

Workers' Compensation Medical Services Billing, Filing and Reporting Rule, Rule 69L-7.602, F.A.C., are also incorporated by reference into this rule. Both rules and the HCP RM are available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com/wc>. Form DFS-F5-DWC-90, Uniform Bill (rev. 1992), also known as the UB-92, or HCFA-1450, is hereby incorporated by reference as part of this rule. The Florida Workers' Compensation Health Care Provider Reimbursement Manual 2004, Second Edition, is incorporated by reference as part of this rule also. The reimbursement policies, billing codes and maximum reimbursement allowances for physical therapy, occupational therapy, speech therapy, radiology and clinical laboratory services contained in the manual shall be applied to hospital services provided on an outpatient basis only.

~~(3) The Florida Workers' Compensation Reimbursement Manual for Hospitals, incorporated in subsection (1) above, and Form DWC-90 are available for inspection during normal business hours at the State of Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's website at <http://www.fldfs.com/we>.~~

Specific Authority 440.13(12), (14), 440.591 FS. Law Implemented 440.13(7), (12), (14) FS. History--New 6-9-87, Amended 6-1-92, 10-27-99, 7-3-01, Formerly 38F-7.501, 4L-7.501, Amended 12-4-03, 1-1-04, 7-4-04,_____.

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NOS.: RULE TITLES:
 69O-204.010 Purpose and Scope
 69O-204.020 Definitions
 69O-204.030 Forms Incorporated by Reference
 69O-204.040 Prohibited Practices
 69O-204.050 Verification of Coverage
 PURPOSE AND EFFECT: To implement the provisions of Chapter 626, Part X – Viatical Settlement Providers.
 SUBJECT AREA TO BE ADDRESSED: Viatical Settlement Providers.
 SPECIFIC AUTHORITY: 624.308(1), 626.9925 FS.
 LAW IMPLEMENTED: 624.307(1), 626.9911, 626.9912, 626.9913, 626.9914, 626.9916, 626.9928 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: November 17, 2006, 9:30 a.m.
 PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bernie Stoffel, Specialty Product Administration, Office of Insurance Regulation, E-mail: Bernie.Stoffel@fldfs.com.

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

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

**Section II
Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-103.019 Inmate Grievances – Forms
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to modify Form DC2-901, Training Attendance Report, to remove documentation of social security number.
 SUMMARY: Amends the rule to modify Form DC2-901, Training Attendance Report, to remove documentation of social security number.
 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 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: 944.09 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-103.019 Inmate Grievances – Forms.

The following forms relevant to this chapter are hereby incorporated by reference. A copy of any of these forms is available from the Bureau of Inmate Grievance Appeals, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

- (1) through (3) No change.
- (4) Form DC2-901, Training Attendance Report, effective ~~8-1-00~~.
- (5) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 10-12-89, 4-10-95, 12-7-97, Formerly 33-29.018, Amended 8-1-00, 10-11-00, 2-9-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Curtis Lupo, Acting Director of Research and Support Services
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Hieteenhia “Tina” Hayes, Acting Deputy Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 22, 2006

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: 60BB-2.027 RULE TITLE: Payment of Contributions

PURPOSE AND EFFECT: The proposed amendment to Rule 60BB-2.027, Florida Administrative Code corrects a scrivener’s error regarding reporting dates.

SUMMARY: Section 443.131(1), Florida Statutes requires employers to pay contributions to the Unemployment Compensation Trust Fund for each calendar quarter that they are employers subject to Chapter 443, Florida Statutes, in accordance with rules adopted by the Agency for Workforce Innovation. Section 443.036(10), Florida Statutes provides that the four calendar quarters end on March 31, June 30, September 30, and December 31. Rule 60BB-2.027, Florida Administrative Code, designates the reporting and delinquent dates for each of the four calendar quarters. Due to a scrivener’s error, the current version of Rule 60BB-2.027, Florida Administrative Code indicates an incorrect date for the end of the third calendar quarter and for the reporting and delinquent dates for that quarter. The proposed amendment to Rule 60BB-2.027, Florida Administrative Code corrects this error and substitutes the proper dates.

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

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

SPECIFIC AUTHORITY: 443.1317 FS.
LAW IMPLEMENTED: 443.036(10), 443.121, 443.131, 443.141, 443.171(1), 443.191 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Veronica Moss at (850)245-7150 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John R. Perry, Senior Attorney, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850)245-7150

THE FULL TEXT OF THE PROPOSED RULE IS:

60BB-2.027 Payment of Contributions.

(1) Remittance with Quarterly Reports. Payment is to be submitted concurrently with quarterly reports except for payment by electronic means which is to be submitted as provided in paragraph (2)(a) of this rule. Contributions are payable for each calendar quarter with respect to wages paid during such calendar quarter, except as otherwise provided in this rule and Sections 443.1312-.1313, F.S.

(2) Due and Payable Dates.

(a) Except for payments remitted by electronic means, contributions for the quarter ending March 31 are due April 30 and become delinquent on May 1; contributions for the quarter ending June 30 are due July 31 and become delinquent on August 1; contributions for the quarter ending ~~September 30~~ October 31 ~~August 31~~ are due October 31 ~~September 30~~ and become delinquent November ~~October~~ 1; contributions for the quarter ending December 31 are due January 31 and become delinquent February 1. Payments remitted by electronic funds transfer (EFT), Internet, or other electronic means must be in compliance with the rule provisions in Chapter 12-24, F.A.C, incorporated herein by reference, regarding payment by electronic means.

(b) The first contribution payment of an employing unit which becomes an employer must include contributions for the entire period of liability. Payment is due by the last day of the month following the calendar quarter in which the employing unit:

- 1. Met the liability provisions of the law, or
- 2. Elected, with written approval by the Department, to become an employer.

