

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Manufactured Buildings	9B-1
RULE TITLES:	RULE NOS.:
Definitions	9B-1.002
Administration and Department Responsibilities	9B-1.003
Adoption of Model Codes	9B-1.004
Certification of Third Party Agencies	9B-1.006
Manufacturer Certification	9B-1.007
Design Plan and Systems Approval	9B-1.009
Component System	9B-1.0095
Manufacturer’s Quality Assurance	
Manual Control Procedures	9B-1.010
Department Insignia	9B-1.016
Insignia Application and Issuance	9B-1.017
Schedule of Fees	9B-1.020
Change in Manufacturer’s Status	9B-1.0211
Manufacturer’s Obligations Upon	
Sale of Building	9B-1.0221
Factory-Built Schools, Inspections and	
Work Progress Reports	9B-1.028
Factory-built Schools, Insignia and Data Plate	9B-1.030
PURPOSE AND EFFECT: Clarification of Rule Chapter 9B-1, F.A.C.	

SUBJECT AREA TO BE ADDRESSED: Manufactured Buildings Program Procedures; Definitions, Fees; Inspections and Insignias.

SPECIFIC AUTHORITY: 320.01(2)(a), 553.37, 553.37(1),(2), 553.38, 553.38(1), 553.381, 553.415 FS.

LAW IMPLEMENTED: 553.36, 553.37, 553.37(1),(2),(5)-(8), 553.38, 553.38(1), 553.381, 553.415 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: 11:05 a.m., June 29, 2005

PLACE: Hilton St. Petersburg, 333 First Street, South, St. Petersburg, Florida 33701

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days prior to the date of the workshop using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Michael D. Ashworth, Manufactured Buildings Program Manager, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-6075, e-mail: michael.ashworth@dca.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

9B-1.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

(1) Agency (Third Party Agency) – An individual or entity, which may be a private sector entity, a state department with building construction responsibilities or a local government determined by the Department to be qualified pursuant to this chapter to review plans for or inspect the construction of manufactured building units, systems, or the component parts thereof together with the plans, specifications, and quality control procedures to ensure that such units, systems, or component parts are in full compliance with the codes and standards herein adopted and to assign and attach the insignia of the Department to such units complying with those standards.

(2) No change.

(3) Building Code Information System (BCIS) at www.floridabuilding.org – the official website of the Florida Building Commission and the Florida Building Code Office.

(3) through (23) renumbered (4) through (24) No change.

(25) Storage Shed – A closed construction building that is not designed for human habitation, manufactured in whole or in part at an offsite facility, pursuant to the plans approved by an approved Third Party Agency and installed under the authority of the local building department.

(25) through (26) renumbered (27) through (28) No change.

Specific Authority 553.37(1), 553.415 FS. Law Implemented 553.36, 553.415 FS. History–New 1-17-72, Amended 2-23-75, 12-8-75, 3-1-80, 9-29-82, Formerly 9B-1.02, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03,

9B-1.003 Administration and Department Responsibilities.

(1) Forms – The following forms are hereby adopted by reference for use in administering this part.

FMBP 1-00 Manufacturer Application for State Approval – 1 page

FMBP 2-00 Agency Application for State Approval – 1 page

FMBP PS-1-00 Application for School Boards

FMBP 4-100 Agency Renewal Form (online) – 2 pages

Form: Insignia Disposition Report.

(2) through (4) No change.

Specific Authority 553.37(1),(2) FS. Law Implemented 553.37(1),(2), 553.381 FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 11-1-84, Formerly 9B-1.03, Amended 1-1-87, 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01, 7-16-03, _____.

9B-1.004 Adoption of Model Codes.

(1) through (2) No change.

(3) Building Official – For purpose of this chapter, where reference is made in any of the above mentioned codes in Rule 9B-1.004, F.A.C., to the building official, the plumbing or mechanical inspector, to the administrative authority or enforcement official, or to any such authoritative person, it shall mean the Manufactured Buildings Program Manager Administrator.

(4) A copy of the above referenced Florida Building Code has been filed with the Secretary of State. The Florida Building Code is also available for reference and inspection at the Department of Community Affairs, Building Codes & Standards Office or online at www.floridabuilding.org Manufactured Buildings Program.

