

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

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 TITLES:	RULE NOS.:
Routine Mail	33-210.101
Legal Documents and Legal Mail	33-210.102
Privileged Mail	33-210.103

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to: provide for the copying of incoming correspondence that is disapproved for specified reasons in order to allow review of the rejected material during the inmate grievance process; to provide for consistency in rule language; to provide for the handling of mail between inmates and persons under civil commitment as sexually violent predators; and to clarify what must be included in the institution address on incoming and outgoing correspondence.

SUBJECT AREA TO BE ADDRESSED: Inmate mail.

SPECIFIC AUTHORITY: 20.315, 944.09, 944.11 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.11 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

(1) through (6) No change.

(7) Correspondence with inmates of other penal institutions shall be subject to the prior approval of the warden of each institution. Either warden shall withhold approval if he finds that the intended correspondence would present a substantial threat of interference with the security, order or rehabilitative objectives of his institution.

(8) Correspondence with individuals under civil commitment as sexually violent predators shall be subject to the prior approval of the warden. The warden shall withhold approval if he finds that the intended correspondence would present a substantial threat of interference with the security, order or rehabilitative objectives of his institution.

~~(9)(8)~~ Inmates shall not use correspondence privileges to solicit or otherwise commercially advertise for money, goods or services. For the purposes of this rule this includes advertising for pen-pals; inmates are not prohibited from corresponding with pen pals, but shall not place ads soliciting pen pals. Inmates are prohibited from receiving correspondence or materials from persons or groups marketing advertising services, or from subscribing to advertising services. Inmates who post ads or have ads posted with the assistance of another person shall be subject to disciplinary action.

~~(10)(9)~~ No change.

~~(11)(10)~~ Outgoing or incoming mail shall be disapproved for mailing or delivery to the inmate if any part of it:

(a) Depicts or describes procedures for the construction of or use of weapons, ammunitions, bombs, chemical agents, or incendiary devices;

(b) Depicts, encourages, or describes methods of escape from correctional facilities or contains blueprints, drawings or similar descriptions of Department of Corrections facilities or institutions, or includes road maps that can facilitate escape from correctional facilities;

(c) Depicts or describes procedures for the brewing of alcoholic beverages, or the manufacture of drugs or other intoxicants;

(d) Is written in code;

(e) Depicts, describes or encourages activities which may lead to the use of physical violence or group disruption;

(f) Encourages or instructs in the commission of criminal activity;

(g) Is dangerously inflammatory in that it advocates or encourages riot, insurrection, disruption of the institution, violation of department or institution rules, the violation of which would present a serious threat to the security, order or rehabilitative objectives of the institution or the safety of any person;

(h) Threatens physical harm, blackmail or extortion;

(i) Pictorially depicts sexual conduct as defined by Section 847.001, F.S., as follows:

1. Actual or simulated sexual intercourse;
2. Sexual bestiality;
3. Masturbation;
4. Sadomasochistic abuse;
5. Actual contact with a person's unclothed genitals, pubic area, buttocks, or, if such person is a female, breast;

6. Any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed.

(j) Presents nudity or a lewd exhibition of the genitals in such a way as to create the appearance that sexual conduct is imminent, i.e., display of contact or intended contact with genitals, pubic area, buttocks or female breasts orally, digitally or by foreign object, or display of sexual organs in an aroused state.

(k) Contains criminal history, offender registration, or other personal information about another inmate or offender which, in the hands of an inmate, presents a threat to the security, order or rehabilitative objectives of the correctional system or to the safety of any person;

(l) Is not in compliance with incoming mail regulations set forth in subsections (2) and (3) of this rule (incoming mail only);

(m) Contains or appears to contain unknown or unidentifiable substances; or

(n) Otherwise presents a threat to the security, order, or rehabilitative objectives of the Correctional System, or to the safety of any person.

~~(12)(11)~~ No inmate may establish or conduct a business through the mail during his period of incarceration.

~~(13)(12)~~ Inmates shall be prohibited from entering contests or sweepstakes through the mail while incarcerated.

~~(14)(13)~~ When an inmate is prohibited from sending a letter, the letter and a written and signed notice stating one of the authorized reasons for disapproval and indicating the portion or portions of the letter causing disapproval will be given to the inmate. When an inmate is prohibited from receiving any item of mail, the inmate and the sender will be given notice in writing that the mail has been disapproved stating one of the authorized reasons for disapproval. The Unauthorized Mail Return Receipt, Form DC2-521, will be placed in the original envelope with the correspondence and returned to the sender. If the incoming mail is disapproved for one of the reasons listed in subsections (7), (8), or (9), paragraph (11)(a) through (k) or (n), subsection (12) or (13) of this rule, the institution shall make a copy of the correspondence before returning it to the sender with the Unauthorized Mail Return Receipt, Form DC2-521, included. If unauthorized items are contraband is discovered in the mail (other than items contraband of an illegal nature), the unauthorized contraband item and the correspondence will be returned to the sender with the Unauthorized Mail Return Receipt, Form DC2-251, included. In either case the inmate may file a grievance to be reviewed by an officer or official other than the person disapproving the mail. Form DC2-521 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is _____ December 4, 2002.

~~(15)(14)~~ The address of all incoming mail must contain the inmate's committed name, identification number and institutional address. The return address of all outgoing mail must contain ~~only~~ the inmate's committed name, identification number and institutional name and institutional address. The inmate's dorm and bunk locations are not required in either the address of incoming mail or the return address of outgoing mail. No prefix other than inmate, Mr., Ms., Miss, or Mrs. nor any suffix other than Jr., Sr. or Roman numeral such as II or III may be included as part of the committed name in the return address. The institutional name in the return address must be spelled out completely with no abbreviations. All outgoing routine mail will be stamped "mailed from a state correctional institution" by mail room staff.

(15) through (20) renumbered (16) through (21) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History-- New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, _____.

33-210.102 Legal Documents and Legal Mail.

(1) through (6) No change.

(7) When an inmate is prohibited from receiving any item of mail, the inmate and the sender will be notified in writing that the mail has been disapproved stating one of the authorized reasons for disapproval. The Unauthorized Mail Return Receipt, Form DC2-521, will be placed in the original envelope with the correspondence and returned to the sender. If unauthorized items are contraband is discovered in the mail (other than items contraband of an illegal nature), the unauthorized contraband item and the correspondence will be returned to the sender with the Unauthorized Mail Return Receipt included. Form DC2-521 is incorporated by reference in Rule 33-210.101, F.A.C.

(8) Processing of Legal Mail.

(a) All incoming legal mail will be opened in the presence of the inmate to determine that the correspondence is legal mail and that it contains no unauthorized items contraband. Only the signature and letterhead may be read. If the incoming mail is not legal mail, it will be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection (8) of this rule because it was being transmitted under the guise of legal mail. The inmate whom the mail was addressed shall receive a copy of the form letter.