(3) Partial payments. When an employer has partially paid contributions for any period before the delinquent date, the taxable payroll for such period will be included in the employer's annual or quarterly payroll in the proportion that contributions paid for the period bear to the contributions due for such period.

Specific Authority 443.1317, FS. Law Implemented 443.036(10), 443.121, 443.131, 443.141, 443.171(1), 443.191 FS. History--New 8-25-92, Formerly 38B-2.027, Amended 1-19-03, 7-18-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: John R. Perry, Senior Attorney, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mindy K. Raymaker, Deputy General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-7128

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 11, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 7, 2006

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF JUVENILE JUSTICE

Probation and Community Corrections

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
63D-2	Assessment of Risk for Detention
RULE NOS.:	RULE TITLES:
63D-2.001	Purpose and Scope
63D-2.002	Procedure for Assessing Risk
63D-2.003	Detention Risk Assessment Instrument

PURPOSE AND EFFECT: The proposed rule specifies the requirements and criteria that govern a juvenile probation officer's assessment of the risk posed by a child in custody when making the initial detention determination.

SUMMARY: The proposed rule establishes the procedure for assessing risk, including the considerations that determine whether a child is subject to detention, and the form of the detention.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs has been prepared.

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: 20.316, 985.405, 985.213 FS.

LAW IMPLEMENTED: 985.213 FS.

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

DATE AND TIME: November 13, 2006, 10:00 a.m.

PLACE: DJJ Headquarters, Knight Building, General Counsel's Conference Room 312, 2737 Centerview Drive, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Clyde Benedix, Policy Development Officer, Department of Juvenile Justice, Office of Administration, 2737 Centerview Drive, Ste. 104, Tallahassee, FL 32399-3100, phone number (850)921-4116

THE FULL TEXT OF THE PROPOSED RULE IS:

63D-2.001 Purpose and Scope.

The rule specifies the requirements and criteria that govern a screener's assessment of the risk posed by a child when making the initial detention determination.

Specific Authority 985.213, 985.405 FS. Law Implemented 985.213 FS. History--New _____.

63D-2.002 Procedure for Assessing Risk.

(1) The Detention Risk Assessment Instrument (DRAI) directs the decision-making process as to whether detention care is warranted and whether the youth should be placed into secure detention, home detention, or some other form of non-secure detention status.

(2) The Admissions Criteria in Section II of the DRAI must be completed for all youths brought to the screening location. A completed DRAI is required for all youths who are delivered to the Department for detention screening.

(3) If a youth is presented for detention screening on non-detainable law violations, the screener is only required to complete sections I, II, V, and VI of the DRAI. If a youth is presented for detention screening on law violations, technical violations of probation, or court orders that hold the potential for secure detention, the screener must complete the entire DRAI accordingly.

(4) In making the decision to detain or release a youth, the screener must take several key factors into consideration:

(a) The placement decision must be based upon an independent assessment of risk as determined by the DRAI. To ensure equality of treatment, supervisors must ensure that screeners, in performing their duties, do not discriminate based upon race, culture, gender, religion, ethnic origin, disability, sexual orientation, or socioeconomic status.

(b) The screener must attempt to contact the parent(s)/guardian(s), arresting law enforcement officer, victim, and others who have knowledge of the youth to obtain their assessment of the youth and the pending charge(s).

(c) The screener must check the Juvenile Justice Information System (JJIS) and, if possible, the Department of Children and Families client information system HomeSafenet (HSN) and Florida Criminal Investigation Center/National Criminal Investigation Center (FCIC/NCIC) systems, to obtain a prior history on the youth. Only eligible certified DJJ, law enforcement, or criminal justice employees are allowed to conduct checks on the HSN or FCIC/NCIC system.

(5) Section III-B of the DRAI is intended to score additional, current, separate, non-related offenses with which the youth is charged, and which are not accounted for in section III-A referencing the most serious current offense.

(6) Section III-E of the DRAI, which scores aggravating or mitigating factors, allows the screener to take into account relevant issues that are not scored in other parts of the DRAI, ensuring the appropriateness of detention and release decisions.

(a) The screener must consider any aggravating and mitigating circumstances that may exist.

(b) Because the DRAI is intended to be an independent and objective measure of the risk posed by each youth, the decision to either aggravate or mitigate must not be determined by pressures from outside influences.

(c) The screener should never consider factors that are already accounted for in the DRAI, such as the absence of prior offenses, or the seriousness of the charge.

(d) The screener must fully explain what factors were considered in the section VI narrative portion of the DRAI.

(7) When the screener believes that a youth who is otherwise eligible for detention should be released, he or she must contact the state attorney to approve the release, as set out in DRAI section IV. The screener must document the reasons for the recommendation in narrative section VI. The state attorney may also approve home or non-secure detention for a youth who scores eligible for secure detention.

Specific Authority 985.213, 985.405 FS. Law Implemented 985.213 FS. History--New _____.

63D-2.003 Detention Risk Assessment Instrument.

The Detention Risk Assessment Instrument shall be as set forth in DJJ Form 2049 (02/2005), which is incorporated herein, and is available from the Assistant Secretary for Probation and Community Corrections at 2737 Centerview Dr., Suite 105, Tallahassee, FL 32399-3100.

Specific Authority 985.213, 985.405 FS. Law Implemented 985.213 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee Ann Thomas, Operational Support Administrator, Probation and Community Corrections, Department of Juvenile Justice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Darryl Olson, Assistant Secretary for Probation and Community Corrections, Department of Juvenile Justice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 17, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 24, 2006

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy

RULE NO.: 64B4-2.002

RULE TITLE: Definition of "Supervision" for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify how often an intern must be supervised in order to be credited to meet the requirements of Section 491.005, Florida Statutes.

SUMMARY: The rule amendment will clarify how often an intern must be supervised in order to be credited to meet the requirements of Section 491.005, Florida Statutes.

