

**Section I**

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.034  
 RULE TITLE: Polling Place Procedures Manual

PURPOSE AND EFFECT: The changes proposed are to the polling place procedures manual, DS-DE 11, incorporated by reference in the rule, and which is used as a guide for poll workers during the early voting period and election day. The changes are necessary to effectuate the changes to the Florida Election Code with the enactment of Chapter 2007-30, Laws of Florida, which affect election procedures at the polls.

SUBJECT AREA TO BE ADDRESSED: Polling Place Procedures.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 102.014(5) FS.  
 LAW IMPLEMENTED: 102.014(5) FS.

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

DATE AND TIME: Tuesday, July 10, 2007, 10:00 a.m.  
 PLACE: Florida Heritage Hall, R. A. Gray Building, 500 S. Bronough 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: Maria Matthews, Assistant General Counsel, Office of General Counsel, (850)245-6536, e-mail: mimatthews@dos.state.fl.us.

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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maria Matthews, Assistant General Counsel, Office of General Counsel, (850)245-6536, e-mail: mimatthews@dos.state.fl.us

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

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.037  
 RULE TITLE: Provisional Ballots

PURPOSE AND EFFECT: The changes are proposed to reflect the changes made to the Florida Election Code, effectuated by the enactment of Chapter 2007-30, Laws of Florida, which reduced the number of days from 3 days to 2 days in which

certain provisional ballot voters have to submit to the supervisor of elections written evidence supporting their eligibility to vote before their ballot can be counted.

SUBJECT AREA TO BE ADDRESSED: Provisional ballot envelope and certificate.

SPECIFIC AUTHORITY: 20.10(3), 101.048 FS.  
 LAW IMPLEMENTED: 97.053(6), 101.043, 101.048, 101.049, 101.111 FS.

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

DATE AND TIME: Tuesday, July 10, 2007, 10:00 a.m.  
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Maria Matthews, Assistant General Counsel, Office of General Counsel, (850)245-6536, e-mail: mimatthews@dos.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.037 Provisional Ballots.

(1) Notice of Rights to Provisional Ballot Voters. Written instructions are to be provided to each person who casts a provisional ballot and shall be entitled "Notice of Rights to Provisional Ballot Voters." The instructions shall contain:

(a) Information on how to access the respective county supervisor of election's free access system and the information the voter will need to provide to obtain information on whether his or her provisional ballot was counted, and if not, the reason it was not counted.

(b) The statement "If this is a primary election, you should contact the supervisor of elections' office immediately to confirm that you are registered and can vote in the general election."

(c) The statement "You may provide written evidence supporting your eligibility to vote to the Supervisor of Elections at (provide address of the Supervisor) by no later than 5:00 p.m. of the second ~~third~~ day following the election."

(d) The statement “If you voted a provisional ballot because you did not have the proper identification, your ballot will be counted if your signature on the provisional ballot Voter’s Certificate and Affirmation matches the signature on your registration record and if you voted in the proper precinct. You will not need to provide further written evidence to the Supervisor of Elections.”

(2) Forms for Certificates and Affirmations. The Department of State, Division of Elections, is required to establish forms for Provisional Ballot Certificates and Affirmations to be used statewide. Subject to the exception in subsection (3), provisional ballot certificates and affirmations shall be substantially in accordance with Form DS DE 49 OS (Eff. 01/06), entitled “Optical Scan, Provisional Ballot Voter’s Certificate and Affirmation”; Form DS DE 49 OS/TS (eff. 01/06), entitled “Touch Screen, Provisional Ballot Voter’s Certificate and Affirmation”; or Form DS DE 49 OT (eff. 01/06), entitled “Optical Scan/Touchscreen, Provisional Ballot Voter’s Certificate and Affirmation”. All forms under this rule are hereby incorporated by reference. Copies of the forms may be obtained from the Division of Elections, Room 316, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, from the Division of Elections website at: <http://election.dos.state.fl.us>, or by contacting the Division of Elections at (850)245-6200.