(b) Inmates shall present all outgoing legal mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is legal mail and that it contains no unauthorized items contraband. Only the address may be read to determine whether it is properly addressed to a person or agency listed in subsection (2) of this rule. If the outgoing mail contains unauthorized items contraband or is not legal mail, the inmate shall be subject to

disciplinary action. If the outgoing mail is legal mail and it contains no unauthorized items ~~contraband~~, the mail collection representative shall stamp the document(s) to be mailed and the inmate's copy, if provided by the inmate, "Provided to (name of institution) on (blank to insert date) for mailing." The mail collection representative shall then have the inmate initial the document(s) next to the stamp. For confinement areas, the staff member who picks up the legal mail each day shall stamp the documents, have the inmate place his or her initials next to the stamp, and have the inmate seal the envelope in the staff member's presence. The use of mail drop boxes for outgoing legal mail is prohibited.

(c) through (12) No change.

(13) The address on all incoming legal mail should contain the inmate's committed name, identification number, institutional name and address; the inmate's dorm and bunk locations are not required. However, if the addressee can be identified, the mail shall be delivered without delay. When legal mail cannot be delivered because the envelope does not contain enough information for a positive identification of the inmate recipient, the mail will be returned to the sender along with Form DC2-528, Legal Mail – Unable to Deliver. Form DC2-528 is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is August 25, 2003.

(14) The return address on all outgoing correspondence must contain the inmate's committed name, identification number, and the institutional name and address spelled out completely. The inmate's dorm and bunk locations are not required. No prefix other than inmate, Mr., Ms., Miss, or Mrs., or any suffix other than Jr., Sr., or Roman numerals such as II or III may be included as part of the committed name in the return address. If the inmate's committed name or identification number is missing, the letter shall be returned to the inmate for proper addressing. If the institutional name or address is incomplete, the institution is authorized to stamp all outgoing legal mail with the complete institutional name and address and shall mail it without delay. All outgoing legal mail will be stamped "mailed from a state correctional institution" by mail room staff.

(15) through (16) No change.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History—New 10-8-76, Amended 4-19-79, 7-2-81, 6-8-82, 9-23-85, Formerly 33-3.05, Amended 10-7-86, 8-20-89, 4-4-91, 9-1-93, 4-28-96, 2-12-97, 5-25-97, 10-7-97, 12-7-97, 2-15-98, Formerly 33-3.005, Amended 12-20-99, Formerly 33-602.402, Amended 5-5-02, 12-4-02, 5-11-03, 8-25-03,

33-210.103 Privileged Mail.

(1) through (2) No change.

(3) When an inmate is prohibited from receiving any item of mail, the inmate and the sender will be notified in writing that the mail has been disapproved stating one of the authorized reasons for disapproval. The Unauthorized Mail Return Receipt, Form DC2-521, will be placed in the original envelope with the correspondence and returned to the sender. If unauthorized items ~~are~~ ~~contraband~~ is discovered in the mail (other than items ~~contraband~~ of an illegal nature), the unauthorized ~~contraband~~ item and the correspondence will be returned to the sender with the Unauthorized Mail Return Receipt included. Form DC2-521 is incorporated by reference in Rule 33-210.101, F.A.C.

(4) Processing of Privileged Mail.

(a) All incoming privileged mail shall be opened in the presence of the inmate to determine that the correspondence is privileged mail and that it contains no unauthorized items ~~contraband~~. Only the signature and letterhead may be read. If the incoming mail is not privileged mail, it will be returned to the sender along with a form letter which states that the correspondence is being returned in accordance with subsection (4) of this rule because it was being transmitted under the guise of privileged mail. The inmate to whom the mail was addressed shall receive a copy of the form letter.

(b) Inmates shall present all outgoing privileged mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is privileged mail and that it contains no unauthorized items ~~contraband~~. Only the address may be read to determine whether it is properly addressed to a person or agency listed in subsection (1) of this rule. If the outgoing mail contains unauthorized items ~~contraband~~ or is not privileged mail, the inmate shall be subject to disciplinary action.

(c) No change.

(5) The address on all incoming privileged mail should contain the inmate's committed name, identification number, institutional name and address. The inmate's dorm and bunk locations are not required. However, if the addressee can be identified, the mail shall be delivered without delay.

(6) The return address on all outgoing correspondence must contain the inmate's committed name, identification number, and the institutional name and address spelled out completely. The inmate's dorm and bunk numbers are not required. No prefix other than inmate, Mr., Ms., Miss, or Mrs., or any suffix other than Jr., Sr., or Roman numerals such as II or III may be included as part of the committed name in the return address. If the inmate's name or identification number is missing, the letter shall be returned to the inmate for proper addressing. If the institutional name or address is incomplete, the institution is authorized to stamp all outgoing privileged

mail with the complete institutional name and address and shall mail it without delay. All outgoing privileged mail will be stamped "mailed from a state correctional institution" by mail room staff.

(7) through (8) No change.

Specific Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History—New 9-1-93, Amended 5-25-97, 2-15-98, Formerly 33-3.0052, Amended 12-20-99, Formerly 33-602.403, Amended 5-5-02, 12-4-02.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE TITLE: Publications Incorporated by Reference

RULE NO.: 40E-2.091

PURPOSE AND EFFECT: Current consumptive use permitting criteria prevent allocation of additional surface water from District controlled surface water bodies in the Indian Prairie Basin, located northwest of Lake Okeechobee and extending to Lake Istokpoga. This rule development will address revision of the criteria based upon water resource related developments within the Indian Prairie Basin.

SUBJECT AREA TO BE ADDRESSED: To amend Section 3.2.1 of the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 31, 2003" to revise the rules based upon water resource related developments within the Indian Prairie Basin.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239 FS.

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

TIME AND DATE: 10:00 a.m. – 1:00 p.m., Wednesday, June 2, 2004

PLACE: South Florida Water Management District, Okeechobee Service Center, Fisheating Bay Conference Room, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34972, (561)686-8800 or 1(800)432-2045

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For technical issues: Scott Burns, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6817 or

(561)682-6817, e-mail: sburns@sfwmd.gov; For procedural issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Regional Water Shortage Plans

RULE CHAPTER NO.: 40E-22

PURPOSE AND EFFECT: The current regional water shortage plan in Part I, Chapter 40E-22, F.A.C., sets minimum water levels and flows for canals and other water bodies within the Indian Prairie Basin and states a water shortage plan specific to this region. Operation of the Central & Southern Florida Flood Control Project in the Indian Prairie region during the 2000-2001 drought indicated revisions to this Plan are necessary to reflect updated system operations. This rule development will address revision of the rules based upon water resource related developments within the Indian Prairie Basin.

