

Section II
Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE TITLE: Use of Force RULE NO.: 33-602.210

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to provide for assignment of a "PREA Number," on the Incident Report, Form DC6-210, to allow the department to track incidents of sexual assault in accordance with the Prison Rape Elimination Act, 42 USC 15601.

SUMMARY: The proposed rule adds a provision to the Incident Report, Form DC6-210, providing for assignment of a "PREA Number," used to allow the department to track incidents of sexual assault in accordance with the Prison Rape Elimination Act, 42 USC 15601.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.35 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.210 Use of Force.

(1) through (19) No change.

(20) The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (f) No change.

(g) DC6-210, Incident Report, effective 2-7-00.

(h) through (n) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.35 FS. History--New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 28, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 13, 2005

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural RULE CHAPTER NO.: 40D-1

RULE TITLE: Forms and Instructions RULE NO.: 40D-1.659

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate revisions to two forms, the Application for a Water Well Contractor's License, Form No. 42.00-44(5/00), and the Application for Renewal of a Water Well Contractor's License, Form No. 41.10-109 (06/01), into Rule 40D-1.659, F.A.C. The proposed revisions to the forms are required to reflect recent statutory changes to the water well contractor licensing standards. The effect of the proposed rule amendment is that applicants for licenses must now demonstrate compliance with continuing education requirements, the line for a Federal Identification Number was removed for privacy purposes, and the dates were changed to reflect the current license cycle.

SUMMARY: The proposed rule amendment adopts revisions to two forms relating to licensure of Water Well Contractors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-1.659, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.339, 373.413, 373.414, 373.416, 373.419, 373.421 FS.

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

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Margaret M. Lytle, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this Chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) APPLICATION FOR A WATER WELL CONTRACTOR'S LICENSE FORM NO. LEG-R.003.00 (/05) 42-00-44 (5/00).

(2) APPLICATION FOR RENEWAL OF A WATER WELL CONTRACTOR'S LICENSE FORM No. LEG-R.004.00(/05) 41-10-109 (6/01).

(3) through (20) No change.

SURFACE WATER

Application for Permit – Used for Docks or Piers and Bulkheads

(1) through (15) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.339, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History–New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-95, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 2-1-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Margaret M. Lytle, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board, Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 27, 2005

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Approval of Continuing Education Courses RULE NO.: 61G4-18.004

PURPOSE AND EFFECT: The proposed rule amendments are intended to address the criteria for approval of continuing education courses.

SUMMARY: The proposed rule amendments clarify that application for course approval is made on Department forms; and courses which constitute a sales presentations or promotions will not be approved for continuing education credit.

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: 455.2123, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213, 455.2179, 489.115 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: Tim Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-18.004 Approval of Continuing Education Courses.

(1) Each registered course provider shall submit an application for approval of a continuing education course. The application shall be submitted on the provider/course approval application provided by the Department referred to in Rule 61G4-12.006, F.A.C.

(2) through (5) No change.

(6) A course which constitutes a sales presentation or promotion will not be approved for continuing education credit.

(6) through (10) renumbered (7) through (11) No change.

Specific Authority 455.2123, 489.108, 489.115 FS. Law Implemented 455.2123, 455.213, 455.2179, 489.115 FS. History–New 12-2-93, Amended 7-20-94, 1-18-95, 7-2-95, 11-25-97, 5-30-00, 3-25-01, 11-10-03, 1-24-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Construction Industry Licensing Board  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Construction Industry Licensing  
Board  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 13, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: May 13, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: Definitions

RULE NO.: 61G6-9.003

PURPOSE AND EFFECT: The Board proposes to amend this rule to require a multiple-choice test for an Interactive Distance Education Course to help ensure student participation outside of a traditional classroom environment.

SUMMARY: The proposed rule amendment adds a required multiple-choice test for the Interactive Distance Education Course.

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: 455.2123, 489.507(3) FS.

LAW IMPLEMENTED: 455.2123, 489.513(3), 489.517(3) 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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.003 Definitions.

(1) through (6) No change.

(7) "Interactive Distance Education Course" means a continuing education course, the delivery of which is done via the internet and/or other interactive electronic media. Such offerings or courses shall be interactive, providing for the interchange of information between the student, the teacher, and shall provide for registration, evaluation, monitoring, and verification of continuing education, as well as require a multiple-choice test at the end of the session with a minimum passing score of 75%.

(8) No change.

Specific Authority 455.2123, 489.507(3) FS. Law Implemented 455.2123, 489.513(3), 489.517(3) FS. History--New 11-30-94, Amended 1-3-96, 6-13-96, 1-4-01, 2-10-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors' Licensing Board  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Electrical Contractors' Licensing  
Board  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 18, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: May 13, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Electrical Contractors' Licensing Board**

RULE TITLE: Continuing Education Requirements for  
Renewal for Certificateholders  
and Registrants

RULE NO.: 61G6-9.004

PURPOSE AND EFFECT: The Board proposes to amend this rule to add that a licensee can obtain credit for taking an approved continuing education course only once during any biennial period.