(3) Exception. In order to ensure the secrecy of the ballot of each provisional ballot voter, the following forms and procedures must be used and followed in all counties using the Sequoia Touch Screen Voting System:

(a) Forms. Form DS DE 50-Sequoia, entitled “Sequoia Touch Screen, Provisional Ballot Voter’s Certificate and Affirmation,” (eff. 06/06) shall be used as the provisional ballot envelope form, and form DS DE 50 Sequoia-A, entitled “Provisional Ballot Identification Number Form,” (eff. 06/06) shall be used to write the provisional ballot voter’s identification number, in reference to the procedures in paragraphs (b) and (c).

(b) Procedures at the polls:

1. Once a determination is made that a voter needs to vote a provisional ballot, the voter is provided with the provisional ballot envelope form DS DE 50 Sequoia.

2. The voter fills out the Provisional Ballot Voter’s Certificate and Affirmation using DS DE 50 Sequoia and provides it to the election official to witness.

3. The election official witnesses the voter’s signature and fills out the information on the back side of the envelope indicating the reason the voter is voting a provisional ballot.

4. The election official activates the voter card and writes the provisional ballot number from the card activator on a separate form using DS DE 50 Sequoia-A.

5. The voter verifies that the provisional ballot identification number on the form matches the ballot number from the card activator display.

6. The voter places the form with the ballot identification number in the Provisional Ballot envelope and seals the envelope.

7. The voter proceeds to the touch screen voting system and votes his or her provisional ballot.

8. At the close of the polls, all completed provisional ballot envelopes are returned to the supervisor of elections.

(c) Procedures during the canvassing process:

1. The canvassing board determines the eligibility of each provisional voter.

2. For each provisional voter that is determined to be eligible, the provisional ballot envelope shall be opened and the provisional ballot number shall be separated from the envelope containing the voter’s name to ensure that the voter’s name and provisional ballot number cannot be connected.

3. All ballots connected to the provisional ballot numbers for eligible voters shall be tabulated according to the procedures for tabulating ballots provided by the manufacturer.

4. For each provisional voter that is determined to be ineligible, the provisional ballot envelope shall not be opened and the Provisional Ballot Identification Number shall remain sealed in the envelope.

(d) Provisional ballot procedures on election day and during the early voting period must otherwise meet all requirements of this rule.

Specific Authority 20.10(3), 97.012(1), (2), 101.048 FS. Law Implemented 97.053(6), 101.043, 101.048, 101.049, 101.111 FS. History—New 2-2-04, Amended 1-29-06, 6-1-06, \_\_\_\_\_.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:	RULE TITLE:
1S-2.040	Statewide Uniform Voter Registration Application

PURPOSE AND EFFECT: The primary purpose of the proposed rule is to conform the uniform statewide voter registration application to the new requirements in Chapter 2007-30, Laws of Florida, which expanded the category of persons who may pre-register to voter to include any person who obtains a valid Florida driver’s license before his or her 17th birthday.

SUBJECT AREA TO BE ADDRESSED: Content and form of statewide voter registration application.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 97.052 FS.

LAW IMPLEMENTED: 97.041, 97.052 FS.

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

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

PLACE: Florida Heritage Hall, R. A. Gray Building, Florida Department of State, 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: Maria Matthews, Assistant General Counsel, Office of General Counsel, (850)245-6536, e-mail at: mimatthews@dos.state.fl.us. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maria Matthews, Assistant General Counsel, Office of General Counsel, (850)245-6536, e-mail at: mimatthews@dos.state.fl.us

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

**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.: 33-601.606  
 RULE TITLE: Placement of Inmates into Community Release Programs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to provide that an inmate must be disciplinary report free for at least 60 days prior to placement to be eligible for community release programs.

SUBJECT AREA TO BE ADDRESSED: Community release program eligibility.

SPECIFIC AUTHORITY: 945.091 FS.