SUBJECT AREA TO BE ADDRESSED: To amend Part I, Chapter 40E-22, F.A.C., to revise the rules based upon water resource related developments within the Indian Prairie Basin.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.086, 373.103, 373.175, 373.246 FS.

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

TIME AND DATE: 10:00 a.m. – 1:00 p.m., Wednesday, June 2, 2004

PLACE: South Florida Water Management District, Okeechobee Service Center, Fisheating Bay Conference Room, 205 North Parrott Avenue, Suite 201, Okeechobee, FL 34972, (561)686-8800 or 1(800)432-2045

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For technical issues: Scott Burns, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6817 or (561)682-6817, e-mail: sburns@sfwmd.gov; For procedural

issues: Joyce Rader, Paralegal Specialist, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6259 or (561)682-6259, e-mail: jrader@sfwmd.gov. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF TRANSPORTATION

Commission for the Transportation Disadvantaged

RULE TITLE: Community Transportation Coordinator Powers and Duties RULE NO.: 41-2.011

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Community Transportation Coordinator Powers and Duties.

SPECIFIC AUTHORITY: 427.013(9) FS.

LAW IMPLEMENTED: 427.0155 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lisa Bacot, Executive Director, Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS-49, Tallahassee, Florida 32399-0450

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

41-2.011 Community Transportation Coordinator Powers and Duties.

(1) through (2) No change.

(3) When the Community Transportation Coordinator determines that a current contracted transportation operator is unable to provide the needed transportation services, the Community Transportation Coordinator may utilize a transportation provider that is not retained by contract with the Community Transportation Coordinator. This usage shall be incidental, not to exceed 5% of the previous year's total trip volume. Upon written request, the Community Transportation Coordinator may seek the Executive Director's approval to exceed 5% of the previous year's total trip volume. The Executive Director must respond, in writing, to the Community Transportation Coordinator's request by the end of the next business day. These non-contracted transportation providers must comply with the following:

(a) Be subject to a governmental ordinance relating to vehicles for hire services:

(b) Utilize certified meters and bill for services in accordance with the meter rate and/or established published flat rates:

(c) Maintain minimum insurance requirements as set forth in subsection 41-2.006(1), F.A.C.:

(d) Provide to the Community Transportation Coordinator the records of a Florida Department of Law Enforcement background check and Florida Department of Highway Safety and Motor Vehicles Driver License History Check of drivers: and

(e) At least once a year, allow the Community Transportation Coordinator to perform biennial vehicle inspections or review inspection reports.

~~(4)(3)~~ Pursuant to the conditions set forth in the Memorandum of Agreement, the Community Transportation Coordinator shall develop, implement, and monitor an approved Transportation Disadvantaged Service Plan. This plan shall be approved by the Coordinating Board and forwarded to the Commission for review and final disposition.

~~(5)(4)~~ Each Community Transportation Coordinator shall submit a report on operational statistics by September 15, each year to the Commission. A copy should also be provided to the Metropolitan Planning Organization or Designated Official Planning Agency.

~~(6)(5)~~ The Community Transportation Coordinator shall maximize the utilization of school bus and public transit services in accordance with Section 427.0158, Florida Statutes. Any utilization data shall be included in operational statistics provided to the coordinated system.

~~(7)(6)~~ In cooperation with the local Coordinating Board, the Community Transportation Coordinator shall review all applications for local government, federal and state transportation disadvantaged funds submitted from or planned for use in their designated service area. If funds are recommended for approval, the Community Transportation Coordinator, in cooperation with the Coordinating Board, will develop and implement cost-effective coordination strategies for their use and integration into the coordinated system.

~~(8)(7)~~ Funding to support the Community Transportation Coordinator's functions associated with documented coordination activities may be obtained from a coordination fee as part of each trip arranged, from subsidies received or both and upon approval by the Coordinating Board.

~~(9)(8)~~ Each Community Transportation Coordinator shall be aware of all of the transportation disadvantaged resources available or planned in their designated service area in order to plan, coordinate, and implement the most cost effective transportation disadvantaged transportation system possible under the conditions that exist in the designated service area.

~~(10)(9)~~ Contractual administration of Community Transportation Coordinators shall be accomplished through a Memorandum of Agreement between the Commission and the Community Transportation Coordinator in accordance with the

procedures of the Commission. Transportation services purchased from or arranged by the Community Transportation Coordinator will be billed to purchasing agencies by the Community Transportation Coordinator at the rates identified in the approved Transportation Disadvantaged Service Plan or Coordination Contract and recognize any special conditions as specified by the purchasing agency. Payment for services will be made directly to the Community Transportation Coordinator unless otherwise agreed upon, in writing, by the purchaser and the Community Transportation Coordinator. Other contractual arrangements shall be followed as specified in this rule chapter.

Specific Authority 427.013(9) FS. Law Implemented 427.0155 FS. History—New 5-2-90, Amended 6-17-92, 6-15-93, 7-11-95, 5-1-96, 10-1-96, 3-10-98, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Disputed Reimbursement Rule	59A-31
RULE TITLES:	RULE NOS.:
Disputed Reimbursement Avoidance	59A-31.001
Disputed Reimbursement Resolution	59A-31.002
Utilization and Reimbursement Dispute Resolution Definitions	59A-31.003
Requirements for Filing a Petition	59A-31.004
Required Carrier Documentation	59A-31.005
Petition Determination	59A-31.006
Penalties	59A-31.007

PURPOSE AND EFFECT: To substantially reword Chapter Rule 59A-31, F.A.C., to clarify the requirements for petitioning the agency to resolve utilization and reimbursement disputes between health care providers and workers' compensation carriers.

SUBJECT AREA TO BE ADDRESSED: The agency's Utilization and Reimbursement Dispute process.

SPECIFIC AUTHORITY: 440.13(7) FS.

LAW IMPLEMENTED: 440.13(7) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Beverly Williams, Medical Health Care Program Analyst, AHCA, Workers' Compensation Unit, 2727 Mahan Drive, Mail Station 27, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-31.001 Disputed Reimbursement Avoidance.

Specific Authority 440.13(7) FS. Law Implemented 440.13(2)(a),(i) FS. History—New 5-15-1991, Formerly 38F-7.517, 4L-7.517, Repealed _____.

59A-31.002 Disputed Reimbursement

Specific Authority 440.13(7) FS. Law Implemented 440.13(2)(a),(i) FS. History—New 5-15-91, Formerly 38F-7.517, 4L-7.517, Repealed _____.

59A-31.003 Utilization and Reimbursement Dispute Resolution Definitions.

(1) “Adjusted” or “Adjustment” means that the payment amount is different from the amount billed based on an agreed-upon contract price or the maximum reimbursement allowance for each discrete procedure code billed by a health care provider for reimbursement by the carrier.

