renewal documents specified in paragraph 65C-22.003(7)(b), F.A.C., above. This renewal option will be available through December 31, 2005 ~~June 30, 2005~~. The Florida CDAE renewal will be documented on CF-FSP 5270, Nov. ~~Feb~~. 2004, Florida CDA Equivalency Certificate of Renewal. CF-FSP 5270 will ~~may~~ be issued ~~obtained~~ by ~~going to~~ the Department of Children and Family Services' Child Care Program Office ~~website at www.myflorida.com/childcare/training~~. Individuals, who obtained a CDAE on or before June 30, 2000, must renew by December 31, 2005.

~~(c) Periods of Transition. Child care personnel meeting the staff credentialing requirement in subparagraphs (a)1. 5. of this section, must work at the facility a minimum of 20 hours per week. Nap time and lunch times are excluded from this calculation. A credentialed staff person must be on site on a full time basis for those facilities that operate 20 hours or less per week.~~

(e)~~(d)~~ Verification of Education and Employment History.

1. through 3. No change.

~~(e) Calculation of Number of Personnel Necessary.~~

~~1. Child care facilities with 19 or less children or which operate less than (8) hours per week are not subject to the credentialing requirement.~~

~~2. For every 20 children, a child care facility must have one child care personnel who meets the credentialing requirement. Based on this formula, child care facilities with 20-39 children must have one credentialed staff member, facilities with 40-59 children must have 2 credentialed staff members, and so on.~~

~~3. Volunteers who meet the credentialing requirement will be included in calculating the credentialing ratio.~~

~~4. The licensing authority will calculate the number of credentialed personnel required based on daily attendance.~~

~~5. In addition to CF-FSP Form 5206, Feb. 04, Child Care Personnel Professional Development Confirmation Form, child care facilities must have available written documentation of credentialed personnel's work schedules. Examples of written documentation are employee time sheets, personnel work schedules, and employment records.~~

~~6. Children who are five years old and above, when they are enrolled in and attending a kindergarten program or grades one and above, are excluded from the calculation for purposes of determining the number of personnel necessary to meet the credentialing ratio.~~

(8) No change.

Specific Authority 402.302, 402.305 FS. Law Implemented 402.302, 402.305 FS. History–New 6-1-97, Amended 7-2-98, 3-17,99, 7-26-00, 10-10-01, 4-2-02, 7-13-03, 9-12-04, _____.

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: RULE NO.:
Standards 5F-2.001

PURPOSE AND EFFECT: The purpose of Rule 5F-2.001, F.A.C., is to adopt a revised edition of the chemical and physical standards for gasoline set forth in the American Society for Testing and Materials. This standard is used for quality testing of gasoline, a regulated petroleum product. The effect will be that the Department will use the most recent nationally recognized standard for gasoline developed by a consensus organization.

SUMMARY: Proposed Rule 5F-2.001, F.A.C., will specify that the more recent ASTM Standard, D4814-04b, is the accepted standard for implementation of Chapter 525, F.S.

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 day of this notice.

SPECIFIC AUTHORITY: 525.14, 525.037 FS.

LAW IMPLEMENTED: 525.01, 525.037, 525.07, 525.14, 525.16 FS.

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

TIME AND DATE: 10:00 a.m., Tuesday, February 22, 2005

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nancy Fischer, Environmental Manager, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions may be made by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in the American Society for Testing and Materials designation D 4814 04b ~~D 4814-03a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the American Society for Testing and Materials designation D 4814 04b ~~D 4814-03a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel."

(c) No change.

(2) through (5) No change.

(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or http://www.astm.org.

(a) American Society for Testing and Materials D 4814 04b ~~D 4814-03a~~, "Standard Specification for Automotive Spark-Ignition Engine Fuel";

(b) through (d) No change.

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History–Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02, 6-29-03, 6-21-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nancy Fischer

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Paul Driggers, Acting Director, Division of Standards

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 14, 2005

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: RULE NO.:

Gasoline Silver Corrosion Standard 5F-2.017

The purpose is to repeal Rule 5F-2.017, F.A.C. The effect will be to remove the redundancy of a standard and a test method from the Florida Administrative Code. Rule 5F-2.017, F.A.C., adopted September 22, 2004, currently establishes the gasoline silver corrosion standard and test method for gasoline. The most recent edition of ASTM D 4814, "Standard Specification for Automotive Spark-Ignition Engine Fuel", also includes the silver corrosion standard and test method. The Department intends to concurrently adopt the most recent version of ASTM D 4814 in Rule 5F-2.001, F.A.C., thus obviating the need for Rule 5F-2.017, F.A.C.

SUMMARY: An emergency rule was implemented June 8, 2004 to remedy an omission at that time, of a silver corrosion standard for gasoline in the ASTM gasoline specification adopted into Rule 5F-2.001, F.A.C. This emergency rule was replaced by Rule 5F-2.017, F.A.C. on September 22, 2004. The silver corrosion standard for gasoline is now included in the latest edition of ASTM D4814-04b, "Standard Specification for Automotive Spark-Ignition Engine Fuel". Rule 5F-2.017, F.A.C. is no longer needed in the Florida Administrative Code because it is in materials to be adopted with ASTM D4814-04b.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

Any person who wishes to provide information regarding the statement of estimated regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 525.14 FS.

LAWS IMPLEMENTED: 525.037 FS.

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

TIME AND DATE: 9:00 a.m., Tuesday, February 22, 2005

PLACE: Division of Standards' Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Nancy Fischer, Environmental Manager, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE FULL TEXT OF THE PROPOSED RULE IS:

5F-2.017 Gasoline Silver Corrosion Standard.

Specific Authority 525.14 FS. Law Implemented 525.037 FS. History–New 9-22-04, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Nancy Fischer

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Paul Driggers, Acting Director, Division of Standards

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2004

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE TITLE: RULE NO.:

Student Progression Plan and Requirements for Graduation 6D-7.006

PURPOSE AND EFFECT: The purpose of this Rule is to indicate that the Florida School for the Deaf and the Blind's Student Progression Plan and Requirements for Graduation have been revised to comply with state and federal mandates.

SUMMARY: This rule establishes guidelines for promotion and graduation of students enrolled in the Florida School for the Deaf and the Blind.

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: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(1), 1003.49 FS.

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

TIME AND DATE: 9:00 a.m., February 26, 2005

PLACE: Wilson Music Building Auditorium, FSDB Campus, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-7.006 Student ~~Pupil~~ Progression Plan and Requirements for Graduation.

(1) Graduation and promotion requirements adopted by the Board of Trustees for the Florida School for the Deaf and the Blind pursuant to the provisions of Section 1003.49 ~~232.2481~~, Florida Statutes, are contained in the Florida School for the Deaf and the Blind Student ~~Pupil~~ Progression Plan, revised December 2004 ~~December 20, 1997~~, which is hereby incorporated by this rule and made a part of the rules of the Board of Trustees.

(2) Copies of the Student ~~Pupil~~ Progression Plan may be obtained from the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084 at a price to be established by the President but which shall not exceed actual cost of preparation, printing or reproduction and mailing.

Specific Authority 1002.36(4)(c) ~~242.331(3)~~ FS. Law Implemented 1002.36(1), 1003.49 ~~232.2481, 242.331(4)~~ FS. History–New 2-17-81, Amended 9-17-85, 8-26-86, 4-12-90, 12-6-92, 2-24-98, _____.

