

Section II
Proposed Rules

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| <u>FIRST OFFENSE</u> | <u>MINIMUM</u> <u>\$50.00 fine,</u> <u>reprimand and</u> <u>probation,</u> <u>continuing</u> <u>education</u> | <u>MAXIMUM</u> <u>\$150.00 fine,</u> <u>reprimand,</u> <u>suspension followed</u> <u>by probation</u> |
| <u>SECOND OFFENSE</u> | <u>\$150.00 fine,</u> <u>reprimand,</u> <u>suspension</u> <u>followed by</u> <u>probation</u> | <u>\$150.00 fine and</u> <u>revocation</u> |

If the unprofessional conduct involves hitting a patient or intentionally causing harm to a patient, the MINIMUM penalty for a FIRST OFFENSE is REVOCATION of the license.

(4) through (6) No change.

Specific Authority 464.204 FS. Law Implemented 456.072, 464.204 FS. History—New 10-28-02, Amended _____.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NOS.: 68-1.001
68-1.008
68-1.009

RULE TITLES:
Adoption of Uniform Rules of Procedure; Due Process Procedures; Subject Matter Index; Official Reporter
Due Process Procedures
Delegations of Authority

PURPOSE AND EFFECT: The Florida Fish and Wildlife Conservation Commission is amending its General Provisions Rule Chapter to include existing Due Process Procedures in the Commission’s rules and to incorporate into rule by reference existing Delegations of Authority from the Commission to the Executive Director.

SUBJECT AREA TO BE ADDRESSED: The subject area of the rulemaking is due process procedures and delegations of authority.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

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.: 33-601.737

RULE TITLE: Visiting – Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Form DC6-111A, Request for Visiting Privileges to include a line for termination date of probation or parole, to amend DC6-111B, Visitor Information Summary, to provide that no shoes known as Heelys or any footwear with removable parts shall be allowed and to specify that no more than three clear plastic jars or sealed (unopened) baby food are authorized for visitors with authorized infants and small children, and to amend Form DC6-111D Visitation Screening Matrix, to correspond with recent revisions to Rule 33-601.717, F.A.C., relating to criminal history.

SUMMARY: Form DC6-111A, Request for Visiting Privileges, is amended to include a line for termination date of probation or parole. Form DC6-111B, Visitor Information Summary, is amended to prohibit footwear with removable parts and to specify that no more than three clear plastic jars or sealed (unopened) baby food are authorized for visitors with authorized infants and small children. Form DC6-111D Visitation Screening Matrix, is amended to correspond with recent revisions to Rule 33-601.717, F.A.C., relating to criminal history.

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: 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.8031 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.737 Visiting – Forms.

The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

- (1) through (2) No change.
- (3) DC6-111A, Request for Visiting Privileges, effective ~~4-29-02~~.
- (4) DC6-111B, Visitor Information Summary, effective ~~3-29-07~~.
- (5) No change.
- (6) DC6-111D, Visitor Screening Matrix, effective ~~3-29-07~~.

Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History–New 11-18-01, Amended 4-29-02, 9-29-03, 3-31-05, 7-17-05, 3-21-06, 3-29-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura E. Bedard, Ph.D., Deputy Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 1, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2007

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.800 RULE TITLE: Close Management
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend form DC4-643A, Individualized Service Plan, to add titles Psychiatric ARNP and Behavioral Specialist to Part III.
 SUMMARY: The purpose and effect of the proposed rule is to amend form DC4-643A, Individualized Service Plan, to add titles Psychiatric ARNP and Behavioral Specialist to Part III.
 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: 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: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.800 Close Management.

- (1) through (18) No change.
- (19) Forms. The following forms referenced in this rule are hereby incorporated by reference. Copies of any of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.
 - (a) No change.
 - (b) Form DC4-643A, Individualized Service Plan, effective date ~~4-2-16-04~~.
 - (c) through (1) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laura Bedard, Ph.D., Deputy Secretary of Department of Corrections
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 30, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2007

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.003 RULE TITLE: Medicaid Providers Who Bill on the UB-04

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Medicaid Provider Reimbursement Handbook, UB-04, May 2007. The Department of Health and Human Services, Centers for Medicare and Medicaid, replaced the UB-92 claim form with the UB-04 claim form effective May 2007. The handbook contains the instructions for the new claim form. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Handbook, UB-04, May 2007.