(2) “Agency” means the Agency for Health Care Administration.

(3) “Billing error” means inaccurate submission of procedure codes and procedure code modifiers or diagnosis codes, by health care providers pursuant to reporting requirements of Chapter 440, F.S., or the submission of a billing form not promulgated pursuant to Chapter 440, F.S.

(4) “Consolidated petition.” means a request for resolution of a utilization or reimbursement dispute for multiple dates of service for which the carrier has disallowed or adjusted the payment amount.

(5) “Disallowance” or “Disallowed” means that no payment is made for a specific procedure code or other service reported by a health care provider to an insurer for reimbursement based on the identification of a billing error or inappropriate utilization as defined in this rule.

(6) “Explanation of Bill Review” (EOBR) means the codes and written explanation of an insurer’s reimbursement decision sent to the health care provider.

(7) “Inappropriate Utilization” means the inappropriate treatment or care based on medically accepted standards relating to both the level and the quality of health care and health care services provided to a patient.

(8) “Instance of overutilization” is defined in Section 440.13(1)(k), F.S.

(9) “Medical bill review” means the review of a health care provider’s bill by the carrier, pursuant to Chapter 440, F.S., and all applicable rules, to ensure proper billing and reporting of services by the health care provider; to identify billing errors and inappropriate utilization, which must be disallowed or adjusted; and to determine an accurate and timely reimbursement for services reported to the carrier.

(10) “Medical record” means a medical file which contains information that identifies the patient, supports the diagnosis, justifies the treatment, and documents the care provided.

(11) “Pattern or practice of arbitrary or unreasonable disallowance or adjustment of payments” means repetition of improperly adjusted or disallowed reimbursement.

(12) “Petition” means request for the resolution of a utilization or reimbursement dispute arising from the carrier’s disallowance or adjustment of payment for services rendered pursuant to Chapter 440, F.S.

(13) “Reimbursement dispute” is defined in Section 440.13(1)(r), F.S.

(14) “Utilization dispute” means any disagreement arising between a provider and the carrier when the payment for services is adjusted or disallowed, as the result of the carrier’s finding of overutilization mandated under Section 440.13(6), F.S.

(15) “Valid petition” means the determination by the agency that all requirements for filing have been met pursuant to Section 440.13(7), F.S. and these rules.

Specific Authority 440.13(7) FS. Law Implemented 440.13 FS. History—New

59A-31.004 Requirements for Filing a Petition.

(1) Petitioners may file a petition or a consolidated petition with the agency for a determination pursuant to Section 440.13(7), F.S., to resolve an utilization or reimbursement dispute arising from an adjustment or disallowance for a service or services rendered.

(2) All petitions must be filed with the agency pursuant to the requirements in Section 440.13(7)(a), F.S., and these rules to be considered valid.

(3) All petitions filed with the agency must include, at a minimum:

(a) A copy of the original and resubmitted bills, and corresponding attachments, if applicable;

(b) A copy of relevant portions of the medical record substantiating services relating to the contested reimbursement;

(c) A copy of the EOBR(s) and other correspondence received from the carrier or, if no EOBR(s) or other correspondence has been provided, a copy of notations documenting dates of communications between the petitioner and the carrier to resolve the dispute; and

(d) A copy of the provider’s record of initial authorization and subsequent authorization relating to the contested reimbursement, including renewed authorizations or modified authorizations received from the carrier;

(4) The documentation requirements of subsection (3) of this rule do not apply when the petitioner provides notice to the affected parties pursuant to Section 440.13(7)(a), F.S.

Specific Authority 440.13(7) FS. Law Implemented 440.13 FS. History—New

59A-31.005 Required Carrier Documentation.

The carrier’s documentation must include, at a minimum:

(1) A copy of all bills and attachments, if applicable;

(2) A copy of all documentation upon which the reimbursement determination was made;

(3) A copy of all EOBRs, or similar document from the carrier explaining the disallowance(s) or adjustment(s);

(4) A copy of notations documenting dates and communications between the petitioner and the carrier to resolve the dispute;

(5) The authorization agreement specific to the dispute;

(6) The reimbursement agreement between the carrier and provider; and

(7) The carrier’s corrective action plan developed with the provider in response to the carrier’s identification of the inappropriate utilization of services and deviation from the authorized treatment plan.

Specific Authority 440.13(7)(b) FS. Law Implemented 440.13 FS. History—New

59A-31.006 Petition Determination.

(1) The scope of the petition determination shall be limited to disputes arising from reimbursement decisions made on medical care and treatment rendered for conditions accepted by the carrier as work related.

(2) A determination shall be issued pursuant to the requirements of Section 440.13(7)(c), F.S., and may include recommendations for further administrative action pursuant to this rule and other provisions of Chapter 440, F.S.

Specific Authority 440.13(7) FS. Law Implemented 440.13 FS. History—New

59A-31.007 Penalties.

(1) Penalties for Carrier Violations.

(a) A carrier found by the agency to have improperly adjusted or disallowed payment to a health care provider shall be subject to the penalties pursuant to Section 440.13(7)(f), F.S., and the following fine(s).

1. \$500 per instance of improper adjustment or disallowance in direct conflict with the schedule of maximum reimbursement allowances or the agreed upon contract price in effect at the time the service was rendered.

2. \$2,500 per instance of improper adjustment or disallowance in conflict with the carrier’s established utilization review program criterion in effect at the time the reimbursement determination was made, including practice parameters and protocols or standards of care mandated under Chapter 440, F.S.

(b) A carrier determined by the agency to have engaged in a pattern or practice of arbitrarily or unreasonably disallowing or adjusting payments during a consecutive two (2) year period

shall be fined \$200 per instance, and fines for each instance thereafter shall increase by increments of \$500 per case. A two (2) year period shall begin on the date of the agency's determination that a pattern or practice exists and shall run continuously for two (2) consecutive calendar years, or portions thereof.

(2) Penalties for Health Care Provider Violations.

(a) Health care provider medical claims data and complaint files may be reviewed, and medical bill review audits may be conducted pursuant to Section 440.13(11)(a), F.S., as the result of petitions filed in accordance with this rule and Section 440.13(7), F.S., to determine if a provider has engaged or engages in, as a general business practice, over utilization, improper billing or any violation of Chapter 440, F.S.

(b) Penalties and fines may be imposed pursuant to Section 440.13(8), F.S., and this rule for agency findings of patterns and practices of overutilization, improper billing, or non-compliance with established medical treatment protocols and practice parameters.

(c) The fine amount shall be according to the following schedule and shall be based on the severity of the instances relating to the health, safety, or security of the injured employee:

1. \$500 per occurrence when the instance creates no actual harm or evidence of potential harm to the injured employee's ability to return to suitable gainful employment, his or her medical stability or appropriate progress in recovery.

