

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 Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-6.007 Continuing Education Requirements for Reactivation of License.

The continuing education requirements for reactivation of a license shall be:

(1) Those requirements specified in Section 456.036(10), Florida Statutes; and

(2) Documented proof of completion of 24 hours of approved continuing education as provided in this rule chapter and including HIV/AIDS and medical error prevention, for the preceding biennium during which the licensee held an active license.

Specific Authority 456.036, 468.353 FS. Law Implemented 468.363 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Respiratory Care

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 23, 2004

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

RULE NO.:	RULE TITLE:
60A-1.002	Purchase of Commodities and Contractual Services

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3) (d)1., F.S., originally published in Vol. 30, No. 14, April 2, 2004 issue of the Florida Administrative Weekly: Changes to PUR 1000, changes to PUR 1001, and a citation correction in the rule text.

The following changes have been made to PUR 1000: Deletion of paragraph 19 "Compliance with Laws;" Rewording paragraph 1 to properly reflect the application of Chapter 287 definitions and to remove the definition of "Contractor," as this word is defined in Chapter 287; fixing statutory citations in paragraph 2; removing all instances of "and/or" in the document and replaced them with "and" or "or," as appropriate; adding a sentence at the end of the Transaction Fee paragraph, to include a pointer to the Termination for Cause paragraph; modifying the Lobbying and Integrity paragraph to resolve matters of statutory authority; defining "Chief Financial Officer" in the paragraph involving Leases; rewording the paragraphs involving PRIDE and RESPECT in order to accurately capture the intent of the underlying statutory references; modifying the paragraph regarding independent contractors to resolve a question of statutory authority; modifying the Insurance paragraph to remove specific limits, in order to resolve a question of statutory authority; and fixing the internal citation in the last paragraph.

The following changes have been made to PUR 1001: Rewording paragraph 1 to properly reflect the application of Chapter 287, F.S., definitions; removing a portion of the Public Records paragraph to resolve an issue of statutory authority; and modifying the Protest paragraph to properly quote the several statutory references.

Copies of the amended forms are available upon request.
PROPOSED RULE 60A-1.002 IS CHANGED TO READ AS FOLLOWS:

60A-1.002 Purchase of Commodities and Contractual Services.

(1) Agencies are delegated the conditional authority to purchase commodities or contractual services (except insurance, unless permitted pursuant to Section 287.022, F.S.) The conditions of this delegation are (i) that the agencies comply with the requirements of subsection 287.042(12)(13), F.S.; (ii) that State Purchasing retains the full supervisory authority provided by that subsection; and (iii) that State Purchasing reserves the right to rescind the authority delegated to all agencies by amendment to this rule and reserves the right to rescind the authority delegated to an agency for failure to comply with that subsection.

(2) through (7) No change.

Specific Authority 287.042 FS. Law Implemented 287.042, 287.057 FS. History—New 5-20-64, Amended 4-4-67, Revised 2-6-68, Amended 2-8-69, Revised 5-20-71, Amended 7-31-75, 10-1-78, Revised 11-14-79, Amended 8-18-80, 8-6-81, 10-13-83, 3-1-84, 3-14-84, 11-12-84, 2-28-85, 12-17-85, Formerly 13A-1.02, Amended 6-5-86, 2-9-87, 11-3-88, 1-18-90, 4-10-91, 9-1-92, Formerly 13A-1.002, Amended 4-24-94, 1-9-95, 1-1-96, 3-21-96, 9-23-96, 7-6-98, 1-2-00.

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60C-1	Regulated Communications Services
RULE NOS.:	RULE TITLES:
60C-1.001	General
60C-1.002	Definitions
60C-1.003	Communication Service Authorization (CSA)
60C-1.004	Agency Communication Service Authorization (CSA) Representative
60C-1.005	Centralized Telecommunications Billings
60C-1.006	Telecommunications Billing Information
60C-1.007	Telecommunications Service Proposals
60C-1.008	Florida State Telephone Directory

