

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

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

SPECIFIC AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 624.501 FS.

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

TIME AND DATE: 10:00 a.m., April 18, 2006

PLACE: Room 139, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Hazel Muhammad, Chief, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0319, (850)413-5460

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

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-211.005 Fees.

(1) The Department is authorized to charge certain fees payable by applicants and others, in amounts sufficient to cover the actual cost of the service provided. The Department has determined the costs of the following services:

(a) Fingerprint processing fee for each fingerprint card submitted \$64

(b) Exam fee for each exam scheduled \$50 ~~56~~

(2) No change.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.501 FS. History—New 6-4-92, Amended 4-18-94, Formerly 4-211.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hazel Muhammad, Chief, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Alice Palmer, Director, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 10, 2006

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09422
RULE TITLE: Florida Comprehensive Assessment Test Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction is made to the above proposed rule, which was published in Vol. 32, No. 3, January 20, 2006 issue of the Florida Administrative Weekly.

Subsections (6) through (11) No change.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6B-4.010
RULE TITLE: Instructional Personnel Assessment

NOTICE OF CORRECTION

Notice is hereby given that the Notice of Change for the above proposed rule, published in Vol. 32, No. 9, March 3, 2006 issue of the Florida Administrative Weekly was submitted by the Department of Education, State Board of Education, and was changed by the publisher.

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Health Quality Assurance

RULE NO.: 59A-3.253
RULE TITLE: Investigations and License, Life Safety and Validation Inspections

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 2, January 14, 2005, issue of the Florida Administrative Weekly. The proposed language that provided facilities with exemption from penalty during the time that an Internet site is not functional has been deleted as there was no statutory authority

for that exemption. Proposed language related to penalties has been deleted since statutory language provides sufficient criteria. Clarification has been added to indicate that the data will appear on the Agency for Health Care Administration webpage. Changes are made on the basis of comments and recommendations received from the Joint Administrative Procedures Committee review of the proposed rule and from affected hospitals.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-3.253 Investigations and License, Life Safety and Validation Inspections.

(1) through (9) No change.

(10) **DATA COLLECTION.** – All hospitals shall comply with the agency requirements for data submission as authorized under Section 395.1055, F.S., Chapter 408, F.S., and Chapter 732, F.S. This data, which does not have to be resubmitted to the agency’s hospital licensing office as a provision of this part, includes:

(a) Certificate of need reviews required under Sections 408.031 through 408.045, F.S., and at such intervals as required by Chapter 59C-1, F.A.C.;

(b) Quality of care patient outcome data as required by Sections 408.02(3) and paragraph 395.1055(1)(g)(+), F.S., and as mandated by rules adopted by the agency.

(c) Completion of the Specialty Care and Referrals Report, as required by rules adopted by the agency; and

(d) Each hospital shall submit a quarterly report to the agency summarizing the number of requests made by the hospital for organ donation in accordance with Chapter 732, F.S.

(e) All hospitals shall make available on their Internet websites a description of and link to the Agency for Health Care Administration webpage which contains the hospital patient charge and performance outcome data that is collected pursuant to Section 408.061(1), F.S., and, if requested, hospitals shall provide a hard copy of the description and the link.

Specific Authority 395.0161, 395.1055 FS. Law Implemented 395.001, 395.003, 395.0161, 395.1055, 408.035, 408.036 FS. History–New 9-4-95, Formerly 59A-3.204, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill McCort, Bureau of Health Facility Regulation, Division of Health Quality Assurance

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.:
64B8-8.002

RULE TITLE:
Time for Payment of Civil Penalties or Administrative Fines; Time Frames for Completion of Requirements

SECOND NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 45, of the November 10, 2005, issue of the Florida Administrative Weekly (FAW). The change is in response to comments received at a public hearing on the rule. The Rules Committee held a public hearing on February 2, 2006. The Board published a previous Notice of Change in Vol. 32, No. 7, of the February 17, 2006, FAW. The previous Notice of Change addressed subsection (2)(f) of the rule. The Rules Committee referred comments from the public hearing to the Probation Committee with regard to the language in subsection (2)(g). The Probation Committee, at its meeting held on February 17, 2006, recommended a change to the rule. The Board of Medicine, at its telephone conference meeting held on March 1, 2006, voted to change the rule.

Subsection (2)(g) shall be changed to read as follows:

(g) Lectures imposed by Order of the Board shall be completed and documentation submitted within one (1) year from the date the Order is filed. Documentation shall consist of an affidavit from the physician setting forth the date, time, place, topic and duration (must be at least one hour in length) of the lecture. In addition, the physician shall submit a copy of the sign-in sheet for those in attendance at the lecture. Documentation from the risk manager is not required.

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

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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