

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: RULE NO.:

Definition of Qualified Instructional Personnel 6A-1.0503

PURPOSE AND EFFECT: The purpose of the rule development is to include the option of using a High, Objective, Uniform State System of Evaluation (HOUSSE) plan developed pursuant to the No Child Left Behind Act for meeting the qualified teacher definition. Section 1012.05(6), Florida Statutes, requires that a HOUSSE plan be developed and implemented.

SUBJECT AREA TO BE ADDRESSED: Requirements for the Florida qualified instructional personnel definition.

SPECIFIC AUTHORITY: 1002.33(12), 1012.05, 1012.32, 1012.55(1), 1012.56(6) FS.

LAW IMPLEMENTED: 1002.33, 1012.05, 1012.32, 1012.39, 1012.55, 1012.56 FS.

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

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Beverly Gregory, Chief, Bureau of Teacher Certification, Department of Education, 325 West Gaines Street, Room 201, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-1.0503 Definition of Qualified Instructional Personnel.

A qualified instructional person is defined as an instructional staff member who meets one (1) of the following conditions:

(1) Holds a valid Florida educator’s certificate with the appropriate coverage as provided for in the Course Code Directory as adopted by reference in Rule 6A-1.09441, F.A.C., or

(2) Is a selected noncertificated person employed under the provisions of Rule 6A-1.0502, FAC., or

(3) Holds a valid Florida educator’s certificate with coverage other than that deemed appropriate by subsection (1) and has documented a highly qualified designation pursuant to

20 U.S.C. S. 7801(23), by a High, Objective, Uniform State System of Evaluation (HOUSSE) plan for the academic course assigned, or

(4)(3) Holds a valid Florida educator’s certificate with coverage other than that deemed appropriate by subsection (1) and does not meet the requirements of subsection (3) and has been approved by the school board or charter school governing board to teach out-of-field after determination that a teacher with appropriate certification coverage is not available. All evidence of such qualifications and approval must be reflected in the individual’s official personnel record; provided, however, that such approval may be granted by the school board or charter school governing board only under one (1) of the following conditions:

(a) The individual is in the first year of employment in the out-of-field assignment and has not been granted, during any preceding year in the district or charter school, approval by either the school board or the charter school governing board to be employed out-of-field in an area for which specific certification is otherwise required, or

(b) The individual has earned the following college credit or inservice training in an approved district add-on program or district approved subject content professional development program:

1. Out-of-field assignment other than ESOL (English to Speakers of Other Languages). A teacher out of field in a subject other than ESOL shall complete at least six (6) semester hours of college credit or the equivalent inservice toward the appropriate certification required in subsection (1) within one (1) calendar year from date of initial appointment to the out-of-field assignment and each calendar year thereafter until all requirements are completed for the appropriate subject certification;

2. Out-of-field assignment in only ESOL. A teacher out of field in only ESOL shall complete at least three (3) semester hours of college credit or the equivalent inservice toward the ESOL requirements within the first two (2) calendar years from date of initial assignment to a class with limited English proficient (LEP) students and three (3) semester hours or the equivalent inservice during each calendar year thereafter until all requirements for certification in ESOL are completed; or

3. Out-of-field assignment in ESOL and another subject. A teacher out of field in ESOL and another subject shall complete at least six (6) semester hours of college credit or the equivalent inservice toward the appropriate certification required by subsection (1) within one (1) calendar year from date of initial appointment to the out-of-field assignment and each calendar year thereafter until all requirements are completed for the appropriate subject certification. The training shall be completed in the following manner: During the first two years, at least three (3) of the required twelve (12) semester hours or the equivalent inservice shall be completed in ESOL strategies. Beginning with the third year and each

year thereafter, at least three (3) semester hours or the equivalent inservice shall be completed in ESOL strategies and at least three (3) semester hours in the other out-of-field subject requirements. When either all ESOL or all other out-of-field subject requirements are completed, a teacher shall comply with the schedule specified in subparagraph ~~(4)(3)(b)~~1. or 2. of this rule as appropriate until all requirements are completed for both ESOL and the other out-of-field subject.