2. \$1,000 per occurrence when the instance creates an indirect or potential harm to the injured employee's ability to return to suitable gainful employment, his or her medical stability or appropriate progress in recovery.

3. \$2,500 per occurrence, de-authorization of care under review, denial of payment of care rendered in the future and notification of and review by the appropriate licensing authority pursuant to Section 440.106(3), F.S., when the instance creates a direct or immediate harm to the injured employee's ability to return to suitable gainful employment, his or her medical stability or appropriate progress in recovery.

4. \$5,000 per occurrence, decertification as an Expert Medical Advisor, an order from the agency barring the provider from payment under this chapter, and notification of and review by the appropriate licensing authority pursuant to Section 440.106(3), F.S., when the instance creates imminent danger or the substantial probability that death or serious physical harm would result to the injured employee.

(d) A health care provider shall be assessed a \$200 penalty per instance for failure to refund within 30 days of notification, by the agency or carrier, an overpayment made by the carrier as the result of improper billing for services that constitute overutilization, or are in excess of established practice parameters or protocols.

(e) Expert Medical Advisors shall be utilized and consulted with, pursuant to Section 440.13(9), F.S, in the agency's determination of:

1. Provider violations specific to inappropriate utilization, improper billing and non-compliance with established medical treatment protocols and practice parameters; and

2. Appropriate penalties and fines to be assessed pursuant to this subsection and Chapter 440, F.S.

Specific Authority 440.13(7),(11) FS. Law Implemented 440.13 FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Inpatient

RULE NO.:

Hospital Services 59G-6.020

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to incorporate changes to the Florida Title XIX Inpatient Hospital Reimbursement Plan payment methodology, effective May 1, 2004 and July 1, 2004.

Section VII.A.(8) – Effective May 1, 2004 and ending June 30, 2004, the final total of all Special Medicaid Payments will be the lower of (1) – 199.453 percent of the total Upper Payment Limit for private hospitals and 10.5 percent of the total Upper Payment Limit for non-state public hospitals, as defined in section VII. B, or (2) 100 percent of the difference between Medicaid payments and 100 percent of what would have been paid under Medicare payment principles. Interim payments will be adjusted to match this total. The total of all Medicaid payments will not exceed the Upper Payment Limit as defined in section VII.B.

Effective July 1, 2004, the final total of all Special Medicaid Payments will be the lower of (1) 40 percent of the total Upper Payment Limit for private hospitals and 85 percent of the total Upper Payment Limit for non-state public hospitals, as defined in section VII. B, or (2) 100 percent of the difference between Medicaid payments and 100 percent of what would have been paid under Medicare payment principles. Interim payments will be adjusted to match this total. The total of all Medicaid payments will not exceed the Upper Payment Limit as defined in section VII.B .

SUBJECT AREA TO BE ADDRESSED: Special Medicaid Payment methodology for final total Special Medicaid payments.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

TIME AND DATE: 10:00 a.m., June 3, 2004

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Robert Butler, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2120-B, Tallahassee, Florida 32308, (850)414-2759

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE TITLE: Citations RULE NO.: 61G5-30.004

PURPOSE AND EFFECT: The Board proposes to review its rule regarding the amount of penalty fees to be paid for citation violations.

SUBJECT AREA TO BE ADDRESSED: Amount of penalty fees to be paid for citation violations and to delete unnecessary language.

SPECIFIC AUTHORITY: 455.224, 477.016 FS.

LAW IMPLEMENTED: 455.224, 477.016 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: Julie Malone, Executive Director, Board of Cosmetology, 1940 North Monroe Street Tallahassee, FL 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE: Continuing Education Requirements for Renewal for Certificateholders and Registrants RULE NO.: 61G6-9.004

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements for Renewal for Certificateholders and Registrants.

SPECIFIC AUTHORITY: 120.52(15), 120.54(1), 455.2124, 489.507(3) FS.

LAW IMPLEMENTED: 455.2124, 489.513(3), 489.517(3),(6), 553.841(10) 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: John Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances RULE NO.: 61H1-36.004

PURPOSE AND EFFECT: The Board will be reviewing this rule to determine if any changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

SPECIFIC AUTHORITY: 455.2273 FS.

LAW IMPLEMENTED: 455.2273, 473.323(1)(m) 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: John W. Johnson, Executive Director, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: CURRICULUM REQUIREMENTS FOR CLINICAL LABORATORY PERSONNEL TRAINING PROGRAMS
 RULE NO.: 64B3-3.003

PURPOSE AND EFFECT: The Board proposes to add new language to the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Curriculum Requirements for Clinical Laboratory Personnel Training Programs.

SPECIFIC AUTHORITY: 483.805(4), 483.811(2) FS.
 LAW IMPLEMENTED: 483.800, 483.809, 483.811 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Bypass Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-3.003 Curriculum Requirements for Clinical Laboratory Personnel Training Programs.

- (1) No change.
- (2) All programs not accredited by the National Accrediting Agency for Critical Laboratory Science (NAACLS), the Council on Accreditation of Allied Health Education Programs (CAAHEP), or the Accrediting Bureau of Health Education Schools (ABHES) except for those in the categories of cytology, cytogenetics, ~~or~~ histocompatibility, embryology or andrology shall adopt the curriculum standards defined in the Florida Department of Education Program Standards as designated in Section 229.565, F.S., for the categories in which training occurs as follows:

- (a) through (d) No change.
- (3) through (6) No change.

(7) For the category of embryology, technician or technologist level programs shall at a minimum include instruction in the following competencies:

- (a) Maintenance and use of instrumentation utilized in the embryology laboratory.
- (b) Principles and techniques for isolating specimens.
- (c) Appropriate culture techniques of specimens including principles of culture techniques.
- (d) Appropriate handling of specimens.
- (e) Quality control and quality assurance.

(8) For the category of andrology, technician or technologist level programs shall at a minimum include instruction in the following competencies:

- (a) Maintenance and use of instrumentation utilized in the category of andrology testing.
- (b) Principles and techniques for isolation specimens.
- (c) Appropriate culture techniques of specimens including principles of culture techniques.
- (d) Appropriate handling of specimens.
- (e) Quality control and quality assurance.
- (7) through (8) renumbered (9) through (10) No change.

Specific Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History—New 5-9-95, Amended 12-4-95, 4-24-96, Formerly 590-3.003, Amended 3-19-98, 9-20-98, 1-11-99, 10-30-02,

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: DISCIPLINARY GUIDELINES; RANGE OF PENALTIES;
 RULE NO.: 64B9-8.006

Aggravating and Mitigating Circumstances
 PURPOSE AND EFFECT: The Board proposes to update the requirements for professional profiling.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments set forth the disciplinary guidelines for failure to comply with professional profiling and credentialing requirements.