LAW IMPLEMENTED: 945.091 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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.606 Placement of Inmates into Community Release Programs.

- (1) No change.
- (2) Eligibility and Ineligibility Criteria.
  - (a) No change.
  - (b) In order to be eligible for community release programs an inmate must:
    - 1. through 2. No change.
    - 3. Be disciplinary report free for at least ~~60~~ 90 days prior to placement.
    - 4. through 6. No change.
    - (3) through (5) No change.

Specific Authority 945.091 FS. Law Implemented 945.091 FS. History–New 3-14-01, Amended 9-2-01, 3-19-02, 11-18-02, 5-31-04, 11-25-04, 4-13-06,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.724  
 RULE TITLE: Visitor Attire

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to include shoes known as Heelys or any footwear with removable parts as inappropriate attire.

SUBJECT AREA TO BE ADDRESSED: Visitor Attire.

SPECIFIC AUTHORITY: 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.8031 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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-601.724 Visitor Attire.
  - (1) Persons desiring to visit shall be fully clothed including shoes. Small hats such as baseball caps, religious coverings, or surgical caps are permissible attire. Visitors shall not be admitted to the visiting area if they are dressed in inappropriate attire. The warden, assistant warden or duty warden shall be the final decision authority and shall assist in resolving inappropriate attire situations. Inappropriate attire includes:
    - (a) through (e) No change.
    - (f) Shoes known as Heelys or any footwear with removable parts.
    - (g)(f) Clothes made with see-through fabric unless a non-see-through garment is worn underneath,

~~(h)(g)~~ Dresses, skirts, or Bermuda-length shorts more than three inches above the knee,

~~(i)(h)~~ Any article of clothing with a picture or language which presents a potential threat to the security or order of the institution, or

~~(j)(i)~~ Military style camouflage clothing to include jungle (green), urban (grey or black), and desert (tan or brown).

(2) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.8031 FS. History--New 11-18-01, Formerly 3-601.708, Amended 1-29-07,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.725 RULE TITLE: Permissible Items for Visitors

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the rule to clarify that no more than three clear plastic jars of baby food with the original seal intact are allowed for visitors with authorized infants and small children.

SUBJECT AREA TO BE ADDRESSED: Inmate visitation.

SPECIFIC AUTHORITY: 944.09, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.47, 944.8031 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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.725 Permissible Items for Visitors.

(1) Visitors shall be allowed to bring only authorized items listed into any department facility. Entry shall be denied if the visitor attempts to enter the institution or facility while possessing any unauthorized item or any authorized item in more than the approved amounts. Authorized items shall be removed by the visitor at the end of the visit. Authorized items include:

(a) through (g) No change.

(h) Visitors with authorized infants and small children shall be allowed to bring in:

1. Five diapers, three clear plastic baby bottles or two sipper cups for toddlers, one clear plastic baby pacifier and three clear plastic jars of baby food with the original seal intact;

2. through 4. No change.

(i) through (j) No change.

(2) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented ~~20.315,~~ 944.09, 944.23, 944.47, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 7-1-03, 12-30-03, 11-25-04, 3-29-07,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-602.205 RULE TITLE: Inmate Telephone Use

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to incorporate revisions to Form DC6-223, Inmate Telephone Agreement and Number List. The form is amended to require only the last four digits of the social security number and to specify that Pin number refers to Telephone Pin number.

SUBJECT AREA TO BE ADDRESSED: Inmate Telephone Use.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Perri K. Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.205 Inmate Telephone Use.

(1) No change.

(2) Inmate telephone procedures will be conducted as follows:

(a) No change.

(b) The reception center classification staff shall compile the inmate calling list through use of Form DC6-223, in conjunction with the acquisition of the inmate visiting list. Form DC6-223 shall become part of the inmate's permanent file and shall accompany the inmate with each subsequent transfer. Form DC6-223 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, FL 32399-2500. The effective date of this form is \_\_\_\_\_ January 7, 2007.