SUMMARY: Credit for taking an approved continuing education course can be obtained only once during any biennial period.

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: 120.52(15), 120.54(1), 455.2124, 489.507(3) FS.

LAW IMPLEMENTED: 455.2124, 489.513(3), 489.517(3) 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: Anthony Spivey, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.004 Continuing Education Requirements for  
Renewal for Certificateholders and Registrants.

(1) through (6) No change.

(7) During any biennial period, a licensee may obtain credit for taking a particular approved continuing education course only once.

Specific Authority 120.52(15), 120.54(1), 455.2124, 489.507(3) FS. Law Implemented 455.2124, 489.513(3), 489.517(3) FS. History—New 11-30-94, Amended 4-22-01, 8-15-04, 1-30-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors’ Licensing Board  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Electrical Contractors’ Licensing  
Board  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: May 18, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: May 13, 2005

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Veterinary Medicine**

RULE TITLE: Examination and Reexamination Fees  
RULE NO.: 61G18-12.002  
PURPOSE AND EFFECT: The Board proposes the rule  
amendments to update required examination fees.  
SUMMARY: The proposed rule amendments set the fees due  
at the time of any examination or reexamination, and delete the  
required fees for specific examinations.  
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: 474.206, 474.207(2)(a), 474.2065,  
455.217, 455.219 FS.

LAW IMPLEMENTED: 474.207(2), 474.2065, 455.217(2),  
455.219 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: Juanita Chastain, Executive Director,  
Board of Veterinary Medicine, 1940 North Monroe Street,  
Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-12.002 Examination and Reexamination Fees.

(1) Any time a person applies to take or retake any or all  
portions of ~~an the national~~ examination, as set forth below, that  
person must submit an application on forms provided by the  
department, an application fee of \$100.00, and an examination  
fee for each portion of the examination to be taken.

(2) For those applicants taking the Laws and Rules  
examination, when the examination is not conducted by a  
professional testing service pursuant to Section 455.2171,

Florida Statutes, the examination fee shall be \$165.00 payable  
to the department. When the examination is conducted by a  
professional testing service pursuant to Section 455.2171,  
Florida Statutes, the examination fee shall be ~~\$151.50~~ ~~\$145.00~~  
payable to the Department plus ~~\$13.50~~ ~~\$19.50~~ payable to the  
testing service. When conducted by a professional testing  
service, applicants retaking the Laws and Rules examination  
shall only pay the fee payable to the testing service.

~~(3) For those applicants taking the Clinical Competency  
test, the examination fee shall be \$165.00.~~

~~(4) For those applicants taking the National Board written  
examination, the examination fee shall be \$200.00.~~

~~(5) For those applicants taking the North American  
Veterinary Licensure Examination (NAVLE) on or after  
November of 2000, the examination fee shall be the actual per  
applicant cost to the department for purchase of that  
examination.~~

~~(3)(6) The examination and reexamination fees are  
refundable only if the applicant is ruled ineligible to take the  
examination or if the applicant notifies the department at least  
45 days prior to the scheduled examination that he or she will  
not be taking the examination.~~

Specific Authority 474.206, 474.207(2)(a), 474.2065, 455.217, 455.219 FS.  
Law Implemented 474.207(2), 474.2065, 455.217(2), 455.219 FS. History—  
New 11-14-79, Amended 5-11-80, 4-6-81, 9-1-82, 12-5-82, 10-17-85,  
Formerly 21X-12.02, Amended 3-15-87, 11-2-88, 1-29-92, Formerly  
21X-12.002, Amended 5-16-94, 7-4-95, 5-27-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Veterinary Medicine  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Board of Veterinary Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 1, 2005  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: April 1, 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 Pharmacy**

RULE TITLES: Definitions – Nuclear Pharmacy  
Nuclear Pharmacy – Minimum Requirements  
PURPOSE AND EFFECT: The purpose of the amendment to  
Rule 64B16-28.900, F.A.C., is to remove the reference to  
64B16-28.903, F.A.C., as it has been repealed and and insert  
the reference to Rule 64B16-26.303, F.A.C. The purpose to the

amendment to Rule 64B16-28.902, F.A.C., is to add the effective dates for clarification of Chapters and Regulations for use within the rules.

SUMMARY: The amendment to Rule 64B16-28.900, F.A.C., removes the reference to repealed Rule 64B16-28.903 and replaces it with the reference to Rule 64B16-26.303, F.A.C. Amendment to Rule 64B16-28.902, F.A.C., adds effective dates for clarification of Chapters and Regulations for use within the rules.

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(14), 465.0193, 465.002(1), 465.022(1)(e) 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: Lucy C. Gee, Acting 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 an actively licensed pharmacist who has met the training qualifications as described in Rule ~~64B16-26.303~~ ~~64B16-28.903~~, F.A.C., and has been 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 \_\_\_\_\_.

64B16-28.902 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 (3)(f) No change.

(4) Current references:

(a) through (c) No change.