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."

LAND AND WATER ADJUDICATORY COMMISSION

Hawk's Haven Community Development District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Hawk's Haven Community Development District	42YY-1
RULE TITLES:	**RULE NOS.:**
Establishment	42YY-1.001
Boundary	42YY-1.002
Supervisors	42YY-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district ("CDD"), the Hawk's Haven Community Development District ("District"), pursuant to Chapter 190, F.S. The petition filed by Hawk's Haven Developers, LLC, requests the Commission establish a community development district located within the unincorporated area of Lee County, Florida. A Notice of Receipt of Petition for the Hawk's Haven Community Development District was published in the November 24, 2004, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 1,926 acres. A general location map is contained as Exhibit A to the petition to establish the District. The following real property is located within the external boundaries of the District and is to be excluded from the District:

Parcel A Address: 2971 Hickey Creek Road, Alva, Florida 33920
Parcel ID: 25-43-26-00-00122.0000
(approximately 29.6 acres)

Parcel B Address: 2920 Hickey Creek Road, Alva, Florida 33920
Parcel ID: 26-43-26-00-00010.0000
(approximately 15 acres)

Parcel C Address: 15180 Palm Beach Boulevard
Parcel ID: 27-43-26-00-00004.0000
(approximately 10 acres)

Petitioner either owns or has written consent to establish the District from the owners of one hundred percent (100%) of the land within the proposed District. The District, if established, currently intends to participate in the provision of certain community facilities and services to the property in the District to include, public roads, water and wastewater irrigation, surface water management, and landscape and hardscape.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, Florida Statutes. The complete text of the SERC (as amended) is contained at Exhibit "H" to the Petition. The SERC (as amended) estimates that the principal individuals and entities likely to be required to comply with the rule are the State of Florida and its residents, Lee County and its residents, current property owners, and future property owners within the

District. The SERC (as amended) indicates that the costs to state governmental entities to review and enforce the rule will be modest. Costs to Lee County are offset by the required filing fee paid to Lee County by the Petitioner. The proposed District will incur costs associated with its administration and management which will be offset by assessments to be imposed by the District. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC (as amended) provides that the District plans to provide certain community facilities and services to the property in the District. According to the SERC (as amended) the District plans to fund, own, operate and maintain park and recreational facilities, landscape and hardscape, and surface water management. The District will fund and construct the water and wastewater irrigation and the District will dedicate same to Lee County. The District will also fund roads and street lighting for which ownership, operation and maintenance will be shared by Lee County and the District. The District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. The SERC (as amended) concludes that the proposed District will not create any significant economic costs for the State of Florida or for Lee County, and approval of the District will not have any negative effect on state revenues. Finally, the SERC (as amended) concludes that the District should have a positive impact on small businesses or the local economy and will not have a negative impact on small cities or counties. Lee County is not a "small" county as defined by Section 120.52, Florida Statutes. The data utilized in the SERC (as amended) was provided by the developer/petitioner and represents the best information available.

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.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., Monday, February 21, 2005

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

HAWK'S HAVEN COMMUNITY DEVELOPMENT DISTRICT.

42YY-1.001 Establishment.

The Hawk's Haven Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History–New _____.

42YY-1.002 Boundary.

The boundaries of the District are as follows:

Parcel in
Sections 25, 26, 27, 34, 35 and 36,
Township 43 South, Range 26 East
Lee County, Florida

A tract or parcel of land lying in Sections 25, 26, 27, 34, 35 and 36, Township 43 South, Range 26 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said Section 34 run N00°59'34"W along the East line of the Southeast Quarter (SE 1/4) of said Section 34 for 2,654.70 feet to the East Quarter Corner of said Section 34; thence run S89°15'30"W along the North line of the South Half (S 1/2) of said Section 34 for 5,100.92 feet to a point on a non-tangent curve at the intersection with the Easterly line of lands described in a deed recorded in Official Record Book 4107, at Page 886, Lee County Records; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 21°30'24") (chord bearing N34°21'11"W) (chord 89.56 feet) for 90.09 feet to a point of tangency; thence run N45°06'23"W along said Easterly line for 156.71 feet to a point of curvature; thence run northwesterly along said Easterly line and along an arc of curve to the left of radius 240.00 feet (delta 06°54'55") (chord bearing N48°33'50"W) (chord 28.95 feet) for 28.97 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 34; thence run N00°49'55"W along said West line for 2,437.57 feet to the Southwest Corner of said Section 27; thence run N00°49'48"W along the West line of the Southwest Quarter (SW 1/4) of said Section 27 for 659.59 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27;