4. Waivers of college credit or inservice training in an approved district add-on or subject content professional development program may be obtained by one of the following provisions:

a. In lieu of college credit or the equivalent inservice specified in subparagraph ~~(4)(3)(b)~~1., 2., or 3. of this rule, an individual shall provide a doctor’s statement certifying to medical inability to earn such credit during the prescribed time;

b. In lieu of college credit or the equivalent inservice specified in subparagraph ~~(4)(3)(b)~~1. of this rule, the district superintendent or charter school chief administrator shall provide a statement certifying to extenuating circumstances beyond the control of the teacher to earn such credit during the prescribed time; or

c. In lieu of college credit or the equivalent inservice specified in subparagraph ~~(4)(3)(b)~~1. or the criteria in paragraph ~~(4)(3)(a)~~ of this rule, the Commissioner of Education may grant to the district, individual school sites, or a charter school a waiver of the requirements for a period of one (1) year on a one-time basis. The district superintendent or charter school chief administrator shall, pursuant to school board or charter school governing board approval for such waiver, show extenuating circumstances that create a hardship for the district or teachers in meeting the specified requirements, or

~~(5)(4)~~ Is a nondegreed teacher of vocational education employed under the provisions of Section 1012.39, Florida Statutes. The requirements in Section 1012.39(1)(c)2.a. and b., Florida Statutes, must be satisfied prior to initial appointment to the position.

Specific Authority 1002.33(12), 1012.05, 1012.32, 1012.55(1), 1012.56(6) FS. Law Implemented 1002.33, 1012.05, 1012.32, 1012.39, 1012.55, 1012.56 FS. History—New 4-19-74, Repromulgated 12-5-74, Amended 9-8-76, Formerly 6A-1.503, Amended 10-30-90, 10-3-91, 2-18-93, 5-25-04, _____.

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.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE TITLES:	RULE NOS:
Purpose	59B-14.001
Definitions	59B-14.002
Exclusions	59B-14.003
Satisfaction Survey Reporting Requirements	59B-14.004
Premiums and Benefits Reporting Requirements	59B-14.005
Company Contact and Health Plan Information	59B-14.006
Certification	59B-14.007
Administrative Penalties	59B-14.008

PURPOSE AND EFFECT: The proposed rules require that health insurers report premium costs, benefits design, and insured satisfaction data to the agency for purposes of consumer information. The proposed rules require an annual report of health insurer data in a uniform electronic format. The proposed rules require health insurers to submit a certification that the health insurer data is true and accurate using a form incorporated by reference. The proposed rules require that health insurers use an AHCA approved survey vendor and auditor to perform the required member satisfaction survey and submit documentation of an acceptable audit of the survey methodology. The proposed rules notify health insurers that failure to report in whole or in part is subject to administrative penalties as provided in Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Health insurers are required to make available to the agency data on premium costs, benefits design, and insured satisfaction for purposes of consumer information. The agency is developing rules specifying data reporting procedures for these indicators as required by Section 408.05(3)(l), Florida Statutes, and authorized in Section 408.061(1)(c), Florida Statutes.

SPECIFIC AUTHORITY: 408.061(1)(c), 408.08(4), 408.08(5) FS.

LAW IMPLEMENTED: 408.05(3)(l) FS.

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

TIME AND DATE: 10:00 a.m., January 4, 2005

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Rooms D & E, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Beth C. Dye, Bureau Chief, State Center for Health Statistics, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59B-14.001 Purpose.

(1) The rules in this section describe the requirements for reporting insured satisfaction data to the Agency for Health Care Administration (AHCA) for the purpose of providing comparative information to consumers.

(2) The rules in this section describe the requirements for reporting premium costs and benefits design data to AHCA for the purpose of providing comparative information to consumers.

Specific Authority 408.061(1)(c) FS. Law Implemented 408.05(3)(1) FS. History—New _____.

59B-14.002 Definitions.

(1) “Health insurer” means an entity that provides hospital and medical coverage licensed under Chapter 627, Florida Statutes, or a health maintenance organization licensed under Chapter 641, Florida Statutes. The phrase “hospital and medical coverage” used in this subsection does not include any related or similar coverage provided under indemnity, disability income, long term care, specified disease, workers compensation or automobile insurance policies.

(2) “Health plan” means a health policy of a health insurer, and for health maintenance organizations excludes all plans other than the commercial line of business.

(3) “Reporting year” means the year prior to the year in which the report is due to be submitted to the Agency for Health Care Administration (AHCA).

(4) “High deductible plan” means a health plan that meets the minimum deductible requirements to qualify for a health savings account.

