

Office. If quarterly statements are not required by the state of domicile, quarterly statements shall only be required upon written request of the Office. The following National Association of Insurance Commissioners blanks are hereby adopted and incorporated by reference:

1. NAIC Annual Statement Blank Life/Accident/Health 2005 ~~2004~~,
  2. NAIC Quarterly Statement Blank Life/Accident/Health 2005 ~~2004~~,
  3. NAIC Annual Statement Blank Health 2005 ~~2004~~,
  4. NAIC Quarterly Statement Blank Health 2005 ~~2004~~,
  5. NAIC Annual Statement Blank Property and Casualty 2005; and 2004;
  6. NAIC Quarterly Statement Blank Property and Casualty 2005 ~~2004~~.
- (3) through (7) No change.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.610 FS. History—New 1-30-91, Formerly 4-108.005, Amended 12-25-97, 10-13-02, Formerly 4-144-005, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Claude Mueller, Directory, Property and Casualty Financial Oversight, Office of Insurance Regulation

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2005

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Division of Agricultural Environmental Services

RULE CHAPTER NO.: RULE CHAPTER TITLE:

5E-14 Entomology – Pest Control Regulations

RULE NOS.: RULE TITLES:

5E-14.105 Contractual Agreements in Public's Interest – Control and Preventive Treatment for Wood-Destroying Organisms

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications

#### 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), F.S., published in Vol. 32, No. 5, February 3, 2006, issue of Florida Administrative Weekly.

WHEN AMENDED THE PROPOSED RULE WILL READ AS FOLLOWS:

5E-14.105 Contractual Agreements in Public's Interest – Control and Preventive Treatment for Wood-Destroying Organisms.

(1) No change.

(2) Such contract, except as provided in paragraph (3) of this section, or an exact facsimile thereof must be given to the property owner or his authorized agent for acceptance or rejection before any portion of the work is done and before payment, in part or in full, is received by the licensee. The contract shall clearly set forth the following information:

(a) through (d) No change.

(e) The complete common name(s) of the wood-destroying organism(s) to be controlled or for which preventive treatment is intended under the contract. Any contract issued after the effective date of this amendment for the treatment or prevention of termites must clearly state on the first page if the contract covers subterranean termites, dry wood termites, or both. If Formosan termites (Coptotermes formosanus) are to be excluded from coverage, this species must be named as excluded.

(f) through (k) No change.

(3) ~~It~~ Contracts covering treatments for the prevention of subterranean termites for new construction, ~~it~~ shall clearly set forth that should subterranean termite infestation occur to the structure treated during the warranty period, additional treatment shall be performed to control the infestation. The warranty shall show either the date of initial or final treatment and shall be issued to the property owner or agent within 30 days of the date of initial or final treatment, whichever is specified on the contract, and shall be for a period no less than one year from date of treatment specified on the contract. The property owner at the time of each renewal, if a previous renewal was purchased, shall have the option of extending the warranty annually after the first year for no less than 4 additional years. The contract shall conform with Section 482.227, F.S., and contain information required by paragraphs 5E-14.105(2)(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), and (k), F.A.C. This section applies only to treatment for the prevention of subterranean termites for new construction which does not physically attach to or adjoin existing structures.

(4) In contracts covering spot treatments for wood-destroying organism(s), the requirements of subsections 5E-14.105(1) and (2), F.A.C. shall apply. In addition to these, specific areas in, on or under the structure to be treated shall be listed in the written contract: and a statement that a spot

treatment only was performed shall be made on the treatment notice posted as required by Section 482.226(5), Florida Statutes.

(5) through (7) No change.

(8) Each licensee shall comply with the terms of each pest control contract it issues. Within one year of the effective date of this rule, all contracts for wood destroying organism protection must comply with the following:

(a) A licensee must inspect for an infestation that is the subject of a re-treatment provision of a contract within thirty calendar days of written notification by the property owner or agent to which the contract applies, and must perform a re-treatment required under a contract within ninety days of discovery of an infestation subject to the re-treatment provision of a contract, unless

1. Access to the property is prevented by the property owner, or

2. The treatment is waived or postponed in writing by the property owner or agent, or

3. The subject property is a commercial or multiunit structure, in which case, the treatment must be performed within 180 days, unless 1. or 2. above applies.