thence run N89°06'39"E along the South line of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27 for 1,318.66 feet to the Southeast corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'33"W along the East line of said Fraction for 660.48 feet to the Northeast Corner of said Fraction; thence run S89°04'20"W along the North line of said Fraction for 659.26 feet to the Southeast corner of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°50'10"W along the East line of said Fraction for 660.23 feet to the Northeast Corner of said Fraction; thence run S89°02'22"W along the North line of said Fraction for 659.19 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 27; thence run N00°49'48"W along said West line for 659.85 feet to the West Quarter Corner of said Section 27; thence run N00°47'16"W along the West line of the Northwest Quarter (NW 1/4) of said Section 27 for 1,328.51 feet to an intersection with the Southerly right of way line of State Road 80, (150 feet wide); thence run N77°10'14"E along said Southerly right of way line for 2,020.27 feet to an intersection with the West line of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27; thence run S00°50'17"E along said West line for 421.56 feet to the Southwest Corner of said Fraction, being designated as POINT "A"; thence run N88°54'52"E along the South line of said Fraction for 658.74 feet to an intersection with the West line of the East Half (E 1/2) of said Section 27; thence run S00°51'17"E along said West line for 2,065.72 feet to an intersection with the Southwesterly line of Conservation Easement CE-5, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run along said Southwesterly line the following courses: S89°09'06"W for 37.27 feet to a point on a non-tangent curve; northwesterly along an arc of curve to the left of radius 544.11 feet (delta 28°08'56") (chord bearing N29°19'43"W) (chord 264.63 feet) for 267.31 feet to a point on a non-tangent curve; northerly along an arc of curve to the right of radius 76.19 feet (delta 50°10'58") (chord bearing N18°17'17"W) (chord 64.62 feet) for 66.73 feet to a point on a non-tangent curve; and northerly along an arc of curve to the left of radius 294.98 feet (delta 04°38'23") (chord bearing N04°29'11"E) (chord 23.88 feet) for 23.89 feet; thence run S89°59'57"W along a non-tangent line for 290.94 feet to a point on a non-tangent curve and an intersection with the Southerly line of Conservation Easement CE-6, described in a deed recorded in Official Record Book 3492, at Page 568, Lee County Records; thence run along said Southerly line the following courses: southerly along an arc of curve to the left of radius 366.19 feet (delta 02°13'10") (chord bearing S03°58'21"W) (chord 14.18 feet) for 14.19 feet; S69°32'12"W along a non-tangent line for 112.75 feet to a point on a non-tangent curve; southwesterly along an arc of curve to the left of radius 175.00 feet (delta 102°58'00") (chord bearing S52°06'04"W) (chord 273.85 feet) for 314.49 feet; S88°44'23"W along a non-tangent line for 23.42 feet; S71°47'56"W for 48.67 feet; S07°58'00"W for 35.55 feet; S03°55'13"E for 56.03 feet; S23°32'56"W for 47.94 feet; S33°25'14"W for 36.18 feet; S12°58'58"W for 61.88 feet; N86°33'52"W for 89.92 feet; and S82°52'46"W for 49.35 feet; thence run S84°07'47"W along said Southerly line and the extension thereof for 87.43 feet to a point on a non-tangent curve; thence run southeasterly along an arc of curve to the left of radius 700.00 feet (delta 34°14'28") (chord bearing S52°26'02"E) (chord 412.14 feet) for 418.33 feet to a point of tangency; thence run S69°33'15"E for 283.26 feet to a point of curvature; thence run southeasterly along an arc of curve to the right of radius 550.00 feet (delta 53°24'45") (chord bearing S42°50'53"E)(chord 494.36 feet) for 512.72 feet to a point of tangency; thence run S16°08'30"E for 429.10 feet to a point of curvature; thence run southerly along an arc of curve to the left of radius 700.00 feet (delta 02°04'24") (chord bearing S17°10'43"E) (chord 25.33 feet) for 25.33 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide) and Florida Power & Light Co. Easement (100 feet wide), described in a deed recorded in Deed Book 230, at Page 106, Lee County Records; thence run N89°00'08"E along a non-tangent line and said Northerly right of way line for 112.79 feet to an intersection with the West line of the East Half (E 1/2) of said Section 27; thence run S00°51'17"E along said West line for 50.00 feet to an intersection to an intersection with the North line of the South 50 feet of said former Seaboard All Florida Railroad right of way (100 feet wide); thence run N89°00'08"E along said North line for 7,949.61 feet to an intersection with the West line of the Southwest Quarter (SW 1/4) of said Section 25; thence run N00°33'55"W along said West line for 50.00 feet to an intersection with the Northerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said right of way line for 5,295.61 feet to an intersection with the East line of the Southeast Quarter (SE 1/4) of said Section 25; thence run S01°39'28"E along said East line for 629.62 feet to the Northeast Corner of said Section 36 being designated as POINT "B"; thence run S00°16'51"E along the East line of the Northeast Quarter (NE 1/4) of said Section 36 for 2,647.36 feet to the East Quarter Corner of said Section 36; thence run S00°45'42"E along the East line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.68 feet to the Southeast Corner of said Section 36; thence run S89°12'27"W along the South line of the Southeast Quarter (SE 1/4) of said Section 36 for 2,644.62 feet the South Quarter Corner of said Section 36; thence run S89°11'43"W along the South line of the Southwest Quarter (SW 1/4) of said Section 36 for 2,643.63 feet to the Southeast Corner of said Section 35; thence run S88°54'06"W along the South line of the Southeast Quarter (SE 1/4) of said Section 35 for 2643.62 feet to the South Quarter Corner of said

Section 35; thence run S88°53'41"W along the South line of the Southwest Quarter (SW 1/4) of said Section 35 for 2,642.70 feet to the POINT OF BEGINNING.

LESS and EXCEPT the following described parcels.

From the point designated as POINT "A" run S88°54'52"W along the South line of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 for 658.74 feet to the Northeast Corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section 27 and POINT OF BEGINNING.

From said Point of Beginning run S00°49'17"E along the East line of said Fraction for 660.13 feet to the Southeast Corner of said Fraction; thence run S88°57'38"W along the South line of said Fraction for 658.93 feet to the Southwest Corner of said Fraction; thence run N00°48'16"W along the West line of said Fraction for 659.60 feet to the Northwest Corner of said Fraction; thence run N88°54'52"E along the North line of said Fraction for 658.74 feet to the POINT OF BEGINNING.

AND

From the point designated as POINT "B" run S88°44'46"W along the South line of the Southeast Quarter (SE 1/4) of said Section 25 for 2,674.22 feet to the South Quarter Corner of said Section 25 and POINT OF BEGINNING.

From said Point of Beginning run S89°12'44"W along the South line of the Southwest Quarter (SW 1/4) of said Section 25 for 2,633.46 feet to the Southeast Corner of said Section 26; thence run S89°14'15"W along the South line of the Southeast Quarter (SE 1/4) of said Section 26 for 1,327.50 feet to the Southwest Corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 26; thence run N00°23'46"W along the West line of said Fraction for 526.48 feet to an intersection with the Southerly right of way line of the former Seaboard All Florida Railroad (100 feet wide); thence run N89°00'08"E along said Southerly right of way line for 3,955.59 feet to an intersection with the East line of the Southwest Quarter (SW ¼) of said Section 25; thence run S00°58'43"E along said East line for 541.54 feet to the POINT OF BEGINNING.

Containing a Total Area of 1,926.03 Acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/90 adjustment) and are based on the west line of the Northwest Quarter (NW 1/4) of said Section 34 to bear N00°49'55"W.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History–New _____.

42YY-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: James P. Harvey, Graydon Miars, Daniel Coe, Joe Carbonara, and Roger Postlethwaite.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1802, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2005

LAND AND WATER ADJUDICATORY COMMISSION

Lakewood Ranch Community Development District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Lakewood Ranch Community Development District 7	42ZZ-1
RULE TITLES:	**RULE NOS.:**
Establishment	42ZZ-1.001
Boundary	42ZZ-1.002
Supervisors	42ZZ-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district ("CDD"), the Lakewood Ranch Community Development District 7 ("District"), pursuant to Chapter 190, F.S. The petition filed by Schroeder-Manatee Ranch, Inc., requests the Commission establish a community development district located entirely within Manatee County, Florida. A Notice of Receipt of Petition for the Lakewood Ranch Community Development District 7 was published in the October 29, 2004, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 1,615 acres. A general location map is contained as Exhibit 1 to the petition to establish the District. There are no excluded parcels located within the boundaries of the proposed District. The Petitioner either owns or has written consent to establish the District from the owners of one hundred percent (100%) of the land within the proposed District. The development plan for the proposed lands within the District includes the construction of approximately 751 single family home sites. The District, if established, currently intends to participate in the provision of various community facilities and services to the property in the District to include, public roads, stormwater management, utilities, and landscape.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, Florida Statutes. The complete text of the SERC (as amended) is contained at Exhibit "7" to the Petition. The SERC (as amended) estimates that the principal individuals and entities likely to be required to comply with the rule are the ultimate property owners within the District. Prior to the sell

out of the real estate, all of the undeveloped land owned by the developer and any other landowner will also be under the jurisdiction of the District. The SERC (as amended) indicates that the costs to state governmental entities to review and enforce the rule will be modest. Costs to Manatee County are offset by the required filing fee paid to Manatee County by the Petitioner. The proposed District will incur costs associated with its administration and management which will be offset by assessments to be imposed by the District. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC (as amended) provides that the District plans to provide various community facilities and services to the property in the District. According to the SERC (as amended) the District plans to fund, own, operate and maintain the stormwater management system and landscape. The District will also fund and construct the public roadways and utilities, and the District will dedicate them to Manatee County. The District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Finally, the SERC (as amended) concludes that the rule's effect on small businesses will be minimal or positive and that Manatee County is not a "small" county as defined by Section 120.52, Florida Statutes. The SERC (as amended) analysis is based on a straightforward application of economic theory with input received from the developer's engineer and other professionals associated with the developer.

