

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

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."

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management

RULE NO.: 40C-8.031
RULE TITLE: Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to adopt minimum flows and levels for the St. Johns River at State Road 50, in Orange and Brevard Counties.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would establish minimum surface water flows and levels for the St. Johns River at State Road 50 in Orange and Volusia Counties pursuant to the mandate of Section 373.042, Florida Statutes. Each of these flows and levels would have an associated duration (in days) and return interval (in years). The terms used herein are already defined in Chapter 40C-8, F.A.C. As with all minimum levels established by the District, if adopted, the minimum levels in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

SPECIFIC AUTHORITY: 373.044, 373.113 FS.
LAW IMPLEMENTED: 373.042, 373.0421 FS.

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

DATE AND TIME: December 13, 2006, 1:30 p.m. – 3:30 p.m.
PLACE: North Brevard Public Library, 2121 South Hopkins Avenue, Jacob Hannemann, Room B, Titusville, FL 32780

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma K. Messer, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, P. O. Box 1429, Palatka, Florida 32178-1429, (386)329-4459, Suncom 860-4459, email nmesser@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) The following minimum surface water levels and flows and minimum groundwater levels are established:

(a) through (g) No change.

(h) St. Johns River at SR50 in Orange and Brevard Counties.

	<u>Level</u> (ft NGVD)	<u>Flow</u> (cfs)	<u>Duration</u> (days)	<u>Return Interval</u> (years)
<u>Minimum Frequent High</u>	8.1	1950	30	2
<u>Minimum Average</u>	5.9	580	180	1.5
<u>Minimum Frequent Low</u>	4.2	140	120	5
<u>Minimum Infrequent Low</u>	2.7	43	60	50

(2) through (4) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-11-03, 11-10-03, 1-12-04, 2-1-06, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals

RULE NOS.: 59E-7.012, 59E-7.014
RULE TITLES: Inpatient Data Reporting and Audit Procedures
 Inpatient Data Format – Data Elements Codes, and Standards

PURPOSE AND EFFECT: The rule amendments add inpatient data elements, modify inpatient data elements and codes, and modify inpatient data formats related to the reporting of present at admission data.

SUBJECT AREA TO BE ADDRESSED: The agency is proposing amendments to Rules 59E-7.012 and 59E-7.014, F.A.C., that modify inpatient data reporting requirements.

SPECIFIC AUTHORITY: 408.061(1)(a), 408.061(2), 408.08(2), 408.08(5) FS.

LAW IMPLEMENTED: 408.05(3)(1)1. FS.

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

DATE AND TIME: December 13, 2006, 10:00 a.m.
PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Rooms A, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lisa Rawlins, Bureau Chief, Florida Center for Health Information and Policy Analysis, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59E-7.012 Inpatient Data Reporting and Audit Procedures.
 (1) through (7) No change.

(8)(a) No change.

(b) Data submitted to the Internet address shall be electronically transmitted with the inpatient data in the XML file using the Inpatient Data XML schema available at http://ahca.myflorida.com. The Inpatient Data XML Schema is incorporated by reference.

(c) No change.

(9) through (12) No change.

Specific Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.08(1), (2), 408.15 (11) FS. History--New 12-15-96, Amended 1-4-00, 7-11-01, 7-12-05, _____.

59E-7.014 Inpatient Data Format – Data Elements, Codes and Standards.

(1) No change.

(2)(a) through (o) No change.

(p) Present on ~~at~~ Admission Indicator for Principal Diagnosis Code, Present on Admission for Other Diagnosis Code (1), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (2), Present on ~~at~~ Admission Indicator (3), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (4), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (5), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (6), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (7), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (8), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (9), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (10), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (11), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (12), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (13), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (14), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (15), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (16), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (17), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (18), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (19), Present on ~~at~~ Admission for Other Diagnosis Code (20), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (21), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (22), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (23), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (24), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (25), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (26), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (27), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (28), Present on ~~at~~ Admission Indicator for Other Diagnosis Code (29), ~~and~~ Present on ~~at~~ Admission Indicator for External Cause of Injury Code (1), Present on Admission Indicator for External Cause of Injury Code (2), and Present on Admission Indicator for External Cause of Injury Code (3). ~~(30)~~ A code differentiating whether

the condition represented by the corresponding Principal Diagnosis Code (n), Other Diagnosis Code ~~other diagnosis code~~ (o) (1) through (30), and External Cause of Injury Code (ww) (1) through (3) ~~(30)~~ was present ~~on~~ at admission or whether the condition developed after admission as determined by the physician, medical record, or nature of the condition. No entry is permitted when the condition is exempt from reporting or present on admission is not applicable for the cause of injury category. A required entry if the corresponding ~~other diagnosis non-exempt~~ code is reported. Where required, this must be a one (1) character alpha ~~one digit~~ code as follows:

1. Y 1 – Yes – Present at the time of inpatient admission. ~~The condition was present at admission including chronic conditions diagnosed during the hospitalization, an outcome of delivery, or a reason for admission.~~

2. N 2 – No – Not present at the time of inpatient admission. ~~The condition was not present at admission such as an acute condition that develops after admission or an exacerbation of a chronic condition that develops after admission.~~

3. U 3 – Unknown 3 – Uncertain – Documentation is insufficient to determine if condition is present on admission. ~~The status of the condition cannot be determined from the medical record, nature of the condition, or after requesting a determination from the patient’s physician.~~

4. W – Clinically Undetermined – Provider is unable to clinically determine whether condition was present at admission or not.

(q) through (xx) No change.

(3) No change.

Specific Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061 FS. History--New 12-15-96, Amended 7-11-01, 7-12-05, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: 61G16-5.004 RULE TITLE: Application Evaluations

PURPOSE AND EFFECT: The Board proposes the development and promulgation of the rule to add language clarifying application evaluations.

SUBJECT AREA TO BE ADDRESSED: Application evaluations.

SPECIFIC AUTHORITY: 492.104, 492.105 FS.

LAW IMPLEMENTED: 492.105 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

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 HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-30.0151	Standard Terms Applicable to Orders
64B8-30.0152	Probation Variables

PURPOSE AND EFFECT: The Board proposes the development of rules to address standard terms applicable to Orders and probation variables with regard to the discipline of physician assistants.

SUBJECT AREA TO BE ADDRESSED: Standard terms and probationary variables relating to physician assistant discipline.

SPECIFIC AUTHORITY: 456.072(2), 458.309(1), 458.347 FS.

LAW IMPLEMENTED: 456.072(2), 458.331(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.:	RULE TITLES:
64B8-31.0101	Standard Terms Applicable to Orders
64B8-31.0102	Probation Variables

PURPOSE AND EFFECT: The Board proposes the development of rules to address standard terms applicable to Orders and probation variables with regard to the discipline of anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Standard terms and probationary variables relating to anesthesiologist assistant discipline.

SPECIFIC AUTHORITY: 456.072(2), 458.309(1), 458.3475 FS.

LAW IMPLEMENTED: 456.072(2), 458.331(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.:	RULE TITLES:
64B15-6.0112	Standard Terms Applicable to Orders
64B15-6.0113	Probation Variables

PURPOSE AND EFFECT: The Board proposes the development of rules to address standard terms applicable to Orders and probation variables with regard to the discipline of physician assistants.

SUBJECT AREA TO BE ADDRESSED: Standard terms and probationary variables relating to physician assistant discipline.

SPECIFIC AUTHORITY: 456.072(2), 459.005(1), 459.022 FS.

LAW IMPLEMENTED: 456.072(2), 459.015(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: RULE TITLES:
64B15-7.0101 Standard Terms Applicable to Orders
64B15-7.0102 Probation Variables

PURPOSE AND EFFECT: The Board proposes the development of rules to address standard terms applicable to Orders and probation variables with regard to the discipline of anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Standard terms and probationary variables relating to anesthesiologist assistant discipline.

SPECIFIC AUTHORITY: 456.072(2), 459.005(1), 459.023 FS.

LAW IMPLEMENTED: 456.072(2), 459.015(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE NO.: RULE TITLE:
65A-1.712 SSI-Related Medicaid Resource Eligibility Criteria

PURPOSE AND EFFECT: Amendments to the proposed rule revise Medicaid policies in accordance with federal law, the Deficit Reduction Act (DRA) of 2005. The DRA provides for reform in the treatment of assets in the institutional Medicaid eligibility determination.

SUBJECT AREA TO BE ADDRESSED: Proposed amendments revise the language to the rule to be consistent with federal regulations regarding transfer of assets provisions and the treatment of assets.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

IF REQUESTED IN WRITING, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 4, 2006, 4:00 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Pat Whitford, Economic Self-Sufficiency Services, Telephone (850)410-3479

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

**Section II
Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: RULE TITLE:
61-20.508 Continuing Education Renewal Requirements

PURPOSE AND EFFECT: The Council proposes the rule amendment to clarify when continuing education must be completed.

SUMMARY: The rule amendment will clarify when continuing education must be completed.

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: 455.2123, 455.271(6)(b), 468.4315(2), 468.4336, 468.4337 FS.

LAW IMPLEMENTED: 455.2123, 455.2124, 455.271(6)(b), 468.4337 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Regulatory Council for Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61-20.508 Continuing Education Renewal Requirements.
(1) through (5) No change.