(b) In the event a contract expires before a re-treatment can be accomplished, the licensee shall make a written offer to perform the re-treatment in accordance with the terms of the contract within ninety days at no additional cost.

(c) A licensee may not use a limitation, exclusion, or condition clause of a contract to deny treatment of a termite infestation or repair of termite damage to the holder of a contract, unless the termite infestation or damage was primarily caused by the subject of the limitation, exclusion, or condition clause in the contract, and, if the licensee was aware of the condition that is subject to a limitation, exclusion, or condition clause in the contract, the licensee provided written notice to the property owner or agent of that condition within sixty days of discovery and provided the property owner the opportunity to correct that condition. If the property owner did not correct the condition within sixty days of the written notice, then the licensee may use the limitation, exclusion, or condition clause in the contract to deny repair or retreatment.

Specific Authority 482.051 FS. Law Implemented 482.051(3) FS. History—New 1-1-77, Joint Administrative Procedures Committee Objection Withdrawn—See FAW Vol. 3, No. 30, July 29, 1977, Amended 6-27-79, 10-25-90, Formerly 10D-55.105, Amended 8-11-93, 4-17-03, \_\_\_\_\_.

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) Records:

(a) Pest control records of the licensee pertaining to pest control activities and including contracts shall be kept at the licensed business location or at the exact Florida address specified in the application for business license for inspection by Department inspectors. Additionally, available for

inspection by appropriate state officials at reasonable times there shall be maintained for a period of at least two years routine operational records containing information on kinds (names), amounts, uses, dates, and places of application of restricted-use pesticides.

~~(b) Each licensee shall comply with the terms of each pest control contract it issues.~~ (Moved to 5E-14.105(8)).

(2) through (8) No change.

Specific Authority 482.051 FS. Law Implemented 482.071, 482.091, 482.161(1)(g), 482.226(1), (2), (4), (5), (6) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, \_\_\_\_\_.

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Division of Standards

RULE NOS.:

5F-2.001

5F-2.002

RULE TITLES:

Standards

Disposition of Below Standard

Gasoline, Kerosene, Diesel Fuel

Oils No. 1-D and No. 2-D, and

Fuel Oils No. 1 and No. 2, and

Alternative Fuels

5F-2.003

Registration and Identification

5F-2.016

Guidelines for Imposing

Administrative Penalties

### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 31 No. 50, December 16, 2005, issue of the Florida Administrative Weekly.

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions shall be considered by the Department of Agriculture and Consumer Services for gasoline designed for special equipment or service in accordance with Section 120.542, F.S., Variances and Waivers.

(1)(a) through (4)(b) No change.

(5) Alternative Fuels.

(a) No change.

(b) Mixtures containing 85% ~~or more~~ by volume of methanol, denatured ethanol, or other alcohols with gasoline or other fuels, or such other percentage determined acceptable in the specifications for such mixtures as adopted in this section but not less than 70%, as determined by the department by rule, to provide for requirements relating to cold start, safety, or vehicle functions:

(b)1. through 2. No change.

~~(c) Hydrogen;~~

~~(d) Coal-derived liquid fuels;~~

(c) No change.

- (f) Electricity, including electricity from solar energy; and  
(g) Any other fuel determined by the department by rule.  
(6) through (7) No change.

5F-2.002 Disposition of Below Standard Gasoline, Kerosene, Diesel Fuel Oils No. 1-D and No. 2-D, and Fuel Oils No. 1 and No. 2, and Alternative Fuels.

(1) GASOLINE.

- (a) No change.

(b) Gasoline found below standard because of an Antiknock Index more than one (1.0), but not more than two (2.0), below the Antiknock Index displayed on the dispenser shall be withheld from sale to the public until it has been brought up to the Antiknock Index standard. If the product meets the specifications for a lesser grade of gasoline, it may be labeled as the lesser grade and released for sale to the public, or the Department may release it for sale to the public as a product of lesser quality, or to the owner for use in his own equipment.

(c) Gasoline not meeting specifications stated in ASTM International D 4814-04b<sup>1</sup>, "Standard Specification for Automotive Spark-Ignition Engine Fuel" found below standard for reasons other than those enumerated in paragraphs (1)(a) and (b) shall be subject to penalties provided in Chapter 525.16, Florida Statutes. These penalties are specified in Rule 5F-2.016, F.A.C.

(2) KEROSENE.

