth certificate, amend the birth certificate of the registrant by attaching the report to the birth certificate thereby becoming a permanent part of that record.

(a) In the case of a woman who has had her maiden name restored, no action shall be taken by the department in regard to amending the birth certificate and the report that which has been forwarded by the court shall be incorporated into the files of vital statistics.

(b) No change.

Specific Authority 382.003(7),(10), 382.0255(3)(+)(e) FS. Law Implemented 68.07(4) FS. History—New 11-11-98, Amended _____.

64V-1.004 Change of Paternity; Evidence Required.

(1) A certified copy of a court order is required to change the name of a father paternity if a father was listed on the original birth record in accordance with Section 382.013, F.S., or on an amended record filed pursuant to Section subsection (2) of 382.015 or subsection (1)(b)(3) of Section 382.016 382.16, F.S.

(2) If a mother was legally married at the time of a child's birth and refused information on her husband, no other man may be added to the birth record as father except by order of a court of competent jurisdiction.

(3) An amendment made pursuant to subsections (1) and (2) of Rule 64V-1.004, F.A.C., may only be made by order of a court of competent jurisdiction following a proceeding where all parties have been provided legally sufficient notice and an opportunity to be heard by the court.

(4) A father who was legally married to the mother at the time of the child's birth but was omitted from the record may be added to the birth record upon receipt of a Consenting Affidavit Acknowledging Paternity, DH Form 432 incorporated by reference in subsection (2) of Rule 64V-1.0032, F.A.C., and a certified copy of the marriage record. The Consenting Affidavit Acknowledging Paternity must be signed by both the mother and the man who was her legal husband at the time of the child's birth.

Specific Authority 382.003(10),(11), 382.015(6), 382.016(1) FS. Law Implemented 382.013(2), 382.015(2), 382.016(1)(b),(2),(3),(5), 382.019 FS. History—New 1-1-77, Formerly 10D-49.17, Amended 10-1-88, 10-1-90, Formerly 10D-49.017, Amended 11-11-98, 7-18-00, _____.

PART III BIRTH, DEATH AND FETAL DEATH REGISTRATION

64V-1.006 Birth Registration; Evidence Required for Births Occurring Outside of a Facility.

(1) All birth records filed in this state pursuant to s. 382.013, Florida Statutes shall be registered on a Certificate of Live Birth, DH Form 511, Jan 04, hereby incorporated by reference and available from the department.

(2)(+) If a birth occurs outside a facility and the child is not taken to a facility within three days after delivery, a Certificate of Live Birth, DH Form 511, Jan 04 00, hereby incorporated by reference and available from the department, will be accepted for registration by a local registrar and state filing by the Office of Vital Statistics if corroborated by a written statement from a licensed physician or a licensed midwife in attendance during or immediately after birth.

(3)(+) If a written statement referenced in subsection (2)(+) of Rule 64V-1.006, F.A.C., cannot be obtained, corroborating evidence or action as follows may be substituted:

(a) through (c) No change.

Specific Authority 382.003 (7),(10),(11), 382.013, 382.019 FS. Law Implemented 382.003(7),(10)(+), 382.013(+) FS. History—New 10-1-90, Formerly 10D-49.0194, Amended 11-11-98, 7-18-00, _____.

64V-1.0061 Death and Fetal Death Registration.

All deaths except for fetal deaths filed pursuant to Section 382.008, F.S., shall be registered on a Certificate of Death, DH Form 512, Sep 96. All fetal deaths occurring in this shall be filed on a Certificate of Fetal Death, DH Form 428, Nov 97, both hereby incorporated by reference and available from the department.

Specific Authority 382.003(10), 382.008 FS. Law Implemented 382.003(7),(11), 382.008 FS. History—New _____.

PART IV AMENDMENT OF DEATH CERTIFICATES

64V-1.007 Death Certificate Amendments; Who May Apply; Fees; Documentary Evidence Requirements.

(1) Application to amend items other than those requiring the signature of the attending physician or medical examiner as outlined in subsection (2) of Rule 64V-1.007, F.A.C., shall be submitted with an Application for Amendment to Death Record, DH Form 524, June 03 hereby incorporated by reference and available from the department and accompanied by the fee required in subsection (3) of 64V-1.014, F.A.C.

