

- (f) CF-MH 1047, Nov Aug 2003 Monthly request for Non-TANF Payment/Advance, consisting of a ~~two~~ one page form and two pages of instructions.
- (g) CF-MH 1058, Nov Aug 2003 Monthly request for TANF Payment/Advance, consisting of a ~~two~~ one page form and two pages of instructions.
- (h) CF-MH 1046, Mar 2004 Aug 2003 Worksheet for Request for Payment, for use with forms CF-MH 1047 and CF-MF 1058, consisting of a one page form and three pages of instructions.

(i) through (j) No change.

Specific Authority 394.78(1),(6), 397.321(5) FS. Law Implemented 216.181(16), 394.66(9),(12), 394.74(2)(b),(3)(d),(e),(4) 394.77, 394.78(1),(6), 397.321(10), 402.73(7) FS. History—New 7-1-03, Amended 12-14-03, \_\_\_\_\_.

65E-14.022 Data Requirements.

The following document is hereby incorporated by reference, copies of which may be obtained from the Substance Abuse Program Office, ATTN: PDSA, 1317 Winewood Blvd., Building 6, Tallahassee, Florida 32399-0700;

CFP 155-2, Mar 2004, Mental Health and Substance Abuse Measurement and ~~July 2003~~ Data Pamphlet, 5th Edition Version ~~4 2~~ consisting of 209 pages.

Specific Authority 394.78(1), 397.321(5) FS. Law Implemented 394.66(9), 394.74(3)(e), 394.77, 397.321(3)(c),(10) FS. History—New 7-1-03, Amended 12-14-03, \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF BANKING AND FINANCE

#### Division of Securities and Finance

RULE TITLE: Waivers  
 RULE NO.: 3E-301.005  
 PURPOSE AND EFFECT: Rule 3E-301.005, F.A.C., was promulgated prior to the creation of Section 120.542, Florida Statutes. The rule is currently obsolete and will be repealed to reflect the changes in Florida Statutes.

SUMMARY: The obsolete rule is repealed to reflect changes in the Florida Statutes.

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: 517.03(1) FS.

LAW IMPLEMENTED: 120.53(1), 120.60, 517.081, 517.12 FS.

A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., June 30, 2004

PLACE: Room 547, Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick White, Deputy Director, Office of Financial Regulation, Tallahassee, Florida 32399-0350, (850)410-9805

THE FULL TEXT OF THE PROPOSED RULE IS:

3E-301.005 Waivers.

Specific Authority 517.03 FS. Law Implemented 120.53(1), 120.60, 517.081, 517.12 FS. History—New 9-20-82, Formerly 3E-301.05, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Don B. Saxon, Director, Office of Financial Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Don B. Saxon, Director, Office of Financial Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2004

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Agriculture Environmental Services

RULE CHAPTER TITLE: Pesticides  
 RULE CHAPTER NO.: 5E-2

RULE TITLE: Organo-Auxin Herbicides: Restrictions and Prohibitions  
 RULE NO.: 5E-2.033

PURPOSE, EFFECT AND SUMMARY: The purpose of the rule amendment is to further qualify the restriction placed on the use of the organo-auxin herbicide 2,4D registered in the State of Florida, providing an exemption covering its use according to label instructions as a plant growth regulator in dosages substantially less than for herbicidal use.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** No SOERC has been prepared.

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

**SPECIFIC AUTHORITY:** 570.07(16)(b), 570.07(23) FS.

**LAW IMPLEMENTED:** 487.031(10), 487.031(13)(e) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**TIME AND DATE:** 9:00 a.m., March 23, 2004

**PLACE:** AES Conference Room, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mr. Dale Dubberly, Department of Agriculture and Consumer Services, 3125 Conner Blvd., Tallahassee, FL 32399-1650

**THE FULL TEXT OF THE PROPOSED RULE IS:**

5E-2.033 Organo-Auxin Herbicides: Restrictions and Prohibitions.

(1) through (8) No change.

(9) The ground application of low volatility 2,4D products registered in the State of Florida for use as a plant growth regulator on red potatoes in small dosages substantially less than for herbicidal use is not subject to the use regulations and restrictions set forth in subsections (3), and (4), of this rule provided the product is not applied within 50 feet of susceptible crops, the spray boom height does not exceed 18 inches above the crop canopy and label instructions are followed.

Specific Authority 570.07(16)(b), 570.07(23) FS. Law Implemented: 487.031(10), 487.031(13)(e) FS. History—New 2-4-86, Amended 7-10-89,

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Dale Dubberly, Chief, Bureau of Compliance Monitoring

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:** Steve Rutz, Director, Division of Agriculture Environmental Services

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** May 24, 2004

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** June 4, 2004

**DEPARTMENT OF REVENUE**

**RULE CHAPTER TITLE:** Compromise and Settlement **RULE CHAPTER NO.:** 12-13

**RULE TITLE:** Delegation of Authority to Determine **RULE NO.:**

Settlements or Compromises 12-13.004

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to this rule is to update information concerning who is authorized to settle or compromise unpaid taxpayer liabilities on behalf of the Department and the amount of their authority. The effect of these proposed rule amendments is to ensure that taxpayers know the current procedures used by the Department to compromise or settle an unpaid liability.

**SUMMARY:** The proposed revisions to Rule 12-13.004, F.A.C., clarify which positions are authorized to negotiate a compromise or settlement with a taxpayer on behalf of the Department and to modify the dollar amount of compromise authority granted to specific positions in the General Tax Administration Program. These proposed revisions also grant authorization to negotiate a compromise or settlement with a taxpayer to several positions based on recent organizational changes. In addition, this rule is amended to correct references to several offices within the agency.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:** No statement of estimated regulatory cost was prepared.

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

**SPECIFIC AUTHORITY:** 213.06(1), 213.21(5) FS.

**LAW IMPLEMENTED:** 213.05, 213.21 FS.

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

**TIME AND DATE:** 10:00 a.m., June 28, 2004

**PLACE:** Room 435, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

**NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT:** Any person requiring special accommodations to participate in this workshop is asked to advise the Department at least 48 hours before the workshop by contacting: Larry Green, (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry Green, Rules and Policy Administrative Process, Department of Revenue, 501 S. Calhoun Street, Room 104, Carlton Building, Tallahassee, Florida 32399-0100, (850)922-4830, e-mail: greenl@dor.state.fl.us (The Department's proposed rules are available on the Department's web site: www.myflorida.com/dor/rules)

THE FULL TEXT OF THE PROPOSED RULE IS:

12-13.004 Delegation of Authority to Determine Settlements or Compromises ~~Settle or Compromise~~.

(1) No change.

(2) Cases in Litigation.