(d) Chapters 64B16-26 and 64B16-28, F.A.C., Rules of the Florida Board of Pharmacy in effect as of April 1, 2005;

(e) Chapter 64E-5, F.A.C., Rules of the Department of Health in effect as of April 1, 2005;

(f) Title 10 C.F.R., Code of Federal Regulations, FDA Regulations in effect as of April 1, 2005;

(g) Title 21 C.F.R., Code of Federal Regulations, FDA Regulations in effect as of April 1, 2005;

(h) Title 49 C.F.R., Code of Federal Regulations, Department of Transportation Regulations in effect as of April 1, 2005;

(i) through (j) No change.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 22, 2005

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE TITLES:	RULE NOS.:
Manner of Application	64B32-3.001
Certification by Examination	64B32-3.002
Certification by Endorsement	64B32-3.003
Fees for Application, Examination, Initial and Renewal Registration	64B32-3.005

PURPOSE AND EFFECT: The Board proposes to repeal these rules due to these rules being combined through development with Rules 64B32-2.001 and 64B32-2.003, F.A.C.

SUMMARY: The Board proposes to repeal these rules.

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: 456.017(1), 456.025, 456.065, 468.353(1), 468.358(2) FS.

LAW IMPLEMENTED: 456.025, 456.065, 468.355, 468.357, 468.358, 468.364, 468.365 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 RULES IS: Kaye Howerton, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

**64B32-3.001 Manner of Application.**

Specific Authority 468.353(1) FS. Law Implemented 468.355, 468.357, 468.358 FS. History—New 4-29-85, Formerly 21M-35.01, Amended 5-12-88, Formerly 21M-35.001, Amended 7-10-94, Formerly 61F6-35.001, Amended 7-18-95, Formerly 59R-72.001, 64B8-72.001, Repealed.

**64B32-3.002 Certification by Examination.**

Specific Authority 456.017(1), 468.353(1) FS. Law Implemented 468.355, 468.357, 468.365 FS. History—New 4-29-85, Amended 1-5-86, Formerly 21M-35.02, Amended 9-29-86, 5-12-88, Formerly 21M-35.002, 61F6-35.002, 59R-72.002, Amended 6-9-99, Formerly 64B8-72.002, Amended 7-22-02, 7-29-03, Repealed.

**64B32-3.003 Certification by Endorsement.**

Specific Authority 468.353(1), 468.358(2) FS. Law Implemented 468.358(3), 468.365 FS. History—New 4-29-85, Formerly 21M-35.03, 21M-35.003, 61F6-35.003, 59R-72.004, 64B8-72.004, Amended 7-22-02, Repealed.

**64B32-3.005 Fees for Application, Examination, Initial and Renewal Registration.**

Specific Authority 456.025, 456.065, 468.364 FS. Law Implemented 456.025, 456.065, 468.355, 468.357, 468.364 FS. History—New 4-29-85, Formerly 21M-35.05, 21M-35.005, Amended 9-21-93, 1-3-94, Formerly 61F6-35.005, Amended 9-29-94, Formerly 59R-72.006, 64B8-72.006, Amended 1-6-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Respiratory Care  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2005

**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 ELDER AFFAIRS**

**Federal Aging Programs**

RULE NO.:	RULE TITLE:
58A-8.001	Alzheimer's Disease and Related Disorders (ADRD) Training Requirements

**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. 31, No. 19, May 13, 2005, issue of the Florida Administrative Weekly.

**58A-8.001 Alzheimer's Disease and Related Disorders (ADRD) Training Requirements.**

(1) Each home health agency licensed under Part IV of Chapter 400, Florida Statutes, shall ensure that agency employees providing direct care to patients receive the following training.

(a) Completion of the required two hours of training after June 30, 2005, shall satisfy the requirement referenced in Section 400.4785(1)(b), F.S. Agency employees who meet the requirements for Alzheimer's Disease or Related Disorders training providers under paragraph (c) of this subsection shall be considered as having met this requirement. The two-hour training shall address the following subject areas:

1. Understanding Alzheimer's Disease or Related Disorders;
2. Characteristics of Alzheimer's Disease or Related Disorders; and
3. Communicating with patients with Alzheimer's Disease or Related Disorders.
4. Behavior management; and
5. Assistance with activities of daily life;<sup>;</sup>
- ~~6. Activities for patients;~~
- ~~7. Stress management for the caregiver;~~
- ~~8. Family issues;~~
- ~~9. Patient environment;~~
- ~~10. Ethical issues; and~~
- ~~11. Medical information.~~

(b) No change.

(c) Persons who seek to provide ADRD training in accordance with this subsection shall provide the Department of Elder Affairs, or its designee, documentation that they hold a Bachelor's degree from an accredited college or university or hold a license as a registered nurse, and:

1. Have 1 year teaching experience as an educator of caregivers for persons with ADRD; or;
2. Have 1 year of practical experience ~~in a program~~ providing direct care to persons with ADRD; or
3. Have completed a specialized training program in ADRD from a university or an accredited health care, human service, or gerontology continuing education provider.