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

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

SPECIFIC AUTHORITY: 491.004(5), 491.0045 FS.

LAW IMPLEMENTED: 491.005(1)(c), (3)(c), (4)(c) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-2.002 Definition of "Supervision" for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling.

Supervision is the relationship between the qualified supervisor and intern that promotes the development of responsibility, skills, knowledge, attitudes and adherence to ethical, legal and regulatory standards in the practice of clinical social work, marriage and family therapy and mental health

counseling. Supervision is face-to-face contact between an intern and a supervisor during which the intern appraises the supervisor of the diagnosis and treatment of each client, client cases are discussed, the supervisor provides the intern with oversight and guidance in diagnosing, treating and dealing with clients, and the supervisor evaluates the intern's performance.

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

(c) At least 1 ~~one~~ hour of supervision per 15 hours of psychotherapy, with a minimum of 1 hour of supervision every 2 weeks face-to-face with clients provided by the intern whether or not the number of hours of supervision required for a two-week period have been met;

(d) through (e) No change.

(2) No change.

Specific Authority 491.004(5), 491.0045 FS. Law Implemented 491.005(1)(c), (3)(c), (4)(c) FS. History--New 7-6-88, Amended 3-21-90, Formerly 21CC-2.002, 61F4-2.002, Amended 1-7-96, 12-16-96, Formerly 59P-2.002, Amended 11-13-97, 10-28-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy

RULE NO.: 64B4-4.019
 RULE TITLE: Duplicate License Fee

PURPOSE AND EFFECT: The Board proposes the promulgation and adoption of this rule to address the fee to be charged to provide a duplicate license and to reinstate a rule that had erroneously been repealed previously.

SUMMARY: The rule will address the fee to be charged to provide a duplicate license and to reinstate a rule that had erroneously been repealed previously.

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

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

SPECIFIC AUTHORITY: 491.004(5), 491.008(2) FS.

LAW IMPLEMENTED: 491.004(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Worker, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-4.019 Duplicate License Fee.

The fee for a duplicate license shall be \$25.

Specific Authority 456.025(6), 491.004 FS. Law Implemented 456.025(6) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy

RULE NO.: 64B4-6.001
 RULE TITLE: Renewal of Active License

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify renewal requirements to be consistent with the recent changes to Section 456.031(1)(a), Florida Statutes.

SUMMARY: The rule amendment will modify renewal requirements to be consistent with the recent changes to Section 456.031(1)(a), Florida Statutes.

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

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

SPECIFIC AUTHORITY: 456.013(6), 456.031(1)(a), 491.004(5), 491.007(2) FS.

LAW IMPLEMENTED: 456.013(6), (7), 456.031(1)(a), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-6.001 Renewal of Active License.

(1) No change.

(2) A licensee shall not be required to complete continuing education for the first renewal of licensure. For each subsequent renewal:

(a) A licensee must complete 30 hours of approved continuing education credit including: two hours on the prevention of medical errors; three hours relating to professional ethics and boundary issues; ~~and 1 hour on domestic violence~~ during the two-year period ending on the last day of the biennial renewal period. ~~In lieu of the domestic violence course, a licensee may complete a course in end of life care and palliative health care if the licensee has completed an approved domestic violence course in the immediately preceding biennium.~~

(b) through (c) No change.

(3) Every third renewal, a licensee must complete a 2 hour continuing education course on domestic violence.

~~(4)(3)~~ Pursuant to Section 456.013(6), F.S., credit for video cassette courses shall not exceed 5 hours per subject and proof of completion shall be submitted to the Department along with the license renewal application on a validation form signed by the vendor and the licensee. For the purpose of this section, the validation form shall be a copy of the certificate of completion pursuant to paragraphs 64B4-6.003(4)(a) and (b), F.A.C.

~~(5)(4)~~ Continuing Education hours earned by a licensee to satisfy any disciplinary action shall be in addition to those required for renewal for each biennium.

Specific Authority 456.013(6), 456.031(1)(a), 491.004(5), 491.007(2) FS. Law Implemented 456.013(6), (7), 456.031(1)(a), 491.007(2) FS. History—New 4-4-89, Amended 12-4-90, Formerly 21CC-6.001, Amended 1-9-94, Formerly 61F4-6.001, Amended 1-7-96, 12-29-96, Formerly 59P-6.001, Amended 2-9-99, 2-5-01, 2-7-05, 7-16-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy

RULE NO.: 64B4-6.002

RULE TITLE: Approved Courses for Continuing Education

PURPOSE AND EFFECT: The Board proposes the amendment to the rule to remove reference to an entity that no longer exists.

SUMMARY: The rule amendment will remove reference to an entity that no longer exists.

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

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

SPECIFIC AUTHORITY: 456.013(6), 491.004(5), 491.0085 FS.

LAW IMPLEMENTED: 456.013(6), 491.007(2), 491.0085(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-6.002 Approved Courses for Continuing Education.

(1) For purposes of renewing or reactivating a license, credit is approved for the following:

(a) through (d) No change.

(e) Continuing education programs offered and approved by the following entities as long as such entities impose requirements similar to or more stringent than those imposed by the Board in subparagraphs 64B4-6.004(2)(a)1.-5., F.A.C.:

1. through 13. No change.

~~14. American Society of Clinical Social Work;~~

~~14,15.~~ No change.

~~15,16.~~ No change.

(2) through (6) No change.