(5) “Hospital days” means days of hospitalization in a licensed hospital to treat physical and mental conditions requiring intensive or acute care.

(6) “Cost sharing” means any co-insurance, co-payment, deductible or similar arrangement imposed by the health insurer on the member as a condition to or consequence of the receipt of covered items or services.

(7) “Network” means any health care provider where the health plan pays full benefits on behalf of insureds.

Specific Authority 408.061(1)(c) FS. Law Implemented 408.05(3)(1) FS. History—New _____.

59B-14.003 Exclusions.

(1) Health insurers with less than \$1,000,000 in premiums in the year prior to the reporting year.

(2) Health insurers with less than 5,000 covered lives excluding self-insured plans as of October 1 of the reporting year for all health plans.

(3) New health insurers starting operations after October 1 of the reporting year.

Specific Authority 408.061(1)(c) FS. Law Implemented 408.05(3)(1) FS. History—New _____.

59B-14.004 Satisfaction Survey Reporting Requirements.

(1) Health insurers shall report survey data using the Consumer Assessment of Health Plans (CAHPS) questionnaire to the Agency for Health Care Administration (AHCA) on January 1 of each year performed for a random sample of insureds during the previous calendar year. The data shall be submitted with an acceptable audit report as provided in subsection (6) below.

(2) Health insurers shall use the most current version of the CAHPS questionnaire available during the entire reporting year to perform the member satisfaction survey.

(3) The survey shall be performed for adults 18 years and older.

(4) Health insurers shall perform a separate member satisfaction survey for health maintenance organization plans, for high deductible health plans, and for other plans if the number of covered lives exceeds 5,000.

(5) The survey method and sample size shall meet the standards of the Agency for Healthcare Research and Quality (AHRQ) National CAHPS Benchmarking Database available from the website: <http://ncbd.cahps.org/Home/index.asp>.

(6) Health insurers shall use an independent National Committee for Quality Assurance (NCQA) certified survey vendor and an independent NCQA certified auditor to perform the survey. Information on certified vendors and auditors is available from the website: www.ncqa.org. Health insurers will submit a copy of the signed audit report electronically or by mail prior to or concurrent with the reporting of the survey results. An acceptable audit report shall state that the survey method meets the standards of the NCQA or National CAHPS Benchmarking Database. Health insurers shall report the name of the survey vendor and the auditor as specified in Rule 59B-14.006, F.A.C.

(7) The survey data shall be submitted in a fixed length delimited text file, using a tab between each data element and starting a new line for each respondent. Include company contact and health plan information required in Rule 59B-14.006, F.A.C., as a header record.

Specific Authority 408.061(1)(c) FS. Law Implemented 408.05(3)(1) FS. History—New _____.

59B-14.005 Premiums and Benefits Reporting Requirements.

(1) Health insurers shall report premium costs and benefits design data to the Agency for Health Care Administration (AHCA) on January 1 of each year describing premium costs and benefits design for each of the insureds included in the satisfaction survey results for the same year as specified in Rule 59B-14.004, F.A.C.

(2) The following premiums costs and benefits design data shall be reported for each insureds sampled:

(a) Florida insurance company code number assigned by Office of Insurance Regulation;

(b) Reporting year;

(c) Designate plan type as (1) health maintenance organization (2) high deductible or (3) other;

(d) Monthly premium;

(e) Number of covered lives included in insured's policy;

(f) Percentage of premium paid by employer;

(g) Designate type of coverage as (1) single or (2) spouse or family;

(h) Designate group type as (1) individual (2) small group of up to 50 employees or (3) large group;

(i) County of insured;

(j) Monthly per prescription cost-sharing level 1;

(k) Monthly per prescription cost-sharing level 2;

(l) Monthly per prescription cost-sharing level 3;

(m) Annual maximum benefit payment;

(n) Lifetime maximum benefit payment;

(o) Annual hospital days limitation including mental conditions;

(p) Lifetime hospital days limitation;

(q) Designate member cost sharing for in-network hospitalization as (1) co-payment (2) co-insurance (3) deductible (4) co-insurance and deductible or (5) other;

(r) Designate member cost sharing for in-network physician office visit as (1) co-payment (2) co-insurance (3) deductible (4) co-insurance and deductible or (5) other;

(s) Annual medical deductible (in network);

(t) Annual out-of-network medical deductible; and

(u) Annual out-of-pocket maximum.

