

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

| RULE TITLES: | RULE NOS.: |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Required Annual Calendar for Schools and Colleges | 6A-10.019 |
| Foreign Language Competence and Equivalence | 6A-10.02412 |
| Procedures for Determining the Level at Which Courses Shall Be Classified | 6A-10.0242 |
| Other Assessment Procedures for College-Level Communication and Computation Skills | 6A-10.030 |
| Postsecondary Credit Definitions | 6A-10.033 |
| Deletion of Courses from Catalogs and Common Course Designation and Numbering System | 6A-10.0331 |
| Postsecondary Feedback of Student Information to High Schools | 6A-10.038 |
| Registration of Adult Students | 6A-10.0381 |
| Substitution for Requirements for Eligible Disabled Students at State Universities, Community Colleges, and Postsecondary Vocational Institutions | 6A-10.041 |
| Maintenance of Test Security | 6A-10.042 |
| Nonpublic College Participation in the Common Course Numbering and Designation System | 6A-10.043 |

PURPOSE AND EFFECT: The purpose of the rule developments is to review current rules and propose amendments to update and clarify current policies and make appropriate changes related to changes in the governing statutes and constitutional governance. The effect of the amendments will be consistency governing statutes and the Constitution.

SUBJECT AREA TO BE ADDRESSED: The subject areas include: requirements and provisions relating to annual calendars for schools and colleges, demonstration of competence in foreign language and in general student achievement, definitions and criteria for postsecondary courses, maintenance of data related to postsecondary readiness indicators, policies and procedures relating to the substitution of courses, registration of adult students, test security, and nonpublic college participation in the common course numbering system as well as other areas included in the rules as listed above.

SPECIFIC AUTHORITY: 229.053(1), 229.551 FS.

LAW IMPLEMENTED: 229.053(2)(c), 230.23(4)(f), 240.203(2), 240.227(17), 240.319(3)(e), 240.325 FS.

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

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY TEXT, IF AVAILABLE, IS: Dr. Heather Sherry, Director, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400, (850)245-0427

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

DEPARTMENT OF EDUCATION

State Board of Education

| RULE TITLE: | RULE NO.: |
|-----------------------------------------------------------------------------------|-----------|
| Articulation Between State Universities, Community Colleges, and School Districts | 6A-10.024 |

PURPOSE AND EFFECT: The purpose of the rule development is to review the rule in order to clarify current policy, update or delete obsolete language, and revise language to reflect changes in statutory and constitutional education governance.

SUBJECT AREA TO BE ADDRESSED: Policies that affect articulation between and among state universities, community colleges and school districts in Florida.

SPECIFIC AUTHORITY: 1007.01(2), 1007.23(1), 1007.27(9) FS.

LAW IMPLEMENTED: 1007.01(2), 1007.23(1), 1007.27(9) FS.

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

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

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: Inmate Grievances – Training Requirements
 RULE NO.: 33-103.003

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete obsolete language and clarify the process for development of a staff training plan.

SUBJECT AREA TO BE ADDRESSED: Staff training on inmate grievance process.

SPECIFIC AUTHORITY: 20.315, 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-103.003 Inmate Grievances – Training Requirements.

(1) Staff Training. ~~The staff development section within the Bureau of Inmate Grievance Appeals Human Resources shall develop and implement a standardized plan to be implemented by the Bureau of Staff Development in order to train staff in the use of the inmate grievance procedure. The training shall be designed to familiarize staff with the provisions of Chapter 33-103, F.A.C., and the standardized forms utilized in the grievance procedure. Staff training is governed by Chapter 33-209, F.A.C.~~

- (a) through (c) No change.
- (2) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-12-89, Amended 1-15-92, 4-10-95, 12-7-97, Formerly 33-29.003, Amended 8-1-00, 10-11-00, 2-13-03, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Monitoring Sex Offender Conditions of Supervision
 RULE NO.: 33-302.108

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise statutory references, clarify responsibilities of staff supervising sex offenders with regard to checks for compliance with conditions of supervision.

SUBJECT AREA TO BE ADDRESSED: Sex offender conditions of supervision.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 947.1405, 948.30 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.108 Monitoring Sex Offender Conditions of Supervision.