SPECIFIC AUTHORITY: 456.072, 456.079 FS.

LAW IMPLEMENTED: 456.072, 456.079, 464.018 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

- (1) through (2) No change.
- (3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the noted statutes and rules:
 - (a) through (jj) No change.
 - (kk) Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or

fraudulent representations on a profile, credentialing, or initial or renewal licensure application; or failing to verify the profile contents and to correct any factual errors in his or her profile within the 30-day period.

(Section 456.072(1)(v) or 456.041(7), F.S.)

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

For failure to verify the profile contents and to correct any factual errors in his or her profile within the 30-day period in Section 456.041(17), F.S., a fine of up to \$100 per day.

- (ll) through (zz) No change.
- (4) through (6) No change.

Specific Authority 456.072, 456.079 FS. Law Implemented 456.072, 456.079, 464.018 FS. History—New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 21O-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99, 3-23-00, 5-8-00, 5-2-02, 1-12-03, 2-22-04, _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Disciplinary Proceedings

RULE NO.: 64B9-15.0085

PURPOSE AND EFFECT: The Board proposes to review whether a new rule, similar to Rule 64B9-8.005, F.A.C., is needed to define the actions that constitute unprofessional conduct in the performance of certified nursing assistant duties. SUBJECT AREA TO BE ADDRESSED: The proposed new rule defines certified nursing assistants acts of unprofessional conduct, and the failure to meet minimal standards of care, that are subject to disciplinary proceedings.

SPECIFIC AUTHORITY: 464.202, 464.204 FS.

LAW IMPLEMENTED: 464.204 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-15.0085 Disciplinary Proceedings.

(1) Unprofessional conduct shall include:

- (a) Inaccurate recording or failure to document care and treatment provided to clients.
- (b) Soliciting, borrowing, or removing property or money from a client, a client’s family, a client’s residence, or from an employer.
- (c) Leaving a patient care assignment without advising licensed nursing personnel, or abandoning a client requiring immediate care without advising licensed nursing personnel.
- (d) Acts of negligence either by omission or commission.
- (e) Using violent, threatening, abusive or harassing behavior in any work setting.
- (f) Engaging in sexual misconduct or boundary violations with a client.
- (h) Failure to submit proof of compliance with inservice education requirements under Rule 643B9-15.011, F.A.C.

(2) Failing to meet or departing from minimal standards of acceptable and prevailing certified nursing assistant practice shall include, but not be limited to, the following:

- (a) Falsifying or altering of patient records, employment applications or time records.
- (b) Violating the confidentiality of information or knowledge concerning a patient.
- (c) Failing to review and to comply with the patient’s plan of care.
- (d) Failing to follow an employer’s policies and procedures designed to safeguard the client or failing to take action to protect a client whose safety or welfare is at risk from potential or actual safety hazards and practices.
- (e) Discrimination on the basis of race, creed, religion, sex, age or national origin, in the rendering of nursing services as it relates to human rights and dignity of the individuals.
- (f) Engaging in fraud, misrepresentation, or deceit in taking the certification examination.
- (g) Aiding and abetting the practice of registered nursing or practical nursing by any person not licensed as a registered nurse or a licensed practical nurse.
- (h) Impersonating another licensed practitioner, or permitting another person to use his or her certificate for the purpose of compensation as a nursing assistant.
- (i) Acts of gross negligence, either by omission or commission.

(j) Exercising influence on a patient in such a manner as to exploit the patient for financial gain of the licensee or a third party.

(k) Testing positive for any drugs under Chapter 893, Florida Statutes, on any drug screen when the certified nursing assistant does not have a prescription and legitimate medical reason for using such drug.

(l) Violation of a Board order entered in a proceeding against the certified nursing assistant.

(m) Providing false or incorrect information to the employer regarding the status of the license.

(n) Practicing beyond the scope of the certified nursing assistant's educational preparation or experience.

(o) Failing to report signs, symptoms, and changes in client conditions to the appropriate individual in an ongoing and timely manner.

Specific Authority 464.202, 464.204 FS. Law Implemented 464.204 FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE:

RULE NO.:

Transmission of Starter Dose Prescriptions for Patients in Class I Institutional or Modified II B Facilities

64B16-28.503

PURPOSE AND EFFECT: The Board proposes to review a new rule to address the transmission of starter dose prescriptions. The Board is reviewing all the rules in Chapter 64B16, F.A.C., and this new rule may be renumbered accordingly.

SUBJECT AREA TO BE ADDRESSED: The proposed new rule sets forth the requirements for the transmission of starter dose prescriptions for patients in Class I Institutional or Modified II B facilities.

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.018, 465.019, 465.022 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Danna Droz, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B16-28.503 Transmission of Starter Dose Prescriptions for Patients in Class I Institutional or Modified II B Facilities.

(1) As used herein:

(a) The term "vendor pharmacy" means a duly licensed community pharmacy or special closed system pharmacy which has contracted to dispense prescription drugs to patients in a facility holding a Class I Institutional Permit or Modified II B permit.

(b) The term "starter dose community pharmacy" means a community pharmacy which has entered into a written agreement pursuant to the provisions of this rule with a vendor pharmacy to dispense a "starter dose prescription" for a patient at a facility holding a Class I Institutional Permit or Modified II B Permit.

(c) The term "starter dose prescription" means a prescription transmitted by a vendor pharmacy which is intended to allow a patient at a facility holding a Class I Institutional or Modified II B Permit to begin drug therapy pending the receipt at the facility of the full dosage prescribed from the vendor pharmacy for that facility.

(2) A vendor pharmacy may transmit a starter dose prescription to a starter dose community pharmacy under the following conditions:

(a) The vendor pharmacy has entered into a written agreement signed by each licensed health care practitioner for whom the vendor pharmacy shall act as an agent. The agreement shall provide that the vendor pharmacy is authorized, as agent for the prescribing health care practitioner, to transmit a starter dose prescription to a starter dose community pharmacy in order to initiate drug therapy prior to the dispensing and delivery of the remaining quantity of the same prescription drug which the licensed health care practitioner has prescribed for that same patient. Any written agreements executed pursuant to this subsection by health care practitioners who provide care to patients of the facility shall be referenced in the policy and procedure manual of the Class I Institutional or Modified II B facility, and copies of said agreements shall be maintained at the facility and made available for inspection by agents of the Department of Health and the Board of Pharmacy.