- (a) No change.

(b) Kerosene not meeting specifications stated in ASTM International D 3699-04, "Standard Specification for Kerosine" found below standard for reasons other than those enumerated in paragraph (2)(a) shall be subject to penalties provided in Section 525.16, Florida Statutes. These penalties are specified in Rule 5F-2.016, F.A.C.

(3) DIESEL FUEL OILS No. 1-D and No. 2-D and FUEL OILS No. 1 and No. 2.

- (a) through (b) No change.

(c) Diesel fuel oils No. 1-D and No. 2-D, and fuel oils No. 1 and No. 2 not meeting specifications stated in ASTM International D 975-04c<sup>1</sup>, "Standard Specification for Diesel Fuel Oils" and ASTM International D 396-04, "Standard Specification for Fuel Oils, respectively found below standard for reasons other than those enumerated in paragraph (3)(a) and (b) shall be subject to the penalties as provided in Section 525.16, Florida Statutes. These penalties are specified in Rule 5F-2.016, F.A.C.

(4) ALTERNATIVE FUELS.

(a) Alternative Fuels found below standard shall be withheld from sale to the public until brought up to standard.

(b) Alternative Fuels found below standard shall be subject to the penalties as provided in Section 525.16, Florida Statutes. These penalties are specified in Rule 5F-2.016, F.A.C.

5F-2.003 Registration and Identification.

(4) All racing gasoline or gasoline designed for special use that is kept, offered, or exposed for sale, or sold at retail that does not meet standards established in subsection 5F-2.001(1), F.A.C.:

(a) May not be advertised or represented, in writing or orally, to be suitable for use in ordinary motor vehicles or boat motors;

(b) Shall be accompanied by a conspicuous sign on the dispenser stating that the product does not meet gasoline specifications; and

~~(c) May not be dispensed into vehicles or boats unless the appearance of said vehicles or boats indicate they are used primarily for racing or special purposes.~~

- (5) No change.

(6) Beginning June 1, 2006, every retail diesel fuel dispenser shall have the proper grade designation to indicate the sulfur content of the diesel fuel being sold therefrom conspicuously and firmly attached thereto. Lettering must be in block letters of no less than 24-point bold type and printed in a color contrasting the background. The label shall be placed on the vertical surface of each dispenser housing on each side that has measure and price meters. The label shall be on the upper two-thirds of the dispenser and clearly visible to anyone dispensing fuel from the dispenser. The label shall include all of the following text relating to the grade of diesel fuel sold through the dispenser:

- (a) through (b) No change.

(c) For all non-highway diesel fuel:

NON-HIGHWAY DIESEL FUEL (may exceed 500 ppm Sulfur, but not more than 5,000 ppm Sulfur Maximum)

WARNING – Federal law prohibits use in highway vehicles and engines. Its use may damage these vehicles and engines.

- (7) No change.

(8) All alternative fuel kept, offered, or exposed for sale, or sold, at retail that contains more than 10% ethanol, methanol or other alcohol shall be identified by a name indicating the amount and type(s) of ethanol, methanol or other alcohol in the fuel and shall be labeled as such on the vertical surface of each dispenser housing on each side that has measure and price meters with a sign clearly visible and located on the upper fifty percent of the dispenser front panel in a type at least 1/2 inch in height and 1/16 inch stroke (width of type).

(a) Ethanol mixed with gasoline and containing an ethanol content of nominally 75%-85% or more, but no less than 70%, shall be identified as "E85 Fuel Ethanol."

(b) Methanol mixed with gasoline and containing a methanol content of nominally 80%-85% or more, but no less than 70%, shall be identified as "M85 Fuel Methanol."

(c) Alcohol (other than methanol or ethanol) mixed with gasoline and containing an alcohol content of 85%, but no less than 70%, shall be identified in a similar fashion as those in (a) and (b).

(9) through (10) No change.

5F-2.014 No change.

5F-2.016 Guidelines for Imposing Administrative Penalties

(1) through (5)(d) No change.

