

**Section I**

**Notices of Development of Proposed Rules and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-1.039  
**RULE TITLE:** Supplemental Educational Services in Title I Schools

**PURPOSE AND EFFECT:** The purpose of the rule development is to adopt a new rule to implement Section 1008.331, Florida Statutes, and provide guidance for implementing supplemental educational services in Title I schools identified as in need of improvement as authorized in the No Child Left Behind (NCLB) Act.

**SUBJECT AREA TO BE ADDRESSED:** Supplemental educational services in Title I schools.

**SPECIFIC AUTHORITY:** 1008.331 FS.

**LAW IMPLEMENTED:** 1008.331 FS.

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

**DATES AND TIME:** October 8, 2007, 9:00 a.m. – 12:00 Noon; October 10, 2007, 9:00 a.m. – 12:00 Noon; October 11, 2007, 9:00 a.m. – 12:00 Noon

**PLACES:** October 8, 2007 – Turlington Building, 325 West Gaines Street, Suite 1721/25, Tallahassee, FL 32399; October 10, 2007 – Orange County Public Schools, Educational Leadership Center (ELC), 445 West Amelia Street, Orlando, FL 32801; October 11, 2007 – Boynton Beach Community High School, 4975 Park Ridge Blvd., Boynton Beach, FL 33426

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 7 days before the workshop/meeting by contacting: Office of Equity and Access, Department of Education, (850)245-0511. 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). 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** After October 1, 2007, you may contact Mary Jo Butler at (850)245-0479 or by mail at 325 West Gaines Street, Suite 316, Tallahassee, FL 32399, to receive a copy of the proposed rule **THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF TRANSPORTATION**

**RULE CHAPTER NO.:** 14-15  
**RULE NO.:** 14-15.0081  
**RULE CHAPTER TITLE:** Incorporation by Reference  
**RULE TITLE:** Toll Facilities Description and Toll Rate Schedule.

**PURPOSE AND EFFECT:** The purpose of the amendment is to implement changes in the Toll Facilities Description and Toll Rate Schedule, resulting from the proposed implementation of new congestion pricing based, dynamic variable tolls, to be implemented along two proposed northbound and two proposed southbound High Occupancy Toll (HOT) lanes within I-95, from I-395 in Miami-Dade County to I-595 in Broward County, as part of the 95 Express Project.

**SUBJECT AREA TO BE ADDRESSED:** 95 Express is proposed as a Managed Lane facility with a congestion pricing/variable toll approach. The variable toll approach is proposed in two phases, initially by time of day pricing, followed by real-time level of traffic pricing. The goal is to maintain the Managed Lanes operating at 50 miles per hour. 95 Express will be operated via open road tolling, and vehicles must have a SunPass transponder to use the facility. There are no proposed tolls for buses, motorcycles, hybrid vehicles, registered vanpools, and registered carpools with three or more occupants on the 95 Express. Other motorists, electing to enter the 95 Express facility, will be charged the proposed variable toll. South Florida Commuter Services will lead the proposed registration for vanpools, and carpools with three or more occupants, to obtain a non-revenue transponder for use on the 95 Express.

The ultimate goal with 95 Express is a dynamic variable toll approach based on real-time level of traffic. Toll rates are proposed to be displayed on Variable Message Signs located in advance of, and at each entry point along 95 Express. Published rates, for time of day pricing, will be advertised in local media, as well as, at each entry point along the 95 Express. The time of day pricing will be increased, as required, to maintain the lanes operating at 50 miles per hour. This approach is currently in use on the 91 Express HOT Lanes in Orange County, California which has a similar configuration to the proposed 95 Express lanes.

**SPECIFIC AUTHORITY:** 334.044(2), 338.155(1) FS.

**LAW IMPLEMENTED:** 334.044(16), 338.222, 338.231, 338.155 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:**

**DATE AND TIME:** October 16, 2007, 5:00 p.m.  
**PLACE:** Miami Shores Country Club, 10000 Biscayne Boulevard, Miami Shores, Florida

DATE AND TIME: October 22, 2007, 5:00 p.m.  
 PLACE: Sheraton Fort Lauderdale Airport Hotel, Empire Ballroom, 1825 Griffin Road Dania, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, and January 14, 2007, and \_\_\_\_\_, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 334.044(16), 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, 1-14-07, \_\_\_\_\_.