(a) Authority is delegated to the Deputy Executive Directors ~~Director~~, the General Counsel, and the Deputy General Counsel of the Department to settle and compromise tax, interest, or penalty in cases where a tax matter is in litigation pursuant to Section ~~s.~~ 72.011, F.S.

(b) No change.

(3) Cases in Protest. In cases involving a tax matter in protest in Technical Assistance and Dispute Resolution ~~within the Office of the General Counsel~~, authority to settle and compromise is delegated as follows:

(a) For compromise of amounts of tax of \$250,000 or less, and compromise of interest and penalty in any amount, to the Deputy Executive Directors ~~Director~~, the General Counsel, and the Deputy General Counsel.

(b) No change.

(c) For compromise of amounts of tax or interest of \$125,000 each or less and of penalty in any amount, to the Director of Technical Assistance and Dispute Resolution ~~within the Office of the General Counsel~~, and the Program Director and Deputy Program Director within the General Tax Administration Program.

(d) For compromise of amounts of tax or interest of \$62,500 each or less and penalty of \$250,000 or less, to the Revenue Program Administrators I and II within Technical Assistance and Dispute Resolution ~~within the Office of the General Counsel~~, and the Process Managers of the Taxpayer Services, Compliance Enforcement, and Compliance Support Processes.

(e) No change.

(f) For compromise of amounts of tax or interest of \$12,500 each or less and of penalty of \$75,000 or less, to the Senior Attorneys, Attorneys, Tax Law Specialists, and Senior Tax Specialists of Technical Assistance and Dispute Resolution, and the Revenue Program Administrators, Tax Law Specialists, Senior Tax Specialists and Government Analysts IIs ~~I and II~~ of the Compliance Support Process.

(g) through (k) No change.

(l) For compromise of penalty of \$37,500 or less, to the Process Group Managers or Tax Audit Supervisor positions in ~~of~~ the Compliance Enforcement Process.

(m) For compromise of penalty of \$12,500 or less, to the Tax Specialist Administrators, ~~Tax Audit Support Services Supervisors, and the Senior Tax Specialists (Case Processing and Contract Audits)~~ of the Compliance Support Process.

(n) through (o) No change.

(4) Collection Cases. In cases involving a tax matter related to billings or assessments which have been issued by or referred to the Taxpayer Services Process, authority to settle and compromise is delegated as follows:

(a) For compromise of amounts of tax of \$250,000 or less, and compromise of interest and penalty in any amount, to the Deputy Executive Directors ~~Director~~, the General Counsel, and the Deputy General Counsel.

(b) through (f) No change.

(g) For compromise of amounts of tax or interest of \$2,500 each or less and penalty of \$75,000 or less, to the Revenue Program Administrators II, ~~and~~ Revenue Administrators III, ~~and Tax Specialist Administrators~~ of the Taxpayer Services Process.

(h) through (p) No change.

(5) Audit Cases. In cases involving an audit of the taxpayer, or an audit conducted pursuant to a refund request, prior to initiation of litigation pursuant to Section ~~s.~~ 72.011, F.S., or expiration of the period for initiating same, or upon initial receipt of a protest involving penalty issues only, authority to settle and compromise is delegated as follows:

(a) For compromise of amounts of tax of \$250,000 or less, and compromise of interest or penalty in any amount, to the Deputy Executive Directors ~~Director~~, the General Counsel, and the Deputy General Counsel.

(b) through (g) No change.

~~(h) For compromise of amounts of tax or interest of \$1,250 each or less and penalty of \$37,500 or less, to the Tax Law Specialists, Senior Tax Specialists, and Revenue Program Administrator I in the Contract Audit and Certified Audit Subprocess within the Compliance Enforcement Process.~~

~~(i)(+)~~ For compromise of amounts of penalty of \$75,000 or less, to all Revenue Program Administrators I and II of the Compliance Enforcement Process.

~~(i)(+)~~ For compromise of penalty in amounts of \$37,500 or less, to all Process Group Managers or Tax Audit Supervisor positions in ~~of~~ the Compliance Enforcement Process.

~~(j)(+)~~ For compromise of amounts of tax or interest of \$1,250 each or less, and ~~penalty in amounts of \$37,500 or less, \$12,500 or less,~~ to all Tax Specialist Administrators, Tax Law Specialists ~~Tax Audit Support Services Supervisors~~, Senior Tax Specialists, ~~and~~ Government Analysts II ~~(Case Processing and Contract Audits)~~ of the Compliance Support Process and Tax Specialists II within the General Tax Administration Program.

(k)(+) For compromise of amounts of penalty of \$3,750 or less, to all Revenue Specialists I, II, and III of the Compliance Enforcement Process.

(6) Refund Cases. In cases involving refund requests that have not been referred for audit, prior to initiation of litigation pursuant to Section ~~§~~ 72.011, F.S., or prior to expiration of the period for initiating same, authority to settle and compromise is delegated as follows:

(a) through (c) No change.

(7) In all other circumstances not previously described in this rule, authority to settle and compromise tax in amounts of \$250,000 or less and interest and penalty in any amount is delegated to the Deputy Executive Directors ~~Director~~, the General Counsel, and the Deputy General Counsel.

(8) No change.

Specific Authority 213.06(1), 213.21(5) FS. Law Implemented 213.05, 213.21 FS. History—New 5-23-89, Amended 8-10-92, 10-24-96, 10-2-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry Green, Rules and Policy Administrative Process, Department of Revenue, 501 S. Calhoun Street, Room 104, Carlton Building, Tallahassee, Florida 32399-0100, (850)922-4830, e-mail: green@dor.state.fl.us

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jeff Kielbasa, Deputy Executive Director, 501 S. Calhoun Street, Room 104, Carlton Building, Tallahassee, Florida 32399-0100, (850)921-2787

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2004, Vol. 30, No. 15, pp. 1494-1495. A workshop was held on April 27, 2004. No one appeared at the workshop and no written comments have been received by the Department.

**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 BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: Continuing Education Requirements for Certificateholders and Registrants

RULE NO.: 61G4-18.001

PURPOSE AND EFFECT: The Board proposes this rule amendment to add necessary language to specify hours of specialized or advanced module courses approved by the Florida Building Commission.

SUMMARY: The proposed rule amendment intends to outline continuing education requirements for certificateholders and registrants and to clarify hours of specialized or advanced module courses approved by the Florida Building Commission.

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: 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.001 Continuing Education Requirements for Certificateholders and Registrants.