(b) The vendor pharmacy has entered into a written agreement with the starter dose community pharmacy. The agreement shall identify each facility being served by the vendor pharmacy for which the starter dose pharmacy may be called upon to receive and dispense a starter dose prescription as well as each health care provider who has authorized the

vendor pharmacy to act as agent for the purpose of transmitting a starter dose prescription. In addition, the agreement shall assign to the vendor pharmacy the responsibility for providing prospective drug use review as defined in Rule 64B16-27.810, F.A.C., and patient counseling as defined in Rule 64B16-27.820, F.A.C. The written agreement shall be periodically updated as necessary to reflect additions or deletions to the list of facilities and authorizing health care providers.

(c) Both the vendor pharmacy and the starter dose community pharmacy shall keep readily retrievable records of each starter dose prescription transmitted by the vendor pharmacy which was dispensed by the starter dose community pharmacy.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.018, 465.019, 465.022 FS. History—New _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE TITLE: Family-Related Medicaid Income and Resource Criteria
 RULE NO.: 65A-1.707

PURPOSE AND EFFECT: The proposed rule amendment will correctly align the 1931 family-related Medicaid income and resource criteria as defined in Rule 65A-1.707, F.A.C., with the 1931 family-related Medicaid coverage group as defined in Rule 65A-1.703, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will align budgeting methodology for the 1931 Medicaid eligibility group with the 1931 Medicaid filing unit policy as specified in Rule 65A-1.703, F.A.C.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.903, 409.918, 409.919 FS.

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

TIME AND DATE: 1:00 p.m. – 2:00 p.m., June 1, 2004

PLACE: Building 3, Room 439, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robi Olmstead, Government Operations Consultant II, 1317 Winewood Boulevard, Building 3, Room 449, Tallahassee, FL 32399-0700, (850)414-2908

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE TITLES:	RULE NOS.:
Registration	69I-20.001
Notarized Sworn Statement of the Claimant	69I-20.0011
Disciplinary Guidelines	69I-20.0012
Procedures for Filing Claim	69I-20.0021
Proof of Ownership and Entitlement to Unclaimed Property	69I-20.0022
Acquisition of Unclaimed Property	69I-20.0023
Definitions	69I-20.0030
Remittance of Safe Deposit Box Contents and Reimbursement of Expenses	69I-20.0036

PURPOSE AND EFFECT: The purpose of the rule development is to update sections of Chapter 69I-20, F.A.C., Unclaimed Property, and to do the following:

Rule 69I-20.001, F.A.C.: Sections 717.117(8) and 717.1400, Florida Statutes, require that, in order to file claims as a claimant’s representative, acquire ownership or entitlement to unclaimed property, and receive a distribution of fees and costs from the department, Florida private investigators, Florida certified public accountants and Florida attorneys must be registered with the Department. The purpose and effect of the proposed rule is create a registration form and a rule to incorporate the form by reference.

Rule 69I-20.0011, F.A.C.: The purpose and effect of the proposed rule amendment is to create the notarized sworn statement form of the claimant.

Rule 69I-20.0012, F.A.C.: The purpose and effect of the proposed rule amendment is to establish disciplinary guidelines.

Rule 69I-20.0021, F.A.C.: The purpose and effect of the proposed rule amendment is to incorporate by reference into the Department’s rules the notices that are sent to claimants and claimants’ representatives when claims are incomplete and a disclosure form.

Rule 69I-20.0022, F.A.C.: The purpose and effect of the proposed rule amendment is to create or revise claim forms to be incorporated by reference into the Department’s rules and to specify what must be filed for claims on behalf of active or dissolved corporations.

Rule 69I-20.0023, F.A.C.: The purpose and effect of the proposed rule amendment is to promulgate a rule regarding the acquisition of unclaimed property and to incorporate a disclosure form by reference into the Department’s rules.

Rule 69I-20.030, F.A.C.: The purpose and effect of the proposed rule amendment is to amend the definitions rule.

Rule 69I-20.036, F.A.C.: The purpose and effect of the proposed rule amendment is to incorporate the amendments to Section 717.117(5), Florida Statutes, regarding the reporting and remitting of safe deposit box contents, into the rule.

SUBJECT AREA TO BE ADDRESSED: Rule 69I-20.001, F.A.C.: Registration of Florida private investigators, Florida certified public accountants and Florida attorneys pursuant to Sections 717.117(8) and 717.1400, F.S.

Rule 69I-20.0011, F.A.C.: Notarized Sworn Statement of the Claimant.

Rule 69I-20.0013, F.A.C.: Disciplinary guidelines.

Rule 69I-20.0021, F.A.C.: Unclaimed property claims processing.

Rule 69I-20.0022, F.A.C.: Filing claims for unclaimed property.

Rule 69I-20.0023, F.A.C.: Acquisition of Unclaimed Property.

Rule 69I-20.030, F.A.C.: Definitions.

Rule 69I-20.036, F.A.C.: Reporting and remitting of safe deposit box contents.

SPECIFIC AUTHORITY: 717.138 FS.

LAW IMPLEMENTED: 717.117, 717.119, 717.124, 717.12404, 717.126, 717.132, 717.1322, 717.134, 717.1341, 717.135, 717.1351 FS.

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

TIME AND DATE: 9:00 a.m., Wednesday, June 2, 2004

PLACE: Suite 547, The Fletcher Building, 101 E. Gaines St., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul C. Stadler, Jr., Assistant General Counsel, Department of Financial Services, 200 E. Gaines St., Tallahassee, Florida 32399-4247, (850)410-9461

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Filing of Statements	69O-143.003
Custody Agreement	69O-143.042
Acquisition of Controlling Stock	69O-143.056
Redomestication Procedure	69O-143.161
Forms	69O-143.070

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements. SPECIFIC AUTHORITY: 624.308, 624.308(1), 625.82, 628.461(13), 628.511(4), 628.535 FS.

LAW IMPLEMENTED: 624.307(1),(2),(3),(5), 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.413, 624.424(6), 624.501, 624.501(1)(a), 624.5091, 625.55, 625.75, 628.051, 628.061, 628.46, 628.511, 628.520, 628.801 FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Steve Szygula, Bureau of Property and Casualty Insurer Solvency, Office of Insurance Regulation, e-mail: szygulas@dfs.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose	69O-144.001
Approval Procedures	69O-144.002
Credit for Reinsurance	69O-144.005

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements. SPECIFIC AUTHORITY: 624.308, 624.610(14) FS.

LAW IMPLEMENTED: 624.307(1),(2),(3),(5), 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.407, 624.413, 624.424, 624.501(20)(c), 624.5091, 624.610, 628.051, 628.061, 628.801, 629.081 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bob Norris, Bureau of Life and Health Insurer Solvency, Office of Insurance Regulation, e-mail: norrisb@dfs.state.fl.us

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Standard Medicare Supplement Benefit Plans	690-156.008
Required Disclosure Provisions	690-156.014
Reporting of Multiple Policies	690-156.018
Medicare Select	690-156.030

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.