Specific Authority 456.013(6), 491.004(5), 491.0085 FS. Law Implemented 456.013(6), 491.007(2), 491.0085(1) FS. History—New 4-4-89, Amended 10-16-90, 6-19-91, 9-2-91, 8-24-92, Formerly 21CC-6.002, Amended 1-9-94, Formerly 61F4-6.002, Amended 10-4-94, 12-22-94, 1-7-96, 12-29-96, Formerly 59P-6.002, Amended 12-11-97, 2-9-99, 8-9-00, 6-30-02, 7-08-03, 2-8-05, 5-14-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Social Work, Marriage and Family Therapy
and Mental Health Counseling
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Clinical Social Work,
Marriage and Family Therapy and Mental Health Counseling
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 28, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF HEALTH

**Board of Clinical Social Work, Marriage and Family
Therapy**

RULE NO.: RULE TITLE:
64B4-8.002 Approved Courses
PURPOSE AND EFFECT: The Board proposes the rule
amendment to modify the rule to be consistent with the recent
changes to Section 456.031(1)(a), Florida Statutes, increasing
the hours of education regarding domestic violence from one to
two hours.

SUMMARY: The rule amendment will modify the rule to be
consistent with the recent changes to Section 456.031(1)(a),
Florida Statutes, increasing the hours of education regarding
domestic violence from one to two hours.

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

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

SPECIFIC AUTHORITY: 456.031, 491.0045(4) FS.

LAW IMPLEMENTED: 456.031, 491.0065 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Sue Foster, Executive Director, Board
of Clinical Social Work, Marriage and Family Therapy and
Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin
#C08, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-8.002 Approved Courses.

The following courses are approved by the Board:

- (1)(a) through (b) No change.
- (2) For the domestic violence education required by
Section 456.031, F.S., courses which meet one of the
requirements of subsection 64B4-6.002(1), F.A.C., contain the

course content set forth in Section 456.031(1)(a), F.S., and
provide ~~one~~ two hours of education regarding domestic
violence.

Specific Authority 456.031, 491.004(5), 491.0065 FS. Law
Implemented 456.031, 491.0065 FS. History--New 4-3-89, Formerly
21CC-8.002, 61F4-8.002, Amended 1-7-96, Formerly 59P-8.002,
Amended 2-9-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Social Work, Marriage and Family Therapy
and Mental Health Counseling

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Clinical Social Work,
Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-5.007 Continuing Education for Expert
Witnesses and Probable Cause
Panel Members

PURPOSE AND EFFECT: The purpose of the amendment is
to permit former board members who serve the Board and the
public by participating on the probable cause panels to receive
continuing education credit for that service.

SUMMARY: The rule language is amended to permit former
board members who serve the Board and the public by
participating on the probable cause panels to receive
continuing education credit for that service.

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

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

SPECIFIC AUTHORITY: 464.006, 464.013(3) FS.

LAW IMPLEMENTED: 464.013(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: Rick Garcia, Executive Director,
Board of Nursing, 4052 Bald Cypress Way, Bin C07,
Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-5.007 Continuing Education for Expert Witnesses and Probable Cause Panel Members in Disciplinary Cases.

(1) Each licensed nurse who serves as a volunteer expert witness in providing written expert witness opinions citing references of current, prevailing practice and relevant standards of practice for cases being reviewed pursuant to Chapter 464, F.S., shall receive 2.5 hours of continuing education credit per case for performing a literature survey of at least two articles in conjunction with the review of cases for the Agency, probable cause panel, or Board.

(2) Each former board member who serves on a probable cause panel at least twice in a biennium shall receive 8 hours of continuing education credit.

Specific Authority 464.006, 464.013(3) FS. Law Implemented 464.013(3) FS. History–New 9-28-93, Formerly 61F7-5.007, 59S-5.007, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 29, 2006

DEPARTMENT OF HEALTH

Board of Nursing

RULE NOS.: RULE TITLES:
64B9-8.003 Citations
64B9-8.005 Disciplinary Proceedings

PURPOSE AND EFFECT: The purpose of the amendment in Rule 64B9-8.003, F.A.C., is to provide for a citation to be issued for the use of abusive language to or in front of a patient. The Board has seen a growing number of disciplinary complaints on these grounds and finds that clarifying the inappropriateness of the behavior is necessary. The purpose of the amendment in Rule 64B9-8.005, F.A.C., is to clarify that certified nursing assistants must not work without certification if one is necessary, and adding additional actions that constitute unprofessional conduct, reflecting behavior that is resulting in more complaints now that the Board is regulating certified nursing assistants.

SUMMARY: In Rule 64B9-8.003, F.A.C., provision is made for a citation to be issued for the use of abusive language to or in front of a patient. In Rule 64B9-8.005, F.A.C., it is clarified that certified nursing assistants must not work without certification if one is necessary, and additional actions that constitute unprofessional conduct are added.

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

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

SPECIFIC AUTHORITY: 456.072, 456.077, 456.079, 464.006 FS.

LAW IMPLEMENTED: 456.072, 456.077, 456.079, 464.018 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B9-8.003 Citations.

(1) through (2) No change.

(3) The Board designates the following as citation violations, which shall result in a penalty of (\$100.00):

(a) through (g) No change.

(h) Unprofessional conduct as defined in paragraph 64B9-8.005(2)(p), F.A.C., using abusive, threatening or foul language in front of a patient or directing such language toward a patient.

(4) through (5) No change.

Specific Authority 456.077, 464.006 FS. Law Implemented 456.077 FS. History–New 1-1-92, Amended 7-6-92, Formerly 21O-10.015, Amended 12-5-93, 5-24-94, Formerly 61F7-8.003, 59S-8.003, Amended 2-18-98, 3-23-00, 2-22-04, 7-5-06,_____.

64B9-8.005 Disciplinary Proceedings.

(1) Unprofessional conduct shall include:

(a) through (c) No change.

(d) Practicing as a registered or practical nurse or as a certified nursing assistant ~~registered nursing or practical nursing~~ in the State of Florida with a delinquent license for no more than 90 days; or

(e) through (g) No change.

(h) Stealing from a patient.

~~(i)(h)~~ Violating the integrity of a medication administration system or an information technology system.