(2) through (4) No change.

(5) The department may not alter the surviving spouse item other than those items in subsection (3)(f)(g) of Rule 64V-1.007, F.A.C., except on order of a court of competent jurisdiction.

(6) through (7) No change.

Specific Authority 382.003(10),(11), 382.016, 382.0255(3) FS. Law Implemented 382.003(7),(11), 382.011, 382.016 FS. History—New 1-1-77, Formerly 10D49-22, Amended 10-1-88, 4-18-96, Formerly 10D-49.022, Amended 11-11-98, 7-18-00, _____.

PART V DELAYED DEATH, DELAYED FETAL DEATH AND PRESUMPTIVE DEATH REGISTRATION

64V-1.008 Delayed Death or Delayed Fetal Death Registration.

To register a delayed death or fetal death certificate, the funeral director or person acting as such shall complete all parts of the Certificate of Death, DH Form 512, Sept. 96, or Certificate of Fetal Death, DH Form 428, Nov. 97, both ~~hereby~~ incorporated by reference in Rule 64V-1.0061, F.A.C., and available from the department, except for the medical certification of the cause of death section which shall be completed and certified by a physician or medical examiner with current jurisdiction of the district in which the death occurred. The funeral director or person acting as such shall then file the certificate with the State Office of Vital Statistics, furnishing a written explanation for the delay in filing on the back of the certificate. In addition, the funeral director or person acting as such shall include with the completed certificate an Application for a Presumptive or Delayed Death Record, DH Form 1565, Jun 03 hereby incorporated by reference and available from the department and payment of a delayed filing fee pursuant to subsection (2) of Rule 64V-1.014, F.A.C.

Specific Authority 382.003(7),(10), 382.019, 382.0255(1)(b) FS. Law Implemented 382.019 FS. History—New 10-1-88, Formerly 10D-49.0231, Amended 11-11-98, _____.

64V-1.0081 Presumptive Death Registration.

A presumptive death certificate shall be recorded on a Certificate of Death, DH Form 512, Sept. 96, which is incorporated by reference in Rule 64V-1.008, F.A.C., and shall be marked "Presumptive". The certificate shall be completed with as much personal identifying information regarding the presumed decedent as known and shall include a date and a location of the presumed death. If the exact place of death is unknown, an entry identifying the geographical place such as "At Sea – Atlantic Ocean", "In Air-Over Everglades" shall be entered for place of death. An Application for a Presumptive or Delayed Death Record, DH Form 1565, Jun 03 incorporated by reference in Rule 64V-1.008, F.A.C., and payment of a delayed filing fee pursuant to subsection (2) of Rule 64V-1.014, F.A.C. shall accompany the request.

Specific Authority 382.003(7),(10),(11), 382.012 FS. Law Implemented 382.012 FS. History—New 11-11-98, Formerly 64V-1.018, Amended _____.

PART VII CERTIFICATIONS OF VITAL RECORDS AND FEES FOR SERVICES

64V-1.0131 Certifications of Vital Records; Information Required for Release; Applicant Identification Requirements.

(1) All certifications issued by the Office of Vital Statistics or any of the DH county health departments shall be on security paper designed and approved by the department. Neither ~~no~~ plain copy nor uncertified records will be issued except as an approved health study project by the department.

(2) All requests for certifications of birth records less than 100 years old must be accompanied with photo identification as prescribed in paragraph 64V-1.0131(2)(c), F.A.C. With the exception of a request to file a delayed birth registration, a birth amendment or a Certificate of Foreign Birth, each request shall be submitted in writing or, on a state office Application for Florida Birth Record, DH Form 726, Jul 03 or county office Application for Florida Birth Record, DH Form 1960, Jul 03 both hereby incorporated by reference and available from the department. A request to file a delayed birth registration, an amendment to a birth record or a Certificate of Foreign Birth must be requested on application forms previously incorporated by reference in Rules 64V-1.001, 64V-1.002 and 64V-1.0031, F.A.C.