(1) Each person who is certified or registered by the board must, as a condition of each renewal of the certificate or registration, obtain at least 14 classroom or interactive distance learning hours of continuing education in one or more courses from a continuing education provider approved by the board. Of the required 14 hours of continuing education, up to four hours of credit may be earned by attending a meeting of the Board wherein disciplinary cases are considered. At least seven days advance notice of the intent to attend the disciplinary case session must be given to the Board, and the licensee must check in with Board staff prior to the beginning of the disciplinary proceedings. The licensee must sign in and out at breaks and at lunchtime. After the conclusion of the meeting, Board staff will issue a certificate of attendance to the licensee. The licensee must submit documentation of such participation to the Department within five (5) days of the date of issuance of the certificate of attendance. A maximum of four hours will be allowed during a renewal cycle. Credit hours shall be awarded on an hour for hour basis up to a maximum of four hours. Credit hours may not be earned when the licensee attends a disciplinary case session as a party to a disciplinary action. All registered contractors and all certified contractors are required to complete zero hours of specialized or advanced module courses approved by the Florida Building Commission, at least one hour of a workplace safety class, one hour of a business practices class and one hour of a workers’

compensation class as a part of the 14 hours of required continuing education for license renewal. That portion of this rule relating to business practices shall be effective September 1, 1999.

(2) through (8) No change.

Specific Authority 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS. Law Implemented 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 FS. History—New 12-2-93, Amended 5-19-94, 8-16-94, 10-12-94, 1-18-95, 2-4-98, 5-11-99, 7-12-99, 1-23-00, 2-1-00, 12-27-00, 3-25-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2004

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE TITLE: RULE NO.:

Required Records Maintained by Course Providers 61G4-18.007

PURPOSE AND EFFECT: The Board proposes this rule amendment to add necessary language to include total time accumulated which demonstrates that course hours are consistent with the actual hours it takes to complete the course to the course access log with and date and time of course completion.

SUMMARY: The proposed rule amendment intends to outline required records maintained by course providers and adds language to the course access log that includes total time accumulated to the course hours of completion.

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: 455.2123, 455.213(6), 455.2177, 455.2178, 489.108, 489.115(4)(b) FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 489.115(4)(b) 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-1039

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.007 Required Records Maintained by Course Providers.

Each course provider must maintain the following records with respect to each course:

(1) through (5) No change.

(6) For interactive distance learning courses, in lieu of the original sign-in sheet required in subsection (4), the course provider shall maintain and provide a record of the registration, login, course access log, including total time accumulated which demonstrates that course hours are consistent with the actual hours it takes to complete the course, and course completion date and time. In lieu of providing a document bearing the contractor’s signature, the course provider shall provide the student’s identity verification data, which shall include the student’s password and the student’s mother’s maiden name.

(7) through (11) No change.

Specific Authority 455.2123, 455.213(6), 455.2177, 455.2178, 489.108, 489.115(4)(b) FS. Law Implemented 455.2123, 455.213(6), 455.2177, 455.2178, 489.115(4)(b) FS. History—New 12-2-93, Amended 7-2-95, 11-25-97, 4-15-99, 5-30-00, 3-25-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 2004

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE TITLES: RULE NOS.:

Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing 61G7-5.001

Registration and Fee for De Minimum Operations 61G7-5.0011

Historical Sketch 61G7-5.0012

Annual Assessment on Gross Florida Payroll 61G7-5.002

Attestation of Financial Statements 61G7-5.003

Audited Financial Statements 61G7-5.0031

Reviewed Financial Statements Consolidated and Combined	61G7-50032
Financial Statements	61G7-5.0033
Use of Franchised or Licensed Names	61G7-5.0034
Deficiency in Tangible Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor's Adequate Resources	61G7-5.005

PURPOSE AND EFFECT: These rules are being amended to remove obsolete language, update forms, clarify existing language, and to specify the Board's website address for use by its licensees; to clarify assessments that the Board shall be paid; to allow for workers' compensation requirements to be covered by a letter for the Joint Underwriters Association; and to clarify what the letter should read to allow for proof of coverage to be bound by letter from agent or carrier authorized to bind; to require that employee leasing companies acquiring 10% or more of the voting stock must report to the Board on form EL 4512 within 30 days.

SUMMARY: Rule 61G7-5.001, F.A.C., sets forth application procedures and forms for becoming an employee leasing company or a controlling person, sets out the fees the different licensure options; reasons for denial of applications; and procedures for requesting hearings. Rule 61G7-5.0011, F.A.C., sets out the form, fees and requirements for deminimis operations and how to apply for same. Rule 61G7-5.0012, F.A.C., sets forth the updated historical sketch form and explains when it is required of employee leasing companies. Rule 61G7-5.002, F.A.C., sets out the annual assessment on Gross Florida Payroll that DBPR assesses each Employee Leasing Company or Group based upon the preceding calendar year's gross payroll. Rule 61G7-5.003, F.A.C., updates the form required for attesting to Financial Statements by employee leasing companies. Rule 61G7-5.0031, F.A.C., Requires all licensee's to submit audited financial statements within 120 days of the fiscal year end. Rule 61G7-5.0032, F.A.C., Requests employee leasing companies to submit reviewed financial statements to the Board within 120 days of the fiscal year end. Rule 61G7-5.0033, F.A.C., sets forth the criteria for submitting consolidated and combined financial statements to meet the requirements of Section 468.525, FS. Rule 61G7-5.0034, F.A.C., sets out the criteria for use of Franchised or licensed names by employee leasing companies when owned by the same parent, entity or person. Rule 61G7-5.005, F.A.C., sets forth criteria for having a guaranty to offset a deficiency in tangible net worth, accounting net worth, or working capital, the form to be completed for approval and finding the guaranty acceptable, the requirements of providing the original guaranty to the board for keeping.

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: 455.227(3) FS.

LAW IMPLEMENTED: 120.53, 455.227(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony Spivey, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, FL 32399-0767

THE FULL TEXT OF THE PROPOSED RULES IS:

61G7-5.001 Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing.

(1) Applicants for licensure as an employee leasing company or as a controlling person shall file a completed application on Form EL4501 ~~DBPR/EL-001~~, "Application for Licensure as Employee Leasing Company ~~or Controlling Person~~," effective March 18, 2004 and/or Form EL4510, "Application for Licensure as an Employee Leasing Company Controlling Person," effective March 18, 2004 ~~9-8-94~~. The forms, together with their ~~its~~ attached instructions for completing the application form, are ~~is~~ incorporated herein by reference and may be obtained from the Board's office at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 or from its Website located at www.myflorida.com. Applicants shall cure all deficiencies in their application noted by the board within 90 days from the date of the letter notifying the applicant or the application will be denied as an incomplete application. For purposes of this rule, an application is complete when all items on the application form have been fully answered, the applicant has paid the application fee specified in subsection (2), and has submitted all attendant documentation, certifications, fingerprint cards, explanations of answers, and other items specified in the form and its attached instructions. An application for licensure as an employee leasing company or group will not be deemed complete until both the controlling person(s) and employee leasing company parts are complete.

(2) No change.

(3) License fees shall be assessed as follows:

(a) For initial licensure applications to be effective ~~filed~~ in the first year of the biennium:

1. through 3. No change.