(2) Failing to meet or departing from minimal standards of acceptable and prevailing nursing practice shall include, but not be limited to, the following:

(a) through (m) No change.

(n) Practicing beyond the scope of the licensee’s license, educational preparation or nursing experience; ~~or-~~

(o) Using force against a patient, striking a patient, or throwing objects at a patient; or

(p) Using abusive, threatening or foul language in front of a patient or directing such language toward a patient.

Specific Authority 464.006 FS. Law Implemented 464.018 FS. History--New 11-28-79, Amended 3-16-81, 10-8-81, 9-11-83, Formerly 21O-10.05, Amended 4-21-86, 2-5-87, 8-2-90, 3-12-91, 9-16-91, 4-8-92, 9-29-92, Formerly 21O-10.005, Amended 9-7-93, Formerly 61F7-8.005, Amended 11-6-94, 5-1-95, 11-16-95, Formerly 59S-8.005, Amended 2-18-98, 3-23-00, 2-17-02, 7-5-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 7, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 29, 2006

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-19.009 RULE TITLE: Submission of Malpractice Record

PURPOSE AND EFFECT: The purpose and effect of this rule promulgation is to establish rules for compliance with new legislation in Section 456.50(2), F.S.

SUMMARY: Rules are established for compliance with new legislation in Section 456.50(2), F.S.

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

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

SPECIFIC AUTHORITY: 456.50(2), 459.005 FS.

LAW IMPLEMENTED: 456.50(2) 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: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.009 Submission of Malpractice Record.

(1) All physicians licensed pursuant to Chapter 459, F.S., shall provide the Board of Osteopathic Medicine a copy of the record of any finding of medical malpractice resulting from a civil or administrative proceeding, entered against the licensee in any jurisdiction on or after November 2, 2004 within 60

days of entry of the final judgment or order. The record shall be sent to the Board of Osteopathic Medicine, 4052 Bald Cypress Way, BIN-C06, Tallahassee, Florida 32399.

(2) The record shall include the official transcript of the civil or administrative proceeding resulting in a finding of medical malpractice, all evidence admitted, those matters officially recognized by the civil or administrative tribunal, and the final order or judgment reported or issued by the tribunal.

(3) The record shall be provided to the Board on a read only CD ROM disc in portable document format (.pdf) or tagged image file format (.tif).

Specific Authority 456.50(2), 459.005 FS. Law Implemented 456.50(2) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 11, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 1, 2006

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-2.022 RULE TITLE: Apportionment of Trauma Centers within a Trauma Service Area (TSA)

PURPOSE AND EFFECT: To revise the apportionment of Trauma Centers within Trauma Service Areas.

SUMMARY: This proposed rulemaking revises the number of trauma centers in each trauma service area (TSA) to the maximum number set forth in the TSA table rather than the minimum, and to reduce trauma service area 18, Broward County from 4 to 3 trauma centers.

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

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

SPECIFIC AUTHORITY: 395.405 FS.

LAW IMPLEMENTED: 395.401, 395.4015, 395.402, 395.405 FS.

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

DATE AND TIME: Wednesday, November 13, 2006, 10:00 a.m. – 10:30 a.m. EDT

PLACE: Department of Health, Division of Emergency Medical Operations, Capital Circle Office Complex, 4025 Esplanade Way, Conference Room 301, Tallahassee, FL. 32399-1738

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: susan_mcdevitt@doh.state.fl.us; Fax: (850)488-2512. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: susan_mcdevitt@doh.state.fl.us; Fax: (850)488-2512

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-2.022 Apportionment of Trauma Centers within a Trauma Service Area (TSA).

(1) The number and composition of TSAs shall be in accordance with Section 395.402, F.S.

(2) The number of trauma centers in each TSA shall be in accordance with the ~~maximum~~ ~~minimum~~ number set forth in the table below. Each trauma service area shall have at least one Level I or Level II trauma center position.

(3) The number of trauma center positions for each TSA is as follows:

TS	Counties	Trauma Centers
A		
1	Escambia; Okaloosa; Santa Rosa; Walton	2
2	Bay; Gulf; Holmes; Washington	1
3	Calhoun; Franklin; Gadsden; Jackson; Jefferson; Leon; Liberty; Madison; Taylor; Wakulla	1
4	Alachua; Bradford; Columbia; Dixie; Gilchrist; Hamilton; Lafayette; Levy; Putnam; Suwannee; Union	2
5	Baker; Clay; Duval; Nassau; St. Johns	2
6	Citrus; Hernando; Marion	1
7	Flagler; Volusia	2
8	Lake; Orange; Osceola; Seminole; Sumter	3
9	Pasco; Pinellas	3
10	Hillsborough	2
11	Hardee; Highlands; Polk	3
12	Brevard; Indian River	2
13	Desoto; Manatee; Sarasota	3
14	Martin; Okeechobee; St. Lucie	1

15	Charlotte; Glades; Hendry; Lee	2
16	Palm Beach	2
17	Collier	1
18	Broward	<u>34</u>
19	Dade; Monroe	6
TOTAL		<u>4243</u>

(4) The trauma center will be assigned by the department according to Section 395.402(4), F.S.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.405 FS. History--New 12-10-92, Formerly 10D-66.1075, Amended 6-9-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan McDevitt, Director, Office of Trauma

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Bencie Fairburn, M.D., M.S.A., Director, Division of Emergency Medical Operations

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 9, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 15, 2006

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:	RULE TITLES:
69K-6.0015	Definition of Established Adult Grave Space
69K-6.0016	Definition of Developed Area

PURPOSE AND EFFECT: Section 497.274, F.S., requires that a standard adult grave space be 42 inches in width and 96 inches in length. However, adult grave spaces established prior to October 1, 2005 are not required to meet this standard. Section 497.274, F.S., also requires cemetery companies to prepare maps and establish internal survey reference markers in areas planned for development. The proposed rules define the terms established adult grave space and developed area to provide clarification.

