

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

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 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.

~~(6) Anyone licensed for more than 24 months at renewal time will be required to have complied with the CE requirements set forth in subsection (1), above, prior to renewal. More than 24 months, means 24 months plus 1 day. Licensees licensed for 24 months or less at renewal time are exempt from compliance with the CE requirements set forth in subsection (1), above, until the end of the next renewal cycle. A licensee shall not be required to comply with the continuing education requirements prior to the licensee's first license renewal.~~

(7) through (8) No change.

Specific Authority 455.2123, ~~455.2124~~, 468.4315(2), 468.4336, 468.4337 FS. Law Implemented 455.2123, 455.2124, 468.4336, 468.4337 FS. History—New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55-008, 61B-55.008, Amended 10-18-99, 3-13-00, 2-21-01, 7-21-03, 4-25-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council for Association Managers
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Council for Association Managers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 2, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums, and Mobile Homes

RULE NO.: 61B-17.001
 RULE TITLE: Developer, Filing; Electronic Filing Required

PURPOSE AND EFFECT: This rule amendment will require that all developers file proposed purchaser documents electronically with the Division of Florida Land Sales, Condominiums and Mobile Homes for review, subject to exceptions for technological unavailability, expense, and other factors. An electronic format will facilitate and expedite the division's review process and will provide benefits including cost reduction in document retention and retrieval in response to Chapter 119, F.S., requests. An electronic format will also provide cost reductions to developers in that CD's are considerably less expensive than printed documents and will facilitate ease of storage.

SUMMARY: This rule amendment will require the electronic filing of proposed condominium documents with the division for review purposes.

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: 718.501(1)(f), 718.502(1)(c) FS.

LAW IMPLEMENTED: 718.103(14), 718.104, 718.403, 718.502, 718.504(20) 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: December 11, 2006, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe Street, Tallahassee, Florida

THOSE PERSONS WHO CANNOT ATTEND IN PERSON MAY SUBMIT THEIR COMMENTS IN WRITING TO: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, within 21 days of this notice. written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Sharon A. Malloy, Senior Management Analyst II at (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-17.001 Developer, Filing; Electronic Filing Required.

(1) through (6) No change.

(7) Beginning on July 1, 2007, all new developer filings required or permitted by Chapter 61B-17, Florida Administrative Code, except as otherwise provided in this rule, shall be made by electronic filing with the division. This requirement applies to original filings, amendment filings, reservation filings, notices of intended conversion, and any other filing. No filing, except as provided in this rule, shall be submitted to the division in a paper format, except that filings submitted prior to July 1, 2007, in a paper format shall be allowed to be completed in a paper format.

(a) Format. All electronic filings shall be contained in a CD ROM format. No filings shall be submitted by email or Internet, dial up modem, floppy disc, or email attachment

directed to the division. Within the CD ROM, the documents shall be presented in a portable document format (PDF) with each document labeled by name.

(b) Signatures. All documents required to contain an original signature, such as the fully executed escrow agreement, shall be reproduced electronically and shall be included on the CD ROM.

(c) Seals. All documents required to contain a seal such as an engineer's seal, architect's seal or notary public's seal, shall be reproduced electronically in such a way as to make the seal evident, and shall be included on the CD ROM.

(d) Developer responses to notices of deficiency issued by the division shall be submitted electronically in PDF format either on a CD ROM, or as a PDF or WORD attachment to an email.

(e) Integrated text. Within 45 days following receipt of the division's letter of approval of an electronic filing, the developer shall submit to the division a plain text integrated version of the filed documents in CD ROM format incorporating the initial filing with all changes necessitated by the division's examination process. For example, the declaration shall be shown as a single document containing all required amendments within its text without underlining or strike-through format. The integrated filing CD ROM shall include a signed written statement by the developer's attorney, or by the developer if not represented by an attorney, stating that the CD ROM contains an accurate integrated text of the filing. If there was no change in the filed documents necessitated by the division's examination process, this subsection will not apply.