**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."

**STATE BOARD OF ADMINISTRATION**

**Florida Prepaid Postsecondary Education Expense Board**

RULE NO.: 19B-16.003  
 RULE TITLE: Participation Agreement  
 PURPOSE AND EFFECT: To update the Florida College Investment Plan Participation Agreement Form.  
 SUBJECT AREA TO BE ADDRESSED: The Florida College Investment Plan Participation Agreement Form.

SPECIFIC AUTHORITY: 1009.971(1), (4), (6) FS.  
 LAW IMPLEMENTED: 1009.81(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 10, 2007, 2:00 p.m.  
 PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida, 32308, telephone (850)488-8514

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

19B-16.003 Participation Agreement.

(1) The contract between the Board and a benefactor shall consist of the benefactor's completed application and the participation agreement. The Florida College Investment Plan Participation Agreement, Form No. FPCB 2006Z-4, is hereby incorporated by reference. The form may be obtained from the Board by calling 1(800)552-GRAD (4723) (prompt 1).

(2) through (4) No change.

Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981(2) FS. History—New 11-27-02, Amended 12-28-04, 6-2-05, 7-17-06, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-8.041  
 RULE TITLE: Minimum Flows  
 PURPOSE AND EFFECT: To amend Chapter 40D-8, Florida Administrative Code, to incorporate minimum flows for the next priority river pursuant to Section 373.042, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum flows for the upper Hillsborough River in Hillsborough County, Florida. Staff will present an overview of the minimum flows development and discussion of the proposed minimum flows.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.  
 LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 FS.

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

DATE AND TIME: October 2, 2007, 6:00 p.m.  
 PLACE: Southwest Florida Water Management District, Tampa Service Office, Governing Board Room, 7601 Highway 301 North, Tampa, Florida 33637-6759

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: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878/SUNCOM 663-6878. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Adam Munson, Senior Environmental Scientist, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4218

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-1.009  
 RULE TITLE: Inspections; Plan of Corrective Action; Annual Reporting Requirements

PURPOSE AND EFFECT: Rule 59A-1.009, Florida Administrative Code, is being amended to allow for the acceptance of certain accreditation organization inspection reports in lieu of Agency inspections and provide for off-site inspections.

SUBJECT AREA TO BE ADDRESSED: Licensure inspections of organ, tissue, and eye procurement organizations.

SPECIFIC AUTHORITY: 765.542 FS.

LAW IMPLEMENTED: 765.542 FS.

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

DATE AND TIME: October 2, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, Building # 3, Conference Room D, 2727 Mahan Drive, Tallahassee, FL 32308

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: Dayle DeCastro, Laboratory Licensure Unit, 2727 Mahan Drive, Tallahassee, Florida, or call (850)487-3109. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dayle DeCastro, Laboratory Licensure Unit, 2727 Mahan Drive, Tallahassee, Florida, or call (850)487-3109

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NOS.:	RULE TITLES:
61D-11.001	Definitions
61D-11.002	Cardroom Games
61D-11.003	Card-Play Hands
61D-11.004	Dealer Responsibilities
61D-11.005	Prohibitions
61D-11.006	Inspection of Premises, Records
61D-11.007	Cardroom Operator License
61D-11.008	Cardroom Business Occupational License
61D-11.009	Cardroom Employee Occupational License
61D-11.011	Notification of Criminal Conviction or Charge
61D-11.012	Duties of Cardroom Operators
61D-11.013	Duties of Cardroom Employee Occupational Licensees
61D-11.014	Cards
61D-11.015	Chips and Tokens
61D-11.016	Card Tables
61D-11.017	Admissions Requirements
61D-11.018	Reporting Requirements to Determine Net Proceeds
61D-11.019	Internal Control System
61D-11.020	Card Game Drop Box Procedures
61D-11.021	Card Game Tip Box Procedures
61D-11.022	Cardroom Imprest Bank
61D-11.023	Accounting for Transactions Between Card Table Imprest Tray and Cardroom Imprest Bank
61D-11.024	Rake-Off Procedures
61D-11.025	Cardroom Electronic Surveillance

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments will be to implement changes in accordance with Senate Bills 134 and 752, which both have an effective date of July 1, 2007.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed in these rule amendments are: the play of dominoes, applications for a cardroom license, giveaways, jackpots, and prizes for players with specific combinations of cards, increase in wagering amounts, rules to implement play

of Texas Hold'em with a buy-in of no more than \$100, and rule to implement tournament play. There may also be additional rule numbers created to implement amendments to Section 849.086, F.S.