(5) through (7) No change.

Specific Authority 320.01(2)(a), 553.37(1), 553.38(1), 553.415, 553.73(2) FS. Law Implemented 553.37(8), 553.38(1), 553.415 FS. History—New 1-17-72, Amended 6-19-74, 2-23-75, 12-21-76, 3-20-79, 3-1-80, 6-24-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.04, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, 7-16-03, _____.

9B-1.006 Certification of Third Party Agencies.

(1) through (4)(c) No change.

(d) The agency shall triennially biennially evaluate manufacturer’s quality assurance (control) program to coincide with the change in the Florida Building Code. The Agency shall post the Quality Control (QC) Manual on the BCIS and maintain copies on file, available for monitoring.

(5) through (6) No change.

Specific Authority 553.37(1), 553.38(1) FS. Law Implemented 553.37(8) FS. History—New 1-17-72, Amended 2-23-75, 12-8-75, 11-14-76, 3-23-77, 3-1-80, 9-29-82, 4-21-83, 11-1-84, Formerly 9B-1.06, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, _____.

9B-1.007 Manufacturer Certification.

(1) No change.

(2) Initial Certification Requirements – A manufacturer must submit to the Third Party Agency for validation to the Department department the following for certification:

(a) through (c) No change.

(d) A Quality Assurance Program Manual which also may be called Quality Control Manual (QC Manual) in triplicate.

(3) through (4) No change.

Specific Authority 553.37(1), 553.38(1), 553.381 FS. Law Implemented 553.37(8), 553.38(1) FS. History—New 1-17-72, Amended 2-23-75, 11-14-76, 3-1-80, 11-4-84, Formerly 9B-1.07, Amended 1-1-87, 1-1-89, 3-1-95, 9-7-00, 9-13-01, 7-16-03, _____.

9B-1.009 Design Plan and Systems Approval.

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

~~(b) If the residential manufactured building is transportable in one or more sections and is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, the manufacturer shall certify that the manufactured building has been excluded from regulation by the United States Department of Housing and Urban Development.~~

(3) No change.

(4) A licensed modular plan reviewer shall review each set of documents so submitted, including the plans, specifications and design calculations, for compliance with the appropriate code and this part and shall utilize a checklist. The plans review and the checklist utilized therewith shall at a minimum contain the following elements and comply with Rule Chapter 9B-72, F.A.C.:

(a) through (6) No change.

(7) Manufacturer’s Modular Data Plate. The manufacturer shall install on all manufactured (modular) buildings industrialized and components prior to leaving the manufacturing plant a data plate which shall be permanently mounted on or about the electrical panel and which shall contain, but not be limited to, the following design information when applicable.

(a) through (g) No change.

~~(h) Florida Insignia Number;~~

(i) through (q) renumbered (h) through (p) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.38(1) FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.09, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, _____.

9B-1.0095 Component System.

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

(d) All components shall comply with the applicable building codes and Rule Chapter 9B-72, F.A.C.

Specific Authority 553.37, 553.38 FS. Law Implemented 553.37, 553.38 FS. History—New 9-13-01, Amended 7-16-03, _____.

9B-1.010 Manufacturer’s Quality Assurance Manual Control Procedures.

The manufacturer’s Quality Control Manual shall at a minimum contain the following information.

(1) through (a) No change.

(b) An organizational chart showing responsible management and supervisory positions by title ~~and name~~. A job description for each of the positions shall be provided.

(c) Brief qualifications resume of all personnel in management and supervisory positions including the Quality Control Manager ~~showing education and experience.~~

(d) through (5)(f) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1),(8) FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, Formerly 9B-1.10, Amended 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01, _____.

9B-1.016 Department Insignia.

(1) through (6) No change.

(7) Insignias shall be mailed to the manufacturer's inspection agency for release to the Manufacturer's Quality Assurance person when the inspection agency is satisfied that the building or component meets the Florida Building Code. ~~The Department shall reissue insignias if it is notified by the Third Party Agency that the insignias have not been received within fifteen days from the date of mailing.~~

(8) The agency or manufacturer's Quality Assurance person shall affix insignias to buildings only after inspection and determination that the building or component is in compliance with the building codes.