In the Notice of Rule Development that was published in Vol. 33, No. 11, March 16, 2007, Florida Administrative Weekly, we stated that the handbook was effective March 2007. We changed the date to May 2007.

SUMMARY: The purpose of this rule is to incorporate by reference the Florida Medicaid Provider Reimbursement Handbook, UB-04, May 2007. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Handbook, UB-04, May 2007.

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: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912 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:

DATE AND TIME: Tuesday, July 10, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Catherine McGrath, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7326, mcgrathc@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.003 Medicaid Providers Who Bill on the UB-04.

(1) All Medicaid providers and their billing agents who submit claims on behalf of an enrolled Medicaid provider who are required by their service-specific coverage and limitations handbook or other notification by the Medicaid Program to bill the Florida Medicaid Program on a paper UB-04 claim form for reimbursement of services performed on a Medicaid eligible recipient, must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Handbook, UB-04, May 2007, which is incorporated by reference. The handbook is 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 handbook may be obtained by calling the Medicaid fiscal agent at (800)377-8216.

(2) The following forms that are included in the Florida Medicaid Provider Reimbursement Handbook, UB-04, are incorporated by reference: in Chapter 1, the UB-04 CMS-1450, Approved OMB No. 0938-0997, one page double-sided; and in Chapter 2, the State of Florida, Florida Medicaid Authorization Request, PA01 04/2002, one page; Medically Needy Billing Authorization, CF-ES 2902, June 2003, one page; State of Florida, Sterilization Consent Form, SCF 7/94, one page; State of Florida, Hysterectomy Acknowledgment Form, HAF 07/1999, one page; State of Florida, Exception to Hysterectomy Acknowledgment Requirement, ETA 07/2001, one page; State of Florida, Abortion Certification Form, AHCA-Med Serv Form 011, August 2001, one page. All the forms are available from the Medicaid fiscal agent by calling (800)289-7799 or from its website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Medicaid Forms.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912 FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Catherine McGrath

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Andrew Agwunobi, M.D., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2007

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 FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-1.001
RULE TITLE: List of Approved Forms;
Incorporation by Reference

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate all of the forms utilized by the Division of Funeral, Cemetery, and Consumer Services (and its predecessors) into one rule and to update the forms.

SUMMARY: The forms utilized by the Division of Funeral, Cemetery, and Consumer Services are incorporated by reference into one rule.

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: 497.101(8), 497.103(5)(b), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.263(2)(a), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.283(2)(c), 497.287(2), 497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1), (2), 497.385(1)(a), (1)(g)1., (2)(f), (g), 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454.(1), 497.456(13)(f), 497.461(4), (8), (12), (16), 497.462(2), (10), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) FS.

LAW IMPLEMENTED: 497.101(8), 497.103(2)(c), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.263(2)(a), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.283(2)(c), 497.287(2), 497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1),

(2), 497.385(1)(a), (1)(g)1., (2)(f), (g), 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454.(1), 497.456(13)(f), 497.461(4), (8), (12), (16), 497.462(2), (10), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) 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: Tuesday, July 10, 2007, 2:00 p.m.

PLACE: Alexander Building, 2020 Capital Circle, S.E., 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, (800)955-8771 (TDD) or (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-1.001 List of Approved Forms; Incorporation by Reference.

The following forms ~~used by the Board in its dealings with the public are listed as follows and~~ are hereby adopted and incorporated by reference, and can be obtained from the Department Board office by writing to the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, by logging on to the Department's website at <http://www.fldfs.com>, or by telephoning (850)413-3039:

(1) ~~DFS-PNL-1COA-1, effective 9-28-03, entitled "Application for Preneed License," Rev. 10-06.~~

(2) ~~DFS-HistS, 7/01 effective 9-28-03, entitled "Historical Sketch," Rev. 10-06.~~

(3) ~~DFS-PNLBCOAB, 12/00 effective 9-28-03, entitled "Application for Preneed License Branch Office License," Rev. 10-06.~~

(4) ~~DFS-PNL1COAT1, 01/01 effective 9-28-03, entitled "Application for Transfer of a Preneed License," Rev. 10-06.~~

(5) ~~DFS-RTF-1, effective 9-28-03, entitled "Preneed Funeral Contract Regulatory Trust Fund Remittance," Rev. 10-06.~~

(6) ~~DFS-PNS-1, Rev. 04/94 effective 9-28-03, entitled "Registration of a Preneed Sales Agent Application for Agent License and Initial Appointment," Rev. 10-06.~~