SPECIFIC AUTHORITY: 550.0251(12), 849.086(4), (4)(a), (5), (6), (7), (8), (10), (11), (12), (13), (14) FS.

LAW IMPLEMENTED: 849.086, (4)(a), (b), (f), (6), (7)(a) FS.

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

DATE AND TIME: October 12, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: RULE TITLE:

61D-12.001 Incorporated and Approved Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to amend the various forms related to cardrooms used by the Division of Pari-Mutuel Wagering in accordance with Senate Bills 134 and 752, which have an effective date of July 1, 2007.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is changes to forms of the Division of Pari-Mutuel Wagering related to cardrooms needed to implement amendments in Section 849.086, F.S.

SPECIFIC AUTHORITY: 550.0251(12), 849.086(4), (5), (6), (7), (9), (11), (13), (16), (17) FS.

LAW IMPLEMENTED: 849.086 FS.

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

DATE AND TIME: October 12, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Mary Polombo at (850)413-0750. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: RULE TITLE:

61G7-5.0013 License Renewal Fee Waivers

PURPOSE AND EFFECT: The Board is considering adopting a rule allowing licensees to be eligible to receive a waiver of license renewal fees for a period not to exceed two years following the rule's effective date.

SUBJECT AREA TO BE ADDRESSED: The waiver of license renewal fees.

SPECIFIC AUTHORITY: 455.219(1) FS.

LAW IMPLEMENTED: 455.219(1) 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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

**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 Chiropractic**

RULE NO.: RULE TITLE:

64B2-11.004 Special Purpose Examination

Passing Score

PURPOSE AND EFFECT: The purpose and effect is to adopt a passing score for the National Board of Chiropractic Examiners Special Purpose Examination for chiropractic.

SUBJECT AREA TO BE ADDRESSED: Special Purpose Examination passing score.

SPECIFIC AUTHORITY: 460.406 (1)(f) FS.  
 LAW IMPLEMENTED: 460.406 (1)(f) 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 IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-11.004 Special Purpose Examination Passing Score. The Board adopts a passing score as set by the National Board of Chiropractic Examiners for the National Board of Chiropractic Examiners Special Purpose Examination for chiropractic.

Specific Authority 460.406(1)(f) FS. Law Implemented 460.406(1)(f) FS. History–New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

RULE NO.: 64B2-12.012                      RULE TITLE: Medical Faculty Certificate Fee

PURPOSE AND EFFECT: The purpose and effect is to establish Medical Faculty Certificate Fees.

SUBJECT AREA TO BE ADDRESSED: Medical Faculty Certificate Fees.

SPECIFIC AUTHORITY: 456.013(2), 460.405, 460.4062(1), (3) FS.

LAW IMPLEMENTED: 456.013(2), 460.4062(1), (3) 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 IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B2-12.012 Medical Faculty Certificate Fees.
- (1) The application fee shall be \$100.00.
- (2) The initial license fee shall be \$100.00.
- (3) The fee for biennial renewal of a medical faculty certificate shall be \$100.00.

Specific Authority 456.013(2), 460.405, 460.4062(1), (3) FS. Law Implemented 456.013(2), 460.4062(1), (3) FS. History–New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

RULE NO.: 64B2-13.007                      RULE TITLE: Continuing Education During Initial Licensure Period

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to add additional required continuing education that initial licensees must complete during the first twelve (12) months of licensure.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 456.013(6), 460.405, 460.408 FS.

LAW IMPLEMENTED: 456.013(6), 460.408 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 IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B2-13.007 Continuing Education During Initial Licensure Period.