SPECIFIC AUTHORITY: 624.308, 627.674(2) FS.

LAW IMPLEMENTED: 624.307(1), 627.671-.675, 627.6737, 627.674 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Frank Dino, Bureau of Life and Health Forms and Rates, Office of Insurance Regulation, e-mail: dinof@dfs.state.fl.us

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Scope	690-191.021
Definitions for the Purpose of These Rules	690-191.024
Application for Certificate of Authority	690-191.027
Standards for Finger Print Cards for New Applicants and Acquisition Applications	690-191.028
Actuarial Memorandum and Definitions	690-191.055
Records Retention	690-191.074
Annual and Quarterly Reports	690-191.075
Subscriber Grievance Procedure	690-191.078
Fees	690-191.085
Change of Ownership	690-191.097
Prescribed Forms	690-191.107

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.

SPECIFIC AUTHORITY: 624.308(1), 641.31, 641.36 FS.

LAW IMPLEMENTED: 120.60(2), 627.410(6), (7), 627.413(4), 627.4145, 627.6699(12)(d)4., 627.6735, 627.682, 627.9407(2), 628.4615, 641.19, 641.19(13)(d), 641.21, 641.21(1), 641.21(1)(d), 641.22, 641.22(2),(9), 641.26(1),(2), 641.27, 641.29, 641.29(1), 641.31, 641.31(2),(3),(5), 641.36 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Marie Bachman, Bureau of Life and Health Insurer Solvency, Office of Insurance Regulation, e-mail: bachmanm@dfs.state.fl.us.

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose and Scope	690-192.001
Forms Incorporated by Reference	690-192.058

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.

SPECIFIC AUTHORITY: 624.308(1), 624.4431 FS.

LAW IMPLEMENTED: 624.307(1), 624.436, 624.439, 624.442, 628.4615 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Marie Bachman, Bureau of Life and Health Insurer Solvency, Office of Insurance Regulation, e-mail: bachmanm@dfs.state.fl.us

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose and Scope	69O-193.001
Required Financial Reports	69O-193.005
Background Information	69O-193.060
Mediation of Resident/Provider Disputes	69O-193.062
Arbitration of Resident/Provider Disputes	69O-193.063
Forms Incorporated by Reference	69O-193.065

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.
 SPECIFIC AUTHORITY: 624.308(1), 651.013, 651.015, 651.015(1),(3) FS.

LAW IMPLEMENTED: 624.307(1), 651.021, 651.022, 651.022(2)(c), 651.023, 651.0235, 651.024, 651.026, 651.0261, 651.033, 651.035, 651.106, 651.107, 651.108, 651.123 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bruce Lulofs, Bureau of Specialty Insurers, Office of Insurance Regulation, e-mail: lulofsb@dfs.state.fl.us

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLE:	RULE NO.:
Forms Incorporated by Reference	69O-194.030
PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.	
SUBJECT AREA TO BE ADDRESSED: Forms requirements.	
SPECIFIC AUTHORITY: 641.403 FS.	
LAW IMPLEMENTED: 641.402, 641.405, 641.41, 641.416 FS.	

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Annual Reports	69O-196.007
Forms Incorporated by Reference	69O-196.015
Disclosure Requirements for Insurance Coverages Financed with Personal Injury Protection	69O-196.021
Statement of Account; Receipts	69O-196.025

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.
 SPECIFIC AUTHORITY: 624.308, 624.308(1), 627.8405 FS.

LAW IMPLEMENTED: 624.307(1), 624.321(1)(a), 626.9541(1)(a), 627.734, 627.828, 627.829, 627.836, 627.8405, 627.845, 628.4615 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Amy Groszos, Bureau of Specialty Insurers, Office of Insurance Regulation, e-mail: groszosa@dfs.state.fl.us

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose	690-198.001
Scope	690-198.002

Financial Requirements Regarding the Funded, Unearned Premium Reserve Account	690-198.005
License Continuance	690-198.010
Application For and Issuance of License	690-198.011
Annual Statement and Quarterly Reports	690-198.012
Forms Incorporated by Reference	690-198.015

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.
SPECIFIC AUTHORITY: 634.402 FS.

LAW IMPLEMENTED: 634 Part III, 634.405, 634.406(1), (3), (4), 634.407, 634.408, 634.4085, 634.409, 634.413, 634.415, 634.4165 FS.

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose and Scope	690-199.001
General Eligibility Requirements	690-199.008
Annual Statement and Quarterly Reports	690-199.012
Forms Incorporated by Reference	690-199.015

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.
SPECIFIC AUTHORITY: 634.302, 634.308(1)(a) FS.

LAW IMPLEMENTED: 634, Part II, 634.304, 634.306, 624.307(1), 634.3073, 634.3077, 634.313, 634.315 FS.

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose and Scope	690-200.001
Definitions	690-200.002

Licensing of Companies that Administer and Market Service Agreements	690-200.003
Qualification to Obtain and Hold a License	690-200.004
Contractual Liability Insurers	690-200.006
Disapproval of Forms	690-200.011
Rate Filings	690-200.013
Exemption from Financial Examination	690-200.014
Forms Incorporated by Reference	690-200.015

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.
 SPECIFIC AUTHORITY: 634.021 FS.

LAW IMPLEMENTED: 624.307(1), 634 Part I, 634.011, 634.021, 634.031, 634.041, 634.061, 634.1213, 634.1216, 634.161, 634.252 FS.

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Purpose and Scope	690-201.001
Annual Statement and Quarterly Reports	690-201.012
Forms Incorporated by Reference	690-201.015

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.
 SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 642, 642.021, 642.023, 642.032 FS.

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DEPARTMENT OF FINANCIAL SERVICES

Office of Insurance Regulation

RULE TITLES:	RULE NOS.:
Scope	690-203.010
Definitions for the Purpose of These Rules	690-203.013
Application for Certificate of Authority	690-203.020
Standards for Fingerprint Cards for New Applicants and Acquisition Applications	690-203.021
Filing, Approval of Subscriber Contract and Related Forms	690-203.042
Rates	690-203.045
Reinsurance (Excess Loss Insurance)	690-203.065
Annual and Quarterly Reports	690-203.070
Prescribed Forms	690-203.100

PURPOSE AND EFFECT: To adopt updated forms, and update form availability and filing requirements.

SUBJECT AREA TO BE ADDRESSED: Forms requirements.
 SPECIFIC AUTHORITY: 636.067 FS.

LAW IMPLEMENTED: 624.321(1)(a), 626.058, 636, 636.003, 636.005, 636.007, 636.008, 636.009, 636.009(1)(f), 636.012, 636.015, 636.016, 636.017, 636.018, 636.043 FS.

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