(9) through (10) No change.

(11) Affixing insignia to a building or components which has code deficiencies or do not conform to the approved plan, shall be grounds for decertification of the manufacturer or agency or both. In such case, the insignia shall be removed by the agency, manufacturer's Quality Assurance person or the Department.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1)-(5), 553.38 FS. History—New 1-17-72, Amended 9-17-73, 2-23-75, 3-1-80, 6-24-80, 9-29-82, 11-1-84, Formerly 9B-1.16, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, 7-16-03, _____.

9B-1.017 Insignia Application and Issuance.

(1) No change.

(2) Insignias shall be issued to the manufacturer's Third Party Agency and shall not be affixed to a building until the inspection agency has completed the inspections required in the Florida Building Code Rule 9B-1.008, F.A.C., and found the building to be in compliance with the requirements of this chapter and entered the Inspection Report on the BCIS. If an insignia is for a modified building, after the modifications are completed and the building inspected, the original insignia shall be removed and returned to the Department by the inspection agency or Quality Assurance person and the new insignia affixed.

Specific Authority 553.37(1) FS. Law Implemented 553.37, 553.38 FS. History—New 1-17-72, Amended 9-27-73, 2-23-75, Formerly 9B-1.17, Amended 1-1-87, 3-1-92, 3-1-95, 7-16-03, _____.

9B-1.020 Schedule of Fees.

The Department shall charge the following fees for the indicated items:

(1) Manufacturer's initial application fee is \$300 plus \$300 for the triennial certification. The triennial renewal fee is \$300. Each additional plant will be assessed an initial application fee of \$100 plus \$150 triennial certification. The triennial renewal fee is \$150. Manufacturer's certification application fee is \$300. Once a manufacturer has had at least one manufacturing facility certified, the manufacturer shall pay an application fee of \$100 for each additional manufacturing facility to be certified.

(2) Third Party Agency's initial application fee is \$600 plus \$900 for the triennial certification. The triennial renewal fee is \$900. Third Party Agency certification application fee is \$600.

(3) Insignia fees:

(a) Factory-built schools fee is \$20 per building.

(b) Components (Panels) fee is \$3 per panel. The insignia will be affixed to each panel prior to leaving the factory.

(c) Storage sheds (less than 720 square feet in area) fee is \$7.

(d) Manufactured buildings fee is \$55 per module, including storage sheds over 720 square feet. Manufacturers will be assessed a \$300.00 fee for certification and upon renewal for the initial manufacturing facility and a \$150.00 fee for certification and renewal each manufacturing facility thereafter.

(4) All fees are non-refundable, unless otherwise approved by the Department. Inspections/Plans Review Agency will be assessed a \$900 fee for certification and upon renewal.

(5) Field technical service \$40.00 per man hour, plus expenses payable when service is rendered.

(6) Insignia Fees:

(a) Factory-built school used in the public school system insignia fee is \$30.00 for each building.

(b) Panelized Construction for Modular Residential or Commercial Buildings erected at installation site. The insignia fee shall be determined in the following manner: Three dollars (\$3.00) per 100 square feet of floor area or major fraction thereof, based upon the plan with the largest floor area for each of the following sub-systems:

1. Foundation;

2. Floor;

3. Interior Walls;

4. Exterior Walls;

5. Ceiling and/or Roof;

The insignia shall be affixed to each panel prior to the panel leaving the manufacturing facility.

~~(e) Manufactured buildings that are less than 720 square feet in area as installed, and are not approved for use for human habitation such as storage sheds and lawn storage buildings: \$10.00 per building.~~

~~(d) Manufactured buildings and components not otherwise provided above: \$60.00 per module.~~

~~(7) All fees are non-refundable.~~

Specific Authority 553.37(1) FS. Law Implemented 553.37(7) FS. History—New 1-17-72, Amended 2-1-72, 2-23-75, 12-8-75, 3-20-79, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.20, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, _____.

9B-1.0211 Change in Manufacturer’s Status.

(1) through (b) No change.

(c) Submit an organizational chart of the management identified by title ~~and name~~ of officers.

(d) through (3)(b) No change.