The administrative fine will be a sum of the assigned monetary amounts of these factors. These factors will be assigned monetary amounts in the following manner:

1. The degree of harm is determined by the severity and nature of the violation and the extent of harm will be determined by the amount of substandard product sold.

a. Severity and Nature of the Violation

Gasoline			
Fine	\$100	\$250	\$500
Distillation: End Point, °F	475	476-500	>500
Distillation: 10, 50 & 90% evaporated temperature, °F		all violations	
Vapor Pressure, psi	April-October : >maximum but < 11.5	November-M arch: >13.5 April-October : >11.5	
Antiknock Index			>2.0 below displayed value
Sulfur			all violations
Gum			all violations
Alcohol/Oxyg enates		>maximum but <20%	>20%
Silver Corrosion			all violations

Diesel, Biodiesel Blends, Kerosene and Fuel Oils

Fine	\$100	\$250	\$500
Flash Point, °F	diesel, <u>biodiesel blends</u> & fuel oils: 80-95. kerosene: 80-91	diesel, <u>biodiesel blends</u> , kerosene & fuel oils: 60-79	diesel, <u>biodiesel blends</u> , kerosene & fuel oils: <60
Distillation		diesel, <u>biodiesel blends</u> , kerosene & fuel oils: all violations	

Sulfur*			all violations
Lubricity			all violations
Biodiesel, % vol	Biodiesel blends: >20		

\*Sulfur requirements for Ultra Low Sulfur Diesel (ULSD or S15) will be elevated to 22 ppm until September 1, 2006 at the wholesale level and October 15, 2006 at the retail level. See 40CFR Part 80 as amended in Federal Register on November 22, 2005, volume 70 number 224, page 70498

Fuel Ethanol (Ed75-Ed85) and Fuel Methanol (M70-M85)

Fine	\$100
Ethanol content	Fuel Ethanol (Ed 75-Ed85): all violations
Methanol content	all violations
Vapor Pressure	all violations
Sulfur	all violations
Water content	all violations

Biodiesel Fuel Blend Stock (B100)

Fine	\$100
Flash Point	all violations
Water and sediment content	all violations
Sulfur	all violations
Glycerin	all violations
Distillation: 90%	all violations

b. No change.

2. through 4. No change.

Specific Authority 525.14 FS. Law Implemented 525.16 FS. History—New 2-24-00, Amended 7-30-02,\_\_\_\_\_.

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Division of Fruit and Vegetable

RULE NO.:

RULE TITLE:

5G-5.001

Alternative Inspection Programs

#### NOTICE OF CHANGE

Notice is hereby given that the following additional changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 4 of the January 27, 2005, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

#### 5G-5.001 Alternative Inspection Programs.

The Division of Fruit and Vegetables shall ~~may~~ approve registered citrus processing plants that apply for, agree to comply with and qualify to operate under the Florida Quality Systems Certification Program Description and Guidelines, dated April 4, 2006 ~~January 17, 2006~~ hereby adopted by

reference and available from the Division of Fruit and Vegetables, Department of Agriculture and Consumer Services, P. O. Box 1072, Winter Haven, Florida 33882-1072.

Specific Authority 570.07(23) ~~(21)~~ FS. Law Implemented 570.07(2), (16), (21), 601.27, 601.49 FS. History—New\_\_\_\_\_.

The date of publication of the proposed rule development in the FAW was corrected to read, “January 27, 2006”.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shannon Shepp, Director, Division of Fruit and Vegetable, Department of Agriculture and Consumer Services, 500 3rd Street, Winter Haven, Florida 33881, (863)291-5820

## DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

### Office of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-7.001	Purpose
5M-7.002	Approved BMPs
5M-7.003	Presumption of Compliance
5M-7.004	Notice of Intent to Implement
5M-7.005	Record Keeping

### NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 8, February 24, 2006, Florida Administrative Weekly has been withdrawn.

## DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-75.003	Qualification, Selection, and Performance Evaluation Minimum Qualification Standards by Type of Work

### NOTICE OF CORRECTION

The previously proposed notice of rulemaking was withdrawn and a revised notice was published in Florida Administrative Weekly, Vol. 32, No. 12, March 24, 2006. Although the revised notice was in response to the Joint Administrative Procedures Committee a review of the previous notice and to correct items missed in the revised notice had some errors, which needed to be corrected. The following are corrections to the Notice of Correction published in Florida Administrative Weekly, Vol. 32, No. 13.