(c) through (l) No change.

(3) through (15) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 11-19-81, Formerly 33-3.125, Amended 11-21-86, 1-6-92, 3-24-97, 7-22-97, 12-21-98, Formerly 33-3.0125, Amended 2-7-00, 6-18-02, 2-4-03, 12-30-03, 11-25-04, 1-7-07,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

RULE NO.: 59C-1.008  
 RULE TITLE: Application Procedures

PURPOSE AND EFFECT: The agency is proposing to update the rule that outlines application procedures used to update the batching cycle calendar for applications subject to comparative review.

SUBJECT AREA TO BE ADDRESSED: The proposed rule removes batching cycle calendar dates that are expired and provides future dates.

SPECIFIC AUTHORITY: 408.034(6), 408.15(8) FS.

LAW IMPLEMENTED: 408.033, 408.037, 408.038, 408.039 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: July 2, 2007, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Calvin J. Vice., Sr., PhD, Certificate of Need, 2727 Mahan Drive, Building 1, Tallahassee, Florida

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59C-1.008 Application Procedures.

(1) (a) through (f) No change.

(g) Applications Subject to Comparative Review-Batching Cycles. In order that applications pertaining to similar types of services or facilities affecting the same service district or subdistrict may be considered in relation to each other for purposes of comparative review, letters of intent and applications shall be received by the agency no later than dates prescribed in the following schedule:

<u>Hospital Beds and Facilities</u>	
<u>1st Batching Cycle—2005</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>1-28-05</u>
<u>Letter of Intent Deadline</u>	<u>2-14-05</u>
<u>Application Deadline</u>	<u>3-16-05</u>
<u>Completeness Review Deadline</u>	<u>3-23-05</u>
<u>Application Omissions Deadline</u>	<u>4-20-05</u>
<u>Agency Initial Decision Deadline</u>	<u>6-17-05</u>

<u>Hospital Beds and Facilities</u>	
<u>2nd Batching Cycle—2005</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>7-29-05</u>
<u>Letter of Intent Deadline</u>	<u>8-15-05</u>
<u>Application Deadline</u>	<u>9-14-05</u>
<u>Completeness Review Deadline</u>	<u>9-21-05</u>
<u>Application Omissions Deadline</u>	<u>10-19-05</u>
<u>Agency Initial Decision Deadline</u>	<u>12-16-05</u>

<u>Hospital Beds and Facilities</u>	
<u>1st Batching Cycle—2006</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>1-27-06</u>
<u>Letter of Intent Deadline</u>	<u>2-13-06</u>
<u>Application Deadline</u>	<u>3-15-06</u>
<u>Completeness Review Deadline</u>	<u>3-22-06</u>
<u>Application Omissions Deadline</u>	<u>4-19-06</u>
<u>Agency Initial Decision Deadline</u>	<u>6-16-06</u>

<u>Hospital Beds and Facilities</u>	
<u>2nd Batching Cycle—2006</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>7-28-06</u>
<u>Letter of Intent Deadline</u>	<u>8-14-06</u>
<u>Application Deadline</u>	<u>9-13-06</u>
<u>Completeness Review Deadline</u>	<u>9-20-06</u>
<u>Application Omissions Deadline</u>	<u>10-18-06</u>
<u>Agency Initial Decision Deadline</u>	<u>12-15-06</u>

<u>Hospital Beds and Facilities</u>	
<u>1st Batching Cycle – 2007</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>1-26-07</u>
<u>Letter of Intent Deadline</u>	<u>2-12-07</u>
<u>Application Deadline</u>	<u>3-14-07</u>
<u>Completeness Review Deadline</u>	<u>3-21-07</u>
<u>Application Omissions Deadline</u>	<u>4-18-07</u>
<u>Agency Initial Decision Deadline</u>	<u>6-15-07</u>