(3) The premiums and benefits data shall be reported in a fixed length delimited text file using a tab between each data element, starting a new line with each sequence of data elements (a) through (u). Fill field (m) through (p) and (s) through (u) with all 9's if the response is "not applicable." Report each plan type in a separate file. Include company contact and health plan information required in Rule 59B-14.006, F.A.C., as a header record.

Specific Authority 408.061(1)(c) FS. Law Implemented 408.05(3)(l) FS. History--New _____.

59B-14.006 Company Contact and Health Plan Information.

(1) Each health insurer shall include the following company and contact information when submitting a report required in this section to the Agency for Health Care Administration:

(a) Name of company;

(b) NAIC number;

(c) Florida insurance company code number assigned by Office of Insurance Regulation;

(d) Reporting year;

(e) Covered lives in Florida;

(f) Year beginning continuous license in Florida;

(g) Company website;

(h) Contact name;

(i) Contact title;

(j) Contact address;

(k) Contact direct telephone number;

(l) Company telephone number;

(m) Contact e-mail address;

(n) Contact FAX number;

(o) Survey vendor name;

(p) Survey vendor organization;

(q) Survey vendor telephone number;

(r) Auditor name;

(s) Auditor organization;

(t) Auditor telephone number; and

(v) Designate plan type as (1) health maintenance organization (2) high deductible or (3) other.

(2) The health insurer company contact information shall be reported in a fixed length delimited text file, using a tab between each data element.

Specific Authority 408.061(1)(c) FS. Law Implemented 408.05(3)(l) FS. History--New _____.

59B-14.007 Certification.

(1) Each health insurer shall provide certification of the accuracy of the health insurance performance report including all data required in this section as provided in Section 408.061(1)(c), Florida Statutes.

(2) The certification shall be submitted to the Agency for Health Care Administration (AHCA) by January 1 of each year using the Certification of Health Insurance Performance Report incorporated by reference. The Certification of Health Insurance Performance Report will be available from the AHCA website at www.fdhc.state.fl.us. The signed Certification of Health Insurance Performance Report may be submitted electronically.

Specific Authority 408.061(1)(c) FS. Law Implemented 408.05(3)(l) FS. History--New _____.

59B-14.008 Administrative Penalties.

(1) Failure to report as required in this section in whole or in part is subject to administrative fines as provided in Section 408.08(5), Florida Statutes.

(2) The Agency for Health Care Administration shall notify the Office of Insurance Regulation if a health insurer fails to report in whole or in part as provided in Section 408.08(4), Florida Statutes.

Specific Authority 408.061(1)(c), 408.08(4), 408.08(5) FS. Law Implemented 408.05(3)(l) FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Payment Methodology for Outpatient Hospital Services
 RULE NO.: 59G-6.030

PURPOSE AND EFFECT: The purpose and effect of the proposed amendment is to incorporate changes to the Florida Title XIX Outpatient Hospital Reimbursement Plan (the Plan) payment methodology. Effective October 1, 2004, appropriations from the 2004-05 General Appropriations Act, House Bill 1835, Specific Appropriation 206 are available for special Medicaid payments to rural hospitals under the Medicaid outpatient upper payment limit program.

The Agency may provide for supplemental payments to hospitals under the Medicaid hospital outpatient upper payment limit program. For each class of hospitals (non-State government-owned or operated facilities and privately owned and operated facilities), the outpatient upper payment limit is calculated as the difference between hospital outpatient Medicaid costs and hospital outpatient Medicaid payments. Effective October 1, 2004, Special Medicaid Payments in the interim amount of \$8,383,500 will be made to Rural Hospitals participating in the Rural Disproportionate Share Hospital (DSH) program, in the same proportion as the rural DSH payments.

Effective October 1, 2004, Special Medicaid Payments in the interim amount of \$7,829,815 will be made on a quarterly basis to hospitals providing enhanced services to low-income individuals through agreements with local county or other governmental entities. The amount of the Special Medicaid Payment to each hospital is proportional to the amount of the intergovernmental transfer received from the local county or governmental entity.

SUBJECT AREA TO BE ADDRESSED: Outpatient hospital reimbursement rates, ceilings, and cost reports.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

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

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Edwin Stephens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Room 2149A, Tallahassee, Florida 32308, (850)414-2759

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE TITLE: Biennial Licensing
 RULE NO.: 61-6.001

PURPOSE AND EFFECT: Update the rule language to omit practice acts no longer regulated by the Department, add renewal dates for continuing education providers, and extend the renewal date for real estate appraisers.