### SUMMARY OF CORRECTION:

1. 14-75.003(5)(h)1.d.(II): Change “Type of Work 9.2.2” to “Type of Work 9.4.2” in the heading. NOTE: The word “Work” should have appeared instead of “Word” as corrected herein.
2. 14-75.003(5)(i)1.d.: Change “Type of Work 10.4: Major Bridge CEI.” to “Type of Work 10.4: Minor Bridge and Miscellaneous Structures CEI.” in the heading.

3. 14-75.003(5)(i)2.d.: Change “. . . two engineers/project administrators. . .” to “. . . two engineers/technicians. . .” NOTE: The correction is to the paragraph number, which should have been “2.d.” instead of “1.d.”

4. 14-75.003(5)(i)2.e.: Change “. . . performance of CEI for Type of Work 10.5.2.” to “. . . performance of CEI for Type of Work 10.5.1.” in 14-75.003(5)(i)1.e. NOTE: The correction is to the paragraph number, which should have been “2.e.” instead of “1.e.”

Note also, that the #4. correction referred to the first subparagraph e., and there was a correction to numbering. That correction of numbering was not needed as the correction had already been made by the editors before publishing the revised notice of rulemaking.

## 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

### Medicaid

RULE NO.:	RULE TITLE:
59G-4.199	Mental Health Targeted Case Management

### 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. 50, December 16, 2005, issue of the Florida Administrative Weekly. This is the second Notice of Change. The first Notice of Change was published in Vol. 32, No. 10, March 10, 2006, issue of the Florida Administrative Weekly. These additional changes were made in response to comments received at the public hearing and from the Department of Children and Families after the public hearing.

In the rule text in paragraphs (2) and (3), all references to “October 2005” were changed to “July 2006.” In paragraph (2), the last sentence was revised to read, “Both handbooks are available from the Medicaid fiscal agent’s website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.”

The proposed rule is incorporating by reference the Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook. The effective date of the handbook was changed to July 2006, and the footer dates on all the handbook pages were changed to July 2006. The following revisions were made to the handbook:

Introduction, page i, Background, last paragraph, we deleted the reference to Transportation Services, because it is no longer a combined coverage and limitations and reimbursement handbook.

Chapter 1, page 1-3, Enrollment Process, second bullet, we changed "Certification forms signed by the district or regional SAMH office" to "signed by the area Medicaid office."

Chapter 1, page 1-4, District of Regional SAMH Office Responsibilities, we moved the first and forth bullet to a new section entitled, "Area Medicaid Office Responsibilities." The second bullet was revised to read, "May participate in the process the training targeted case managers." We deleted, "every three months." We added a third bullet to the new section that the area Medicaid office is also responsible for "participating in the process of training targeted case managers."

Chapter 1, page 1-5, Provider Agency Qualifications, we changed the first bullet to read, "Must be certified by its area Medicaid office for the specific target group(s) that the agency will serve." Under Provider Agency Certification, first paragraph, first sentence, we deleted, "in conjunction with DCF." In the second paragraph, we revised the references to the district or regional SAMH program office certifying the mental health targeted case management agency to the area Medicaid office.

Chapter 1, page 1-6, Administrative Provider Agency Certification Criteria for Mental Health Targeted Case Management, bullet 6, we deleted, "and DCF Mental Health Central Office, the district or regional SAMH office." In bullet 10., we changed "in-service training," to "targeted case management training," and deleted approved by "DCF."

Chapter 1, page 1-8, Supervisor Certification Criteria, second paragraph, first sentence, was revised to state that the training must be approved by AHCA.

Chapter 1, page 1-9, Individual Children's Mental Health Targeted Case Manager Certification, bullet 1, the third paragraph was deleted because it is no longer applicable. Bullet 2, first sentence, was revised to state that the individual, "has completed or agrees to complete AHCA-approved mental health targeted case management training. . ."

Chapter 1, page 1-10, Individual Adult Mental Health Targeted Case Manager Certification, bullet 1, third paragraph, "can" was changed to "may." Bullet 2 was revised to state that the individual, "has completed or agrees to complete AHCA-approved mental health targeted case management training. . ."

Chapter 2, page 2-3, Certification Criteria for Children's Mental Health Targeted Case Management, the last paragraph was numbered bullet 9 and corrected to read, "Has relocated from a DCF district or region where he was receiving mental health targeted case management services. This must be documented in the recipient's case record."

Chapter 2, page 2-5, Certification Criteria for Adult Mental Health Targeted Case Management, bullet 9 was corrected to read, "Has relocated from a DCF district or region where he was receiving mental health targeted case management services. This must be documented in the recipient's case record."