SUMMARY: Defining the terms established adult grave spaces and developed areas as used in Section 497.274, F.S.

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

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

SPECIFIC AUTHORITY: 497.103(5)(a), 497.161(1)(a) FS.

LAW IMPLEMENTED: 497.161(1)(a), 497.274 FS.

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

DATE AND TIME: November 14, 2006, 2:00 p.m.
 PLACE: Alexander Building, 2020 S. E. Capital Circle, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diana Evans, (850)413-3039 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 S. E. Capital Circle, Tallahassee, Florida 32399-0361, (850)413-3039

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-6.0015 Definition of Established Adult Grave Space.
An established adult grave space is one that was established in a garden designated for ground burials clearly shown in a Plan of Development provided to the Department prior to October 1, 2005 and which was surveyed and pinned with appropriate markers placed prior to October 1, 2005. If no Plan of Development was provided to the Department prior to October 1, 2005, than an established adult grave space is one that is in a section or garden in which a sale or sales were made and specific grave spaces were assigned and shown on a map prior to October 1, 2005.

Specific Authority 497.103(5)(a), 497.161(1)(a) FS. Law Implemented 497.161(1)(a), 497.274 FS. History–New

69K-6.0016 Definition of Developed Area.

(1) A developed area in a cemetery is a garden or other specifically defined area in which there is an established adult grave space as defined in Rule 69K-6.0015, F.A.C., or established after October 1, 2005.

(2) For the purposes of this rule, the following will not be considered an “undeveloped area”:

(a) The addition of an area consisting of not more than 10 adult grave spaces that are created within 50 feet of an adjacent section or garden that contains grave spaces developed prior to or after October 1, 2005 and which is mapped and has internal reference markers.

(b) The addition of 4 or less spaces at any one time within or contiguous to a section or garden which is mapped and which has internal reference markers.

(3) Grave spaces developed pursuant to this rule must meet all the requirements of Section 497.274, F.S., with the exception of having a licensed survey of the area.

Specific Authority 497.103(5)(a), 497.161(1)(a) FS. Law Implemented 497.161(1)(a), 497.274 FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 25, 2006

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.:	RULE TITLE:
69K-6.009	Identification Tags – Acceptable Materials, Locations, and Methods of Affixing

PURPOSE AND EFFECT: The proposed rule implements Section 497.171, F.S., which authorizes the Board to adopt rules specifying acceptable materials, locations, and methods of affixing tags to caskets, alternative containers, cremation containers, outer burial containers, and cremation internment containers.

SUMMARY: The proposed rule specifies acceptable materials, locations, and methods of affixing identification tags to caskets, alternative containers, cremation containers, outer burial containers, and cremation internment containers.

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

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

SPECIFIC AUTHORITY: 497.103(1)(n), (5)(a), 497.171 FS.

LAW IMPLEMENTED: 497.103(1)(n), 497.171 FS.

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

DATE AND TIME: November 14, 2006, 2:00 p.m.

PLACE: Alexander Building, 2020 S. E. Capital Circle, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diana Evans, (850)413-3039 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle, S. E., Tallahassee, Florida 32399-0361, (850)413-3039

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-6.009 Identification Tags – Acceptable Materials, Locations, and Methods of Affixing.

(1) Caskets.

(a) Acceptable materials for an identification tag for a casket shall include only the following:

- 1. Plastic.
- 2. Non-corrosive metal.
- 3. Encased in plastic.
- 4. Plasticized paper used with laser printer or permanent marker pen.
- 5. Weatherproof adhesive labels used with laser printer or permanent marker pen.

(b) Acceptable locations for an identification tag for a casket shall include:

- 1. Tag affixed on top, side, end, or handle.
- 2. Tag placed in seam between lid and base of casket when it does not have handles.

(c) Acceptable methods to affix the identification tag on a casket shall include:

- 1. Tag taped, glued, or epoxied to casket with durable and long-lasting adhesive.
- 2. Tag attached by metal, plastic, or wire on handle of casket.
- 3. Plastic strap.
- 4. Non-corrosive metal strap.
- 5. Non-corrosive wire twisters.

(2) Alternative Containers.

(a) Acceptable materials for an identification tag for an alternative container shall include only the following:

- 1. Plastic.
- 2. Metal.
- 3. Encased in plastic.
- 4. Plasticized paper used with laser printer or permanent marker pen.
- 5. Weatherproof adhesive labels used with laser printer or permanent marker pen.

(b) Acceptable locations for an identification tag for an alternative container shall include:

- 1. Tag affixed on top, side, end, or handle of alternative container.
- (c) Acceptable methods to affix an identification tag on an alternative container shall include:
- 1. Tag taped, glued, or epoxied to alternative container with durable and long-lasting adhesive.

2. Tag attached by metal, plastic, or wire on handle of alternative container.

- 3. Plastic strap.
- 4. Non-corrosive metal strap.
- 5. Non-corrosive wire twisters.

(3) Cremation Containers.

(a) Acceptable materials for an identification tag for a cremation container shall include only the following:

- 1. Plastic.
- 2. Metal.
- 3. Encased in plastic.
- 4. Plasticized paper used with laser printer or permanent marker pen.
- 5. Weatherproof adhesive labels used with laser printer or permanent marker pen.

(b) Acceptable locations for an identification tag for a cremation container shall include:

- 1. Tag affixed on top, side, end, or handle of alternative container.

(c) Acceptable methods to affix an identification tag on a cremation container shall include:

- 1. Tag taped, glued, or epoxied to cremation container with durable and long-lasting adhesive.
- 2. Tag attached by metal, plastic, or wire on handle of cremation container.
- 3. Plastic strap.
- 4. Metal strap.
- 5. Wire twisters.