(7) ~~DFS-CEMN, 7/01 effective 9-28-03, entitled "Application to Organize a New Cemetery Company," Rev. 10-06.~~

(8) ~~DFS-F-32, 10/91 effective 9-28-03, entitled "Financial Statement," Rev. 10-06.~~

(9) ~~DFS-CEM, 1/96 REV 7/01 effective 9-28-03, entitled "Application to Transact Cemetery Business," Rev. 10-06.~~

(10) ~~DFS-F-35, 01/01 effective 9-28-03, entitled "Application for Authority to Acquire Control of an Existing Cemetery Company," Rev. 10-06.~~

(11) ~~DFS-BYLAW1, 6/99 effective 9-28-03, entitled "Pamphlet for Cemetery By-Law Approval," Rev. 10-06.~~

(12) ~~DFS-EW-1, 1/99 effective 9-28-03, entitled "Examination Workpapers," Rule 69K-6.0052, F.A.C." Rev. 10-06.~~

(13) ~~DFS-F-43, REV 9/99 effective 9-28-03, entitled "Performance Bond," Mausoleums or Below Ground Crypts." Rev. 10-06.~~

(14) ~~DFS-C-1, effective 9-28-03, entitled "Application to Use a Letter of Credit or Surety Bond," Rev. 10-06.~~

(15) ~~DFS-C-2, REV 9/99 effective 9-28-03, entitled "Surety Bond," Rev. 10-06.~~

(16) ~~DFS-C-3, 3/91 effective 9-28-03, entitled "Letter of Credit/Surety Bond Claim Form," Rev. 10-06.~~

(17) ~~DFS-TFR-1, 5/94 effective 9-28-03, entitled "Preneed Funeral Contract Consumer Protection Trust Fund Remittance," Rev. 10-06.~~

(18) ~~DFS-TFD-1, 6/01 effective 9-28-03, entitled "Preneed Funeral Contract Consumer Protection Trust Fund Proof of Claim and Disbursement Request," Rev. 10-06.~~

(19) DFS-N1-1698, "Pre-Need Funeral & Cemetery Arrangements" Brochure, Eff. 10-06.

(20) DFS-N1-1701, "Board Appointment," Eff. 10-06.

(21) DFS-N1-1702, "Cemetery Renewal," Eff. 10-06.

(22) DFS-N1-1703, "Exempt Cemetery Renewal," Eff. 10-06.

(23) DFS-N1-1704, "Change of Address or Contact Data – Individuals," Eff. 10-06.

(24) DFS-N1-1705, "Change of Address or Contact Data – Entities," Eff. 10-06.

(25) DFS-N1-1706, "Application for Embalmer License by Internship and Examination," Eff. 10-06.

(26) DFS-N1-1707, "Application for Embalmer License by Endorsement," Eff. 10-06.

(27) DFS-N1-1708, "Application for Embalmer Intern License," Rev. 10-06.

(28) DFS-N1-1709, "Other Licensing Examinations," Eff. 10-06.

(29) DFS-N1-1710, "Endorsement Licenses – Continued," Eff. 10-06.

(30) DFS-N1-1711, "Application to Purchase Florida Laws and Rules Examination Study Guide."

(31) DFS-N1-1712, "Application to Re-Take Florida Law & Rules Exam," Eff. 10-06.

(32) DFS-N1-1713, "Miscellaneous Applications," Eff. 10-06.

(33) DFS-N1-1714, "Certification of High School Graduation," Eff. 10-06.

(34) DFS-N1-1715, "Adverse Licensing Action History Form," Eff. 10-06.

(35) DFS-N1-1716, "Criminal History Form," Eff. 10-06.

(36) DFS-N1-1717, "Other Licenses Form," Eff. 10-06.

(37) DFS-N1-1718, "Business Entity – List of Principals," Eff. 10-06.

(38) DFS-N1-1719, "Mortuary Science Course Information Form," Eff. 10-06.

(39) DFS-N1-1720, "Application for Funeral Director License by Internship and Examination," Eff. 10-06.

(40) DFS-N1-1721, "Application for Funeral Director License by Endorsement," Eff. 10-06.

(41) DFS-N1-1722, "Application for Funeral Director Intern License," Eff. 10-06.

(42) DFS-N1-1723, "Application for Combination Funeral Director & Embalmer License by Endorsement," Eff. 10-06.