(c) The new agency shall review and approve the existing or an updated Quality Control Manual of the manufacturer and post on the BCIS submit to the department.

(4) Termination of state certificate – When a manufacturer or an agency decides to discontinue doing business, the department shall be informed in writing at least thirty (30) days in advance and such discontinuance shall act as a resignation of the certification. Any subsequent resumption of business activities by a manufacturer or agency will require a new application.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1), (4) FS. History—New 9-13-01, Amended 7-16-03, _____.

9B-1.0221 Manufacturer’s Obligations Upon Sale of Building.

The manufacturer shall provide a TRANSPORTATION AND INSTALLATION BOOKLET with each new building and component package. ~~This requirement shall not apply to manufactured buildings which are being modified and not otherwise manufactured.~~ It shall include:

(1) Precautions and instructions for transportation of buildings and modules; and

(2) No change.

Specific Authority 553.38 FS. Law Implemented 553.38 FS. History—New 9-13-01, Amended _____.

9B-1.028 Factory-Built Schools, Inspections and Work Progress Reports.

(1) All site installation and annual inspections are the responsibility of the School Board. The DCA insignia attests only to compliance of the building with the Florida Building Code and not any site plans or site related issues. Recurring inspections. Factory-built schools shall be inspected once each year to determine continued compliance with the applicable standards. Noncompliance shall result in the building being found unsatisfactory. Unsatisfactory findings shall be reported to the Department and identified on the Building Code Information System.

(2) No change.

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History—New 9-13-01, Amended 7-16-03, _____.

9B-1.030 Factory-Built Schools, Insignia and Data Plate.

(1) ~~Generally.~~ Each factory-built school building utilized for educational purposes shall bear the “SREF/school” insignia of the Department and a data plate. ~~Application for insignia shall be made by the educational entity utilizing the factory-built school or another in privity with the education entity acting on behalf of and in the name of the educational entity on the form designated in Rule 9B-1.003, F.A.C. Insignia shall be issued to the educational entity in whose name application for the insignia is made.~~ The data plate shall be fabricated by the manufacturer of new buildings and the owner of existing buildings of durable material with the required information inscribed thereon. The insignia and data plate shall be permanently mounted on or about the electrical panel. Insignia shall be mounted on the building for which the insignia has been issued by the inspector having completed the inspection of the building as installed. Insignia and data plates are non-transferable. The data plate shall provide the following information:

(a) through (g) No change.

~~(h) Florida insignia number;~~

(i) through (u) renumbered (h) through (t) No change.

(2) through (4) No change.

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History—New 9-13-01, Amended _____.

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.”

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Works and Lands of the District
 RULE CHAPTER NO.: 40E-6

PURPOSE AND EFFECT: This rule development concerns proposed revisions to Chapters 40E-6 and 40E-7, Part V, of the F.A.C., and the development of new rules, all of which will be combined to create a single Chapter within the Florida Administrative Code concerning public recreational access to and use of South Florida Water Management District lands.

SUBJECT AREA TO BE ADDRESSED: The revision of Chapters 40E-6 and 40E-7, Part V, F.A.C., concerning public access to and recreational use of District lands.

SPECIFIC AUTHORITY: 259.101, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 259.101, 373.016, 373.056, 373.103, 373.139, 373.1391, 373.1395, 373.1401, 373.59 FS.

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

TIME AND DATE: 6:30 p.m., June 27, 2005

PLACE: Miami-Dade Emergency Operations Center, 9300 N. W. 41st, Miami, FL 33178, (305)468-5424

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

Persons with disabilities or handicaps who need assistance may contact District Clerk, (561)686-8800, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Fred Davis, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 5720, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6636, (561)682-6636, internet: fdavis@sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE: Miscellaneous Provisions
 RULE CHAPTER NO.: 40E-7

PURPOSE AND EFFECT: This rule development concerns proposed revisions to Chapters 40E-6 and 40E-7, Part V, of the F.A.C., and the development of new rules, all of which will be combined to create a single Chapters within the Florida Administrative Code concerning public recreational access to and use of South Florida Water Management District lands.