(b) For initial licensure applications to be effective ~~filed~~ in the second year of the biennium:

1. through (c) 3. No change.

(d) For purposes of this rule the first biennium shall end on April 30, 1994. Thereafter, each biennium shall end on April 30 of every even-numbered year.

(e) No change.

(f) Initial assessments shall be paid as per Rule 61G7-5.002, F.A.C.

(4) through (6)(b)4. No change.

5. Has provided with the application a certificate of workers' compensation insurance coverage which shall name the Board as a Certificate Holder and shall provide for a minimum of 30 days' notification of cancellation or if a policy from the Florida Joint Underwriters Association (JUA) is to be utilized by the applicant, the applicant has provided a letter from the JUA which sets forth that the policy will issue immediately upon licensure by the Board, and the policy issues from the JUA within thirty (30) days of the JUA's notification from the Board that the applicant has been approved subject to the JUA policy issuing. The employee leasing company may not contact to provide any services to leased employees until the JUA policy has issued.

6.a. Has provided with the application copies of the declaration pages and all endorsements (~~other than additional work site or alternate employer endorsements~~) on all plans for workers' compensation insurance covering leased employees. Notice of any changes in these insurance plans shall be submitted to the Department in writing along with copies of any policies, declaration pages and endorsements within sixty (60) days; or-

b. Has supplied the Board a letter signed by an agent or a carrier authorized to bind coverage on behalf of such carrier, which substantially reads as follows:

Board of Employee Leasing Companies  
Division of Business and Professional Regulation  
Northwood Centre  
1940 North Monroe Street  
Tallahassee, Florida 32399  
RE: \_\_\_\_\_

Dear \_\_\_\_\_:

Enclosed is a copy of the Certificate of Liability Insurance for \_\_\_\_\_ is an authorized agent and has the authority to bind coverage with \_\_\_\_\_. This policy number is \_\_\_\_\_, effective from \_\_\_\_\_ to \_\_\_\_\_ and issued to \_\_\_\_\_. This policy provides coverage to leased employees in Florida.

7.a. Has provided with the application copies of the policies, declaration pages and all endorsements on all plans or arrangements of group insurance for the provision of health benefits to leased employees. Notice of any changes in these insurance plans shall be submitted to the Department in writing along with copies of any policies, declaration pages and endorsements within sixty (60) days; or-

b. Has supplied the Board the affidavit set forth in paragraph 61G7-5.001(12)(b), F.A.C.

(7) through (10) No change.

(11) An applicant to become a controlling person of an already licensed employee leasing company, who will become a controlling person as the result of a change in control of the voting securities of the employee leasing company, shall, at the time of application, submit the closing papers with the application or a letter to the Board after the sale has been completed in order to confirm that ownership of the voting securities was transferred to the applicant.

(12)(a) No change.

(b) As an alternative to the submission of the plan or health insurance policy as provided in paragraph (a) the applicant or licensee may submit an affidavit from the insurer showing that the policy or plan is in compliance. Nothing in this rule shall impose any requirement on any insurer to provide such an affidavit. In the event that an affidavit is submitted, it shall be in substantially the following form:

AFFIDAVIT

I, (Name of affiant), after being duly sworn upon my oath, depose and state:

1. I am employed by (name of employer) as (position). (Name of employer) is an admitted insurance carrier in the State of Florida. I possess the authority to make the following statements on behalf of (name of employer) and to bind (name of employer) concerning the statements made herein.

2. It is my understanding that, as a requirement for licensure as an employee leasing company in Florida, an employee leasing company may not sponsor a plan of self-insurance for health benefits except as may be permitted by the provisions of the Florida Insurance Code or, if applicable, by Pub. L. No. 93-406, the Employees Retirement Income Security Act. (Name of insurer) Group Insurance Policy # issued to (name of leasing company), is in compliance with the requirements of this law as it is a fully insured insurance product which is fully insured by (name of insurer). Notwithstanding any provision in the policy which could be interpreted to the contrary (name of insurer) is ultimately fully responsible for all incurred claims under the terms of the policy.

After having read the above statements, I swear that they are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.

Subscribed to before me this ---- day of -----, 200, ~~199~~, by (Name of affiant), who being known to me/produced written identification in the form of (Type of identification), and did take an oath.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

Specific Authority 120.53(1), 455.2281, 468.522, 468.5245, 468.5275 FS. Law Implemented 468.524(2), 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529 FS. History—New 5-5-92, Amended 7-15-92, 10-20-92, Formerly 21EE-5.001, Amended 10-24-93, 3-14-94, 7-4-94, 9-8-94, 11-13-94, 2-13-95, 6-4-95, 11-9-95, 5-26-96, 5-19-97, 4-29-99, \_\_\_\_\_.

61G7-5.0011 Registration and Fee for De Minimis Operations.

(1) Any employee leasing company or group which meets the qualifications for de minimis operations pursuant to section 468.5275, Florida Statutes, shall apply to the Board on form EL-4501 BPR/EL-009, entitled “Application for Registration of an Employee Leasing Company or Employee Leasing Company Group De Minimis Exemption & Registration” effective 3-18-2004, 1-31-95, which is incorporated herein by reference in Rule 61G7-5.001, F.A.C and available from the Board office. The annual fee for de minimis registration shall be \$250 for an employee leasing company and \$500 for an employee leasing company group.

(2) No change.

Specific Authority 468.522, 468.5275(2) FS. Law Implemented 468.5275 FS. History—New 8-17-94, Amended 1-31-95, 11-9-95, \_\_\_\_\_.

61G7-5.0012 Historical Sketch.

(1) Each initial application for an Employee Leasing Company license shall be accompanied by a completed “Historical Sketch,” Form EL-4512 BPR/EL-012, effective 3-18-2004 1-25-98, which is hereby incorporated by reference and available by mail from the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 or from its Website at www.myflorida.com, from those individuals who:

(a) through (c) No change.

(2) No change.

(3) Each employee leasing company shall, within thirty (30) days of any person’s or entities’ acquisition of 10% or more of its voting stock or the voting stock of the employee leasing company’s ultimate parent (if the employee leasing company or its ultimate parent is a closely-held company) or 20% or more of the voting stock of the employee leasing company or of its ultimate parent (if the employee leasing company or its ultimate parent is a publicly-held company), submit form EL-4512, entitled Historical Sketch, incorporated herein by reference and available from the Board or to the Board from such person(s) or entities.

(4)(3) As a condition of renewal all employee leasing companies are also required to update any material changes to the previously filed forms or alternative information. ~~If no changes have occurred the licensee must state that no changes have occurred.~~

(5)(4) Each application for a certificate of approval for a proposed change of ownership shall be accompanied by a completed Form EL-4512 BPR/EL-012 for the same individuals as specified in subsection (1) above.