(43) DFS-N1-1724, "Application for Combination Funeral Director & Embalmer License by Internship & Exam," Eff. 10-06.

(44) DFS-N1-1725, "Application to Reactivate Inactive or Delinquent Embalmer License," Eff. 10-06.

(45) DFS-N1-1726, "Application to Reactivate an Inactive or Delinquent Funeral Director License," Eff. 10-06.

(46) DFS-N1-1727, "Application to Reactivate an Inactive or Delinquent Funeral Director/Embalmer License," Eff. 10-06.

(47) DFS-N1-1728, "Application for Inactive Status," Eff. 10-06.

(48) DFS-N1-1729, "Purchase Order Brochure," Eff. 10-06.

(49) DFS-N1-1730, "Trustee's Report, Preconstruction Trust Fund," Eff. 10-06.

(50) DFS-N1-1731, "Trustee's Report, Care & Maintenance Trust Fund," Eff. 10-06.

(51) DFS-N1-1732, "Application for Concurrent Intern License," Eff. 10-06.

(52) DFS-N1-1733, "Application to Extend Embalmer Apprenticeship," Eff. 10-06.

(53) DFS-N1-1734, "Notice of Termination/Change of Supervisor," Eff. 10-06.

(54) DFS-N1-1735, "Examination Questionnaire – Cemetery," Eff. 10-06.

(55) DFS-N1-1736, "Inspection Form – Removal Service," Eff. 10-06.

(56) DFS-N1-1737, "Inspection Form – Refrigeration Facility," Eff. 10-06.

(57) DFS-N1-1738, "Inspection Form – Monument Establishment," Eff. 10-06.

(58) DFS-N1-1739, "Inspection Form – Funeral Establishment," Eff. 10-06.

(59) DFS-N1-1740, "Inspection Form – Direct Disposal Establishment," Eff. 10-06.

(60) DFS-N1-1741, "Inspection Form – Cinerator Facility," Eff. 10-06.

(61) DFS-N1-1742, "Certification of Licensure in Good Standing," Rev. 10-06.

(62) DFS-N1-1743, "Change of Funeral Director/Direct Disposer in Charge," Rev. 10-06.

(63) DFS-N1-1744, "Application for Direct Disposer License," Rev. 10-06.

(64) DFS-N1-1745, "Inspection Form – Centralized Embalming Facility," Eff. 10-06.

(65) DFS-N1-1746, "Application for Retired Professionals," Eff. 10-06.

(66) DFS-N1-1747, "Supervisor's Quarterly Report of Apprentice or Intern Training," Rev. 10-06.

(67) DFS-N1-1748, "Application for Funeral Establishment License," Rev. 10-06.

(68) DFS-N1-1749, "Registration as Training Agency," Rev. 10-06.

(69) DFS-N1-1750, "Application for Cinerator Facility License," Rev. 10-06.

(70) DFS-N1-1751, "Funeral Establishment/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.

(71) DFS-N1-1752, "Direct Disposal Establishment/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.

(72) DFS-N1-1753, "Cinerator Facility/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.

(73) DFS-N1-1754, "Centralized Embalming Facility/Report of Cases Embalmed or Bodies Handled," Rev. 10-06.

(74) DFS-N1-1755, "Application for Embalmer Apprentice License," Rev. 10-06.

(75) DFS-N1-1756, "Application for Centralized Embalming Facility License," Rev. 10-06.

(76) DFS-N1-1757, "Application for Direct Disposal Establishment License," Rev. 10-06.

(77) DFS-N1-1758, "Application for Refrigeration Facility License," Rev. 10-06.

(78) DFS-N1-1759, "Application for Removal Service License," Rev. 10-06.

(79) DFS-N1-1760, "Application for Approved Continuing Education Provider Status," Rev. 10-06.

(80) DFS-N1-1761, "Application for Continuing Education Course Approval." Rev. 10-06.

(81) DFS-N1-1762, "Monument Establishment Sales Agent Application for Agent License." Eff. 10-06.

(82) DFS-N1-1763, "Monument Sales Agent Renewal." Eff. 10-06.

(83) DFS-N1-1764, "Change of Name & Request for Revised License Certificate – Entities." Eff. 10-06.

(84) DFS-N1-1765, "Change of Name & Request for Revised License Certificate – Individuals." Eff. 10-06.

(85) DFS-N1-1766, "Request for Duplicate License." Eff. 10-06.

(86) DFS-N1-1767, "Inspection Form – Cemetery." Eff. 10-06.

