

(10) The claim administrator or other third party vendor shall utilize anti-virus software to screen out and clean any viruses on all electronic transmissions prior to sending transmissions to the Division. The claim administrator or other third party vendor shall maintain anti-virus software with the most recent anti-virus update files from the software provider. If the claim administrator or third party vendor sends a transmission that contains a virus which prevents the Division from processing the transmission, the transmission will not be considered as having been received by the Division.

Specific Authority 440.591, 440.593 FS. Law Implemented 440.593 FS. History—New \_\_\_\_\_.

69L-56.330 Electronic Formats for Reporting the Employee's 8th Day of Disability and the Claim Administrator's Knowledge of 8th Day of Disability.

If the electronic form equivalent of the DFS-F2-DWC-1, First Report of Injury or Illness, is voluntarily sent via EDI with Claim Type "L" ("Became Lost Time", a.k.a., Medical Only to Lost Time), the claim administrator shall report the employee's 8th day of disability and the claim administrator's knowledge of the 8th day of disability at the same time the electronic form equivalent of Form DFS-F2-DWC-1 is required to be sent to the Division as specified in Rule 69L-24-0231, F.A.C. using any of the electronic formats approved by the Division and adopted by reference in this section. The claim administrator shall utilize the electronic format, "Electronic Supplement to the First Report of Injury (DWC-1) Transaction (January 2005)", from the Division's web site at [www.fldfs.com/wc/edi.html](http://www.fldfs.com/wc/edi.html), or the "8th Day of Disability For EDI Submitters" database located at [www.fldfs.com/wc/](http://www.fldfs.com/wc/) to report the employee's 8th day of disability and the claim administrator's knowledge of the 8th day of disability required in Chapter 69L-3, F.A.C. The requirement to report the employee's 8th day of disability and the claim administrator's knowledge of the 8th day of disability via an alternative electronic format shall commence no later than 90 days after the effective date of Chapter 69L-3, F.A.C. requiring the reporting of these two data elements to the Division.

Specific Authority 440.591, 440.593 FS. Law Implemented 440.593 FS. History—New \_\_\_\_\_.

69L-56.500 Insurer Responsibilities Where Third Party Services are Utilized.

If an insurer contracts with a claim administrator or third party vendor to electronically send transactions to the Division on the insurer's behalf, or uses a claim administrator or third party vendor's software product for electronically sending transactions to the Division, the insurer shall remain responsible for the timely filing of electronic form equivalents and any penalties and fines that may result from untimely electronic filings.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.20(8)(b), 440.593 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Don Davis, Department of Financial Services, Office of Data Quality and Collection, Division of Workers' Compensation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tanner Holloman, Director, Department of Financial Services, Division of Workers' Compensation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2004

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 3, 2004

## Section III Notices of Changes, Corrections and Withdrawals

### DEPARTMENT OF STATE

#### Division of Cultural Affairs

RULE NO.: IT-1.001  
RULE TITLE: Division of Cultural Affairs  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 52 (December 23, 2004), Florida Administrative Weekly has been withdrawn.

### DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.: 14-10  
RULE CHAPTER TITLE: Outdoor Advertising Sign  
Regulation and Highway  
Beautification

RULE NO.: 14-10.004  
RULE TITLE: Permits

#### NOTICE OF CHANGE

SUMMARY OF CHANGES: The following changes are in response to a review by the Joint Administrative Procedures Committee:

1. In the instructions for Form 575-070-04 Application for Outdoor Advertising Permit, delete the references which prohibit payment by cash. In the PERMIT FEES section, change the section under the table of fees to read: "Payment may be made by personal or business check, ~~or~~ money order, or cash. Make check or money order payable to the Department of Transportation. ~~Cash or~~ Credit cards will not be accepted as payment. It is suggested that you submit separate checks for each permit applied for."

2. Change the revision date for all references to the form to 01/05.

Notice was published in Florida Administrative Weekly, Vol. 30, No. 50, December 10, 2004.

**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 NOS.:	RULE TITLES:
33-601.304	Preparation of Disciplinary Reports
33-601.305	Inmate Discipline – Investigation
33-601.307	Disciplinary Hearings
33-601.313	Inmate Discipline – Forms

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing on the above referenced proposed rules, as noticed in the Florida Administrative Weekly, Vol. 30, No. 48, November 24, 2004, and Vol. 30, No. 52, December 23, 2004 will be held at 10:00 a.m. on Tuesday, February 8, 2005, at the Department of Corrections Central Office located at 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION****Board of Accountancy**

RULE NO.:	RULE TITLE:
61H1-33.003	Continuing Professional Education

**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. 47, November 19, 2004, issue of the Florida Administrative Weekly. This change is being made in response to comments from the Joint Administrative Procedures Committee.