~~(6)(5)~~ Those employee leasing companies that were not required to have submitted Form EL-4512 BPR/EL-012 or provide the alternative information as specified in subsection (2) above as a requirement for initial licensure must submit such forms or information as a condition for renewal of licensure ~~for the period beginning April 1, 1998.~~

~~(7)(6)~~ If any individual who is required to submit a completed Form EL-4512 BPR/EL-012 or in the alternative information evidences a lack of good moral character, as defined in Section 468.525(2)(a), F.S., then the initial employee leasing licensure application shall be denied or the license shall not be renewed until the individual(s) in question is no longer involved with the employee leasing company in a capacity which would require the submission of a historical sketch of the individual(s) to the Board as provided herein.

Specific Authority 468.522, 468.524(2), 468.5245 FS. Law Implemented 468.524(2), 468.5245 FS. History—New 1-25-98, Amended \_\_\_\_\_.

61G7-5.002 Annual Assessment on Gross Florida Payroll.

(1) ~~The Effective April 1, 1992,~~ the Department of Business and Professional Regulation shall assess each Employee Leasing Company and each Employee Leasing Company Group an annual assessment fee based upon the preceding calendar year’s gross Florida payroll of the company or group. The assessment shall be due on April 1 of each year and shall become delinquent after April 30. For new applicants the initial assessment shall be due with the licensure application. Funds collected under this assessment are to be made payable to the Board and to be deposited into the Professional Regulation Trust Fund as created within the Department. The annual assessment fee shall be calculated in accordance with the following table:

Amount of Gross Florida Payroll	Assessment Fee Due
less than \$250,000	\$144.00
\$250,000 – \$500,000	\$254.00
\$500,001 – \$1,000,000	\$380.00
\$1,000,001 – \$2,500,000	\$535.00
\$2,500,001 – \$5,000,000	\$689.00
\$5,000,001 – \$7,500,000	\$844.00
\$7,500,001 – \$10,000,000	\$998.00
\$10,000,001 – \$15,000,000	\$1,154.00
\$15,000,001 – \$20,000,000	\$1,308.00
\$20,000,001 – \$30,000,000	\$1,462.00
\$30,000,001 – \$40,000,000	\$1,617.00
\$40,000,001 – \$50,000,000	\$1,829.00
greater than \$50,000,000	\$2,039.00

(2) In order to ensure compliance with the requirements of subsection (1), each employee leasing company or employee leasing company group shall annually submit a statement of total gross Florida payroll along with copies of all Florida Unemployment Compensation Tax returns (UCT-6) for the preceding calendar year and payment of the assessment levied



under subsection (1). Every employee leasing company shall submit the statement of total gross Florida payroll and copies of all Florida Unemployment Compensation Tax returns (UCT-6) on or before April 1 of each year. Total gross Florida payroll shall be subject to independent verification by the Board with the Agency for Workforce Innovation, Division of Unemployment ~~Department of Labor and Employment Security, Division of Unemployment Compensation~~, and shall also be subject to audit by the Board.

(3) through (4) No change.

Specific Authority 468.522 FS. Law Implemented 468.526 FS. History—New 7-15-92, Formerly 21EE-5.002, Amended 4-25-94, 6-10-96, 6-22-98, 7-11-00, \_\_\_\_\_.

61G7-5.003 Attestation of Financial Statements.

Financial statements submitted to the Board by an employee leasing company shall be accompanied by a completed form EL-4503 DPR/EL-003, entitled “Employee Leasing Company Attestation To Financial Statements,” effective 3-18-2004 ~~7-20-92~~, which is incorporated herein by reference and may be obtained by contacting the Board’s office at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 or its Website at www.myflorida.com. The form shall be executed by the chief financial officer, the chief executive officer, and the controlling person of the employee leasing company.

Specific Authority 455.227(3) FS. Law Implemented 468.524(2) FS. History—New 7-20-92, Formerly 21EE-5.003, Amended \_\_\_\_\_.

61G7-5.0031 Audited Financial Statements.

(1) No change.

(2) For ~~every any~~ fiscal year ~~beginning January 1, 1994, and for every subsequent fiscal year~~, audited financial statements must be submitted to the Board within 120 days of the licensee’s fiscal year end. For purposes of this rule, “submitted” means that the audited financial statement must be postmarked within 120 days of the end of the fiscal year.

(3) through (4) No change.

(5) All members of an employee leasing company group must have the same fiscal year end. In the event that all members of such a group do not have the same fiscal year end at the time of initial licensure, such group shall have two (2) years from the date of initial licensure to comply with this rule. ~~Already licensed employee leasing company groups shall also have two (2) years from the effective date of this rule to comply with the above stated requirement.~~ In addition, any member added to a group after initial licensure shall change its fiscal year end to the group’s fiscal year end within one (1) year of joining the group.

Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History—New 8-17-94, Amended 5-26-96, \_\_\_\_\_.

61G7-5.0032 Reviewed Financial Statements.

(1) No change.

(2) For ~~every any~~ fiscal year ~~beginning January 1, 1994, and for every subsequent fiscal year~~, reviewed financial statements must be submitted to the Board within 120 days of the licensee’s fiscal year end. For purposes of this rule, “submitted” means that the reviewed financial statement must be postmarked within 120 days of the end of the fiscal year.

(3) through (4) No change.

(5) All members of an employee leasing company group must have the same fiscal year end. In the event that all members of such a group do not have the same fiscal year end at the time of initial licensure, such group shall have two (2) years from the date of initial licensure to comply with this rule. ~~Already licensed employee leasing company groups shall also have two (2) years from the effective date of this rule to comply with the above stated requirement.~~ In addition, any member added to a group after initial licensure shall change its fiscal year end to the group’s fiscal year end within one (1) year of joining the group.

Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History—New 8-17-94, Amended 5-26-96, \_\_\_\_\_.

61G7-5.0033 Consolidated and Combined Financial Statements.

(1) An employee leasing company or an employee leasing group may submit consolidated audited or reviewed financial statements to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as the entity exercising control over the entities that are reporting on a consolidated basis is a member of the employee leasing company group, or in the case of an ELC license, as long as the entity exercising control is a properly licensed employee leasing company and there are cross guarantees for both entities. “Control” is defined as ownership of more than fifty (50) per cent of the voting stock of all reporting entities. Non-licensed entities may be included in the consolidated statements so long as the foregoing requirements are met.

(2) An employee leasing company group may submit combined audited or reviewed financial statements to meet the requirements of Section 468.525(3)(e), F.S., as applicable, so long as all entities covered in the combined financial statement reports are members of the Florida licensed employee leasing company group. Other entities ~~that are not members of the Florida licensed employee leasing company group~~ may not be included in combined financial statements.

Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History—New 5-26-96, Amended \_\_\_\_\_.

61G7-5.0034 Use of Franchised or Licensed Names.

(+) Section 468.530(3), F.S., provides that: “The board may not authorize the use of a name which is so similar to that of a public officer or agency, or of that held by another licensee, that the public may be confused or misled thereby.” Recognizing the existence and reasonable purpose of franchising and licensing agreements under which more than one company, corporation, or other entity may be entitled to use the name of the franchisor or licensor, the Board hereby sets the following standards for the use of names under a franchise or licensing agreement:

(1)(a) No change.

1. through 2. renumbered (a) through (b) No change.

The difference in names between two or more licensees entitled to use the name of a franchisor or licensor must be plainly different and the differences must indicate a distinction in location or some other clear distinction.

(b) through (f) renumbered (2) through (6) No change.

1. through 3. renumbered (a) through (c) No change.

(7) Licensees majority owned by the same ultimate parent, entity or persons, may utilize the same dba.

Specific Authority 468.522, 468.525(3)(e) FS. Law Implemented 468.525(3)(e) FS. History—New 5-26-96, Amended \_\_\_\_\_.

61G7-5.005 Deficiency in Tangible Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor’s Adequate Resources.

(1) When an applicant chooses to have a guaranty to offset any deficiency in tangible accounting net worth, accounting net worth, or working capital, such guaranty shall be made on Form EL-4505, DPR/EL-005, entitled “Board Approved Guaranty Form,” effective 3-18-2004, September 6, 1993, which is incorporated herein by reference and available from the Board at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 or, and such guaranty shall be irrevocable until such time that the deficiency causing the guaranty has been corrected.

(2) Applicants and licensed employee leasing companies who submit a guaranty in accordance with subsection (1) shall also show that the guarantor has adequate resources to satisfy the obligation of the guaranty. Upon the Board’s finding that the guarantor’s resources and the guaranty are acceptable, the applicant or licensed employee leasing company shall provide the original guaranty to the Board to keep with the leasing company’s applicant’s file.

(3) When an applicant or leased employee leasing company chooses to submit an irrevocable letter of credit to offset any deficiency in tangible accounting net worth, accounting net work, or net working capital, such irrevocable letter of credit is acceptable so long as: (a) the responsibility for repayment of any sums disbursed under the letter of credit is not an obligation of the employee leasing company or any entity affiliated with the employee leasing company; (b) the

letter of credit contains an “evergreen” clause, which automatically renews the letter of credit unless the issuer of the letter of credit notifies the employee leasing company and the Department within sixty (60) days of the decision not to renew; (c) the letter of credit is issued by a financial institution authorized to do so under applicable state or federal banking laws.

Specific Authority 468.522, 468.525(3)(d) FS. Law Implemented 468.525(3) FS. History—New 9-6-93, Amended 5-29-94, 5-26-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 30, 2004

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: RULE NO.:

Citation Authority 64B8-8.017

PURPOSE AND EFFECT: The proposed rule amendments are intended to address verification of profiling information and failure to pay fines and costs imposed by Final Order.

SUMMARY: The proposed rule amendments provide for a citation fine for failure to verify profiling information and set forth a fine for failure to timely pay fine and costs imposed by Final Order.

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

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

SPECIFIC AUTHORITY: 456.077, 458.309 FS.

LAW IMPLEMENTED: 456.072(2)(d), 456.077 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.017 Citation Authority.

(1) Pursuant to Section 456.077, F.S., the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. Next to each violation is the penalty to be imposed. In addition to any administrative fine imposed, the Respondent may be required by the Department to pay the costs of investigation. The form to be used is specified in rules of the Department of Health.

(2) If the violation constitutes a substantial threat to the public health, safety, and welfare, such potential for harm must have been removed prior to issuance of the citation.

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

VIOLATIONS	PENALTY
(a) through (i) No change.	
<u>(j) Failure to verify the content of practitioner’s profiling information pursuant to Section 456.041(7), F.S.</u>	<u>\$100 per day fine not to exceed \$1,000</u>
(j) through (k) renumbered (k) through (l) No change.	
<u>(m)(4) First time failure to pay fine or costs imposed by Board Order within 30 days of the due date of the fine or costs (failure to pay more than 30 days after the due date citation will result in an administrative complaint).</u>	<u>\$1000 fine 10% of the fine fine and/or costs imposed fine fine and costs</u>
(m) through (n) renumbered (n) through (o) No change.	
(4) through (7) No change.	

Specific Authority 456.077, 458.309 FS. Law Implemented 456.072(2)(d), 456.077 FS. History–New 12-30-91, Formerly 21M-20.017, Amended 11-4-93, Formerly 61F6-20.017, Amended 8-23-95, Formerly 59R-8.017, Amended 4-7-99, 1-27-00, 1-31-02, 1-12-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2004  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 2004

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Physician Practice Standard Regarding Do Not Resuscitate (DNR) Orders

RULE NO.: 64B8-9.016

PURPOSE AND EFFECT: The proposed rule is intended to address proper physician practice with regard to DNR orders.

SUMMARY: The proposed rule sets forth appropriate standards with regard to physicians and the identification and recognition of DNR orders.

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

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

SPECIFIC AUTHORITY: 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(v) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.016 Physician Practice Standard Regarding Do Not Resuscitate (DNR) Orders.

Resuscitation may be withheld or withdrawn from a patient by a treating physician licensed pursuant to Chapter 458, F.S., if evidence of an order not to resuscitate by the patient’s physician is presented to the treating physician. An order not to resuscitate, to be valid, must be on the form as set forth in Section 401.45, F.S. The form must be signed by the patient’s physician and by the patient, or, if the patient is incapacitated, the patient’s health care surrogate, or proxy as provided in Chapter 765, F.S.; court appointed guardian as provided in Chapter 744, F.S.; or attorney in fact under a durable power of attorney as provided in Chapter 709, F.S. The court appointed guardian or attorney in fact must have been delegated authority to make health care decisions on behalf of the patient.

Specific Authority 458.331(1)(v) FS. Law Implemented 458.331(1)(v) FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rule Committee, Board of Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2004  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 2004

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Physician Assistant Licensure  
Renewal and Reactivation

RULE NO.: 64B8-30.005

PURPOSE AND EFFECT: The proposed rule amendment is intended to address renewal exemption criteria for spouses of members of the Armed Forces.

SUMMARY: The proposed rule amendment exempts spouses of members of the Armed Forces from licensure renewal requirements.

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

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

SPECIFIC AUTHORITY: 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.031(1), 456.033, 458.347 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.005 Physician Assistant Licensure Renewal and Reactivation.

(1) through (7) No change.