(f) Temporary Exemption. A developer may apply for a temporary hardship exemption if the developer experiences unanticipated technical difficulties that prevent the timely preparation and submission of any electronic filing. Such application shall be made in paper format and filed with the division. A developer who files in paper under the temporary hardship exemption must submit an electronic format copy of the filed paper documents within 14 days of the filing of the paper format document.

(g) Continuing Hardship Exemption. Until July 1, 2008, if a developer determines that the preparation of an electronic filing is unduly burdensome, unduly expensive, or is not technologically available, the developer may apply to the division for an automatic exemption from the requirement of an electronic filing in order to be permitted to file the documents in a paper format. Such automatic exemption shall only apply to the individual filing for which it is requested.

Specific Authority 718.501(1)(f), 718.502(1)(c) FS. Law Implemented 718.103(14), 718.104, 718.403, 718.502, 718.504(20) FS. History—New 11-15-77, Amended 7-22-80, 7-6-81, 8-31-83, 10-1-85, Formerly 7D-17.01, Amended 1-27-87, 7-10-88, Formerly 7D-17.001, Amended 2-22-94, 2-20-97, 4-14-99, 1-26-03, 8-15-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Cochran, Director, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Simone Marstiller, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 13, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE CHAPTER NO.: RULE CHAPTER TITLE:

61G16-4 Inactive Status

RULE NO.: RULE TITLE:

61G16-4.004 Reinstatement of Null & Void Licenses

PURPOSE AND EFFECT: The Board proposes the amendment to Chapter 64G16-4, F.A.C., to update chapter title and to add new language to Rule 61G16-4.004, F.A.C., that clarifies reinstatement of Null & Void status license pursuant to Section 455.271(6)(b), Florida Statutes.

SUMMARY: The proposed rule amendment to the chapter title and new rule language is to clarify reinstatement of Null & Void status license pursuant to Section 455.271(6)(b), 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: 455.271 FS.

LAW IMPLEMENTED: 455.271 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 Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0764

THE FULL TEXT OF THE PROPOSED RULE IS:

INACTIVE, DELINQUENT AND NULL & VOID STATUS**61G16-4.004 Reinstatement of Null & Void Licenses.**

Reinstatement of Null & Void Licenses – Pursuant to Section 455.271(6)(b), F.S., the Board of Professional Geologists exercises its discretion not to reinstate a license that has become void.

Specific Authority 455.271 FS. Law Implemented 455.271 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Geologists

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 27, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 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 HEALTH**Division of Environmental Health**

RULE NO.: RULE TITLE:
64E-2.040 Funding for Verified Trauma Centers
PURPOSE AND EFFECT: Revises the method of determining funding allocations for distribution to the Florida trauma centers.

SUMMARY: This proposed rulemaking revises the definitions applicable to this section of the rule and amends the timeframe and funding allocation formulas for distribution of funds collected under subsections 318.14(5) and 318.18(15), F.S. to Florida's trauma centers in accordance with statutory changes included in House Bill 7141.

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: 395.4036 FS.

LAW IMPLEMENTED: HB 7141

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: December 1, 2006, 10:00 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, FL 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, FL 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-2.040 Funding for Verified Trauma Centers.

(1) For purposes of Sections 318.14 and 395.4036, F.S., and this rule, in addition to those terms defined in the Florida Trauma Registry Manual, December 2005, (see Rule 64E-2.018, F.A.C.) and elsewhere in these rules, the following definitions also apply:

(a) "Attestation" – means a letter on hospital letterhead, signed under oath consistent with Section 92.50, F.S., by the person with direct or delegated authority to make such a statement, stating that the proceeds received by the hospital under Section 395.4036, F.S., were used in compliance with law.

(b) "Certified trauma center", "verified trauma center" and "trauma center" – all mean a Level I, Level II or Pediatric Trauma Center.