- (1) No change.
- (2) Prohibition of living within 1000 feet of a school, day care center, park, playground, or other place where children regularly congregate, as prescribed by the court or releasing authority – If the court or releasing authority imposes this condition of supervision, the supervisor shall ensure:
 - (a) The officer has researched the offender's residence location for known places where children regularly congregate to ensure compliance with the order of supervision and Sections 948.30 and 947.1405 paragraphs 948.03(5)(a) and (b), Florida Statutes; and,
 - (b) No change.
 - (3) through (6) No change.
 - (7) Pornographic Material – If the court or releasing authority imposes a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs or computer services that are relevant to the offender's deviant behavior pattern, the officer shall ensure compliance by conducting walk-through visual inspections searches during the initial visit and, ~~at a minimum, once quarterly~~ during subsequent walk through visual inspections or warrantless planned searches of visits to the offender's residence, which can lead to warrantless planned searches if pornographic material is observed.

(8) Computer or Internet Restrictions –

(a) If the court or releasing authority imposes a condition of supervision that limits or prohibits use of computers or the internet, the officer shall monitor compliance by conducting walk through visual inspections ~~searches~~ during the initial visit and, ~~at a minimum, once quarterly~~ during subsequent walk through visual inspections or warrantless planned searches of visits ~~to~~ the offender’s residence to ensure the offender is in compliance with the condition of supervision;

(b) through (c) No change.

Specific Authority 944.09 FS. Law Implemented 944.09, 947.1405, 948.30 948.03 FS. History–New 12-18-01, Amended 6-18-02, 12-31-03, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Early Termination of Supervision

RULE NO.: 33-302.111

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete unnecessary language and to clarify the criteria and process for considering an offender for early termination of supervision.

SUBJECT AREA TO BE ADDRESSED: Early termination of supervision.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.111 Early Termination of Supervision.

(1) Before a correctional probation officer considers ~~recommending an offender for~~ early termination of supervision, the offender shall meet the following criteria ~~shall be met~~:

(a) through (f) No change.

(g) The offender has made significant life improvements ~~satisfactory adjustment under supervision~~ and is no longer in need of supervision.

(2) In order for an officer to consider ~~request~~ an early termination of supervision ~~from the sentencing or releasing authority~~, approval must be obtained from the officer’s supervisor, the circuit administrator, the State Attorney’s Office, and the victim, if the offense involved a victim. If the State Attorney’s office denies the request, or the victim

opposes the early termination, the department will not proceed with the early termination ~~recommendation~~. The officer shall not disclose a victim’s objection to the offender.

(3) The officer shall notify the offender of the judge’s decision upon receipt of the judge’s response. ~~If the offender was adjudicated guilty, the officer shall review the restoration of civil rights process with the offender.~~

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 11-26-01, Amended 6-29-03, 12-2-04, _____.

DEPARTMENT OF CORRECTIONS

RULE TITLE: Disciplinary Hearings

RULE NO.: 33-601.307

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the requirement of documentation of a disciplinary team’s refusal to reveal evidence to an inmate.

SUBJECT AREA TO BE ADDRESSED: Inmate Discipline.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.307 Disciplinary Hearings.

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

(g) If the inmate pleads “guilty,” no further evidence needs to be heard. If the inmate pleads “not guilty,” evidence is to be presented, including witness statement forms obtained from witnesses. If evidence is not revealed to the inmate, the reason(s) shall be documented in the comment section of the Witness Disposition Form, DC6-112B, the comment section of the Documentary or Physical Evidence Form, DC6-151, or the comments section of the Disposition of Videotape/Audiotape Evidence, Form DC6-2028, depending on the nature of the evidence, and in the witness comments section in the department’s automated database. The inmate may make only an oral closing statement concerning the infraction for consideration by the hearing officer or disciplinary team. In the event the inmate refuses to enter a plea, it shall be treated as a “not guilty” plea insofar as hearing procedures are concerned. A “no contest” plea shall be handled as a guilty plea.