<u>Hospital Beds and Facilities</u>	
<u>2nd Batching Cycle – 2007</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>7-27-07</u>
<u>Letter of Intent Deadline</u>	<u>8-13-07</u>
<u>Application Deadline</u>	<u>9-12-07</u>
<u>Completeness Review Deadline</u>	<u>9-19-07</u>
<u>Application Omissions Deadline</u>	<u>10-17-07</u>
<u>Agency Initial Decision Deadline</u>	<u>12-14-07</u>

<u>Hospital Beds and Facilities</u>	
<u>1st Batching Cycle – 2008</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>1-25-08</u>
<u>Letter of Intent Deadline</u>	<u>2-11-08</u>

<u>Application Deadline</u>	<u>3-12-08</u>
<u>Completeness Review Deadline</u>	<u>3-19-08</u>
<u>Application Omissions Deadline</u>	<u>4-16-08</u>
<u>Agency Initial Decision Deadline</u>	<u>6-13-08</u>

Hospital Beds and Facilities  
2nd Batching Cycle – 2008

<u>Summary Need Projections Published in F.A.W.</u>	<u>7-25-08</u>
<u>Letter of Intent Deadline</u>	<u>8-11-08</u>
<u>Application Deadline</u>	<u>9-10-08</u>
<u>Completeness Review Deadline</u>	<u>9-17-08</u>
<u>Application Omissions Deadline</u>	<u>10-15-08</u>
<u>Agency Initial Decision Deadline</u>	<u>12-12-08</u>

Hospital Beds and Facilities  
1st Batching Cycle – 2009

<u>Summary Need Projections Published in F.A.W.</u>	<u>1-23-09</u>
<u>Letter of Intent Deadline</u>	<u>2-09-09</u>
<u>Application Deadline</u>	<u>3-11-09</u>
<u>Completeness Review Deadline</u>	<u>3-18-09</u>
<u>Application Omissions Deadline</u>	<u>4-15-09</u>
<u>Agency Initial Decision Deadline</u>	<u>6-12-09</u>

Hospital Beds and Facilities  
2nd Batching Cycle – 2009

<u>Summary Need Projections Published in F.A.W.</u>	<u>7-24-09</u>
<u>Letter of Intent Deadline</u>	<u>8-10-09</u>
<u>Application Deadline</u>	<u>9-09-09</u>
<u>Completeness Review Deadline</u>	<u>9-16-09</u>
<u>Application Omissions Deadline</u>	<u>10-14-09</u>
<u>Agency Initial Decision Deadline</u>	<u>12-11-09</u>

Other Beds and Programs  
1st Batching Cycle—2005

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-08-05</u>
<u>Letter of Intent Deadline</u>	<u>4-25-05</u>
<u>Application Deadline</u>	<u>5-25-05</u>
<u>Completeness Review Deadline</u>	<u>6-01-05</u>
<u>Applicant Omissions Deadline</u>	<u>6-29-05</u>
<u>Agency Initial Decision Deadline</u>	<u>8-26-05</u>

Other Beds and Programs  
2nd Batching Cycle—2005

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-07-05</u>
<u>Letter of Intent Deadline</u>	<u>10-24-05</u>
<u>Application Deadline</u>	<u>11-23-05</u>
<u>Completeness Review Deadline</u>	<u>11-30-05</u>
<u>Applicant Omissions Deadline</u>	<u>12-28-05</u>
<u>Agency Initial Decision Deadline</u>	<u>2-24-06</u>

Other Beds and Programs

1st Batching Cycle—2006

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-07-06</u>
<u>Letter of Intent Deadline</u>	<u>4-24-06</u>
<u>Application Deadline</u>	<u>5-24-06</u>
<u>Completeness Review Deadline</u>	<u>5-31-06</u>
<u>Application Omissions Deadline</u>	<u>6-28-06</u>
<u>Agency Initial Decision Deadline</u>	<u>8-25-06</u>

Other Beds and Programs

2nd Batching Cycle—2006

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-06-06</u>
<u>Letter of Intent Deadline</u>	<u>10-23-06</u>
<u>Application Deadline</u>	<u>11-22-06</u>
<u>Completeness Review Deadline</u>	<u>11-29-06</u>
<u>Application Omissions Deadline</u>	<u>12-27-06</u>
<u>Agency Initial Decision Deadline</u>	<u>2-23-07</u>

Other Beds and Programs

1st Batching Cycle – 2007

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-06-07</u>
<u>Letter of Intent Deadline</u>	<u>4-23-07</u>
<u>Application Deadline</u>	<u>5-23-07</u>
<u>Completeness Review Deadline</u>	<u>5-30-07</u>
<u>Application Omissions Deadline</u>	<u>6-27-07</u>
<u>Agency Initial Decision Deadline</u>	<u>8-24-07</u>

Other Beds and Programs

2nd Batching Cycle – 2007

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-05-07</u>
<u>Letter of Intent Deadline</u>	<u>10-22-07</u>
<u>Application Deadline</u>	<u>11-21-07</u>
<u>Completeness Review Deadline</u>	<u>11-28-07</u>
<u>Application Omissions Deadline</u>	<u>12-26-07</u>
<u>Agency Initial Decision Deadline</u>	<u>2-22-08</u>

Other Beds and Programs

1st Batching Cycle – 2008

<u>Summary Need Projections Published in F.A.W.</u>	<u>4-04-08</u>
<u>Letter of Intent Deadline</u>	<u>4-21-08</u>
<u>Application Deadline</u>	<u>5-21-08</u>
<u>Completeness Review Deadline</u>	<u>5-28-08</u>
<u>Applicant Omissions Deadline</u>	<u>6-25-08</u>
<u>Agency Initial Decision Deadline</u>	<u>8-22-08</u>

Other Beds and Programs

2nd Batching Cycle – 2008

<u>Summary Need Projections Published in F.A.W.</u>	<u>10-03-08</u>
<u>Letter of Intent Deadline</u>	<u>10-20-08</u>

<u>Application Deadline</u>	<u>11-19-08</u>
<u>Completeness Review Deadline</u>	<u>11-26-08</u>
<u>Applicant Omissions Deadline</u>	<u>12-24-08</u>
<u>Agency Initial Decision Deadline</u>	<u>2-20-09</u>
<u>Other Beds and Programs</u>	
<u>1st Batching Cycle – 2009</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>4-03-09</u>
<u>Letter of Intent Deadline</u>	<u>4-20-09</u>
<u>Application Deadline</u>	<u>5-20-09</u>
<u>Completeness Review Deadline</u>	<u>5-27-09</u>
<u>Application Omissions Deadline</u>	<u>6-24-09</u>
<u>Agency Initial Decision Deadline</u>	<u>8-21-09</u>

<u>Other Beds and Programs</u>	
<u>2nd Batching Cycle – 2009</u>	
<u>Summary Need Projections Published in F.A.W.</u>	<u>10-02-09</u>
<u>Letter of Intent Deadline</u>	<u>10-19-09</u>
<u>Application Deadline</u>	<u>11-18-09</u>
<u>Completeness Review Deadline</u>	<u>11-25-09</u>
<u>Application Omissions Deadline</u>	<u>12-23-09</u>
<u>Agency Initial Decision Deadline</u>	<u>2-19-10</u>

(h) through (5) No change.

