

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

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

NOTICE IS HEREBY GIVEN THAT Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from In Re: Petition for Declaratory Statement, Bernard Ross representing a group of Condominium owners Cloister Beach Towers Association, Inc.; Docket Number 2007003592. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d)3., F.S., as it applies to the petitioner.

Whether Cloister Beach Towers Association, Inc.'s bylaw provision restricting board members to three year terms is consistent with Section 718.112(2)(d)3., Florida Statutes, so that the board may refuse a board member who has completed a three year term from being a candidate for reelection.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has received the petition for declaratory statement from Frederick J. Baudoin d'Ajoux, RN, ANM. The petition seeks

the agency's opinion as to the applicability of subsection 64B9-12.002(1) and Rule 64B9-12.005, F.A.C., as it applies to the petitioner.

The Petitioner requested that the Board issue a Declaratory Statement to the effect of determining under subsection 64B9-12.002(1) and Rule 64B9-12.005, F.A.C., whether it is within the scope of practice of the Licensed Practical Nurse to place peripheral midline catheters. The Board of Nursing considered the Petition at its meeting held on April 14, 2005, in Dania Beach, Florida. The Board's Order, filed on May 11, 2005, dismissed the Petition for Declaratory Statement, finding that the petition does not meet the requirements of Section 120.565, Florida Statutes.

NOTICE IS HEREBY GIVEN THAT Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Judy Fine, R.N., C. on May 11, 2005. The following is a summary of the agency's disposition of the petition:

The Petitioner requested that the Board issue a Declaratory Statement determining under the provisions of Section 464.003(3)(a), F.S., (1) whether it is within the scope of work of Judy Fine, R.N., C., to do psychiatric and mental health counseling as defined by Section 464.003, F.S., of the nurse practice act and as further defined by the American Nursing Association and the American Psychiatric Nursing Association, and (2) whether Judy Fine, R.N., C., is permitted to perform this service in a private office setting. The Board of Nursing considered the Petition at its meeting held on April 14, 2005, in Fort Lauderdale, Florida. The Board's Order, filed on May 11, 2005, dismissed the Petition for Declaratory Statement, finding that under the specific facts of the petition, the proposed practice, which is the provision of independent therapy services to mental health patients, is not within the scope of the definition of the practice of professional nursing in Section 464.003, F.S.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Donna Florence, MS, RN on March 2, 2005. The following is a summary of the agency's disposition of the petition:

The Petitioner requested that the Board issue a Declaratory Statement determining under the provisions of Section 464.003(3)(a)2., Florida Statutes, whether it is within the scope of practice of a Registered Nurse to administer low dose anesthetic agents, specifically, Marcaine (bupivacaine), via continuous epidural catheter in a laboring woman or post partum women by increasing or decreasing the infusion rate, or

bolousing 10cc via infusion pump with an anesthesiologist telephone order. The Board of Nursing considered the Petition at its meeting held on April 14, 2005, in Dania Beach, Florida. The Board's Order, filed on May 11, 2005, dismissed the Petition for Declaratory Statement, finding that the petition is not in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Chapter 28-105, Florida Administrative Code.

NOTICE IS HEREBY GIVEN THAT The Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Lisa W. Johnson, RN. on July 10, 2006. The following is a summary of the agency's disposition of the petition:

The Petitioner requested that the Board issue a Declaratory Statement determining (1) whether it is within the scope of practice of a Registered Nurse employed by physicians to make hospital rounds, with or without the physicians being present, of the employer-physician' patients who are hospitalized and to (a) document progress on the patients' charts or hospital progress reports and to (b) communicate orders as from the employer-physicians, either face to face or by telephone, to hospital-employed Registered Nurses regarding the care of the employer-physicians' patients and (2) whether it is within the scope of duties of a Registered Nurse employed by a hospital to accept and cooperate with such practice by a physician-employed Registered Nurse. The Board of Nursing considered the Petition at its meeting held on August 10, 2006, in Jacksonville, Florida. The Board's Order, filed on August 29, 2006, dismissed the Petition for Declaratory Statement, finding that the petition is not in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Chapter 28-105, Florida Administrative Code.

NOTICE IS HEREBY GIVEN THAT Board of Nursing has received the petition for declaratory statement from Latchmi Perez, LPN. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Specifically, the Petitioner requests that the Board issue a Declaratory Statement determining under the provisions of Section 464.003, F.S. whether it is within the scope of practice for an LPN to perform telephonic prior authorization for outpatient radiology procedures such as MRI, CT and Pet scans. This petition will be considered at the April 2007 meeting of the Board.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

INVITATION TO BID

The Florida State University Facilities Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
Facilities Maintenance, Purchasing
114F Mendenhall Building A
Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number FAC102-07