(87) DFS-N1-1768, "Provisional or Temporary License, Application for Initial License." Eff. 10-06.

(88) DFS-N1-1769, "Provisional or Temporary License, Application for Renewal." Eff. 10-06.

(89) DFS-N1-1770, "Election of Procedures for Removal of Cremated Remains and Postcremation Processing." Eff. 10-06.

(90) DFS-N1-1771, "Broker of Burial Rights Renewal." Eff. 10-06.

(91) DFS-N1-1772, "Monument Establishment Renewal." Eff. 10-06.

(92) DFS-N1-1773, "PNL Examination." Eff. 10-06.

(93) DFS-N1-1774, "Preneed Sales Agent – Application for Appointment." Eff. 10-06.

(94) FD-258, "U.S. Department of Justice, Federal Bureau of Investigation, Fingerprint Cards." Rev. 5-11-99.

(95) DFS-C-MON1, "Application for Monument Establishment License." Rev. 10-06.

(96) DFS-EC-1, "Report of Identification for an Exempt Cemetery." Rev. 10-06.

(97) DFS-PNL-R1, "Preneed License Renewal Application." Rev. 10-06.

(98) DFS-PNL-R2, "Preneed License Annual Financial Statement." Rev. 10-06.

(99) DFS-PNL-R3, "Preneed License Annual Renewal Statement." Rev. 10-06.

(100) DFS-C-BBRI, "Broker of Burial Rights License Application." Rev. 10-06.

(101) DFS-PNLBR, "Application for Preneed Branch Office Renewal License." Eff. 10-06.

Specific Authority 497.101(8), 497.103(5)(b), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), ~~497.260~~, 497.263(2)(a), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.276, 497.281, 497.283(2)(c), 497.287(2), 497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1), (2), 497.385(1)(a), (1)(g)1., (2)(f), (g), 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454(1), 497.456(13)(f), 497.458, 497.459, 497.460, 497.461(4), (8), (12), (16), 497.462(2), (10), 497.463, 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2),

497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) FS. Law Implemented 497.101(8), 497.103(2)(c), 497.141(2), (12)(f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.263(2)(a), 497.264(2)(a), ~~497.265~~, 497.266(2), ~~497.268~~, 497.269, 497.270(2), 497.272(7), 497.283(2)(c), 497.287(2), 497.367(2), 497.370(1), 497.375(1), 497.380(4), 497.382(1), (2), 497.385(1)(a), (1)(g)1., (2)(f), (g), ~~497.452~~, 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454(1), 497.456(13)(f), 497.461(4), (8), (12), (16), 497.462(2), (10), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) FS. History–New 9-28-03, Formerly 3F-5.010, 69K-5.010, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diana Evans, Director, Division of Funeral, Cemetery, and Consumer Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Chandler, Deputy Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 6, 2007

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-5.0101 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: Rule 69K-5.0101, F.A.C., is being repealed and it will be superseded by Rule 69K-1.001, F.A.C.

SUMMARY: Rule 69K-5.0101, F.A.C., is repealed.

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 FS.

LAW IMPLEMENTED: 497.103(2)(c), 497.368, 497.370, 497.373, 497.374, 497.375, 497.376, 497.377, 497.378, 497.379, 497.382, 497.385, 497.602, 497.603, 497.604, 497.606 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: Tuesday, July 10, 2007, 2:00 p.m.

PLACE: Alexander Building, 2020 Capital Circle, S.E., 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, (800)955-8771 (TDD) or (800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Evans, Director, Division 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-5.1010 Forms and Instructions.

Specific Authority 497.103 FS. Law Implemented 497.103(2)(c), 497.368, 497.370, 497.373, 497.374, 497.375, 497.376, 497.377, 497.378, 497.379, 497.382, 497.385, 497.602, 497.603, 497.604, 497.606 FS. History—New 11-11-79, Amended 11-9-82, Formerly 21J-14.07, 21J-14.007, Amended 4-16-95, 1-10-02, Formerly 61G8-14.007, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diana Evans, Director, Division of Funeral, Cemetery, and Consumer Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Karen Chandler, Deputy Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 30, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-125.003
 RULE TITLE: Unfair Discrimination Because of Travel Plans

PURPOSE AND EFFECT: To prohibit discrimination in the sale or pricing of insurance based upon travel plans of the actual or prospective insured.