(a) If a written request is submitted in lieu of the prescribed DH forms, the request shall include the following information:

1. The relationship between the applicant and the registrant (person whose record is being requested);
2. Name of registrant;
3. Date of birth of registrant or if date of birth is unknown, the year(s) to be searched;
4. County or City of Birth;
5. Father's name when father is named on record; and
6. Full name of mother including her maiden surname.

(b) A copy of a photo identification must accompany the applicable application or written request or, if presented in person, department personnel must view the original accompanying photo identification.

(c) Acceptable forms of photo identification, which includes other identifying information, are as follows:

1. State Driver's License;
2. Military identification;
3. Passport; or
4. State issued identification card.

(d) If the certification is requested by an attorney representing the registrant or his or her parent identified on the birth certificate or his or her legal guardian, the attorney's bar or license number may be provided in lieu of photo identification.

(e) If the requestor is not a person enumerated in paragraph 382.025(1)(a), F.S., an Affidavit to Release a Birth Certificate, DH Form 1958, Jul 03 hereby incorporated by reference and available from the department must be completed by the person enumerated in paragraph 382.025(1)(a), F.S.

(3) All requests for certifications of death records where cause of death information is requested and the death occurred less than 50 years prior to the request must be accompanied with photo identification as prescribed in paragraph 64V-1.0131(4)(c), F.A.C. With the exception of non-medical death amendment requests, and delayed or presumptive death registration, all requests must be submitted in writing or on a state office Application for a Florida Death Record, DH Form 727, Jul 03, county office Application for a Florida Death Record, DH Form 1961, Jul 03 both hereby incorporated by reference and available from the department. A request to file a non-medical death amendment request, a delayed death registration or a presumptive death must be requested on application forms previously incorporated by reference in Rules 64V-1.007, 64V-1.008 and 64V-1.0081, F.A.C.

(a) If a written request is submitted in lieu of the prescribed DH forms, the letter must include the information necessary to identify the record being requested as follows:

1. The relationship between the applicant and the decedent.

2. Name of decedent;

3. Date of Death or if date of death unknown, the year(s) to be searched; and

4. County or City of Death.

(b) A copy of a photo identification must accompany the applicable application or written request or, if presented in person, department personnel must view the original accompanying photo identification.

(c) Acceptable forms of photo identification, which includes other identifying information, are as follows:

1. State Driver's License;

2. Military identification;

3. Passport; or

4. State issued identification card.

(d) If the certification is requested by an attorney or funeral director who is representing the immediate family of the decedent or any other person enumerated in paragraph 382.025(2)(a), F.S., the bar or license number may be provided in lieu of the photo identification.

(e) If the requestor is not a person enumerated in subsection 382.025(2) F.S., an Affidavit to Release Cause of Death, DH Form 1959, Jul 03 hereby incorporated by reference and available from the department must be completed by the person enumerated in subsection 382.025(2), F.S.

Specific Authority 382.003(4),(7),(10), 382.025 FS. Law Implemented 382.025 382.003(4),(7),(10) FS. History--New 11-11-98, Amended _____.

64V-1.014 Fees for Vital Statistics Services Provided by State Registrar.

The fees for services provided are as follows:

(1) Five dollars for the first calendar year of records searched or retrieved for a vital record and two dollars for each additional calendar year of records searched or retrieved, up to a maximum of fifty dollars. If the record is located, this fee entitles the applicant to one computer certification of the record ~~or a birth card~~. A certified photocopy will be issued in lieu of a computer certification if computer certification is not available at no additional cost. An additional fee of five dollars is required if a certified photocopy is requested in place of a computer certification.

(2) Twenty dollars for processing a request to file a delayed certificate and filing certification of birth, death, or fetal death or presumptive death. This fee entitles the applicant to one certification of the record, if filed.

(3) Twenty dollars for processing a request for and filing an amendment to a death record, or fetal death record or an amendment to a birth record made pursuant to Section 382.016, F.S. This fee entitles the applicant to one certification of the amended or corrected record.

(4) Twenty dollars for processing a request for an amendment resulting from and filing a report of change of name or a new birth certificate for reason of adoption, affirmation of parental status for gestational surrogacy or for reason of determination of paternity. This fee entitles the applicant to one certification of the new certificate.