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.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

TIME AND DATE: 2:00 p.m., Monday, February 21, 2005

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

LAKEWOOD RANCH COMMUNITY DEVELOPMENT DISTRICT 7

42ZZ-1.001 Establishment.

The Lakewood Ranch Community Development District 7 is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History–New _____.

42ZZ-1.002 Boundary.

The boundaries of the District are as follows:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°58'32"E, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 1770.02 FT.; THENCE N00°01'28"E, PERPENDICULAR WITH SAID SOUTH LINE, A DISTANCE OF 954.40 FT. FOR A POINT OF BEGINNING; THENCE N00°01'28"E, 788.60 FT.; THENCE S89°58'32"E, 38.36 FT.; THENCE N00°01'28"E, 391.85 FT.; THENCE N53°08'42"W, 108.39 FT.; THENCE N64°51'52"W, 72.10 FT.; THENCE N51°15'29"W, 71.24 FT.; THENCE N88°53'01"W, 64.72 FT.; THENCE S42°31'45"W, 48.99 FT.; THENCE S57°15'03"W, 43.67 FT.; THENCE N75°08'44"W, 93.01 FT.; THENCE N36°23'58"W, 51.93 FT.; THENCE N30°15'09"W, 120.41 FT.; THENCE N26°03'26"W, 83.03 FT.; THENCE N11°24'03"E, 191.05 FT.; THENCE N77°32'10"W, 49.33 FT.; THENCE N54°48'49"W, 53.50 FT.; THENCE S83°25'42"W, 39.97 FT.; THENCE N77°03'04"W, 28.41 FT.; THENCE N76°42'11"W, 50.64 FT.; THENCE S09°58'45"W, 46.64 FT.; THENCE S17°32'46"W, 26.17 FT.; THENCE N55°40'30"W, 120.52 FT.; THENCE S34°19'30"W, 52.27 FT.; THENCE S00°00'00"W, 86.03 FT.; THENCE S88°05'00"W, 286.50 FT.; THENCE N01°55'00"W, 372.74 FT.; THENCE N88°07'20"E, 1375.24 FT.; THENCE N00°45'04"W, 878.14 FT. TO A POINT ON THE ARC OF A CURVE, WHOSE RADIUS POINT LIES N03°25'44"W, A DISTANCE OF 2720.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°37'51", A DISTANCE OF TO THE P.R.C. OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1690.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 21°25'17", A DISTANCE OF 631.85 FT. TO THE P.T. OF SAID CURVE; THENCE N86°21'42"E, A DISTANCE OF 275.61 FT. TO THE PC OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS

OF 1940.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 38°34'52", A DISTANCE OF 1306.33 FT. TO THE P.T. OF SAID CURVE; THENCE N47°46'50"E, A DISTANCE OF 466.55 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2610.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 28°29'57", A DISTANCE OF 1298.23 FT. TO THE P.T. OF SAID CURVE; THENCE N76°16'47"E, A DISTANCE OF 615.98 FT. TO THE PC OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2920.00 FT; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°55'19", A DISTANCE OF 1575.89 FT. TO THE PT OF SAID CURVE; THENCE S72°47'54"E, A DISTANCE OF 1139.89 FT. TO THE PC OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2940.00 FT.; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 31°21'44", A DISTANCE OF 1609.28 FT. TO THE P.T. OF SAID CURVE, THENCE N75°50'22"E, A DISTANCE OF 1638.12 FT. TO THE P.C. OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 5060.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°11'52", A DISTANCE OF 1253.86 FT. TO THE P.T. OF SAID CURVE; THENCE S89°57'46"E, 1829.22 FT.; THENCE S00°35'33"W, 5767.03 FT.; THENCE N89°58'32"W, A DISTANCE OF 3596.50 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2404.00 FT.; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 07°03'42", A DISTANCE OF 296.29 FT. TO THE P.T. OF SAID CURVE; THENCE S82°57'46"W, 1478.53 FT.; THENCE N89°58'32"W, 1847.42 FT.; THENCE N70°58'32"W, A DISTANCE OF 1425.55 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 2303.68 FT.; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°01'45", A DISTANCE OF 564.07 FT. TO THE P.T. OF SAID CURVE; THENCE N85°00'17"W, A DISTANCE OF 2585.08 FT.; THENCE N00°00'00"E, 528.25 FT.; THENCE N90°00'00"W, 221.92 FT.; THENCE S54°54'36"W, 292.35 FT.; THENCE S85°08'24"W, 328.90 FT.; THENCE S00°00'00"W, A DISTANCE OF 383.44 FT. TO A POINT ON THE ARC OF A CURVE WHOSE RADIUS POINT LIES S13°32'56"E, A DISTANCE OF 2303.68 FT.; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°05'04", A DISTANCE OF 164.22 FT. TO THE P.T. OF SAID CURVE; THENCE S72°22'00"W, 85.91 FT.; THENCE N17°38'00"W, 275.11 FT.; THENCE N89°58'50"W, A DISTANCE OF 1400.00 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 25, 34, 35 AND 36, TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 1,615.22 ACRES MORE OR LESS.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History–New _____.

42ZZ-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Bob Weber, Thomas J. Danahy, Robert Lane, Harold Wagner, and Roger Hill.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1802, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 17, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 7, 2005

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 Hearing Aid Specialists

RULE TITLE: RULE NO.:
Citations 64B6-7.007

PURPOSE AND EFFECT: The Board proposes to clarify and revise the requirements which serve as the basis for assessment of penalties for violations.

SUMMARY: Outlines penalties and violations which relate to the issuance of citations.

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

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

SPECIFIC AUTHORITY: 456.077, 484.044 FS.

LAW IMPLEMENTED: 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-7.007 Citations.

Definitions. As used in this Rule:

(1) through (2) No change.

(3) The Board hereby designates the following as citation violations which shall result in a penalty of two hundred and seventy-five dollars ($275.00):

(a) Violation of Section 484.0501(6), F.S. (Audiometric testing room requirements and waiver);

(b) Violation of Section 484.051(1), ~~484.056(1)(u)~~ F.S. (Failure to provide itemized price list when requested); Violation of Rule 64B6-5.003, F.A.C.

(c) Violation of Rule 64B6-6.003, F.A.C. (Audiometric Testing);

(d) Violation of Rule 64B6-6.003, F.A.C. (Certified Testing Room);

(e) Failure to take action to correct a minor violation within 15 days after receiving a notice of noncompliance pursuant to Rule 64B6-7.006 ~~64B5-7.006~~, F.A.C.

(f) Violation of Rule 64B6-5.001, F.A.C. (Continuing Education);

(g) Violation of Rule 64B6-5.003, F.A.C. (Continuing Education Attendance);

(h) Violation of subsection 64B6-6.008(4), F.A.C. (Regular Place of Business Requirements; Advertising Requirements);

(i) Failure to timely pay required fees and fines;

(j) Failure to comply with advertising requirements, including Section 456.062, F.S.

(4) No change.

(5) If the subject does not dispute the matter in the citation with the department within 30 days after the citation is served, the citation becomes a public final order and does not constitute discipline for a first offense, but does constitute discipline for a second of subsequent offense.

Specific Authority 456.077, 484.044 FS. Law Implemented 456.077 FS. History–New 10-21-91, Formerly 21JJ-7.010, Amended 11-21-94, Formerly 61G9-7.010, Amended 9-24-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2004

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: RULE NO.:

Standard of Care for Office Surgery 64B8-9.009

PURPOSE AND EFFECT: The proposed rule amendments are intended to address the definition of a pediatric patient and update the requirements for the crash cart in office surgery settings.

SUMMARY: The proposed rule amendments define a pediatric patient and set forth an updated list of requirements for the crash cart in office surgery settings.

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

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

SPECIFIC AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(g),(t),(v),(w), 458.351 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.009 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) Definitions.

(a) through (d) No change.

(e) Pediatric patients are defined as those patients who are 13 years of age or under.

(2) through (4) Level II Office Surgery.

(a) No change.

(b) Standards for Level II Office Surgery.

1. through 2. No change.

3. Equipment and Supplies Required.

a. Full and current crash cart at the location the anesthetizing is being carried out. The crash cart must include, at a minimum, the following resuscitative medications:

I. Adenosine 6 mg/2 ml x3 ~~Adrenalin (epinephrine) 1:10,000 dilution; 10ml~~

II. Albuterol Inhaler ~~Adrenalin (epinephrine) 1:1000 dilution; 1ml~~

III. Amiodarone 150 mg x2

IV.~~III.~~ Atropine 0.4 mg/ml; 3 ml ~~0.1mg/ml; 5ml~~

~~IV. Benadryl (diphenhydramine)~~

V. Calcium chloride 10%; 10ml

VI. Dextrose 50%; 50 ml

VII. Diphenhydramine 50 mg ~~Dilantin (phenytoin)~~

VIII. Dopamine 200 mg minimum

IX. Epinephrine 1:10,000 dilution; 10 ml ~~Heparin~~

X. Epinephrine 1:1000 dilution; 1ml x 3 ~~Inderal (propranolol)~~

XI. Flumazenil 0.1 mg/ml; 5 ml x 2 ~~Isuprel~~

XII. Furosemide 40 mg ~~Lanoxin (digoxin)~~

XIII. Hydrocortisone or Methylprednisolone or Dexamethasone ~~Lasix (furosemide)~~

XIV. Lidocaine 100 mg ~~Xylocaine (lidocaine)~~

XV. Magnesium sulfate 1 gm x 2 ~~50%~~

XVI. Naloxone 0.4 mg/ml; 3 ml ~~Narcan (naloxone)~~

XVII. Propranolol 1 mg x 1 ~~Pronestyl (procainamide)~~

XVIII. Sodium bicarbonate 50mEq/50ml

XIX. Succinylcholine 1 vial ~~Solu-medrol (methylprednisolone)~~

XX. Vasopressin 20 units x 2

XXI.~~XX.~~ Verapamil ~~hydrochloride~~ 5 mg x 2

~~XXI. Romazicon~~

b. A Benzodiazepine must be stocked, but not on the crash cart.

c.~~b.~~ Suction devices, endotracheal tubes, laryngoscopes, etc.

d.~~c.~~ Positive pressure ventilation device (e.g. Ambu) plus oxygen supply.

e.~~d.~~ Double tourniquet for the Bier block procedure.

f.~~e.~~ Monitors for blood pressure/EKG/Oxygen saturation.

g.~~f.~~ Emergency intubation equipment.

h.~~g.~~ Adequate operating room lighting.

i.~~h.~~ Emergency power source able to produce adequate power to run required equipment for a minimum of two (2) hours.

j.~~i.~~ Appropriate sterilization equipment.

k.~~j.~~ IV solution and IV equipment.

4. No change.

(5) through (6) 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, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Surgical Care Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2004

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE: RULE NO.:

Citations 64B11-4.005

PURPOSE AND EFFECT: The purpose of the rule is to change the citation fine to more directly relate to the number of deficient continuing education hours indicated, up to a maximum of $1,000.00. The rule also will allow citations to be issued for licensees who do not respond to a continuing education pre-renewal audit in a timely manner.

SUMMARY: The rule modifies and places a cap on citation fines for failure to obtain required continuing education. It also allows a citation to be issued to a licensee who fails to respond to a pre-renewal audit in a timely manner.

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

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

SPECIFIC AUTHORITY: 456.077, 468.204 FS.

LAW IMPLEMENTED: 456.077, 456.072 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-4.005 Citations**.**

(1) through (3) No change.

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

(a) through (c) No change.

(d) First time failure to complete required continuing education hours, which may also consist of or include required HIV/AIDS or end of life/palliative health care, during the biennial licensure period. The fine shall be $50.00 per hour for each hour of deficiency, up to a maximum fine of $1000.00. ~~For failure to complete less than 10 hours, the Board shall impose a penalty of $500. For failure to complete 10 or more hours, the Board shall impose a penalty of $1,000.~~ In addition, licensees shall, make up the deficient continuing education and take one additional hour of continuing education for each of the continuing education deficiencies, which shall not count towards meeting the continuing education renewal requirements for the next biennium. All such made up continuing education hours and additional continuing education hours shall be completed and documentation of same shall be provided to the department within 90 days of the date the citation is filed.

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

(5) through (6) No change.

Specific Authority 456.077, 468.204 FS. Law Implemented 456.077, 456.072 FS. History–New 1-1-92, Formerly 21M-15.005, 61F6-15.005, Amended 11-13-96, Formerly 59R-63.005, Amended 2-20-02, 7-26-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy Practice

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2004

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES:	RULE NOS.:
Class II Institutional Pharmacies – Automated Distribution and Packaging	64B16-28.605
Automated Pharmacy System – Long Term Care, Hospice, and Prison	64B16-28.607

PURPOSE AND EFFECT: These rules are being promulgated pursuant to Sections 465.005, 465.0155 and 564.022, F.S., to implement Sections 465.019, 465.022 and 465.026, F.S., to set forth requirements of institutional pharmacies, automated pharmacy systems, and automated distribution and packaging of medications within institutional settings such as long-term care, hospice and prison facilities.

SUMMARY: Rule 64B16-28.605, F.A.C., defines terminology, sets forth general requirements, policy and procedure, and record requirements within class II institutional pharmacies. Rule 64B16-28.607, F.A.C., defines automated pharmacy system terminology, general requirements for use with automated medication systems, multidisciplinary committee for decentralized automated medication systems, stocking and restocking requirements of a decentralized automated medication system, medication reuse, centralized automated medications systems, quality assurance programs, record keeping requirements, compliance with rules and security of controlled substances within the automated medication system.

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

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

SPECIFIC AUTHORITY: 465.005, 465.0155, 465.022 FS.

LAW IMPLEMENTED: 465.019, 465.022, 465.0235, 465.026 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING DATE WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Danna Droz, Executive Director, Florida Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-28.605 Class II Institutional Pharmacies – Automated Distribution and Packaging.

(1) Definitions.

(a) "Automated medication system" means a robotic, mechanical or computerized device that is not used for medication compounding and is designed to:

1. Distribute medications in a licensed health care facility; or

2. Package medications for final distribution by a pharmacist.

(b) "Centralized automated medication system" means an automated medication system located in a pharmacy department from which medication is distributed or packaged for final distribution by a pharmacist.

(c) "Decentralized automated medication system" means an automated medication system that is located outside of a pharmacy department but within the same institution.

(d) “Distribute” or "Distribution" means the process of providing a drug to an individual authorized to administer medications and licensed as a health care provider in the state of Florida pursuant to an order issued by an authorized prescriber.

(e) “Medication” means a medicinal drug or proprietary preparation.

(f) "Override medication" means a single dose of medication that may be removed from a decentralized automated medication system prior to pharmacist review because the Medical Staff Committee has determined that the clinical status of the patient would be significantly compromised by delay.

(g) "Low risk override medication" is a medication determined by the Medical Staff Committee to have a low risk of drug allergy, drug interaction, dosing error, or adverse patient outcome, and may be removed from a decentralized automated medication system independent of a pharmacist's review of the medication order or clinical status of the patient.

(h) "Physician controlled medication" is a medication distributed in an environment where a practitioner controls the order, preparation and administration of the medication.

(2) General Requirements for the Use of Automated Medication Systems.

(a) The consultant pharmacist of record shall be responsible for:

1. Maintaining a record of each transaction or operation;

2. Controlling access to the system;

3. Maintaining policies and procedures for:

a. Operating of the automated medication system;

b. Training personnel who use the automated medication system;

c. Maintaining patient services whenever the automated medication system is not operating; and

d. Defining a procedure for a pharmacist to grant or deny access to the medication in the system;

4. Security of the system;

5. Assuring that a patient receives the pharmacy services necessary for good pharmaceutical care in a timely manner;

6. Assuring that the system maintains the integrity of the information in the system and protects patient confidentiality;

7. Establishing a comprehensive Quality Assurance program;

8. Establishing a procedure for stocking or restocking the automated medication system; and

9. Ensuring compliance with all requirements for packaging and labeling.

(b) A pharmacist shall perform prospective drug use review and approve each medication order prior to administration of a medication except an override medication, a low risk override medication or a physician controlled medication.

(c) A pharmacist shall perform retrospective drug use review for an override medication.

(3) Multidisciplinary Committee for Decentralized Automated Medication Systems.

(a) The consultant pharmacist of record shall convene or identify a multidisciplinary committee, which is charged with oversight of the decentralized automated medication system.

(b) The Multidisciplinary Committee shall:

1. Include at least one pharmacist;

2. Establish the criteria and process for determining which medication qualifies as an override medication or a low risk override medication in a decentralized automated medication system;

3. Develop policies and procedures regarding the decentralized automated medication system.

4. Have its decisions reviewed and approved by the Medical Staffing Committee or its equivalent.

(4) Stocking or Restocking of a Decentralized Automated Medication System.

(a) Medications in a decentralized Automated Medication System shall be stocked or restocked by a pharmacist or by a pharmacy technician supervised by a pharmacist.

(b) The stocking or restocking of a decentralized automated medication system shall follow one of the following procedures to assure correct medication selection:

1. A pharmacist shall conduct a daily audit of medications placed or to be placed into an automated medication system that includes random sampling.

2. A bar code verification, electronic verification, or similar verification process shall be utilized to assure correct selection of medication placed or to be placed into an automated medication system. The utilization of a bar code, electronic, or similar verification technology shall require an initial quality assurance validation, followed by a monthly quality assurance review by a pharmacist.

(c) The pharmacist performing the quality assurance review shall maintain a record of the quality assurance process that occurred and the pharmacist approval of the medication stocking, restocking or verification process.

(5) Centralized Automated Medication Systems. A pharmacist utilizing a centralized automated medication system may distribute patient specific medications within the licensed health care facility without checking each individual medication selected or packaged by the system, if:

(a) The initial medication order has been reviewed and approved by a pharmacist;

(b) The medication is distributed for subsequent administration by a health care professional permitted by Florida law to administer medication; and

(c) A bar code verification, electronic verification, or similar verification process shall be utilized to assure correct selection of medication placed or to be placed into an automated medication system. The utilization of a bar code, electronic, or similar verification technology shall require an initial quality assurance validation, followed by a monthly quality assurance review by a pharmacist.

(6) Quality Assurance Program. The consultant pharmacist of record shall be responsible for establishing a quality assurance program for the automated medication system. The program shall provide for:

(a) Review of override and low risk override medication utilization;

(b) Investigation of a medication error related to the automated medication system;

(c) Review of a discrepancy or transaction reports and identify patterns of inappropriate use or access;

(d) Review of the operation of the system;

(e) Integration of the automated medication system quality assurance program with the overall continuous quality improvement program of the pharmacy as defined in Rule 64B16-27.300, F.A.C.; and

(f) Assurance that individuals working with the automated medication system receive appropriate training on the operation of the system and procedures for maintaining pharmacy services when the system in not in operation.

(7) Record Keeping.

(a) The consultant pharmacist of record shall maintain records related to the automated medication system in a readily retrievable manner.

(b) The following records shall be maintained for at least 60 days:

1. Daily audits of stocking or restocking, if applicable;

2. Daily audits of the output of a centralized automated medication system, if applicable; and

3. Transaction records for all non-controlled medications or devices distributed by the automated medication system.

(c) The following records shall be maintained for at least two (2) years:

1. Any report or analysis generated as part of the quality assurance program;

2. A report or database related to access to the system or any change in the access to the system or to medication in the system; and

3. Transaction records from the automated medication system for all controlled substances dispensed or distributed.

(8) Compliance. The consultant pharmacist of record shall assure compliance with all requirements of Chapter 465, F.S. and the rules of Chapter 64B16, F.A.C.

(9) Security. A decentralized automated medication system that contains controlled substances shall prohibit simultaneous access to multiple drug entities, drug strengths, or dosage forms of controlled substances.

Specific Authority 465.005, 465.0155, 465.022 FS. Law Implemented 465.019, 465.022, 465.026 FS. History–New_____.

64B16-28.607 Automated Pharmacy System – Long Term Care, Hospice, and Prison.

(1) Definitions.

(a) "Automated pharmacy system" means a mechanical system that performs operations or activities, other than compounding or administration, relative to the storage, packaging, counting, labeling, and delivery of a medicinal drug, and which collects, controls, and maintains a record of each transaction.

(b) "Provider pharmacy" means a pharmacy that provides pharmacy services by using an automated pharmacy system at a remote site.

(c) "Remote site" means a long term care facility or hospice licensed under Chapter 400, F.S. or a state correctional institution operated under Chapter 944, F.S., that is not located at the same location as the provider pharmacy, at which pharmacy services are provided using an automated pharmacy system.

(d) "Controlled substance" means a substance listed in Chapter 893, F.S. or 21 CFR Part 1308.

(2) Provider Pharmacy Requirements.

(a) A provider pharmacy may provide pharmacy services to a long term care facility or hospice licensed under Chapter 400, F.S. or a state correctional institution operated under Chapter 944, F.S.. through the use of an automated pharmacy system.

(b) An automated pharmacy system shall only be used to provide pharmacy services to an inpatient or a resident of the remote site.

(c) Supervision of the automated pharmacy system shall be the responsibility of a Florida-licensed pharmacist employed by the provider pharmacy.

(d) Every medicinal drug stored in the automated pharmacy system shall be owned by the provider pharmacy.

(e) An automated pharmacy system shall be under the supervision of a pharmacist employed by the provider pharmacy. The pharmacist need not be physically present at the remote site if the system is supervised electronically.

(f) A provider pharmacy shall have policies and procedures to ensure adequate security and to comply with federal and state laws and regulations.

(3) Prescription Department Manager Requirements.

(a) The prescription department manager shall ensure that the automated pharmacy system complies with federal and state controlled substance regulations for each automated pharmacy system that contains a controlled substance.

(b) The prescription department manager shall ensure that the use of an automated pharmacy system does not compromise patient confidentiality.

(c) The prescription department manager or a designee shall:

1. Authorize or deny access to the data from an automated pharmacy system or to a drug stored inside the automated pharmacy system.

2. Document the training of each person who has access to the data from an automated pharmacy system or to a drug stored inside the automated pharmacy system.

(4) Automated Pharmacy System Requirements.

(a) A medicinal drug stored in bulk or unit-of-use in an automated pharmacy system is part of the inventory of the provider pharmacy and is not part of the inventory of any other pharmacy permit for the facility.

(b) A medicinal drug may be removed from an automated pharmacy system for administration to a patient only after a prescription or order has been received and approved by a pharmacist at the provider pharmacy. This provision does not apply to a medication designated as an emergency medication if the automated pharmacy system is also used as an emergency medication kit in compliance with Section 400.142, F.S. and Rule 59A-4.112, F.A.C.

(c) A pharmacist at the provider pharmacy shall control all operations of the automated pharmacy system and approve release of the initial dose of a prescription or order. A subsequent dose from an approved prescription or order may be released without additional approval of a pharmacist. However, any change made in a prescription or order shall require a new approval by a pharmacist to release the drug.

(d) A pharmacist at the provider pharmacy shall comply with the patient record requirements in Rule 64B16-27.800, F.A.C. and prospective drug use review requirements in Rule 64B16-27.810, F.A.C., for every medicinal drug delivered through an automated pharmacy system.

(e) If the facility where pharmacy services are being provided maintains a medication administration record that includes directions for use of the medication, a unit dose medication may be utilized if the provider pharmacy or the automated pharmacy system identifies and records the dispensing pharmacy, the prescription or order number, the name of the patient, and the name of the prescribing practitioner for each medicinal drug delivered.

(f) Stocking or Restocking of an Automated Pharmacy System.

1. The stocking or restocking of a medicinal drug in an automated pharmacy system at the remote site shall be completed by a pharmacist or other licensed personnel, except as provided in subparagraph 2. below of this section.

2. If the automated pharmacy system uses removable cartridges or containers to store the drug, the stocking or restocking of the cartridges or containers may occur at the provider pharmacy and be sent to the remote site to be loaded by personnel designated by the pharmacist if:

a. A pharmacist verifies the cartridge or container has been properly filled and labeled.

b. The individual cartridge or container is transported to the remote site in a secure, tamper-evident container.

c. The automated pharmacy system uses bar code verification, electronic verification, or similar process to assure that the cartridge or container is accurately loaded into the automated pharmacy system.

(g) A medicinal drug that has been removed from the automated pharmacy system shall not be replaced into the system unless a pharmacist has examined the medication, the packaging, and the labeling and determined that reuse of the medication is appropriate.

(h) Medication to be returned to the provider pharmacy's stock shall meet the requirements of Rule 64B16-28.118, F.A.C.

(5) Security Requirements.

(a) If a provider pharmacy intends to store a controlled substance in an automated pharmacy system:

1. It shall maintain a separate DEA registration for each remote site at which a controlled substance is stored.

2. It may utilize one DEA registration to include multiple automated pharmacy systems located at a single address.

(b) A provider pharmacy shall only store a medicinal drug at a remote site within an automated pharmacy system which is locked by a mechanism that prevents access to a drug or to data by unauthorized personnel.

(c) Access to the drugs shall be limited to a pharmacist or a pharmacy technician employed by the provider pharmacy or licensed personnel in the facility or institution who are authorized to administer medication.

(d) An automated pharmacy system that contains a controlled substance shall prohibit simultaneous access to multiple drug entities, drug strengths, or dosage forms of controlled substances.

(6) Emergency medication. If an automated pharmacy system is utilized for both a medication ordered for a specific patient and an emergency medication for which the review of a pharmacist is not required:

(a) The emergency medication shall be stored separately from other patient medications.

(b) The record shall identify the storage location from which the medication was released.

(c) The record shall include the name of the medication, the patient, the prescriber, the person who accessed the automated pharmacy system, and the date and time of the release.

(7) Record Keeping Requirements.

(a) The record of transactions with the automated pharmacy system shall be maintained in a readily retrievable manner.

(b) The record shall be available to an authorized agent of the Department of Health or the Board of Pharmacy.

(c) The record shall include:

1. Name or identification of the patient or resident.

2. Name, strength and dosage form of the drug product released.

3. Quantity of drug released.

4. Date and time of each release of a drug.

5. Name of provider pharmacy.

6. Prescription number or order number.

7. Name of prescribing practitioner.

8. Identity of the pharmacist who approved the prescription or order.

9. Identity of the person to whom the drug was released.

(d) A record of every transaction with the automated pharmacy system shall be maintained for two (2) years.

Specific Authority 465.005, 465.0155, 465.022 FS. Law Implemented 465.019, 465.022, 465.0235 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLES:	RULE NOS.:
Definitions – Nuclear Pharmacy	64B16-28.900
Nuclear Pharmacy – General Pharmacy	64B16.28.901
Nuclear Pharmacy – Minimum Requirements	64B16-28.902

PURPOSE AND EFFECT: These rules are being amended to clarify the existing language and remove obsolete language.

SUMMARY: Rule 64B16-28.900, F.A.C., revises the definition of a "nuclear pharmacist" by removing the reference to "an actively licensed" pharmacist and changing certified to licensed. Rule 64B16-28.901, F.A.C., is amended for clarity and to that a pharmacist may delegate to a pharmacy technician the authority of writing out oral prescriptions for radiopharmaceuticals pursuant to Rule 64B16-27.410, F.A.C. Rule 64B16-28.902, F.A.C., removes Hemacytometer and leaded glass from the equipment list and removes Title 21 CFR, FDA regulations from the list of current references and adds that it is acceptable to maintain data in a readily available electronic from in lieu of hard copy.

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

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

SPECIFIC AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.003, 465.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Danna Droz, Executive Director, Florida Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULES IS:

64B16-28.900 Definitions – Nuclear Pharmacy.

(1) No change.

(2) A "nuclear pharmacist" is a ~~an actively licensed~~ pharmacist who has met the training qualifications as described in Rule 64B16-28.903, F.A.C., and has been licensed ~~certified~~ by the Board of Pharmacy.

(3) through (6) No change.

Specific Authority 465.005 FS. Law Implemented 465.003(14), 465.022(1)(e) FS. History–New 1-7-76, Formerly 21S-3.01, Amended 4-4-88, Formerly 21S-3.001, Amended 7-31-91, 4-15-92, 10-1-92, Formerly 21S-28.900, 61F10-28.900, 59X-28.900, Amended _____.

64B16-28.901 Nuclear Pharmacy – General Requirements.

The process employed by any permit holder in this state concerning the handling of radioactive materials must involve appropriate procedures for the purchase, receipt, storage, manipulation, compounding, distribution and disposal of radioactive materials. In order to insure the public health and safety in this respect, a nuclear pharmacy in this state shall meet the following general requirements:

(1) Each nuclear pharmacy shall designate a ~~an actively licensed, certified~~ nuclear pharmacist as the prescription department ~~pharmacy~~ manager who shall be responsible for compliance with all laws and regulations, both state and federal pertaining to radiopharmaceuticals and radiopharmaceutical services. A~~n actively licensed certified~~ nuclear pharmacist must personally supervise the operation of only one nuclear pharmacy during all times when radiopharmaceutical services are being performed.

(2) No change.

(3) Each nuclear pharmacy ~~pharmacist~~ shall maintain accurate records of the acquisition, inventory, distribution, and disposal of all radiopharmaceuticals.

(4) through (7) No change.

(8) A nuclear pharmacist ~~pharmacy~~ upon receiving an oral prescription order for a radiopharmaceutical shall immediately have the prescription order reduced to writing. The pharmacist may delegate this duty to a pharmacy technician only as authorized by Rule 64B16-27.410, F.A.C. The prescription order shall contain at least the following:

(a) through (h) No change.

(i) The ~~If the prescription order is for a therapeutic or blood product radiopharmaceutical, the~~ patient's name must be obtained and recorded prior to dispensing, if the prescription order is for a therapeutic or blood product radiopharmaceutical.

(9) The immediate outer container shield of a radiopharmaceutical to be dispensed shall be labeled with:

(a) through (j) No change.

(k) The volume, i~~I~~f a liquid~~, the volume~~;

(l) The number of items or weight, i~~I~~f a solid~~, the number of items or weight~~;

(m) The number of ampules or vials, i~~I~~f a gas~~, the number of ampules or vials~~;

(n) Molybdenum 99 content to USP limits, applies only to TC 99M products; and

(o) No change.

(p) The initials of the pharmacist who dispensed the medication.

(10) The immediate inner container label of a radiopharmaceutical to be distributed shall be labeled with:

(a) through (d) No change.

~~(e) The name of the procedure;~~

(e)~~(f)~~ The prescription order number of the radiopharmaceutical~~;~~ ~~and~~

~~(g) The pharmacy name.~~

Specific Authority 465.005 FS. Law Implemented 465.003(14) FS. History–New 1-7-76, Formerly 21S-3.03, Amended 12-11-86, 4-4-88, Formerly 21S-3.003, 21S-28.901, 61F10-28.901, Amended 2-26-95, Formerly 59X-28.901, Amended _____.

64B16-28.902 Nuclear Pharmacy – Minimum Requirements.

In order to insure compliance with the general safety requirements as previously set forth above, the following minimum requirements shall be met by a nuclear pharmacy. These requirements are in addition to the general requirements for space and equipment for other types of pharmacies, the requirements of the Department of Health for the control of radiation hazards, and the applicable requirements of the Federal Food and Drug Administration. Such minimum permit requirements are set forth as follows:

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

~~(i) Hemacytometer;~~

(i)~~(j) Leaded glass~~ Ssyringe shields; and,

(j)~~(k)~~ Personnel radiation detection devices.

(3) through (4)(f) No change.

~~(g) Title 21 C.F.R., Code of Federal Regulations, FDA Regulations;~~

(g)~~(h)~~ Title 49 C.F.R., Code of Federal Regulations, Department of Transportation Regulations;

(h)~~(i)~~ United States Pharmacopeia/National Formulary;

(i)~~(j)~~ USP-DI.

It shall be acceptable, in lieu of an actual hard copy, to maintain these materials in a readily available electronic data format.

Specific Authority 465.005, 465.022 FS. Law Implemented 465.0193, 465.022(1) FS. History–New 1-7-76, Formerly 21S-3.04, Amended 12-11-86, 4-4-88, Formerly 21S-3.004, Amended 7-31-91, Formerly 21S-28.902, 61F10-28.902, Amended 2-26-95, Formerly 59X-28.902, Amended 4-26-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 22, 2004

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: RULE NO.:

Florida Workers' Compensation Health Care Provider Reimbursement Manual 69L-7.020

PURPOSE AND EFFECT: To amend Rule 69L-7.020, F.A.C., to adopt the 2005 edition of the Florida Workers' Compensation Health Care Provider Reimbursement Manual and implement the statewide schedules of maximum medical reimbursement allowances determined by the Three-Member Panel, pursuant to Section 440.13(12), Florida Statutes, at its meeting on November 19, 2004, and otherwise address issues raised by the Three-Member Panel.

SUMMARY: To amend the 2005 edition of the Florida Workers' Compensation Health Care Provider Manual.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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: 440.13(14)(b), 440.591 FS.

LAW IMPLEMENTED: 440.13(7),(12),(14) FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., February 22, 2005

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Don Davis, Division of Workers' Compensation, Office of Data Quality and Collection, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, (850)413-1711

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-7.020 Florida Workers' Compensation Health Care Provider Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2005 ~~2004 Second~~ Edition, is adopted by reference as part of this rule. The manual contains reimbursement policies, guidelines, codes and maximum reimbursement allowances for ~~medical~~ services and supplies provided by health care providers. Also, the manual includes reimbursement policies and payment methodologies for pharmacists and medical suppliers. ~~The Florida Workers' Compensation Health Care Provider Reimbursement Manual, incorporated above, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at http://www.fldfs.com.~~

(2) The Physicians' Current Procedural Terminology (CPT®), 2004 Professional Edition, Copyright 2003, American Medical Association; the Current Dental Terminology (CDT-4), Fourth Edition, Copyright 2002, American Dental Association; and for D codes and for injectable J codes, and for other medical services and supply codes, the American Medical Association "Healthcare Common Procedure Coding System, Medicare's National Level II Codes, HCPCS 2004", Sixteenth Edition, Copyright 2003, Ingenix Publishing Group, are adopted by reference as part of this rule. When a health care provider performs a procedure or service, which is not listed in the Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2005 Edition incorporated ~~in subsection (1)~~ above, the provider must use a code contained in the CPT®, CDT-4 or HCPCS ~~section~~ as specified in this section.

(3) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2005 Edition incorporated above, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at http://www.fldfs.com.

Specific Authority 440.13(14)(b), 440.591 FS. Law Implemented 440.13(7),(12),(14) FS. History–New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Sumner, Deputy Director of Workers' Compensation, Division of Workers' Compensation, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 10, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 24, 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."

PUBLIC SERVICE COMMISSION

DOCKET NO.: 040246-WS

RULE NO.:	RULE TITLE:
25-30.457	Limited Alternative Rate Increase

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 32, August 6, 2004, issue of the Florida Administrative Weekly:

25-30.457 Limited Alternative Rate Increase.

(1) As an alternative to a staff assisted rate case as described in Rules 25-30.455 and 25-30.456, F.A.C., water ~~and wastewater~~ utilities whose total gross annual operating revenues are $150,000 or less for water service and wastewater utilities whose total gross annual operating revenues are ~~or~~ $150,000 or less for wastewater service~~, or $300,000 or less on a combined basis,~~ may petition the Commission for a limited alternative rate increase of up to 20 percent applied to metered or flat recurring rates of all classes of service by submitting a completed application that includes the information required by sections (8) and (9) ~~and (10)~~. In accordance with Section 367.0814(6), F.S., a utility that requests staff assistance waives its right to protest by agreeing to accept the final rates and charges approved by the Commission unless the final rates and charges would produce less revenue than the existing rates and