SUBJECT AREA TO BE ADDRESSED: Rule renewal dates.

SPECIFIC AUTHORITY: 455.203(5) FS.

LAW IMPLEMENTED: 455.203(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Michael Martinez, Special Counsel to the Secretary, Office of the General Counsel, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61-6.001 Biennial Licensing.

(1) Pursuant to Section 455.203(1), Florida Statutes ~~2004 (1979)~~, the Department hereby implements a plan for staggered biennial renewal of licenses issued by the Central Intake Unit, The Division of Service Operations and Licensure, Bureau of Licensure of the Division of Technology, Licensure, and Testing of the Department on behalf of the boards within the Department and the Department.

(2) The staggered biennial renewal issuance plan does not apply to the renewal of licenses which have a statutory period of one year or less and which do not mature into permanent licenses which would be subject to regular annual renewal.

(3) Biennial period shall mean a period of time consisting of two 12 month years. The first biennial period for the purposes of each board shall commence and continue on the dates specified in the department plan as set forth for each respective profession.

(4) The schedule for biennial license renewal for each respective profession shall be as follows:

	EVEN YEARS	ODD YEARS
Accountancy Firms		December 31
Accountants <u>Group 3</u> (CE Codes in 30 series)	December 31	
Accountants <u>Group 2</u> (CE codes in 20 series)		December 31
Acupuncturists	February 28	
Athlete Agents	May 31	
Architects/Architect		February 28

Businesses			Dental Laboratories	February 28
Asbestos Consultants/ Contractors	November 30		(These licenses renew annually.)	
<u>Asbestos Business</u>		<u>November 30</u>	Dentists	February 28
Auctioneers, Businesses & Apprentices		November 30	Dietitians/Nutritionists	February 28
Barber Shops	November 30		Direct Disposers & Establishments	August 31
Barbers	July 31		Dispensing Opticians	July 31
<u>Barbers CE Provider</u>	<u>May 31</u>		Electrical Contractors	August 31
Building Code Administrators & Inspectors		November 30	<u>Electrical Contractors</u> <u>CE Provider</u>	<u>May 31</u> <u>October 31</u>
<u>Building Code CE</u> <u>Provider</u>		<u>May 31</u>	Electrologists	
<u>Community Association</u> <u>Managers</u>	<u>September 30</u>		Electrologist Facilities	April 30
<u>Community Association</u> <u>Managers CE Provider</u>		<u>May 31</u>	Employee Leasing Companies	April 31
<u>Community Association</u> <u>Managers Pre-Licensure</u> <u>CE Provider</u>	<u>May 31</u>		Funeral Home Establishments	November 30
Centralized Embalming Facilities	November 30		Funeral Directors & Embalmers	August 31
Certified Master Social Workers		January 31	Geologists/Geology Businesses	July 31
Chiropractors and Assistants	February 28		Hearing Aid Specialists	February 28
Clinical Social Workers		January 31	Interior Designers/ Interior Design Businesses	February 28
Construction Industry Licensing Board (Certified)	<u>August 31</u>	August 31	Landscape Architects/Landscape Architecture Businesses	November 30
Construction Industry Licensing Board (Registered)		August 31	<u>Landscape Architecture</u> <u>CE Provider</u>	<u>May 31</u>
<u>Construction Industry</u> <u>Licensing Board CE</u> <u>Provider</u>		<u>May 31</u>	Architecture Business Marriage & Family Therapists	January 31
<u>Construction Industry</u> <u>Licensing Board Specialty</u> <u>Structure</u>	<u>August 31</u>		Massage Therapists/Massage Establishments	January 31
Cosmetologists & Specialties			Mental Health Counselors	January 31
Group I		October 31	Midwives	December 31
Group II	October 31		Naturopaths	May 1
Cosmetology Salons	November 30		Nuclear Pharmacists	February 28
<u>Cosmetology CE</u> <u>Provider</u>		<u>May 31</u>	Nurses	April 30
<u>Registered Cinerators</u>	November 30		Group I: Registered and Advanced Registered Nurse Practitioners	July 31
Crematories			Group II: Registered and Advanced Registered Nurse Practitioners	
Dental Hygienists	February 28		Group III:	April 30