(5) through (8) No change.

(9) Nine dollars for filing a claim of paternity with the Florida Putative Father Registry.

(10) Nine dollars for each search request of the Florida Putative Father Registry.

Specific Authority 63.054(9), 382.003(10), 382.025(3) FS. Law Implemented 63.054(9), 382.025(1) FS. History--New 10-1-88, Amended 11-11-90, 4-18-96, 12-26-96, Formerly 10D-49.034, Amended 11-11-98, _____.

PART VII ASSOCIATED ACTIVITIES

64V-1.016 Florida Putative Father Registry ~~Statement of Father Acknowledging Minor Child~~.

~~The department shall match any acknowledgment filed pursuant to Section 63.062, F.S., to the applicable birth certificate on file. Such statement shall include sufficient identifying information such as the child's name, if known, and the child's date of birth, the child's county of birth and the full maiden name of the mother. If written verification of such an acknowledgment is requested, it shall be accompanied by statutory fees required pursuant to subsection (1) of Rule 64V-1.014, F.A.C.~~

(1) A claim of paternity filed by an unmarried biological father as defined in subsection 63.032(19), F.S., shall be made on a Florida Putative Father Registry Claim of Paternity, DH Form, 1965, Oct 03, hereby incorporated by reference and

available from the department. A request to update information or revoke a claim of paternity shall be made on a Florida Putative Father Registry Claim of Paternity – Update to Registration, DH Form 1964, Oct 03 hereby incorporated by reference and available from the department. A request for search of the Florida Putative Father Registry shall be made on Florida Putative Father Registry – Application for Search, DH Form 1963, Oct 03 hereby incorporated and available from the department.

(2) To efficiently maintain the registry, the Office of Vital Statistics shall purge the name of a registrant upon entry of a court order establishing paternity, entry of an adoption order, or when the child reaches the age of 18.

Specific Authority 63.054(3),(10),(14), 382.003(7)(10), ~~382.0255(3)~~ FS. Law Implemented 63.054 ~~63.062(1)~~, ~~382.0255(1)~~ FS. History–New 11-11-98, Amended _____.

64V-1.018 Presumptive Death Certificates.

Specific Authority 382.003(7)(10), 382.012 FS. Law Implemented 382.012 FS. History–New 11-11-98, ~~Transferred to 64V-1.0081.~~

64V-1.019 Disposition of Fetal Demise.

In accordance with s. 383.33625, F.S., a Notification of Disposition of Fetal Demise, DH Form 1966, Aug 03, hereby incorporated by reference and available from the department shall be issued by a health care practitioner as provided by law.

PART IX MARRIAGE AND DISSOLUTION OF MARRIAGE REPORTING

Specific Authority 383.33625(3) FS. Law Implemented 383.33625 FS. History–New _____.

64V-1.020 Marriage Reporting.

Marriages occurring in Florida shall be recorded on a Marriage Record, DH Form 743, Apr 98 hereby incorporated by reference and available from the department.

Specific Authority 382.003(7)(10) FS. Law Implemented 382.021 FS. History–New _____.

64V-1.021 Dissolution of Marriage Reporting.

Dissolution of Marriages shall be recorded on a Report of Dissolution of Marriage – Annulment of Marriage, DH Form 513, Oct 96 hereby incorporated by reference and available from the department.

Specific Authority 382.003(7)(10) FS. Law Implemented 382.023 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kathleen Dunkley Stephens

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ken Jones

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 14, 2003

**Section III
Notices of Changes, Corrections and Withdrawals**

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 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 BUSINESS AND PROFESSIONAL REGULATION

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-18.0025	Qualifications to Practice Juvenile Sexual Offender Therapy

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 28, No. 33, August 16, 2002, Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68B-32	Tarpon
RULE NO.:	RULE TITLE:
68B-32.005	Boca Grande Pass Designated Boundaries; Seasonal Restrictions

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments and new rule for Rule Chapter 68B-32, F.A.C., relating to tarpon, as published in Vol. 30, No. 1, January 2, 2004 issue of the Florida Administrative Weekly.