(4) Outer Burial Containers.

(a) Acceptable materials for a tag or permanent marker for outer burial containers shall include only the following:

- 1. Non-corrosive metal.
- 2. Plastic.
- 3. Written directly on container by paint, indelible ink, etching, or engraving.

(b) Acceptable locations for a tag or permanent marker for outer burial containers shall include:

- 1. Tag affixed on top, side, end, handle, or hook.
- 2. Inside niche or crypt.

(5) Cremation Interment Containers.

(a) Acceptable materials for a tag or permanent marker for cremation interment containers shall include only the following:

- 1. Non-corrosive metal.
- 2. Plastic.
- 3. Written directly on container by paint, indelible ink, etching, or engraving.

(b) Acceptable locations for a tag or permanent marker for cremation interment containers shall include:

- 1. Exterior of cremation interment container.

(6) Any materials or methods of affixing an identification tag which are not listed above shall not be used without the prior approval of the Board.

Specific Authority 497.103(1)(n), (5)(a), 497.171 FS. Law Implemented 497.103(1)(n), 497.171 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral, Cemetery, and Consumer Services
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 25, 2006

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NO.: 69L-6.025
RULE TITLE: Conditional Release of Stop Work Order and Periodic Payment Agreement

PURPOSE AND EFFECT: To amend the rule to establish procedure regarding immediate reinstatement of stop-work orders through an Order Reinstating Stop-Work Order where employers have defaulted on obligations under a Payment Agreement Schedule For Periodic Payment Of Penalty and rescinding such orders where the employers have paid all past due penalty payments within the specified time period. To preclude issuance of an order of conditional release to an employer where the employer is currently in default of any of its obligations under a penalty payment agreement or has had its stop-work order immediately reinstated through an Order Reinstating Stop-Work Order in a separate case.

SUMMARY: The proposed rule amendment provides guidance regarding procedures related to the conditional release of stop-work orders and the reinstatement of stop-work orders where employers have defaulted on penalty payment obligations.

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

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

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7)(a) FS.

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

DATE AND TIME: November 14, 2006, 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Andrew Sabolic, (850)413-1600 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Andrew Sabolic, Bureau Chief of Compliance, Division of Workers’ Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, phone (850)413-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.025 Conditional Release of Stop Work Order and Periodic Payment Agreement.

(1) The requirements for issuance of an Order of Conditional Release From Stop Work Order as provided for in Section 440.107, F.S., are:

(a) The employer has come into compliance with the coverage requirements of Chapter 440, F.S. Compliance with the coverage requirements of Chapter 440, F.S., includes demonstration by the employer that it is no longer failing to secure the payment of compensation within the meaning of Section 440.107, F.S.

(b) The employer and the Department have executed a Payment Agreement Schedule for Periodic Payment of Penalty, Form Number DFS-F4-1600 (rev. 7/04).

(c) The employer agrees to file probationary periodic reports with the Department for a time period that does not exceed 2 years that demonstrate the employer’s continued compliance with Chapter 440, F.S. The probationary periodic reports shall be filed as a section of each monthly payment installment invoice pursuant to the Payment Agreement Schedule for Periodic Payment of Penalty.

(2) The terms and conditions of a Payment Agreement Schedule for Periodic Payment of Penalty shall be:

(a) The employer shall make a down payment on the total assessed penalty amount to the Department that is the greater of \$1000.00 or at least 10% of the total assessed penalty amount. The amount constituting the total assessed penalty amount, less the down payment, shall be referred to as the “remaining penalty”.

(b) Each monthly payment installment is due on the first day of the month in which it is due, and the employer is in violation of the Payment Agreement Schedule for Periodic Payment of Penalty if the full monthly payment installment is not received by the Department by the last day of the month in which the payment installment is due;

1. The employer shall pay the remaining penalty in up to sixty consecutive monthly installments.

2. The employer may at any time pre-pay the installments of the remaining penalty, which have not become due.

3. The first monthly payment installment shall be due on the first day of the second month following the month of issuance of the Conditional Release From Stop Work Order, Form Number DFS-F4-1602 (rev. 6/04), and each subsequent payment installment shall be due on the first day of each consecutive month.

(c) Monthly payment installments shall only be remitted to the Department's address designated in the Payment Agreement Schedule for Periodic Payment of Penalty.

(d) Monthly payment installments shall be in the form of a cashier's check or money order only, made payable to the DFS-Workers' Compensation Administration Trust Fund.

(e) If the employer is a corporation, only an officer of the corporation may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(f) If the employer is a business entity other than a corporation, any principal of the business entity may execute the Payment Agreement Schedule For Periodic Payment of Penalty on behalf of the employer.

(g) Failure by the employer to meet or violation of any term or condition of the Payment Agreement Schedule For Periodic Payment of Penalty shall constitute a default by the employer.

(3) The Payment Agreement Schedule For Periodic Payment of Penalty becomes effective when it is executed on behalf of the employer and by the Department. Upon execution of the Payment Agreement Schedule For Periodic Payment of Penalty, the Department will provide the employer with a Monthly Payment Installment Invoice, Form Number DFS-F4-1601 (rev. 8/04), which shall be submitted with each monthly payment installment. Each Monthly Payment Installment Invoice contains a probationary reporting section that shall be completed by the employer.

(4) If an employer defaults under any of its obligations under the Payment Agreement Schedule For Periodic Payment of Penalty, the Stop Work Order to which the penalty applies shall be immediately reinstated and the entire unpaid balance of the remaining penalty shall immediately become due and payable. "Immediately reinstated" means twenty-one (21) calendar days after an Order Reinstating Stop-Work Order is executed by the Chief Financial Officer or his or her designee and has been filed with the agency clerk of the Department. Subsequent to the issuance of an Order Reinstating Stop-Work Order by the Department, the Department will rescind the Order Reinstating Stop-Work Order requiring the employer to adhere to the terms and conditions of its Payment Agreement Schedule For Periodic Payment of Penalty only if the Department receives from the employer all past due monthly payments prior to the expiration of the twenty-one day period.