(8) Licensees who are spouses of members of the Armed Forces of the United States shall be exempt from all licensure renewal provisions for any period of time which the licensee is absent from the State of Florida due to the spouse's duties with the Armed Forces. The licensee must document the absence and the spouse's military status to the Board in order to obtain the exemption. Upon the licensee's return to Florida, the licensee must inform the Department of his or her return within 30 days.

Specific Authority 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347 FS. Law Implemented 456.013, 456.031(1), 456.033, 458.347 FS. History—New 5-13-87, Amended 1-9-92, Formerly 21M-17.0035, Amended 9-21-93, Formerly 61F6-17.0035, Amended 11-30-94, Formerly 59R-30.005, Amended 6-7-98, 3-3-02, 10-12-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2004

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE TITLE: Fees Regarding Physician Assistants

RULE NO.: 64B8-30.019

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete the proration of fees for issuance of a license in the second half of the biennium.

SUMMARY: The proposed rule amendment deletes the proration of fees for issuance of a license in the second half of the biennium.

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

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

SPECIFIC AUTHORITY: 456.036(5),(7), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.036(5),(7), 458.347 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.019 Fees Regarding Physician Assistants.

The following fees are prescribed by the Council and adopted by the Boards:

(1) No change.

(2) The initial licensure fee for any person who is issued a physician assistant license as provided in Section 458.347 or 459.022, F.S., shall be \$200.00 ~~if the initial licensure occurs during the first year or any fraction thereof of the biennial period, and \$100.00 if initial licensure occurs during the second year or any fraction thereof, of the biennial period.~~

(3) through (9) No change.

Specific Authority 456.036(5),(7), 458.309, 458.347 FS. Law Implemented 456.036(5),(7), 458.347 FS. History—New 8-11-98, Amended 7-30-03,

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2004  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2004

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy Practice**

RULE TITLE: Citations RULE NO.: 64B11-4.005

PURPOSE AND EFFECT: The Board proposes to amend the citation section to conform to the amendments of Chapter 456.077, F.S.

SUMMARY: The rule specifies the manner of mail service of citations, clarifies the assessable costs imposed through citations, and specifies the manner and time limits for corrective action imposed through citations.

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: 456.077, 468.204 FS.

LAW IMPLEMENTED: 456.077, 456.072(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-4.005 Citations.

(1) through (2) No change.

(3) The citation may be served upon the licensee by personal service hand delivery or certified mail, restricted delivery, at the licensee's last known home address. ~~If service by certified mail fails because the licensee has relocated without leaving a forwarding address, then the Department shall endeavor to give the subject actual or constructive notice of the pending disciplinary action as permitted by law.~~

(4) The Board designates the following as citation violations:

(a) Practicing with Working on an inactive license or unlicensed activity, up to six months, for which the Board shall impose a \$100 per month penalty for each full month or partial month that the license is inactive.

(b) Practicing with Working on a delinquent license that was not timely renewed, up to six months, for which the Board shall impose a \$100 per month penalty for each full month or partial month the license is delinquent.

(c) Violating Section 468.217(1)(a), F.S., by submitting a worthless check to the Board or the Department. The penalty shall be \$100.00 dollars, replacement of the amount of the check if a license was issued based on it, and costs incurred by processing the check. All payments due based on the citation shall be paid within 30 days of the date the citation is filed. Failure to provide satisfaction including cost incurred within 45 days from the receipt of the Department's notification of receipt of check dishonored due to insufficient funds, for which the Board shall impose a penalty of \$100.

(d) First time failure to complete required continuing education hours, which may also consist of or include required HIV/AIDS or end of life/palliative health care, during the biennial licensure period. For failure to complete less than 10 hours, the Board shall impose a penalty of \$500. For failure to complete 10 or more hours, the Board shall impose a penalty of \$1,000. In addition, licensees shall, make up the deficient continuing education and take one additional hour of continuing education for each of the continuing education deficiencies, which shall not count towards meeting the continuing education renewal requirements for the next biennium. All such made up continuing education hours and additional continuing education hours shall be completed and documentation of same shall be provided to the department within 90 days of the date the citation is filed.

(e) Failure to respond to a continuing education audit/pre-audit request within 30 days, in a timely manner for which the Board shall impose a penalty of \$50.

(5) The penalty specified in the citation shall be the sum of the penalty established by this rule plus the Department's costs of investigation and prosecution as described in Section 456.072(4), F.S.

(6) No change.

Specific Authority 456.077, 468.204 FS. Law Implemented 456.077, 456.072(3) FS. History--New 1-1-92, Formerly 21M-15.005, 61F6-15.005, Amended 11-13-96, Formerly 59R-63.005, Amended 2-20-02, \_\_\_\_\_

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2004

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE TITLE: RULE NO.:

Physician Assistant Licensure 64B15-6.0035  
 Renewal and Reactivation

PURPOSE AND EFFECT: The proposed rule amendment is intended to address renewal exemption criteria for spouses of members of the Armed Forces.

SUMMARY: The proposed rule amendment exempts spouses of members of the Armed Forces from licensure renewal requirements.

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

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

SPECIFIC AUTHORITY: 456.013, 456.033(1), 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 459.022(7)(b),(c) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.0035 Physician Assistant Licensure Renewal and Reactivation.

(1) through (7) No change.

(8) Licensees who are spouses of members of the Armed Forces of the United States shall be exempt from all licensure renewal provisions for any period of time which the licensee is absent from the State of Florida due to the spouse's duties with the Armed Forces. The licensee must document the absence and the spouse's military status to the Board in order to obtain the exemption. Upon the licensee's return to Florida, the licensee must inform the Department of his or her return within 30 days.

Specific Authority 456.013, 456.033(1), 459.005, 459.022 FS. Law Implemented 456.013, 456.031, 459.022(7)(b),(c) FS. History—New 10-28-87, Amended 4-21-88, 1-3-93, Formerly 21R-6.0035, Amended 11-4-93, 3-29-94, Formerly 61F9-6.0035, 59W-6.0035, Amended 6-7-98, 10-16-01, 3-10-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 14, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2004

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE TITLE: RULE NO.:

Physician Assistant Fees 64B15-6.013

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete the proration of fees for issuance of a license in the second half of the biennium.

SUMMARY: The proposed rule amendment deletes the proration of fees for issuance of a license in the second half of the biennium.

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

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

SPECIFIC AUTHORITY: 456.036(5),(7), 459.005, 459.009, 459.022(7) FS.

LAW IMPLEMENTED: 456.036(5),(7), 459.009, 459.022(7) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.013 Physician Assistant Fees.

The following fees are prescribed by the Council and adopted by the Boards:

(1) No change.

(2) The initial certification fee for any person who is issued a physician assistant certificate as provided in Sections 458.347 or 459.022, Florida Statutes, shall be \$200.00 ~~if the initial licensure occurs during the first year or any fraction thereof of the biennial period, and \$100 if initial licensure occurs during the second year or any fraction thereof, of the biennial period.~~

(3) through (9) No change.