SUMMARY: The rule is being amended due to statutory changes to Chapter 626, Part IX, namely the creation of paragraph 626.9541(1)(dd), 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: 626.9541(1)(dd)3., 626.9611 FS.

LAW IMPLEMENTED: 626.9541(1)(dd)3., 626.9611 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: July 25, 2007, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, 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: Tracie Lambright, Office of Insurance Regulation, E-mail tracie.lambright@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tracie Lambright, Office of Insurance Regulation, E-mail tracie.lambright@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-125.003 Unfair Discrimination Because of Travel Plans.

(1) No insurer nor person authorized to engage in the business of insurance in the State of Florida shall refuse to issue or refuse to continue any policy, contract or certificate of insurance of any individual, or limit the amount, extent or kind of insurance coverage offered to an individual, any policy, contract or certificate of life insurance, annuity contract, an accident, disability or health insurance policy or certificate, because of the intent of the applicant to engage in future lawful foreign travel or based upon past lawful foreign travel, unless the insurer can demonstrate that insureds who have traveled or intend to travel are a separate actuarially supportable class whose risk of loss is different from those insureds who have not traveled and do not intend to travel.

(2) No insurer nor person authorized to engage in the business of insurance in the State of Florida, shall, in determining the rates charged an applicant for coverage under any policy, contract or certificate of life insurance, annuity contract, accident, disability or health insurance, issued or to be issued to be delivered to any resident of this state, consider the intent of the applicant to engage in future lawful foreign travel or past lawful travel of the applicant, unless the insurer can demonstrate that insureds who have traveled or intend to travel are a separate actuarially supportable class whose risk of loss is different from those insureds who have not traveled and do not intend to travel.

(3) No insurer nor person authorized to engage in the business of insurance in the State of Florida shall refuse to issue any policy, contract or certificate of life insurance to or refuse to continue any policy, contract or certificate of life insurance of any individual or limit the amount, extent or kind of life insurance coverage offered to an individual based solely on the individual's past lawful foreign travel. Violation of this rule constitutes unfair discrimination prohibited by Section 626.9541(1)(g), F.S.

(4) No insurer nor person authorized to engage in the business of insurance in the State of Florida shall refuse to issue any policy, contract or certificate of life insurance to or refuse to continue any policy, contract or certificate of life insurance of an individual, or limit the amount, extent or kind of life insurance coverage offered an individual based solely on the individual's future lawful foreign travel plans unless the insurer can demonstrate that individuals who travel are a separate actuarially supportable class whose mortality risk is different from that of individuals who do not travel, and that such risk classification is based on sound actuarial principles and actual or reasonably anticipated experience that correlates to the risk of travel to a specific destination.

(5) An insurer shall file for approval information demonstrating that individuals who travel to a specific destination constitute a separate actuarially supportable class. The insurer shall not utilize such information within any underwriting decision resulting in a refusal to issue, refusal to continue, limitation on amount, extent or kind of life insurance coverage available to an individual until the Office has first approved the filing and determined that the insurer has demonstrated that the underwriting proposed meets compliance with the standards of Section 626.9541(1)(dd), F.S. Nothing in this rule prevents an insurer from asking questions about foreign travel on an application in order to compile information provided such information is not used in any underwriting decision unless the insurer has received prior approval from the Office.

(6) In determining individuals who travel are a separate actuarially supportable class whose risk of loss is different from those individuals who do not travel based on sound actuarial principles and actual or reasonably anticipated experience that correlates to the risk of travel to a specific destination, insurers shall:

(a) Have performed a detailed actuarial analysis detailing the specific impact of the proposed risk;

(b) Demonstrate that all similar risks with similar risk exposure are similarly treated and that the risk is outside of the underwriting parameters that the insurer is accepting for its maximum rated risks;

(c) Use statistically credible data that is specific and relevant to the analysis and risk being evaluated, that is, using a country population death rate is not relevant to the analysis of the risk of short-term travel. In the absence of actual experience, an actuary may submit for the Office's consideration clear actuarial evidence, including clinical experience or expert opinion relied upon by the actuary that demonstrates to the Office that differences in risk are related to the travel;

(d) Disclose the range of underwriting and rating options and how each is supported by the analysis;

(e) Maintain a report prepared by the actuary providing the information used and relied upon by the actuary in preparing his conclusions, including but not limited to: summarizing the source, basis and relevancy of data used, the impact of the risk on expected loss, the range of expected loss within the underwriting class and how the proposed travel risk falls inside or outside of such underwriting range, the analysis performed and the basis of any conclusions reached. Such report shall disclose how compliance with all appropriate actuarial standards of practice is met and specifically detail any standards that are not.