(h) through (5) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History–New 3-12-84, Formerly 33-22.06, Amended 12-30-86, 10-01-95, 12-10-97, 5-19-98, Formerly 33-22.006, Amended 5-21-00, 2-11-01, 3-22-05, _____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Procedural
 RULE CHAPTER NO.: 40D-1
 RULE TITLE: Variances from Water Shortage Rules
 (Chapter 40D-21, F.A.C.)
 RULE NO.: 40D-1.1002

PURPOSE AND EFFECT: The District is required by Chapter 272, F.S., to have a Water Shortage Plan. In 1984 the District adopted Chapter 40D-21, Water Shortage Plan, F.A.C., in accordance with this requirement. Since that time, the District has extensively used this Plan. The District is now updating the Plan and requests for variances to the Plan to reflect the experience and knowledge gained through the droughts and other water shortage events that have occurred since 1984.

SUBJECT AREA TO BE ADDRESSED: The second draft of revisions to Chapter 40D-21, Water Shortage Plan, F.A.C. and any potential changes to Rule 40D-1.1002, Variances from 40D-21, will be discussed.

Persons who are not able to attend a workshop and attendees who wish to provide written comments on this draft of proposed amendments to Rule 40D-21 or 40D-1.1002, F.A.C., may submit written comments for receipt by the District by Wednesday, September 7, 2005. E-mail transmissions to Lois.Sorensen@swfwmd.state.fl.us are welcome. Other written comments should be sent directly to: Lois Ann Sorensen, 2379 Broad Street, Mail Code REG-ADM, Brooksville, FL 34604-6899.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.119, 3737.129, 373.136, 373.175, 373.246, 373.603, 373.609 FS.

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

TIME AND DATE: 1:30 – 3:30 p.m., Thursday, August 18, 2005

PLACE: Boardroom, Southwest Florida Water Management District’s Sarasota Office, 6750 Fruitville Road, Sarasota, Florida

TIME AND DATE: 1:30 – 3:30 p.m., Monday, August 22, 2005

PLACE: Boardroom, Southwest Florida Water Management District’s Tampa Office, 7601 Highway 301, North, Tampa, Florida

TIME AND DATE: 9:30 a.m. – 11:30 a.m., Tuesday, August 23, 2005

PLACE: Boardroom, Southwest Florida Water Management District’s Bartow Office, 170 Century Drive, Bartow, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lois Sorensen, Water Shortage Coordinator, Records and Data Department, 2379 Broad Street, Brooksville, FL 34604-6899, 1(800)423-1476, Ext. 4299, (352)796-7211, Extension 4299

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT THE DISTRICT’S WEBSITE www.watmatter.org OR AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

| RULE CHAPTER TITLE: | RULE CHAPTER NO.: |
|--------------------------------------------------------------------------|-------------------|
| Water Shortage Plan | 40D-21 |
| RULE TITLES: | RULE NOS.: |
| Policy and Purpose | 40D-21.011 |
| Elements of the Plan | 40D-21.031 |
| Definitions | 40D-21.051 |
| Monitoring Conditions | 40D-21.211 |
| Evaluating Water Conditions | 40D-21.221 |
| Declaring a Water Shortage | 40D-21-231 |
| Water Shortage Phases | 40D-21.251 |
| Implementing a Water Shortage Declaration | 40D-21.275 |
| Modifying or Repealing a Water Shortage Declaration | 40D-21.281 |
| Declaring a Water Shortage Emergency | 40D-21.331 |
| Response Mechanisms Water Use Restrictions in a Water Shortage Emergency | 40D-21.371 |
| Implementing a Water Shortage Emergency Declaration | 40D-21.391 |
| Monitoring Enforcement | 40D-21.401 |
| Public Supply Water Shortage Mitigation Plans | 40D-21.421 |
| General | 40D-21.441 |
| Source Classifications | 40D-21.511 |
| Use Classifications | 40D-21.531 |
| Method of Withdrawal Classifications | 40D-21.541 |
| General | 40D-21.571 |
| Phase I: Moderate Water Shortage | 40D-21.601 |
| Phase II: Severe Water Shortage | 40D-21.621 |
| Phase III: Extreme Water Shortage | 40D-21.631 |
| Phase IV: Critical Water Shortage | 40D-21.641 |
| Phase IV: Critical Water Shortage | 40D-21.651 |

PURPOSE AND EFFECT: The District is required by Chapter 373, F.S., to have a Water Shortage Plan. In 1984 the District adopted Chapter 40D-21, Water Shortage Plan, F.A.C., in accordance with this requirement. Since that time, the District has extensively used this Plan. The District is now updating the Plan and requests for variances to the Plan to reflect the experience and knowledge gained through the droughts and other water shortage events that have occurred since 1984.