(c) "Caseload volume", "trauma caseload volume", and "volume of trauma cases" – all mean the number of verified trauma patients served by a trauma center during a calendar year, after 2004, on whom data timely supplied by the trauma center to the trauma registry satisfies the Florida Trauma Registry Manual, December 2005, reporting requirements for determining trauma caseload volume (see page 5 of the manual). ~~Solely for calendar years 2004 and 2005, this definition shall be the number of patients served by a trauma center during the respective calendar year on which data was supplied timely by the trauma center consistent with the Florida Trauma Registry Manual, December 2004.~~

(d) "International Classification Injury Severity Score" (ICISS) means a mathematical system of risk stratification based on anatomic diagnosis of trauma patients as initially defined and validated in the following reference: "Osler T,

Rutledge R, Deis J, Bedrick E., ICISS: an international classification of disease-9 based injury severity score, Journal of Trauma. 1996 Sep;41(3):380-6; discussion 386-8. “~~Local funding contribution~~” — means ~~local municipal, county or tax district funding public or private and public foundation funding and service district organization funding received by a hospital or healthcare system that operates a trauma center.~~

(e) “Severe Injury Patient” – Through December 31, 2007, means a verified trauma patient with a computed ICISS Ps<.90 and, after December 31, 2007, means a verified trauma patient with computed ICISS Ps<.85. “Weighted ISS volume” — means (The number of patients in the caseload volume for the previous calendar year with an ISS score of 14 and below) + (3 x the number of patients in the caseload volume for the previous calendar year with an ISS score of 15 and above).

(f) “Verified Trauma Patient” means a patient treated at a state certified trauma center with at least one ICD-9-CM discharge diagnosis between 800 and 959.9 with a Survival Risk Ratio (SRR)<1 whose data is used by the trauma registry to determine caseload volume. SRR’s for each diagnosis code will be determined from analysis of data in the trauma registry by the Department consistent with ICISS and shall be published by the Department.

(g) “Year” means the most recent complete calendar year for which caseload volume is available from the trauma registry.

(2) Funds collected under Section 318.14(5), F.S., and Section 318.18(15)(14), F.S., and deposited into the department’s administrative trust fund shall be distributed quarterly to the certified trauma centers, during the subsequent first calendar quarter and during the subsequent third calendar quarter as follows:

~~(a) First quarter distribution shall be calculated, consistent with paragraphs (d) and (e) below, using timely submitted caseload volume data from the year preceding the previous calendar year.~~

~~(b) Third quarter distribution shall be calculated, consistent with paragraphs (d) and (e) below, using timely submitted caseload volume data for the previous calendar year.~~

~~(a)(e) All distribution shall be consistent with (2) or upon resolution of all relevant administrative and judicial challenges, whichever is later.~~

~~(b)(d) Funds collected under Section 318.14(5), F.S. and deposited into the department’s administrative trust fund shall be distributed to the trauma center as follows: [(0.5 x funds)/Current total number of trauma centers] + [(0.5 x funds) x (Caseload volume for the trauma center for the previous calendar year/The sum of caseload volume for all trauma centers during the previous calendar year)].~~

~~(c)(e) Funds collected under Section 318.18(15)(14), F.S. and deposited into the department’s administrative trust fund under Section 395.4095(1), F.S., shall be distributed as follows:~~

1. To each trauma center in a region receiving a local funding contribution as of December 31 of the previous year: $(.2 \times \text{funds}) \times (\text{Caseload volume for the trauma center for the previous calendar year} / \text{The sum of caseload volume for the previous calendar year for all trauma centers receiving funding under subparagraph (2)(c)(e)1. of this rule})$.

2. To each trauma center: $\{(.4 \times \text{funds}) \times (\text{Caseload volume of the trauma center during the previous calendar year} / \text{The sum of caseload volume for all trauma centers during the previous calendar year})\}$.

3. To each trauma center $\{(.4 \times \text{funds}) \times (\text{The total number of severe injury patients served by the trauma center for the year trauma center’s weighted ISS volume} / \text{The total number of all severe injury patients served by all trauma centers for the year sum of all trauma centers’ weighted ISS volume})\}$.

Specific Authority 395.4036 FS. Law Implemented 395.4036 FS. History—New 4-25-06, Amended _____.

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 31, 2006

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

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 ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.: 62-210
RULE CHAPTER TITLE: Stationary Sources – General Requirements

RULE NOS.: 62-210.200
62-210.300
RULE TITLES: Definitions
Permits Required