- (1) During the first twelve (12) months after initial licensure, practitioners are required to attend one (1) full day at a Florida Board of Chiropractic Medicine meeting at which disciplinary hearings are conducted as provided in subsection 64B2-13.004(8), F.A.C. Beginning April 1, 2008, practitioners are required to attend six (6) hours of record keeping/documentation and coding and two (2) hours in the area of ethics and boundaries. Once the hours required by Rule 64B2-13.0045, F.A.C., have been met, licensed practitioners shall not be required to complete any other continuing education requirements during the biennium in which they receive initial licensure.
- (2) No change.

Specific Authority 456.013(6), 460.405, 460.408 FS. Law Implemented 456.013(6), 460.408 FS. History–New 1-25-88, Formerly 21D-13.007, 61F2-13.007, 59N-13.007, Amended 11-13-01, 5-4-03, 6-28-04, 11-9-06, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.:                   RULE TITLE:  
 64B6-2.003                Licensure by Examination  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify licensure requirements.  
 SUBJECT AREA TO BE ADDRESSED: Licensure by examination.  
 SPECIFIC AUTHORITY: 456.017(1)(c), (6), 484.044, 484.0445(1) FS.  
 LAW IMPLEMENTED: 456.017(1)(c), 484.045, 484.0445(1) 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.:                   RULE TITLE:  
 64B6-3.003                Delinquent Status Licenses  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to include applicability of delinquent status to “retired” status; and to clarify portions of the rule.  
 SUBJECT AREA TO BE ADDRESSED: Delinquent status licenses.  
 SPECIFIC AUTHORITY: 456.036, 484.044(1) FS.  
 LAW IMPLEMENTED: 456.036 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NOS.:                RULE TITLES:  
 64B6-4.001               Application Fee for Licensure by Examination  
 64B6-4.002               Examination and Re-examination Fees  
 64B6-4.003               Initial Licensure Fee  
 64B6-4.004               Biennial Renewal Fee for Active License  
 64B6-4.005               Application Fee for Registration as a Trainee  
 64B6-4.007               Wall Certificate and Duplicate License Fee  
 64B6-4.008               Unlicensed Activity Fee  
 64B6-4.009               Inactive and Delinquent Status Fees  
 64B6-4.010               Continuing Education Fees  
 64B6-4.011               Special Assessment Fee  
 PURPOSE AND EFFECT: The Board proposes to review the entire Chapter 64B6-4, F.A.C., to make amendments to clarify, and reset fees throughout the chapter as appropriate.  
 SUBJECT AREA TO BE ADDRESSED: Fees.  
 SPECIFIC AUTHORITY: 455.587(1), 456.013(2), 456.017, 456.025(1), (2), (5), (7), 456.036(3), (4), (7), (8), 456.065, 484.044, 484.047(4), 484.0445(1), 484.0447 FS.  
 LAW IMPLEMENTED: 456.013(2), 456.017, 456.025(1), (7), 456.036(3), (4), (7), (8), 456.065, 484.044, 484.045, 484.047, 484.0447 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists /MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.:                RULE TITLE:  
 64B6-5.001               Continuing Education as a Condition for Renewal  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to add certain language from Rule 64B6-5.002, F.A.C., for clarity; and to clarify other portions of the rule.  
 SUBJECT AREA TO BE ADDRESSED: Continuing education as a condition for renewal.

SPECIFIC AUTHORITY: 456.013(6), (8), 484.044, 484.047(1), (4) FS.

LAW IMPLEMENTED: 484.047(4) 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.: 64B6-5.002                      RULE TITLE: Continuing Education Programs

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove unnecessary language that has been added to Rule 64B6-5.001, F.A.C., for clarity of the rule; and to clarify other portions of the rule.

SUBJECT AREA TO BE ADDRESSED: Continuing education as a condition for renewal.

SPECIFIC AUTHORITY: 456.013(6)-(9), 484.044, 484.047(4) FS.

LAW IMPLEMENTED: 456.013(6)-(9), 484.047(4) 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.: 64B6-6.008                      RULE TITLE: Regular Place of Business Requirements; Advertising Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete language providing that if a license is self-employed, a statement of the place of business where the

licensee's license will be conspicuously displayed and explaining the circumstances or use satisfies requirements of rule; to clarify that advertising of hearing aid specialist services shall include the address or telephone number of the licensee's regular place of business; and to clarify that licensee is required to provide written notification upon change of regular place of business.

SUBJECT AREA TO BE ADDRESSED: Regular place of business requirements and advertising requirements.

SPECIFIC AUTHORITY: 456.035(1), 484.044 FS.

LAW IMPLEMENTED: 484.0501, 484.051, 484.058 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.: 64B6-8.002                      RULE TITLE: Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify requirements regarding discipline of sponsor and to limit the number of trainees a sponsor may train at one time.

SUBJECT AREA TO BE ADDRESSED: Qualifications for trainees, sponsors and designated hearing aid specialists.

SPECIFIC AUTHORITY: 484.044, 484.0445 FS.

LAW IMPLEMENTED: 484.0445, 484.045 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: Sue Foster, Executive Director, Board of Hearing Aid Specialist/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH****Board of Medicine**

RULE NO.: 64B8-42.002  
 RULE TITLE: Licensure by Examination  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the supervised experience hours required.

SUBJECT AREA TO BE ADDRESSED: Licensure by Examination.

SPECIFIC AUTHORITY: 456.017(1), 468.507 FS.

LAW IMPLEMENTED: 456.027, 468.509 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 IS: Susan Love, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-42.002 Licensure by Examination.

(1) through (2) No change.

(3) A documented and planned supervised practice experience component in dietetic and nutrition practice of not less than 900 hours shall provide the applicant with a broad spectrum of experiences in dietetics and nutrition. Such practice shall include, but not be limited to:

(a) A minimum of 200 hours in Clinical Nutrition (generally acquired in a hospital or other acute care setting) which may include, but not be limited to experiences in: Participating in the

1. Assessment of nutritional status for both complex and uncomplicated medical conditions, and the application of dietary measures for maintenance of health and treatment of disease or trauma;

2. Design and implementation of nutrition care plans.

3. Application of medical nutrition therapy for treatment of disease and trauma.

4. Selection, implementation and evaluation of enteral and parenteral nutrition regimens.

5. Counseling and nutrition education of patients on dietary modifications, including techniques that demonstrate integration of theoretical training, psychological and behavioral aspects of interpersonal relationships, documentation of appropriate interventions, and proper decision-making.

6. Performance of basic physical assessments, and

7. Quality assurance.

(b) A minimum of 200 hours in Community Nutrition (generally acquired within a community or public health program or HMO) which may include, but not be limited to experiences in: Exposure to a cross-section of patients with varied educational levels and life-styles in different cultural, ethnic, and economic settings and the opportunity to provide them relevant nutritional counseling;

1. Screening/assessment of nutritional status of the population or community group, including counseling techniques that demonstrate integration of theoretical training, psychological and behavioral aspects of interpersonal relationships, documentation of appropriate interventions, and proper decision-making.

2. Provision of nutritional care for people of diverse cultures and religions across the lifespan.

3. Development, evaluation or implementation of community – based health promotion program(s).

4. Nutrition surveillance and monitoring of the population or community group.

5. General health assessment, e.g., blood pressure and vital signs.

6. Development and review of educational materials for the target population, and

7. Development of food and nutrition policy for the population or community group.

(c) A minimum of 200 hours in Food Service Systems Management (generally acquired in an institutional or commercial setting) which may include, but not be limited to, experiences in: Participating in and observing food service management such as menu planning, purchasing, quantity food production, food delivery, employee supervision, budgeting and other aspects of food service systems in institutional settings;

1. Menu planning for target populations to meet nutritional guidelines and special dietary needs.

2. Development or modification of recipes or formulas.

3. Purchasing, production and delivery of food in the institutional or commercial setting.

4. Food safety and sanitation.

5. Budgeting.

6. Performance improvement and quality control; customer satisfaction.

7. Marketing.

8. Selection, operation and care of equipment; design and re-design of work units, and

9. Employee training and supervision; human resource functions.

(d) Participating in assessment and counseling techniques that demonstrate integration of theoretical training, psychological and behavioral aspects of interpersonal relationships, documentation of appropriate interventions, and proper decision-making.



(4) through (5) No change.

Specific Authority 456.017(1), 468.507 FS. Law Implemented 456.027, 468.509 FS. History—New 4-9-89, Amended 11-28-90, 3-24-91, 11-9-92, 5-6-93, Formerly 21M-48.002, Amended 11-4-93, 6-9-94, Formerly 61F6-48.002, Amended 11-12-95, Formerly 59R-42.002, Amended 8-19-99,\_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Licensing

RULE NOS.:	RULE TITLES:
5N-1.116	Classification of Licenses; Insurance; Fees
5N-1.140	Security Officer and Recovery Agent School Curriculum; Examinations; Retention of Records

**PURPOSE AND EFFECT:** The purpose is to: amend Rule 5N-1.116, F.A.C., to provide language on the cost of an examination for Class “M,” “MA,” and “C” applicants (called the “private investigator examination”) in a fee section of rule; amend Rule 5N-1.140, F.A.C., by promulgating a form for use by Class “M,” “MA,” and “C” applicants to send to the Division as proof that they have successfully passed the private investigator examination covering the provisions of Chapter 493, F.S.; amend Rule 5N-1.140, F.A.C., to establish the content of the private investigator examination and the manner and procedure of its administration. The effect is to implement 2007 Laws of Florida, s. 1, ch. 2007-232.

**SUMMARY:** Adds a requirement that applicants for licenses to become private investigators and managers of private investigative agencies (Class “C,” “MA,” and “M” licensees) pass a private investigator examination and submit proof of successfully passing the examination, beginning January 1, 2008; adds a form to be used to submit as proof of passing the examination; adds an examination fee; and adds language about establishing the content of the private investigator examination and the manner and procedure of its administration.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** 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:** 493.6203(5) FS., s. 1, ch. 2007-232, Laws of Florida.

**LAW IMPLEMENTED:** 493.6203(5) FS., s. 1, ch. 2007-232, Laws of Florida.

**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:** October 16, 2007, 10:00 a.m.

**PLACE:** Conference Room, 2520 North Monroe Street, Tallahassee, Florida 32303

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** John V. McCarthy, Assistant General Counsel, Department of Agriculture and Consumer, Services, Division of Licensing, 2520 North Monroe Street, Tallahassee, FL 32303, telephone: (850)245-5506; Fax: (850)245-5505

**THE FULL TEXT OF THE PROPOSED RULE IS:**

5N-1.116 Classification of Licenses; Insurance; Fees.

(1) through (2) No change.

(3) License, Examination and Fingerprint Fees.

(a) No change.

(b) The application fee for all license types shall be \$50, except Class “D” and “G” which shall have no application fee. Prescribed application fees shall be submitted with the application.

(c) The fee for replacement or revision of laminated licenses shall be \$15. All other licenses may be replaced or revised for \$10.

(d) The examination fee for Class “K” firearms instructors shall be \$50.

(e) The examination fee for Class “M,” “MA,” and “C” examinations shall be \$100.

(f)(e) Prescribed license fees for Class “C”, “CC”, “D”, “E”, “EE”, “G”, “M”, “MA”, “MB” and “MR” licenses shall be submitted with the application. For all other license types, the prescribed license fee shall be submitted upon notification by the Division that the application has been approved.

(g)(f) All applications for licensure shall include the required set of fingerprint cards and a fingerprint processing fee. A processing fee of \$42 shall accompany each set of fingerprints filed with the Division.

(h)(g) The processing fee for temporary Class “G” licensure shall be \$15.

Specific Authority 215.405, 493.6103, 493.6105(3)(j), 493.6107, 493.6202, 493.6302, 493.6402 FS. Law Implemented 215.405, 493.6105(1), 493.6105(3)(j), 493.6107, 493.6110, 493.6115(13), 493.6201, 493.6202, 493.6301, 493.6302, 493.6401, 493.6402 FS. History—New 2-4-91, Amended 7-31-96, 2-17-00, 1-24-06, Formerly 1C-3.116, Amended\_\_\_\_\_.