Specific Authority 456.036(5),(7), 459.005, 459.009, 459.022(7) FS. Law Implemented 456.036(5),(7), 459.009, 459.022(7) FS. History—New 11-4-93, Amended 2-20-94, Formerly 61F9-6.013, 59W-6.013, Amended 8-11-98, 2-23-04, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Council on Physician Assistants  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 THE PROPOSED RULE: Board of Osteopathic Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: May 14, 2004  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: April 9, 2004

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLE: Administrative Definitions  
 PURPOSE AND EFFECT: The proposed rule amendment provide for the use of an alternate designated agency application form to apply for public assistance.

RULE NO.: 65A-1.203

SUMMARY: The proposed rule amendment will provide for the use of a simplified Common Application Form and Eligibility Questionnaire, incorporated by reference in Administrative Rule 65A-1.205, Eligibility Determination, as an alternate designated agency application form to apply for public assistance.

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: 409.919, 414.45 FS.  
 LAW IMPLEMENTED: 409.903, 409.904, 410.033, 414.095, 414.28, 414.295, 414.31 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., June 29, 2004  
 PLACE: 1317 Winewood Boulevard, Building 3, Room 470, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen Schilling, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700, (850)414-5643

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.203 Administrative Definitions.

Except as otherwise provided within, the following definitions apply to this chapter.

(1) through (2) No change.

(3) Application: A specific written request on the designated agency forms, which has been dated and signed by the applicant, requesting that their ~~his~~ eligibility for public assistance be determined. The designated agency form is the Application for Public Assistance CF-ES Form 2067 or Common Application Form and Eligibility Questionnaire, CF-ES 2327, Feb 04, incorporated by reference in Administrative Rule 65A-1.205, F.A.C.

(4) Application for Public Assistance, CF-ES 2067 (Common Application Form (CAF) or CF-ES 2327: The document which contains the data collected by the case manager or public assistance specialist during the interview with the individual applying for public assistance benefits or with the individual's authorized or designated representative. The applicant is required to comply with interview requirements and sign the document before any benefits are provided.

(5) Date of Application: The date on which the applicant signs the CAF or CF-ES 2327. If the person is the primary information person (PIP), the RFA signature date is the date of application.

(6) through (13) No change.

Specific Authority 414.45 FS. Law Implemented 409.903, 409.904, 414.0252, 414.095, 414.31 FS. History--New 4-9-92, Amended 11-22-93, Formerly 10C-1.203, Amended 11-30-98, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Donna Cichon, Government Operations Consultant II  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED  
 PROPOSED RULE: Eileen Schilling, Program Administrator  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: May 21, 2004  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: February 27, 2004

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE TITLE: Eligibility Determination Process  
 PURPOSE AND EFFECT: The proposed rule amendment will incorporate by reference a new form that can be used as an alternate designated agency application to apply for public assistance. It will also adjust interview requirements in accordance with federal regulations.

RULE NO.: 65A-1.205

SUMMARY: The proposed rule amendment provides for the use of an alternate designated agency application form, the simplified Common Application Form and Eligibility Questionnaire, incorporated by reference, to apply for public assistance; a waiver of the face-to-face interview due to hardship at application and eligibility redetermination; and,

requires eligibility redetermination to be done at periodic intervals in accordance with federal regulations for the specified program.

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: 409.919, 414.45 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919, 410.033, 414.095, 414.31 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., June 29, 2004

PLACE: 1317 Winewood Boulevard, Building 3, Room 470, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen Schilling, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 414, Tallahassee, Florida 32399-0700, (850)414-5643

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.205 Eligibility Determination Process.

(1) The individual receives a Request for Assistance and completes it to the best of the individual's ability. The eligibility specialist determines the potential eligibility of each household member for public assistance and prints out the data on the Common Application Form (CAF) or alternately, Form CF-ES 2327, Common Application Form and Eligibility Questionnaire, May 04, incorporated by reference, can substitute for the CAF. The individual then decides whether or not to apply for assistance. The Common Application Form or CF-ES 2723 is signed and dated by the individual to complete the process of applying. The applicant must be informed of the department's standards of assistance, penalties for fraud, right to appeal and to have a fair hearing, the civil rights provisions and other rights and responsibilities. An applicant may withdraw the application at any time without affecting their his right to reapply at any time.

(a) through (f) No change.

(2) Eligibility must be redetermined at periodic intervals in accordance with federal regulations 7 CFR 273.14 (food stamps), 42 CFR 435.916 (Medicaid), 45 CFR 206.10(a)(9)(iii) (temporary cash assistance), and Section 414.095(1), F.S.

(a) No change.

(b) A partial eligibility review entails review of one or more, but not all factors of eligibility. Partial reviews are scheduled based on known facts or anticipated changes or when an unexpected change occurs. A face-to-face interview is

not usually required, unless ~~an additional member is being added to the assistance group~~, the necessary information cannot be obtained without this exchange.

(3) Face-to-face interviews with the applicant/recipient or ~~their his~~ designated representative must be held at each application unless waived due to hardship as described in 7 CFR 273.2(e)(2). ~~and~~ Complete redeterminations of eligibility and recipient interviews are conducted in accordance with the federal regulations governing the benefit type. These interviews are held at the CF local office, the recipient's home or other location upon which the recipient and eligibility specialist mutually agree. The recipient is required to keep the interview appointment or make arrangements with the eligibility specialist prior to the appointment time to reschedule the appointment if necessary. ~~The individual or authorized representative must sign and date the Common Application Form, following this interview, and attest to the accuracy of the information provided.~~

(4) An applicant or recipient who fails to keep an appointment without arranging another time with the eligibility specialist, fails or refuses to sign and date the application form(s) described in paragraph (1) ~~Common Application Form~~; fails or refuses to submit a periodic report; or fails or refuses to submit required documentation or verification will be denied benefits as eligibility cannot be established.

(5) through (a) No change.

(b) Verification confirms the accuracy of information through a source(s) other than the individual. Verification may be secured electronically, on the telephone, in written form, or by personal contact.

(c) Documentation establishes the accuracy of information by obtaining and including in the case record an official document, official paper or a photocopy of such document or paper or electronic source that supports the statement(s) made by the individual.

(6) through (7) No change.

Specific Authority 409.919, 414.45 FS. Law Implemented 409.903, 409.904, 409.919, 410.033, 414.045, 414.095, 414.31 FS. History—New 4-9-92, Amended 11-22-93, 8-3-94, Formerly 10C-1.205, Amended 11-30-98, 9-22-00, 7-29-01, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lonna Cichon, Government Operations Consultant II

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eileen Schilling, Program Administrator

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 27, 2004