SUBJECT AREA TO BE ADDRESSED: The second draft of revisions to Chapter 40D-21, Water Shortage Plan, F.A.C. and any potential changes to Rule 40D-1.1002, Variances from 40D-21, will be discussed.

Persons who are not able to attend a workshop and attendees who wish to provide written comments on the second draft of proposed amendments to Rule 40D-21 or 40D-1.1002, F.A.C., may submit written comments for receipt by the District by Wednesday, September 7, 2005. E-mail transmissions to Lois.Sorensen@swfwmd.state.fl.us are welcome. Other written comments should be sent directly to: Lois Ann Sorensen, 2379 Broad Street, Mail Code REG-ADM, Brooksville, FL 34604-6899.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.119, 373.129, 373.136, 373.175, 373.246, 373.603, 373.609 FS.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT THE DISTRICT’S WEBSITE www.watermatter.org OR AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE: Administration of Federal
RULE CHAPTER NO.: 58A-1

RULE TITLES: Aging Programs
RULE NOS.: 58A-1.006

The Area Agency on Aging’s Area Plan
Service Providers Under an Area Plan
58A-1.008

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the references to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUBJECT AREA TO BE ADDRESSED: Deletion of references to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

SPECIFIC AUTHORITY: 430.08 FS.

LAW IMPLEMENTED: 430.03, 430.04 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-1.006 The Area Agency on Aging’s Area Plan.

(1) through (3) No change.

(4) Changes to the Area Plan are to be made based on the following:

(a) through (d) No change.

(e) Whenever a change is contemplated by the Area Agency in any cost category or individual salary as budgeted in the Area Plan for Area Agency Administration:

1. No change.

2. Notification of such change shall be included in the next monthly financial report to the Department, if the change would not result in a change in the original amount greater than ten percent, ~~in accordance with the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary, and herein incorporated by reference.~~

3. No change.

(5) Subject to the availability of Federal and State funds and budget authority, the Department will contract with the Area Agency on Aging based on the submitted Area Plan for the Federal and State amounts indicated in the approved State Plan on Aging. Instructions for submitting payment requests and expenditure reports are contained in each contract for services executed between the Area Agency on Aging and the Department. ~~Contract payment instructions will also be found in the Financial Management of Older Americans Programs Manuals HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary, and herein incorporated by reference.~~

(6) through (7) No change.

~~Specific Authority 20.41(2), 410.016(2)(k), 430.08 FS., ch. 91-115, s. 10, Laws of Fla. Law Implemented 20.41, 430.03, 430.04 410.016(2)(h),(m); 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History-New 12-23-81, Formerly 10A-11.06, 10A-11.006, Amended 3-28-95,_____.~~

58A-1.008 Service Providers Under an Area Plan.

(1) No change.

(2) Any eligible agency or organization desiring to apply for a contract under the Area Plan may request an application from the local Area Agency on Aging after a request for proposal(s) has been issued. The Area Agency on Aging shall respond within ten working days and enclose an application. The application will contain complete instructions, forms, and specific documentation requirements to be completed by an applicant. The Area Agency shall utilize competitive bidding procedures in procurement contracts in accordance with State and Federal regulations ~~defined by the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Secretary and herein incorporated by reference.~~

(a) through (b) No change.

(3) through (4) No change.

(5) Contracts between the Department, and the Area Agency on Aging, lead agency or core service providers shall follow departmental contracting and financial management procedures ~~in accordance with the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.~~

(6) No change.

~~Specific Authority 20.41(2), 410.016(2)(k), 430.08 FS., ch. 91-115, s. 10, Laws of Fla. Law Implemented 430.03, 430.04 20.41, 410.016(2)(f),(h),(m); 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History-New 12-23-81, Formerly 10A-11.08, 10A-11.008, Amended 3-28-95,_____.~~

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE TITLE:
Application Procedures

RULE NO. :
58C-1.004

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the reference to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUBJECT AREA TO BE ADDRESSED: Deletion of the reference to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

SPECIFIC AUTHORITY: 430.08 FS.

LAW IMPLEMENTED: 430.204, 430.205 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58C-1.004 Application Procedures.

(1) through (3) No change.

(4) Contracting and Financial Management Procedures.

Contracts between the department, the Area Agency on Aging, lead agency or core service providers shall follow departmental contracting and financial management procedures ~~in accordance with the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.~~

~~Specific Authority 410.021-029; 430.08 FS., ch. 80-181, s. 10, ch. 91-115, s. 10, Laws of Fla. Law Implemented 430.204, 430.205 410.024, 410.241, 430.03(6) FS., ch. 91-115, s. 10, Laws of Fla. History-New 3-11-81, Formerly 10A-10.04, 10A-10.004, Amended 3-28-95,_____.~~

DEPARTMENT OF ELDER AFFAIRS

Alzheimer's Disease Initiative

RULE TITLE: Program Administration
RULE NO.: 58D-1.005

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to delete the reference to outdated manuals; Financial Management of Older Americans Act Programs manuals HRSM 55-1 and HRSM 75-2. The manuals are not currently used as a resource for financial management procedures.

SUBJECT AREA TO BE ADDRESSED: Deletion of the reference to the manuals; HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993.

SPECIFIC AUTHORITY: 430.08 FS.

LAW IMPLEMENTED: 430.502, 430.503 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Rice, Office of the General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58D-1.005 Program Administration.

(1) The Department of Elder Affairs shall plan, develop and coordinate a statewide program to carry out its responsibilities under the ADI. The Department shall:

(a) through (k) No change.

~~(l) Perform contract management responsibilities according to the Financial Management of Older Americans Act Programs Manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary and herein incorporated by reference.~~

~~(l)(m) Establish guidelines and procedures for the award and allocation of funds received pursuant to Section 410.401(3), F.S., Note, into a Department administrative trust fund.~~

(2) The Area Agency on Aging under contract with the Department shall be responsible for the planning and administration of respite and model day care services funded under the ADI and, in turn, shall contract with local service providers for the provision of these services. The Department may retain the budget authority to contract directly with service providers for the implementation of special projects when appropriate. Each Area Agency on Aging shall:

(a) No change.

~~(b) Comply with State of Florida procedures regarding solicitation and execution of agreements with providers of services and found in the Financial Management of Older Americans Act Programs manuals, HRSM 55-1, dated 1990, and HRSM 75-2, dated 1993, available in the Office of the Department Secretary, and herein incorporated by reference.~~

(c) through (p) No change.

Specific Authority 410.401(3), 430.08 FS. Law Implemented 430.502, 430.503 410.402(3)-(5) FS., Ch. 91-115, Laws of Florida, s. 10: History-New 3-28-95, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLES: RULE NOS.:

Durable Medical Equipment and Medical Supplies 59G-4.070

Durable Medical Equipment and Medical Supply Provider Fee Schedule 59G-4.071

Enteral Nutrition Products 59G-4.072

PURPOSE AND EFFECT: The purpose of the rule amendment to Rule 59G-4.070, F.A.C., is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2005. The revised handbook includes the policy and procedure code changes mandated by the federal Health Insurance Portability and Accountability Act (HIPAA) and revised provider enrollment and service requirement policies. The handbook also contains the policies for the products that were transferred from the Medicaid Prescribed Drug Program to the Medicaid Durable Medical Equipment and Medical Supplies Program.

This Notice of Rule Development replaces the Notice of Rule Development that was published in Vol. 29, No. 11, March 14, 2003, Florida Administrative Weekly.

Rule 59G-4.071, F.A.C., is a new rule that will incorporate by reference the Durable Medical Equipment and Medical Supply Provider Fee Schedule that is effective July 2005.

Rule 59G-4.072, F.A.C., is a new rule that will incorporate by reference the Category List of Enteral Nutrition Products, July 2005. The list contains the enteral products that Medicaid reimburses through the Durable Medical Equipment and Medical Supplies Program.

The effect will be to incorporate by reference in the rule the revised Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2005; and the Durable Medical Equipment and Medical Supply Provider Fee Schedule, July 2005; and the Category List of Enteral Nutrition Products, July 2005.

SUBJECT AREA TO BE ADDRESSED: Durable Medical Equipment and Medical Supplies, Durable Medical Equipment and Medical Supply Provider Fee Schedule, and Enteral Nutrition Products.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.913 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW.

DATE AND TIME: 2:00 p.m., Tuesday, August 16, 2005

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Kathryn Stephens, Medicaid Services Office, 2727 Mahan Drive, MS #20, Tallahassee, Florida 32308-5403, (850)487-2641

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.070 Durable Medical Equipment and Medical Supplies.

(1) No change.

(2) All durable medical equipment and medical supply providers enrolled in the Medicaid program must be in compliance ~~comply~~ with the Florida Medicaid Durable Medical Equipment and Medical Supply Services Coverage and Limitations Handbook, July 2005 ~~April 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS HCFA-1500 and EPSDT 224, which is incorporated by reference in Rule 59G-4.001 5.020, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

(3) Medicaid durable medical equipment and medical supply providers are required to use the following forms, which are incorporated by reference: Durable Medical Equipment and Medical Supply Services Authorization Request for Enteral Nutrition, July 2005, and AHCA Form 5400-0001 Sept 04, Florida Medicaid Wheelchair Evaluation. These forms are available from the Medicaid fiscal agent. All DME providers and their billing agents must comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, Non Institutional 081, November 1996, which is incorporated by reference and available from the Medicaid fiscal agent.

~~(4) Durable Medical Equipment and Supplies. All DME/ Medical Supply providers must comply with the provisions of the Florida Medicaid DME/Medical Supply Services Coverage and Limitations Handbook January 2000, which is incorporated by reference and available from the Medicaid fiscal agent.~~

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907(7), 409.908, 409.913 FS. History—New 8-26-92, Formerly 10C-7.070, Amended 5-23-94, 1-7-96, 3-4-99, 10-18-00, 4-30-01, _____.

59G-4.071 Durable Medical Equipment and Medical Supply Provider Fee Schedule.

Medicaid durable medical equipment and medical supply providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Durable Medical Equipment and Medical Supply Provider Fee Schedule, July 2005, which is incorporated by reference. The fee schedule is available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New _____.

59G-4.072 Enteral Nutrition Products.

The Florida Medicaid Durable Medical Equipment and Medical Supplies Program reimburses for the enteral products contained on the Category List of Enteral Nutrition Products, July 2005. The Category List of Enteral Nutrition Products is available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History—New _____.

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

Division of Medical Quality Assurance Boards

RULE TITLE: Office Surgery Registration Requirements, Fees

RULE NO.: 64B-4.003

PURPOSE AND EFFECT: To update the rule based upon new legislation.

SUBJECT AREA TO BE ADDRESSED: Office Surgery Registration Requirements, Fees.

SPECIFIC AUTHORITY: 456.004, 458.309(3), 459.005(2) FS.

LAW IMPLEMENTED: 458.309(3), 459.005(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Melinda Gray, Regulatory Supervisor, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Fee for Retired Status License

RULE NO.: 64B18-12.010

PURPOSE AND EFFECT: The Board proposes this rule amendment in order to implement Chapter 2005-62, L.O.F., relating to a retired status licensure fee.

SUBJECT AREA TO BE ADDRESSED: Fees for Retired Status License.

SPECIFIC AUTHORITY: 461.005, 461.008(1) FS., Section 3, Chapter 2005-62, Laws of Florida.

LAW IMPLEMENTED: 461.008(1) FS., Section 3, Chapter 2005-62, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-12.010 Fee for Retired Status License.

The fee for a retired status license is \$50.00.

Specific Authority 461.005, 461.008(1) FS., Section 3, Chapter 2005-62, Laws of Florida, Law Implemented 461.008(1) FS., Section 3, Chapter 2005-62, Laws of Florida. History–New

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: Financial Responsibility

RULE NO.: 64B18-14.0072

PURPOSE AND EFFECT: The Board proposes to increase the financial liability level a podiatric physician must maintain from \$50,000 to \$100,000.

SUBJECT AREA TO BE ADDRESSED: Financial Responsibility for professional liability coverage.

SPECIFIC AUTHORITY: 456.048, 461.005 FS.

LAW IMPLEMENTED: 456.048 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.0072 Financial Responsibility.

(1) Unless exempted by the Board pursuant to Section 456.048(2), F.S., a podiatric physician shall maintain Financial Responsibility to pay claims and costs ancillary thereto arising out of the rendering of or the failure to render medical care for services, and shall demonstrate such financial responsibility as a condition of licensure and at the time of licensure renewal and reactivation of license by one of the following methods:

(a) Obtaining and maintaining professional liability coverage in an amount not less than ~~\$100,000~~ ~~\$50,000~~ from an authorized insurer as defined under Section 624.09, F.S., from an eligible surplus lines insurer as defined under Section 626.914(2), F.S., from a risk retention group as defined under Section 627.942, F.S., from the Joint Underwriting Association established under Section 627.351(4), F.S., or through a plan of self-insurance as provided in Section 627.357, F.S.

(b) Establishing and maintaining an escrow account consisting of cash or securities eligible for deposit in accordance with Section 625.52, F.S., in an amount of not less than ~~\$100,000~~ ~~\$50,000~~.

(c) Obtaining and maintaining an unexpired, irrevocable letter of credit, established pursuant to Chapter 675, F.S., in an amount no less than ~~\$100,000~~ ~~\$50,000~~. The letter of credit shall be payable to the podiatric physician as beneficiary upon presentment of a final judgement indication liability and awarding damages to be paid by the podiatric physician or upon presentment of a settlement agreement signed by all parties to such agreement when such final judgement or settlement is a result of a claim arising out of the rendering of or failure to render, medical care and services. Such letter of credit shall be nonassignable and nontransferable. Such letter of credit shall be issued by any bank or savings association organized and existing under the laws of this state or any bank or savings association organized under the laws of the United States that has its principal place of business in this state or has a branch office which is authorized under the laws of this state or the United States to receive deposits in this state.

(2) No change.

This rule shall take effect April 1, 2006.

Specific Authority 456.048, 461.005 FS. Law Implemented 456.048 FS. History–New 2-27-94, Formerly 61F12-12.011, 59Z-12.009, Amended 1-4-96, Formerly 59Z-14.0072, Amended 4-1-06.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLES: Board Approval of Residency Programs

RULE NOS.: 64B18-16.002

Content of Residency Program – Reports

64B18-16.005

PURPOSE AND EFFECT: The Board proposes this rule amendment to Rule 64B18-16.002, F.A.C., to conform statutory references to Chapter 2005-98, Laws of Florida. The Board proposes this rule amendment to Rule 64B18-16.005, F.A.C., to implement Chapter 2005-98, Laws of Florida. The proposed rule changes reporting requirements for hospitals with podiatric residents to July 1 and conforms statutory references to the legislative changes.

SUBJECT AREA TO BE ADDRESSED: Amending Statutory references in the rule.

SPECIFIC AUTHORITY: 461.005, 461.006, 461.014 FS.

LAW IMPLEMENTED: 461.014 FS., Chapter 2005-98, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-16.002 Board Approval of Residency Programs.

(1) Podiatric residency programs in this State must receive and maintain Board approval by applying for such approval from the Board, by submitting documentation to show compliance with Section Sections 461.014(1) and (2), Florida Statutes, and by on-going compliance with Section Sections 461.014(1),(2),(4) and (5) Florida Statutes. The Board is under no obligation to grant approval to any program which does not demonstrate compliance with Section Sections 461.014(1) and (2), Florida Statutes.

(2) The Board will withdraw approval upon finding that a podiatric residency program has failed to comply with ~~either~~ Section 461.014(1),(2),(4) or (5) Florida Statutes.

(3) No change.

(4) When approval has been withdrawn, residents enrolled in the program on or before the date in which the final order is rendered or the Notice of Intention to Withdraw Approval becomes final, will not be approved for examination or licensure by the Board unless they comply with Section 461.014(2)(c)(3), Florida Statutes. Residents enrolled after the date on which the final order is rendered or the Notice of Intention to Withdraw Approval becomes final, will not be allowed to take the examination or be licensed.

Specific Authority 461.005, 461.006, 461.014 FS. Law Implemented 461.014, FS. Chapter 2005-98, Laws of Florida. History—New 11-24-80, Formerly 21T-16.02, 21T-16.002, 61F12-16.002, Amended 1-4-96, 6-17-96, Formerly 59Z-16.002, Amended _____.

64B18-16.005 Content of Residency Program – Reports.

On ~~January 1~~ and July 1 of each year, each Residency Program Director shall provide the following information to the Board:

(1) through (5) No change.

Specific Authority 461.005, 461.014(4) FS. Law Implemented 456.072(1)(j),(k),(l), 461.013(1)(g),(h),(i), 461.014 FS., Chapter 2005-98, Laws of Florida. History—New 11-24-80, Formerly 21T-16.005, 61F12-16.005, Amended 1-4-95, Formerly 59Z-16.005, Amended 12-2-03, _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE TITLE: RULE NO.:

Continuing Education Required 64B18-17.001
for License Renewal

PURPOSE AND EFFECT: The Board proposes this rule amendment to make explicit the requirement that licensees must provide documentation of completion of continuing education within thirty (30) days of request by the Department or Board.

SUBJECT AREA TO BE ADDRESSED: Provision of documentation of continuing education required for license renewal.

SPECIFIC AUTHORITY: 456.013(6), 456.033, 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 461.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Podiatric Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-17.001 Continuing Education Required for License Renewal.

(1) through (8) No change.

(9) Licensees must submit verification of attendance at any required continuing education course(s) to the Board or the Department within thirty (30) days of a request for such documentation.

Specific Authority 456.013(6), 456.033, 461.005, 461.007(3) FS. Law Implemented 456.013(6), 456.033, 461.007 FS. History—New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended 4-25-00, 9-27-01, _____.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE TITLE: RULE NO.:

Application Fee 64B24-3.002

PURPOSE AND EFFECT: The Department of Health proposes to amend the rule based upon new legislation.

SUBJECT AREA TO BE ADDRESSED: Application Fee.

SPECIFIC AUTHORITY: 467.005, 467.0135 FS.

LAW IMPLEMENTED: 467.0135(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, 4052 Bald Cypress Way, Bin #A06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Substance Abuse Program

| | |
|--------------------------------------------------------------|-------------------|
| RULE TITLES: | RULE NOS.: |
| Definitions | 65D-30.002 |
| Department Licensing and Regulatory Standards | 65D-30.003 |
| Common Licensing Standards | 65D-30.004 |
| Standards for Addictions Receiving Facilities | 65D-30.005 |
| Standards for Detoxification | 65D-30.006 |
| Standards for Intensive Inpatient Treatment | 65D-30.0061 |
| Standards for Residential Treatment | 65D-30.007 |
| Standards for Day or Night Treatment with Host Homes | 65D-30.008 |
| Standards for Day or Night Treatment with Community Housing | 65D-30.0081 |
| Standards for Day or Night Treatment | 65D-30.009 |
| Standards for Intensive Outpatient Treatment | 65D030.0091 |
| Standards for Outpatient Treatment | 65D-30.010 |
| Standards for Aftercare | 65D-30.011 |
| Standards for Intervention | 65D-30.012 |
| Standards for Prevention | 65D-30.013 |
| Standards for Medication and Methadone Maintenance Treatment | 65D-30.014 |

PURPOSE AND EFFECT: Chapter 65D-30, F.A.C., entitled Substance Abuse Services, is being amended to include two new categories of treatment the Department of Children and Family Services will be authorized to license. One category will satisfy a mandate by the Legislature while the second category will fill a gap in the current substance abuse system of care. This includes the development of licensure standards for the new categories of treatment services. In addition, the proposal to amend Chapter 65D-30, F.A.C., will correct provisions in Chapter 65D-30, F.A.C., that are in conflict with current statutory mandates.

SUBJECT AREA TO BE ADDRESSED: Specific program standards related to substance abuse licensable service components and conditions related to issuing an interim license.

SPECIFIC AUTHORITY: 397.321(5),(6) FS.

LAW IMPLEMENTED: 20.19, 397.311(18), 397.409(4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Monday, August 8, 2005

PLACE: Department of Children and Family Services, 1317 Winewood Boulevard, Building 6, Conference Room A, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Phil Emenheiser, (850)488-9210, e-mail: phil_emenheiser@dcf.state.fl.us

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

**Section II
Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

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