SUBJECT AREA TO BE ADDRESSED: The revision of Chapters 40E-6 and 40E-7, Part V, F.A.C., concerning public access to and recreational use of District lands.

SPECIFIC AUTHORITY: 259.101, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 259.101, 373.016, 373.056, 373.103, 373.139, 373.1391, 373.1395, 373.1401, 373.59 FS.

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

TIME AND DATE: 6:30 p.m., June 27, 2005

PLACE: Miami-Dade Emergency Operations Center, 9300 N. W. 41st, Miami, FL 33178, (305)468-5424

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

Persons with disabilities or handicaps who need assistance may contact District Clerk, (561)686-8800, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Fred Davis, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 5720, West Palm Beach, FL 33416-4680, 1(800)432-2045, Extension 6636, (561)682-6636, internet: fdavis@sfwmd.gov

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE TITLE: Licensure by Endorsement
 RULE NO.: 61G18-14.002

PURPOSE AND EFFECT: The Board proposes to review the rule to determine necessary amendments.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments update specific examination requirements.

SPECIFIC AUTHORITY: 474.206 FS.

LAW IMPLEMENTED: 474.217 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, Northwood Centre, 1940 N. 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."

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Standard of Care for Office Surgery
 RULE NO.: 64B8-9.009
 PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address appropriate ACLS certification for office surgery settings.
 SUBJECT AREA TO BE ADDRESSED: Appropriate ACLS certification in office surgery settings.
 SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.
 LAW IMPLEMENTED: 458.331(1)(g),(t),(v),(w), 458.351 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-9.009 Standard of Care for Office Surgery.

NOTHING IN THIS RULE RELIEVES THE SURGEON OF THE RESPONSIBILITY FOR MAKING THE MEDICAL DETERMINATION THAT THE OFFICE IS AN APPROPRIATE FORUM FOR THE PARTICULAR PROCEDURE(S) TO BE PERFORMED ON THE PARTICULAR PATIENT.

- (1) through (3) No change.
- (4) Level II Office Surgery.
 - (a) No change.
 - (b) Standards for Level II Office Surgery.
 - 1. No change.

2. Training Required. The surgeon must have staff privileges at a licensed hospital to perform the same procedure in that hospital as that being performed in the office setting or must be able to document satisfactory completion of training such as Board certification or Board eligibility by a Board approved by the American Board of Medical Specialties or any other board approved by the Board of Medicine or must be able to establish comparable background, training, and experience. ~~One The surgeon and one~~ assistant must be currently certified in Basic Life Support and the surgeon ~~or at least one assistant~~ must be currently certified in Advanced Cardiac Life Support ~~or have a qualified anesthesia provider practicing within the scope of the provider's license manage the anesthesia.~~

- 3. through 4. No change.

Equipment and Supplies Required.

- (5) No change.

- (6) Level III Office Surgery.
 - (a) No change.
 - (b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:
 - 1. Training Required.
 - a. No change.
 - b. ~~One The surgeon and one~~ assistant must be currently certified in Basic Life Support and the surgeon ~~or at least one assistant~~ must be currently certified in Advanced Cardiac Life Support.
 - 2. through 4. No change.

Specific Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(g),(t),(v),(w), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02, 3-22-05, 4-19-05, _____

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

RULE TITLE: Need
 RULE NO.: 65A-4.208

PURPOSE AND EFFECT: The rule amendment moves the language related to the Relative Caregiver Program (RCP) from Administrative Rule 65A-1.205, F.A.C., as RCP eligibility is only pertinent to individuals who meet Temporary Cash Assistance (TCA) eligibility factors. The rule will provide for a relative caregiver to be referred or to self-refer to apply for TCA or RCP assistance.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment provides that a relative caregiver may apply for TCA for a child only payment or to be included in the payment. It also provides for the relative caregiver to be referred or to self-refer to the RCP using the Form CF-ES 2305, Relative Caregiver Program Request for Eligibility Consideration.

SPECIFIC AUTHORITY: 414.095(19), 414.45 FS.

LAW IMPLEMENTED: 39.5083, 414.095 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: 10:30 a.m., June 22, 2005

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Jennifer Lange, Chief, Program Policy, Economic Self-Sufficiency, (850)921-0253

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