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as repealed, but rather transferred to a new Rule Chapter, Rule Chapter 60DD-4, F.A.C. Rule 60C-1.001, F.A.C., is transferred and amended as Proposed Rule 60DD-4.001, F.A.C. Rule 60C-1.002, F.A.C., is transferred and amended as Proposed Rule 60DD-4.002, F.A.C. Rule 60C-1.003, F.A.C., is transferred and amended as Proposed Rule 60DD-4.003, F.A.C. Rule 60C-1.004, F.A.C., is likewise transferred and amended as Proposed Rule 60DD-4.003, F.A.C. Rule 60C-1.005, F.A.C., is transferred and amended as Proposed Rule 60DD-4.004, F.A.C. Rule 60C-1.006, F.A.C., is likewise transferred and amended as Proposed Rule 60DD-4.004, F.A.C. Rule 60C-1.007, F.A.C., is transferred and amended as Proposed Rule 60DD-4.005, F.A.C. Rule 60C-1.008, F.A.C., is transferred and amended as Proposed Rule 60DD-4.006, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office,

Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60C-2	Communications Procurement of Customer-Owned Equipment
RULE NOS.:	RULE TITLES:
60C-2.001	General
60C-2.003	Standard
60C-2.004	Technical Evaluation of Communications Proposals
60C-2.005	Initiation or Revision of Standard Specification for Communications Equipment
60C-2.006	Single Agency Procurement Requirements
60C-2.007	Special or Unique Communications Requirements
60C-2.008	Communications Purchase or Lease Authorization (CPLA) Form (COM 9008)
60C-2.009	Delegation to the State University System

NOTICE OF CORRECTION

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60C-6	Eligibility and Use of State Communications System
RULE NOS.:	RULE TITLES:
60C-6.001	General
60C-6.002	Definitions
60C-6.004	Cost Qualification Criteria for the State Communications System
60C-6.005	Agreements
60C-6.006	Review and Eligibility of Users
60C-6.007	Modifications, Additions, Reductions or Terminations to Existing SUNCOM or Telpak Service Initiated by a User
60C-6.008	Additions or Modifications to Existing SUNCOM Service Initiated by the Division
60C-6.009	Actions Initiated by the Division of Communications Resulting in Termination or Reduction of State Communications Services

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60DD-4	Communications Services
RULE NOS.:	RULE TITLES:
60DD-4.001	General
60DD-4.002	Definition
60DD-4.003	Communication Service Authorization; Administration; Approval
60DD-4.004	Centralized Communications Billing
60DD-4.005	Communications Service Proposals
60DD-4.006	Florida State Government Listings

NOTICE OF CORRECTION

Notice is hereby given that the rule histories for these proposed rules published in the Florida Administrative Weekly, Vol. 30, No. 25, June 18, 2004 are inaccurate in that each rule should not be characterized as new, but rather each rule represents a substantially amended version of a rule transferred from Rule Chapter 60C-1, F.A.C. Proposed Rule 60DD-4.001, F.A.C., was formerly 60C-1.001, F.A.C. Proposed Rule 60DD-4.002, F.A.C., was formerly 60C-1.002, F.A.C. Proposed Rule 60DD-4.003, F.A.C., was formerly 60C-1.003 and 60C-1.004, F.A.C. Proposed Rule 60DD-4.004, F.A.C., was formerly 60C-1.005 and 60C-1.006, F.A.C. Proposed Rule 60DD-4.005, F.A.C., was formerly 60C-1.007, F.A.C. Proposed Rule 60DD-4.006, F.A.C., was formerly 60C-1.008, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60DD-5	Procurement of Customer-Owned or Leased Communications Equipment and Services
RULE NOS.:	RULE TITLES:
60DD-5.001	General
60DD-5.002	Approval Thresholds; Exemptions; Requests; Documentation
60DD-5.003	Delegation to the Department of Education
60DD-5.004	Specifications for State Purchasing and State Technology Office Contracts
60DD-5.005	Special or Unique Agency Communications Requirements

NOTICE OF CORRECTION

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Proposed Rule 60DD-5.001, F.A.C., was formerly 60C-2.001, F.A.C. Proposed Rule 60DD-5.002, F.A.C., was formerly 60C-2.008, F.A.C. Proposed Rule 60DD-5.003, F.A.C., was formerly 60C-2.009, F.A.C. Proposed Rule 60DD-5.004, F.A.C., was formerly Rules 60C-2.003, 60C-2.004 and 60C-2.005, F.A.C. Proposed Rule 60DD-5.005, F.A.C., was formerly 60C-2.006 and 60C-2.007, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
60DD-6	Eligibility and Use of State Communications System
RULE NOS.:	RULE TITLES:
60DD-6.001	General
60DD-6.002	Definitions
60DD-6.003	Cost Qualification Criteria for State Long Distance Communication System
60DD-6.004	SUNCOM Network Services Agreement
60DD-6.005	Review of Eligibility of Users
60DD-6.006	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by an Eligible User
60DD-6.007	Modifications, Additions, Reductions or Terminations to Existing SUNCOM Service Initiated by the State Technology Office
60DD-6.008	Required Usage