Chapter 2, page 2-9, Institutions for Mental Diseases, we revised the first sentence to read, "Medicaid does not reimburse for mental health targeted case management services rendered to a resident of an institution for mental diseases (IMD), unless the resident is participating in the Statewide Inpatient Psychiatric Program Waiver."

Chapter 2, page 2-10, third bullet, we replaced the acronyms with full titles. In the sixth bullet, we made the last sentence a separate bulleted item.

Chapter 2, page 2-12, Transportation, second paragraph, we corrected the last sentence to read, "Medicaid contracts with a vendor, who arranges for non-emergency transportation services for Medicaid recipients."

Chapter 2, page 2-12, Travel, the policy was rewritten to read, "Reimbursement for travel time is incorporated into the unit rate and may not be billed separately."

Chapter 2, page 2-21, Documentation Reviews, the reference to the district or regional SAMH program office was deleted.

Chapter 3, page 3-2, Exceptions to Service Limits, the second paragraph was deleted, because exceptions to the service limits are not available for adults age 21 and older.

Appendix A, the Maximum Fee was changed to \$12.00 per unit.

Appendices B, C, D, and L, the signature block was changed from the District or Regional SAMH Designated Representative to the Area Medicaid Office Designated Representative.

Appendices B and C, bullet 10, was revised to read, "Has the ability to maintain and produce documentation that verifies that mental health targeted case managers have participated in case management training as required and approved by AHCA."

Appendices E and F, third bullet, first sentence, and Appendices G and H, second bullet, "SAMH approved" mental health targeted case management training was replaced with "AHCA-approved" mental health targeted case management training.

A copy of the revised Florida Medicaid Mental Health Targeted Case Management Coverage and Limitations Handbook, July 2006, is available from Michelle Comeaux, Bureau of Medicaid Services, at 921-8288.

**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 Podiatric Medicine**

RULE NOS.:	RULE TITLES:
64B18-14.002	Penalties
64B18-14.010	Citations

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 32, on August 12, 2005, Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES****Developmental Services Program**

RULE NO.:	RULE TITLE:
65B-4.033	Determination of Mental Retardation: Intelligence Tests to be Administered

**NOTICE OF CORRECTION**

Notice is hereby given that the Division title for the above Proposed Rule, published in Vol. 32, No. 13, March 31, 2006 issue of the F.A.W., was incorrectly listed as Agency for Persons With Disabilities.

**DEPARTMENT OF FINANCIAL SERVICES****Division of Workers' Compensation**

RULE NO.:	RULE TITLE:
69L-7.501	Florida Workers' Compensation Reimbursement Manual for Hospitals

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 16, April 22, 2005, Florida Administrative Weekly, has been withdrawn.

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## Section IV Emergency Rules

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

**DEPARTMENT OF STATE**

NOTICE IS HEREBY GIVEN that on March 29, 2006, the Department of State received a Petition of Variance/Waiver of section IX(H) of the Public Library Construction Grant Guidelines, which is incorporated by reference into Rule 1B-2.011, F.A.C., by the Town of Surfside. The Petition is seeking a variance from the rule that gives a recipient of a public library construction grant, 540 days from the date of the grant award to place the construction project under contract. There are no exceptions to this requirement unless the grant recipient is involved in litigation.

A copy of this petition can be obtained from: Lisa Ginn, Agency Clerk, Office of the General Counsel, Department of State, 500 South Bronough Street, Tallahassee, FL 32399-0250.

The Department of State will accept comments concerning this petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at the Department of State, Office of the General Counsel, 500 South Bronough Street, Tallahassee, FL 32399-0250.

**DEPARTMENT OF TRANSPORTATION**

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation received a Petition for Variance from Hillsborough Area Regional Transit Authority on April 3, 2006, seeking a variance from the provisions of paragraph 14-90.007(3)(a), Florida Administrative Code. Paragraph 14-90.007(3)(a), Florida Administrative Code establishes minimum curbside mirror clearance requirements for Type I transit buses. Hillsborough Area Regional Transit Authority proposes the Department grant a variance pertaining to minimum curbside mirror clearance for select Type II vehicles within their transit system.

Comments on this proposed variance should be filed with the Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, within 14 days of the publication of this notice.