All past due monthly payments must be made by cashier check(s) or money order(s) made payable to DFS-Workers' Compensation Administration Trust Fund and be remitted to Department of Financial Services, Revenue Processing Section, Division of Workers' Compensation, P. O. Box 7900, Tallahassee, FL 32314-7900. The Department will not enter into another Payment Agreement Schedule For Periodic Payment of Penalty with an employer in a case where the employer has had its stop-work order immediately reinstated through an Order Reinstating Stop-Work Order, and in order to be released from a stop-work order that has been immediately reinstated the employer must pay the remainder of the entire penalty and show that it otherwise is in compliance with the coverage requirements of Chapter 440, F.S. The Department in any one case will not rescind an Order Reinstating Stop-Work Order more than twice.

(5) An employer that has entered into a Payment Agreement Schedule For Periodic Payment of Penalty with the Department currently in default of any of its obligations under such agreement or that has had its stop-work order immediately reinstated through an Order Reinstating Stop-Work Order is ineligible for conditional release from a stop-work order issued to it by the Department in a separate case.

(6)(5) The Department hereby adopts and incorporates the following forms by reference. Copies of the forms can be obtained from the Division of Workers' Compensation's Bureau of Compliance, 200 East Gaines Street, Tallahassee, Florida 32399-4228, or from any field office identified in Rule 69L-6.009, F.A.C.

(a) DFS-F4-1600 Payment Agreement Schedule for Periodic Payment of Penalty rev. 7/04.

(b) DFS-F4-1601 Monthly Payment Installment Invoice rev. 8/04.

(c) DFS-F4-1602 Order of Conditional Release from Stop-Work Order rev. 6/04.

(7) Employers assessed penalties pursuant to Rule 69L-6.030, F.A.C., are eligible to enter into a Payment Agreement Schedule For Periodic Payment of Penalty with the Department.

(8) If an employer conducts business operations in violation of an Order Reinstating Stop-Work Order, a penalty shall be assessed against the employer pursuant to Section 440.107(7)(c), F.S. The number of days that the employer conducts business operations in violation of an Order Reinstating Stop-Work Order shall begin on the date the Order Reinstating Stop-Work Order is immediately reinstated.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(a) FS. History--New 4-6-05, Amended 7-20-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Andrew Sabolic, Bureau Chief, Bureau of Compliance
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Dan Sumner, Workers'
 Compensation, Assistant Director
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: August 15, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: September 1, 2006

Section III Notices of Changes, Corrections and Withdrawals

**BOARD OF TRUSTEES OF THE INTERNAL
 IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

DOCKET NO. 060512-EU

RULE NO.:	RULE TITLE:
25-6.0343	Municipal Electric Utility and Rural Electric Cooperative Reporting 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. 32, No. 27, July 7, 2006, issue of the Florida Administrative Weekly:

The rule text proposed July 7, 2006 has been substantially changed, and the new rule shall read:

25-6.0343 Municipal Electric Utility and Rural Electric Cooperative Reporting Requirements.

(1) Application and Scope. The purpose of this rule is to define certain reporting requirements by municipal electric utilities and rural electric cooperatives providing distribution service to end-use customers in Florida.

(2) The reports required by subsections (3), (4), and (5) of this rule shall be filed with the Director of the Division of Economic Regulation by March 1 of each year for the preceding calendar year.

(3) Standards of Construction. Each municipal electric utility and rural electric cooperative shall report the extent to which its construction standards, policies, practices, and procedures are designed to address the ability of transmission and distribution facilities to mitigate damage caused by

extreme weather. Each utility report shall, at a minimum, address the extent to which its construction standards, policies, guidelines, practices, and procedures:

(a) Comply, at a minimum, with the National Electrical Safety Code (ANSI C-2) [NESC]. For electrical facilities constructed on or after February 1, 2007, the 2007 NESC shall apply. Electrical facilities constructed prior to February 1, 2007, shall be governed by the edition of the NESC in effect at the time of the facility's initial construction. A copy of the 2007 NESC, ISBN number 0-7381-4893-8, may be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE).

(b) Are guided by the extreme wind loading standards specified by Figure 250-2(d) of the 2002 edition of the NESC for:

1. New construction;
2. Major planned work, including expansion, rebuild, or relocation of existing facilities, assigned on or after the effective date of this rule; and
3. Targeted critical infrastructure facilities and major thoroughfares taking into account political and geographical boundaries and other applicable operational considerations.

(c) Address the effects of flooding and storm surges on underground distribution facilities and supporting overhead facilities.

(d) Provide for placement of new and replacement distribution facilities so as to facilitate safe and efficient access for installation and maintenance.

(e) Include written safety, pole reliability, pole loading capacity, and engineering standards and procedures for attachments by others to the utility's electric transmission and distribution poles.

(4) Facility Inspections. Each municipal electric utility and rural electric cooperative shall report, at a minimum, the following information pertaining to its transmission and distribution facilities:

(a) A description of the utility's policies, guidelines, practices, and procedures for inspecting transmission and distribution lines, poles, and structures including, but not limited to, pole inspection cycles and pole selection process.

(b) The number and percentage of transmission and distribution inspections planned and completed.

(c) The number and percentage of transmission poles and structures and distribution poles failing inspection and the reason for the failure.

(d) The number and percentage of transmission poles and structures and distribution poles, by pole type and class of structure, replaced or for which remediation was taken after inspection, including a description of the remediation taken.

(5) Vegetation Management. Each municipal electric utility and rural electric cooperative shall report, at a minimum, the following information pertaining to the utility's vegetation management efforts: