

69O-186.005 Premium Schedule Applicable to “Truth in Lending” and Other Endorsements.

(1) through (5) No change.

(6)(a) through (b) No change.

(c) In recognition of the increased risk in issuing optional ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on a junior loan title insurance policy as provided for in paragraph 69O-186.003(1)(c), F.A.C., the premium shall be \$25.00 for issuing ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) on any such junior loan title insurance policy issued. ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) is the only optional endorsement available for issue with any such junior loan title insurance policy and this endorsement shall be itemized on the closing statement furnished to the insured. Irrespective of whether the ALTA Endorsement JR 2 (Revolving Credit/Variable Rate) (10/19/96) is issued, no additional premium shall apply to the ALTA Endorsement JR 1 (10/19/96), which must accompany any junior loan title insurance policy issued. Copies of these forms are available on the Office’s website at www.fldfs.com.

(7)(a) Both endorsements and affirmative type coverages and their applicable risk rate premium must be approved by the Office Department prior to their issuance in this state. Accordingly, endorsements and affirmative type coverages are categorized as follows:

1. through 2. No change.

3. Endorsements and/or affirmative type coverages with no specific Office Department approval required when there is no increased risk resulting to the insurer.

(b)1. No change.

2. If there is a change in a current adopted endorsement and the change results in a further limitation of coverage, the endorsement may be submitted to the Office Department for approval without an amendment to these rules.

(c) through (e) No change.

(8) through (15) No change.

(16) The following endorsements can be issued or affirmative language is permitted with no specific approval required from the Office:

(a) through (h) No change.

(i) Endorsements modifying the standard owner’s and mortgagee policy to convert to a leasehold policy previously approved by the Office department.

(j) No change.

Specific Authority 624.308, 627.777, 627.782, 627.793 FS. Law Implemented 624.307(1), 627.777, 627.782, 697.04(1) FS. History—New 9-17-71, Repromulgated 12-24-74, Formerly 4-21.05, Amended 6-25-86, 2-26-90, 2-27-91, Formerly 4-21.005, Amended 2-13-95, Formerly 4-186.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Steve Alexander, Actuary, Property and Casualty Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tom Streukens, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2003

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:	RULE TITLES:
61H1-33.003	Obligations of CPA Ethics Course Continuing Education Providers
61H1-33.00342	CPA Ethics Courses – Standards for Approval of Classes

NOTICE OF CORRECTION

The above-proposed rules were published in the May 13, 2005 issue of the Florida Administrative Weekly, Vol. 31, No. 19, on page(s) 1765-66. The Notice of Proposed Rulemaking incorrectly stated that the Notice of Proposed Rule Development had published on April 22, 2005 but should have said April 8, 2005. The History note should have reflected amendment dates of 3-21-05, and 5-10-05.

The foregoing changes do not affect the substance of the proposed rules.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGES 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 Medicine

<p>RULE NOS.:</p> <p>64B8-31.001</p> <p>64B8-31.003</p> <p>64B8-31.004</p> <p>64B8-31.005</p> <p>64B8-31.006</p> <p>64B8-31.007</p> <p>64B8-31.009</p> <p>64B8-31.012</p>	<p>RULE TITLES:</p> <p>Definitions</p> <p>Application for Licensure and Licensure Requirements for Anesthesiologist Assistants</p> <p>Requirements for Approval of Training Programs</p> <p>Anesthesiologist Assistant Protocols and Performance</p> <p>Financial Responsibility</p> <p>Anesthesiologist Assistant Licensure Renewal and Reactivation</p> <p>Citation Authority</p> <p>Fees Regarding Anesthesiologist Assistants</p>
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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. 52, of the December 23, 2004, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Anesthesia Assistants Committee recommended to the Board that changes be made to the proposed rules. The Board of Medicine, at its meeting held on April 2, 2005, in Tampa, Florida voted to make the following changes to the rules:

1. The proposed Rule 64B8-31.001, F.A.C., will be withdrawn in its entirety.

2. Paragraph (2)(a) of proposed Rule 64B8-31.003, F.A.C., shall read as follows:

“(a) All applicants for licensure as an anesthesiologist assistant must submit an application as set forth in paragraph (1) above. Applicants must provide a sworn statement of any prior felony convictions and a sworn statement of any prior discipline or denial of licensure or certification in any state. The applicant must meet all of the requirements of Section 458.3475, F.S., and the applicant must submit two personalized and individualized letters of recommendation from anesthesiologists. Letters of recommendation must be composed and signed by the applicant’s supervising anesthesiologist, or, for recent graduates, the faculty anesthesiologist, and give details of the applicant’s clinical skills and ability. Each letter must be addressed to the Board and must have been written no more than six months prior to the filing of the application for licensure.”

3. Sub-paragraph (2)(d)1., of proposed Rule 64B8-31.003, F.A.C., shall now read as follows:

(d) The applicant must provide documentation of the following:

1. Completion of three hours of all Category I, American Medical Association Continuing Medical Education which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; clinical management; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

4. Sections 456.013(7), 456.031, 456.033, F.S., shall be added to the Law Implemented citation in proposed Rule 64B8-31.003, F.A.C.

5. In proposed Rule 64B8-31.004, F.A.C., the phrase “or its successor” shall be deleted.

6. Rule 64B8-31.005, F.A.C., shall read as follows:

64B8-31.005 Anesthesiologist Assistant Protocols and Performance.

(1) Every anesthesiologist or group of anesthesiologists, upon entering into a supervisory relationship with an anesthesiologist assistant must file with the Board a written protocol, to include, at a minimum, the criteria set forth in Section 458.3475(2)(b), Florida Statutes.

(2) Anesthesiologist assistants may perform duties set forth in Section 458.3475(3)(a), Florida Statutes, under the direct supervision of an anesthesiologist and as set forth in the protocol required by subsection (1) above.

(3) The supervising anesthesiologist shall delegate only tasks and procedures to the anesthesiologist assistant which are within the supervising physician’s scope of practice. The anesthesiologist assistant may work in any setting that is within the scope of practice of the supervising anesthesiologist’s practice.

(4) Continuity of Supervision in practice settings requires the anesthesiologist assistant to document in the anesthesia record any change in supervisor.

(5) All tasks and procedures performed by the anesthesiologist assistant must be documented in the appropriate medical record.

Specific Authority 458.309, 458.3475 FS. Law Implemented 458.3475, 458.331(1)(m) FS.

7. In the proposed Rule 64B8-31.006, F.A.C., the second sentence of the introductory paragraph shall read as follows: “Any applicant for licensure shall submit proof of compliance

with Section 456.048, F.S., or submit proof that the applicant meets the criteria to be granted an exemption to the Board office prior to licensure.”

8. Subsection (2)(a) of proposed Rule 64B8-31.007 shall read as follows: “(a) Completion of the anesthesiologist assistant licensure renewal application on the appropriate form provided by the Department.”

9. Subsection (3)(h) of proposed Rule 64B8-31.007 shall read as follows: “(h) Pay the appropriate fees, as set forth in Rule 64B8-31.012, F.A.C.”

10. In Rule 64B8-31.007, F.A.C., subsection 456.036, F.S., shall be added to the Law Implemented citation.

11. In Rule 64B8-31.009, F.A.C., the proposed subsection (7) shall be deleted.

12. Subsection (4) of proposed Rule 64B8-31.012, F.A.C., shall read as follows: “(4) The reactivation fee for an inactive anesthesiologist assistant licensure pursuant to Section 458.3475, F.S., shall be \$100. Reactivation shall require payment of the \$500 renewal fee and the \$100 reactivation fee.”

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.:	RULE TITLE:
64B9-8.006	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

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. 30, July 23, 2004, issue of the Florida Administrative Weekly. The changes are being made in response to comments from the Joint Administrative Procedures Committee. The changes are as follows:

Subsection (3)(kk) is amended to read:

Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application; or failing to verify the profile contents and to correct any factual errors in his or her profile within the 30-day period.

(Section 456.072(1)(v) or 456.041(7), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE	\$250 fine	\$500 fine and suspension to be followed by probation
SECOND OFFENSE	\$500 fine and probation	\$750 fine and suspension followed by probation

For failure to verify the profile contents and to correct any factual errors in his or her profile within the 30-day period in Section 456.041(17), F.S., a fine of \$50 per day.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.:	RULE TITLES:
64B15-7.001	Definitions
64B15-7.003	Application for Licensure and Licensure Requirements for Anesthesiologist Assistants
64B15-7.004	Requirements for Approval of Training Programs
64B15-7.005	Anesthesiologist Assistant Protocols and Performance
64B15-7.006	Financial Responsibility
64B15-7.007	Anesthesiologist Assistant Licensure Renewal and Reactivation
64B15-7.009	Citation Authority
64B15-7.012	Fees Regarding Anesthesiologist Assistants

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. 52, of the December 23, 2004, issue of the Florida Administrative Weekly. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Anesthesia Assistants Committee recommended to the Board that changes be made to the proposed rules. The Board of Osteopathic Medicine, at its meeting held on May 19, 2005, in Jacksonville, Florida voted to make the following changes to the rules:

1. The proposed Rule 64B15-7.001, F.A.C., will be withdrawn in its entirety.

2. Paragraph (2)(a) of proposed Rule 64B15-7.003, F.A.C., shall read as follows:

“(a) All applicants for licensure as an anesthesiologist assistant must submit an application as set forth in paragraph (1) above. Applicants must provide a sworn statement of any prior felony convictions and a sworn statement of any prior discipline or denial of licensure or certification in any state. The applicant must meet all of the requirements of Section 459.023, F.S., and the applicant must submit two personalized and individualized letters of recommendation from anesthesiologists. Letters of recommendation must be composed and signed by the applicant’s supervising anesthesiologist, or, for recent graduates, the faculty anesthesiologist, and give details of the applicant’s clinical skills and ability. Each letter must be addressed to the Board and must have been written no more than six months prior to the filing of the application for licensure.”

3. Subsection (2)(d)1., of proposed Rule 64B15-7.003 shall now read as follows:

(d) The applicant must provide documentation of the following:

1. Completion of three hours of all Category I, American Medical Association Continuing Medical Education or American Osteopathic Association approved Category I-A continuing education related to the practice of osteopathic medicine or under the auspices which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; clinical management; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.

4. Sections 456.013(7), 456.031, 456.033, F.S., shall be added to the Law Implemented citation in proposed Rule 64B15-7.003.

5. In proposed Rule 64B15-7.004, the phrase “or its successor” shall be deleted.

6. Rule 64B15-7.005 shall read as follows:

64B15-7.005 Anesthesiologist Assistant Protocols and Performance.

(1) Every anesthesiologist or group of anesthesiologists, upon entering into a supervisory relationship with an anesthesiologist assistant must file with the Board a written protocol, to include, at a minimum, the criteria set forth in Section 459.023(2)(b), Florida Statutes.

(2) Anesthesiologist assistants may perform duties set forth in Section 459.023(3)(a), Florida Statutes, under the direct supervision of an anesthesiologist and as set forth in the protocol required by paragraph (1) above.

(3) The supervising anesthesiologist shall delegate only tasks and procedures to the anesthesiologist assistant which are within the supervising physician’s scope of practice. The anesthesiologist assistant may work in any setting that is within the scope of practice of the supervising anesthesiologist’s practice.

(4) Continuity of Supervision in practice settings requires the anesthesiologist assistant to document in the anesthesia record any change in supervisor.