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Proposed Rule 60DD-6.001, F.A.C., was formerly 60C-6.001, F.A.C. Proposed Rule 60DD-6.002, F.A.C., was formerly 60C-6.002, F.A.C. Proposed Rule 60DD-6.003, F.A.C., was formerly 60C-6.004, F.A.C. Proposed Rule 60DD-6.004, F.A.C., was formerly 60C-6.005, F.A.C. Proposed Rule 60DD-6.005, F.A.C., was formerly 60C-6.006, F.A.C. Proposed Rule 60DD-6.006, F.A.C., was formerly 60C-6.007, F.A.C. Proposed Rule 60DD-6.007, F.A.C., was formerly 60DD-6.008, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE NO.:	RULE TITLE:
60DD-6.002	Definitions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed rule published in the Vol. 30, No. 25, June 18, 2004 issue of the Florida Administrative Weekly:

60DD-6.002 Definitions.

(1) Eligible User – qualifying user of SUNCOM services ~~as defined in Florida law, including state agencies, political subdivisions of the state, county and municipalities agencies, public schools and districts, private schools, state universities, community colleges, libraries, water management districts, state commissions and councils,~~ and non-profit corporations.

(2) State Communications System – State communications system established as the SUNCOM network, pursuant to Section 282.103(1), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, Department of Management Services, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, e-mail: Winston.Pierce@MyFlorida.com

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.017
 RULE TITLE: Acceptable Variance of Examiners
 NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 20, of the May 14, 2004, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). The Board, at its meeting on July 23, 2004, voted to accept the change. Subsection (1) shall change to read as follows:

(1) All clinical gradings by examiners are to be made independently. Each clinical procedure shall be graded by three (3) examiners. However, a score of 0 or 1 that is not corroborated by another score of either 0 or 1 will be discarded and will not be used in averaging. A critical difference score, which means there is one score that is either pass or fail while the other two scores are in the opposite pass/fail category, will be discarded and will not be used in averaging. The critical difference analysis shall precede the discarding of the uncorroborated 0 or 1. On the clinical examinations described in Rules 64B5-2.013 and 64B5-2.019, F.A.C., the three independent grades shall be averaged to determine an applicant's final grade on each procedure of the clinical examination. On the clinical portion of the dental hygiene examination described in Rule 64B5-2.0135, F.A.C., the three independent grades shall be utilized in a system of corroborated errors to determine an applicant's final grade on each procedure of the clinical portion. The corroborated errors grading system requires that at least two (2) of the independent examiners must agree on the presence of the error before the error may be used in calculating an applicant's grade.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-18.007
 RULE TITLE: Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 21, of the May 21, 2004, issue of the Florida Administrative Weekly. The

changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board, at its meeting held on July 17, 2004, voted to make changes to the rule. The changes are as follows:

1. Subsection (2)(a) shall be reworded to read "(a) The psychologist shall adhere to the "APA Guidelines for Child Custody Evaluations in Divorce Proceedings," effective July, 1994, and the "Specialty Guidelines for Forensic Psychologists," effective March 9, 1991. These guidelines are incorporated by reference and copies may be obtained from the Board office. The APA Guidelines for Child Custody Evaluations in Divorce Proceedings are also available at: www.apa.org/practice/childcustody.html."

2. Subsection (3) shall be reworded to read "(3) It is a conflict of interest for a psychologist who has treated a minor or any of the adults involved in a custody or visitation action to perform a forensic evaluation for the purpose of recommending with which adult the minor should reside, which adult should have custody, or what visitation should be allowed. Consequently, a psychologist who treats a minor or any of the adults involved in a custody or visitation action may not also perform a forensic evaluation for custody, residence or visitation of the minor. So long as confidentiality is not violated, a psychologist may provide a court, or a mental health professional performing a forensic evaluation, with factual information about the minor derived from treatment, but shall not state an opinion about custody, residence or visitation disputes."

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

**Section IV
 Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF THE LOTTERY

RULE TITLE: Personnel Performance Excellence Program
 RULE NO.: 53ER04-41
 SUMMARY OF THE RULE: The emergency rule sets forth the provisions for the Personnel Performance Excellence Program and replaces Emergency Rule 53ER04-36, F.A.C.