(7) In accordance with Section 626.9541(1)(dd)3., F.S., an insurer may file a petition for a variance or waiver with the Office for a limited exception from the statute and this rule. The petition shall contain supporting information demonstrating that the requested limited exception(s) are based upon national or international emergency conditions that affect the public health, safety, and welfare and are consistent with public policy.

(8)(a) Insurers are required to maintain the following data. The data for each calendar year shall be submitted to the Office annually by January 31 of the following year:

1. The number of applications under which a policy or certificate of life insurance or an annuity contract was denied;

2. The number of applications under which a policy or certificate of life insurance or an annuity contract's continuation was refused; and

3. The number of applications under which a policy or certificate of life insurance or an annuity contract's coverage was limited.

(b) For each specific case, the insurer shall provide the reason for taking such action.

(c) For each case the insurer shall provide a brief summary, prepared by an actuary, of the supporting data and analysis used in taking such action for such specific destination. Such underlying data and analysis shall be available upon request of the Office.

(9)(a) Violation of this rule constitutes unfair discrimination prohibited by Sections 626.9541(1)(g) & (dd), F.S.

(b) An insurer that uses past travel or future lawful travel in underwriting decisions without having first filed and received approval of the Office shall, among other administrative penalties:

1. Provide restitution to all applicants or insureds that were negatively acted upon by the insurer;

2. Issue the coverage applied for which was rejected, subject to the applicants option of the effective date being the date of application or the current date; and

3. Pay any valid claim of an applicant incurred subsequent to the initial application date.

(10) "Travel" shall not include "residency" or relocation for employment. An individual who is absent from the United States for more than one hundred eighty [180] consecutive days and has established a residence in a foreign country during that period is considered to be residing in that country. Residency in a foreign country is not considered "foreign travel" for purposes of this Rule.

Specific Authority 626.9611 FS. Law Implemented 626.951, 626.9521, 626.9541(1)(g) FS. History--New 7-6-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Claude Mueller
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Claude Mueller
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 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 CORRECTIONS

RULE NO.: 33-501.302 RULE TITLE: Copying Services for Inmates
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. 33, No. 17, April 27, 2007 issue of the Florida Administrative Weekly.

33-501.302 Copying Services for Inmates.

- (1) through (5) No change.
- (6) Copying services in civil proceedings.
 - (a) through (b) No change.
 - (c) Inmates who are without funds shall not be denied copying services for documents and accompanying evidentiary materials needed to initiate a civil proceeding or which must be filed or served in a pending civil proceeding, or are required to be filed or served per order of a judicial or administrative forum. However, the cost of providing copies for documents to be filed or served is a debt owed by the inmate that shall be collected as follows: Upon receipt of a completed DC5-154,

the Inmate Trust Fund Section shall place a hold on the inmate's account for the cost of providing the copies. The cost of providing the copies shall be collected from any existing balance in the inmate's ~~bank~~ trust fund account. If the account balance is insufficient to cover the cost, the account shall be reduced to zero. If costs remain unpaid, a hold will be placed on the inmate's account and all subsequent deposits to the inmate's account will be applied against the unpaid costs until the debt has been paid.

(7) through (8) No change.

Specific Authority 944.09, 945.6038 FS. Law Implemented 944.09, 945.6038 FS. History--New 10-6-83, Formerly 33-3.051, Amended 6-13-88, 8-20-89, 2-12-91, 4-10-94, 4-21-96, 6-29-98, Formerly 33-3.0051, 33-602.405, Amended 4-29-04, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

| | |
|------------|--------------------------------------|
| RULE NOS.: | RULE TITLES: |
| 40E-7.669 | Definitions |
| 40E-7.670 | Competitive Solicitation Preferences |
| 40E-7.674 | Certification Review Procedures |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 21, May 25, 2007 issue of the Florida Administrative Weekly.

The following hearing information was inadvertently omitted from this issue.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 11, 2007 or July 12, 2007, 8:30 a.m.
 PLACE: South Florida Water Management District, Headquarters, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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: Clerk of the South Florida Water Management District, (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Frank Hayden, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 6611, West Palm Beach, FL 33416-4680, telephone (800)432-2045, extension 6043 or (561)682-6043 (internet: fhayden@sfwmd.gov). Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.