Registered and Advanced Registered Nurse Practitioners		
Licensed Practical Nurses	July 31	
Nursing Home Administrators	July 31	
Occupational Therapists & Assistants	January 31	
Optometrists/Optomety Branch Offices	February 28	
Osteopathic Physicians	January 31	
Osteopathic Physician Assistants	July 31	
Pharmacies	February 28	
Pharmacist Consultants	December 31	
Pharmacists	July 31	
Physical Therapists & Assistants		
Physicians & Physician Assistants	January 31	
Pilots	January 31	
Podiatrists	February 28	
Professional Engineers/Engineer Business	February 28	
Psychologists	February 28	
Real Estate Appraisers	November 30	
Real Estate Appraiser Instructors	September 30	
Real Estate		
Real Estate – Group I	September 30	
Real Estate – Group II	March 31	
Real Estate – Group III	September 30	
Real Estate – Group IV	March 31	
Real Estate Schools	September 30	
Refrigeration Facilities	November 30	
Removal Services	November 30	
Respiratory Care Practitioners	January 31	
Respiratory Therapists	January 31	
School Psychologists	January 31	
Speech Language Pathologists/ Audiologists & Assistants	December 31	
Surveyors & Mappers	February 28	
Surveying & Mapping Businesses	February 28	

Surveying and Mapping
CE Provider May 31
Talent Agencies May 31
Veterinarians May 31
~~Water/Waste Water~~
~~Treatment~~ February 28
~~Operators~~
EXTENSION OF BIENNIAL LICENSURE PERIODS –
When a current biennial licensure period for a profession is extended for a period longer than two years to conform to the above schedule of biennial periods, the biennial licensure fee for the profession shall be increased pro-rata to cover the additional extended period. The increased licensure fee shall be based on the biennial licensure fee established by the board. The amended licensure period and the pro-rated renewal fee shall be implemented for the purpose of restructuring the Department’s renewal schedule.

(5) The biennial license renewal fees shall be established by rule by each board, or by the Department, whichever is appropriate.

(6) The renewal date for real estate appraisers will be extended from November 30, 2004 to March 30, 2005. Thereafter, renewals shall be due on November 30 of each even-numbered year.

Specific Authority 455.203(5) FS. Law Implemented 455.203(1) FS. History—New 9-17-78, Amended 9-21-78, 8-20-80, 2-3-81, 4-8-81, 12-7-81, 6-14-82, 11-23-83, 12-2-83, 1-26-84, 7-9-84, Formerly 21-6.08, Amended 4-27-86, 4-21-87, 2-16-88, 11-28-90, 7-18-91, Formerly 21-6.008, Amended 4-3-95,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Construction Industry Licensing Board
RULE TITLE: RULE NO.:
Continuing Education Requirements for 61G4-18.001
Certificateholders and Registrants
PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address continuing education requirements for Certificateholders and Registrants.
SUBJECT AREA TO BE ADDRESSED: Continuing education requirements.
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 IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tim

Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section II
Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Visitor Searches
 RULE NO.: 33-601.726
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify when written consent is required for searches of visitors.

SUMMARY: The proposed rule clarifies that written consent of the parent, legal guardian or authorized adult is required it is necessary to remove the diaper of an infant or toddler during a search.

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: 20.315, 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.726 Visitor Searches.

- (1) No change.
- (2) Authorized visitor searches include:
 - (a) through (i) No change.

(j) Careful search by touching of clothing worn next to the body such as stockings, socks and diapers, using sufficient pressure to detect contraband items. If it is necessary to remove the diaper of an infant or toddler, written consent from the parent, legal guardian, or authorized adult shall be obtained as provided in subsection (3), and it shall be done in the privacy of a search room and by an officer of the same sex.

- (3) through (5) No change.

Specific Authority 20.315, 944.09, 944.23 FS. Law Implemented 944.09, 944.23 FS. History—New 11-18-01, Formerly 33-601.708, Amended 5-27-02,

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 2004

DEPARTMENT OF CORRECTIONS

RULE TITLE: Inmate Property
 RULE NO.: 33-602.201
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that inmates may possess either a state-issued laundry bag or a laundry bag purchased from the canteen.

SUMMARY: The proposed rule amends the inmate property list to reflect that inmates may possess either a state-issued laundry bag or a laundry bag purchased from the canteen.

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: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500