(5) All tasks and procedures performed by the anesthesiologist assistant must be documented in the appropriate medical record.

Specific Authority 459.005, 459.023 FS. Law Implemented 459.023, 459.015(1)(o) FS.

7. In the proposed Rule 64B15-7.006, the second sentence of the introductory paragraph shall read as follows: “Any applicant for licensure shall submit proof of compliance with Section 456.048 or submit proof that the applicant meets the criteria to be granted an exemption to the Board office prior to licensure.”

8. Subsection (2)(a) of proposed Rule 64B15-7.007 shall read as follows: “(a) Completion of the anesthesiologist assistant licensure renewal application on the appropriate form provided by the Department.”

9. Subsection (3)(h) of proposed Rule 64B15-7.007 shall read as follows: “(h) Pay the appropriate fees, as set forth in Rule 64B15-7.012, F.A.C.”

10. In Rule 64B15-7.007, subsection 456.036, F.S., shall be added to the Law Implemented citation.

11. In Rule 64B15-7.009, the proposed subsection (7) shall be deleted.

12. Subsection (4) of proposed Rule 64B15-7.012 shall read as follows: “(4) The reactivation fee for an inactive anesthesiologist assistant licensure pursuant to Section 458.3475 or 459.023, F.S., shall be \$100. Reactivation shall require payment of the \$500 renewal fee and the \$100 reactivation fee.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Pharmacy

<p>RULE NOS.:</p> <p>64B16-27.100</p> <p>64B16-27.1003</p> <p>64B16-27.104</p> <p>64B16-27.210</p>	<p>RULE TITLES:</p> <p>Display of Wall Certificate and Renewal Certificates</p> <p>Transmission of Prescription Orders</p> <p>Conduct Governing Registered Pharmacists and Pharmacy Permittees</p> <p>General Terms and Conditions to be Followed by a Pharmacist When Ordering and Dispensing Approved Medicinal Products</p>
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NOTICE OF CORRECTION OF NOTICE OF CHANGE

Notice is hereby given of a correction to the Notice of Change published in Vol. 31, No. 20, May 20, 2005, issue of the Florida Administrative Weekly. The reference to the publication of the proposed rules in Vol. 30, No. 50, December 19, 2004, issue of the Florida Administrative Weekly, should have been Vol. 30, No. 50, December 10, 2004, issue of the Florida Administrative Weekly.

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

**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 ENVIRONMENTAL PROTECTION

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**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that BellSouth Telecommunications, Inc.'s petition for extension and modification of existing Service Guarantee Program and limited waiver from subsection 25-4.066(2), paragraphs 25-4.070(1)(b), 25-4.070(3)(a), and 25-4.073(1)(d), F.A.C., filed February 2, 2005, in Docket No. 050095-TL was approved by the Commission by Order No. PSC-05-0440-PAA-TL, issued April 25, 2005, consummated by Order No. PSC-05-0550-CO-TL, issued May 20, 2005. The rules address service quality. The petition was approved on the basis that the purpose of the underlying statute would be achieved by other means and application of the rule would create substantial hardship. Notice of the petition was published in the FAW on February 18, 2005.

A copy of the order can be obtained from: Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on May 23, 2005, South Florida Water Management District (District) received a petition for waiver from Robert V. Courant, Vice-President of The Hollows of Deer Creek Condominium Association, Inc. Application Number 05-0418-3 for issuance of a Modification to Right of Way Occupancy Permit Number 7999, for utilization of Works or Lands of the District known as the Hillsboro Canal, Broward County, for the proposed installation of a buried pump with at-grade vault within the south right of way of the Hillsboro Canal at the location of the existing 4" PVC suction line, west of the District's G-56 Water Control Structure, Section 35, Township 47 South, Range 42 East. The petition seeks relief from subparagraph 40E-6.221(2)(a)(j), F.A.C., which governs the placement of pumping facilities within Works or Lands of the District.