The reference to December 1st in the second sentence is being changed to December 31st.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Johnson, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607

**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 Dentistry**

RULE NO.:	RULE TITLE:
64B5-2.0135	Dental Hygiene Examination

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 29, No. 42, October 17, 2003, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH****Board of Dentistry**

RULE NO.:	RULE TITLE:
64B5-12.0185	Standards for Board Approval of Pro Bono Programs

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 41, October 8, 2004, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH****Board of Dentistry**

RULE NOS.:	RULE TITLES:
64B5-16.005	Remediable Tasks Delegable to Dental Assistants
64B5-16.006	Remediable Tasks Delegable to a Dental Hygienist

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rules, as noticed in Vol. 29, No. 42, October 17, 2003, Florida Administrative Weekly have been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES****Economic Self-Sufficiency Services**

RULE NO.:	RULE TITLE:
65A-1.7141	SSI-Related Medicaid Post Eligibility Treatment of Income

**NOTICE OF HEARING**

Notice is hereby given that the hearing for the above proposed rule, which was noticed in Vol. 30, No. 48, November 24, 2004, in the Florida Administrative Weekly, is being rescheduled.

DATE AND TIME: February 14, 2005, 10:30 a.m.

PLACE: Building 3, Room 100, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nathan Lewis, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 449, Tallahassee, FL 32399-0700

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES****Economic Self-Sufficiency Services**

RULE NO.: RULE TITLE:  
 65A-1.7141 SSI-Related Medicaid Post  
 Eligibility Treatment of Income  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule, as was noticed erroneously in Vol. 31, No. 1, January 7, 2005, Florida Administrative Weekly, has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES****Office of Insurance Regulation**

RULE NO.: RULE TITLE:  
 69O-149.022 Forms Adopted  
 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. 44, October 29, 2004, of the Florida Administrative Weekly. This change is being made to Form OIR-B2-1607 to address concerns expressed by the Joint Administrative Procedures Committee. Form OIR-B2-1607 "Discount Medical Plan Organization (DMPO) Contract and Application Checklist" has been changed to add the following statutory reference:

636.216 All Discount Medical Plan contracts shall include: the required disclosures.

The remainder of the form reads as previously published.

**DEPARTMENT OF FINANCIAL SERVICES****Office of Insurance Regulation**

RULE CHAPTER NO.: RULE CHAPTER TITLE:  
 69O-203 Prepaid Limited Health Service  
 Organizations and Discount  
 Medical Plan Organizations

RULE NOS.: RULE TITLES:  
 69O-203.201 Definitions  
 69O-203.202 Standards for Discount Medical  
 Plans  
 69O-203.203 Standards for the Form and Content  
 of Advertisements or  
 Merchandising Materials  
 69O-203.204 Filing, Approval of DMPO Plans,  
 Rates and Related Forms

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule, accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 44, October 29, 2004, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

Rule 69O-203.201(3), F.A.C., has been changed to read:

(3) Discount Medical Plan (Plan) means a business arrangement or contract in which a person, in exchange for fees, dues, charges, or other consideration, provides access for plan members to providers of medical services and the right to receive one or more medical services from those providers at a discount.

Rule 69O-203.201(4), F.A.C., has been changed to read:

(4) DMPO is the Discount Medical Plan Organization defined in Section 636.202(2) that contracts with providers, provider networks, or other DMPOs, to provide discounted medical services to Plan members and determines the charges to the members.

Rule Section Title 69O-203.203, F.A.C., has been changed to read:

69O-203.203 Standards for the Form and Content of Advertisements or Marketing Materials.

*Specific Authority* for all rules has been changed to read: 636.232 FS.

*Law Implemented* has been changed for each rule as follows:

69O-203.201.....636.202 FS.

69O-203.202.....636.216 FS.

69O-203.203.....636.228 FS.

69O-203.204.....624.424(1)(c), 636.208, 636.216 FS.

The remainder of the rule reads as previously published.

## 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: RULE NO.:  
 Instant Game Number 558, JOKER'S WILD 53ER05-3

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 558, "JOKER'S WILD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011