Specific Authority 408.034(6), 408.15(8) FS. Law Implemented 408.033, 408.037, 408.038, 408.039 FS. History–New 1-1-77, Amended 11-1-77, 9-1-78, 6-5-79, 2-1-81, 4-1-82, 7-29-82, 9-6-84, Formerly 10-5.08, Amended 11-24-86, 3-2-87, 6-11-87, 11-17-87, 3-23-88, 5-30-90, 12-20-90, 1-31-91, 9-9-91, 5-12-92, 7-1-92, 8-10-92. Formerly 10-5.008, Amended 4-19-93, 6-23-94, 10-12-94, 10-18-95, 2-12-96, 7-18-96, 9-16-96, 11-4-97, 7-21-98, 12-12-00, 4-2-01, 1-10-02, 6-26-03, 12-13-04, 9-28-05,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.230  
 RULE TITLE: Physician Services  
 PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference Errata January 2007 to the Florida Medicaid Physician Services Coverage and Limitations Handbook. The errata includes minor corrections and the following substantive corrections: removal of Synagis® from the list of drugs requiring prior authorization; the requirement that the National Drug Code must be entered on the claim when billing for injectable medications; Medicaid coverage for neonatal consults and twin-to-twin transfusion syndrome; Medicaid coverage for lacrimal punctum plugs, and removal of the requirement that the recipient had to have a Medicaid-paid pregnancy service to be eligible for family planning waiver services. The effect will be to incorporate by reference in rule Errata January 2007 to Florida Medicaid Physician Services Coverage and Limitations Handbook.  
 SUBJECT AREA TO BE ADDRESSED: Physician Services.

SPECIFIC AUTHORITY: 409.919 FS.  
 LAW IMPLEMENTED: 409.905, 409.907, 409.908, 409.9081 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: Monday, July 2, 2007, 1:00 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Eleanor Cofer, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.230 Physician Services.

(1) No change.

(2) All physician services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2007, errata January 2007, updated January 2007 and May 2007, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are 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 handbooks may be obtained by calling Provider Enrollment at (800)377-8216.

(3) through (5) No change.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.907, 409.908, 409.9081 FS. History–New 1-1-77, Revised 2-1-78, 4-1-78, 1-2-79, 1-1-80, Amended 2-8-82, 3-11-84, Formerly 10C-7.38, Amended 1-10-91, 11-5-92, 1-7-93, Formerly 10C-7.038, Amended 6-29-93, 9-6-93, Formerly 10P-4.230, Amended 6-13-94, 2-9-95, 3-10-96, 5-28-96, 3-18-98, 9-22-98, 8-25-99, 4-23-00, 8-5-01, 2-20-03, 8-5-03, 8-3-04, 8-18-05, 8-31-05, 10-26-06, 2-11-07,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-6.022  
 RULE TITLE: Approved General Forms  
 PURPOSE AND EFFECT: This rule adopts and incorporates Department-wide application forms utilized in licensing, licensure renewal, and licensure discipline.  
 SUBJECT AREA TO BE ADDRESSED: The rule will adopt and incorporate by reference master forms utilized by the Department, its Divisions, and the regulatory boards, for licensing, licensure renewal, and licensure discipline.

SPECIFIC AUTHORITY: 455.203, 455.213(1) FS.  
 LAW IMPLEMENTED: 455.213(1) 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: July 2, 2007, 10:00 a.m.  
 PLACE: Professions Board Room, DBPR, 1940 North Monroe 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: Jennifer A. Tschetter, (850)488-0062. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer A. Tschetter, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, FL 32399  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.: 61G10-18.001  
 RULE TITLE: Continuing Education Credit Requirements

PURPOSE AND EFFECT: The Board proposes to amend the rule for consideration of laws and rules continuing education credit for board members.  
 SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements for Certificateholders and Registrants.  
 SPECIFIC AUTHORITY: 455.213(6), 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.  
 LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 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: Juanita

Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750  
 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 Nursing**

RULE NO.: 64B9-15.009  
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The purpose and effect is to set forth the disciplinary guidelines for unprofessional conduct by certified nursing assistants.  
 SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

SPECIFIC AUTHORITY: 464.204 FS.  
 LAW IMPLEMENTED: 456.072, 464.204 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: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B9-15.009 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.
  - (1) through (2) No change.
  - (3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon registrants for violation of the noted statutes and rules:
    - (a) through (gg) No change.
    - (hh) Intentionally engaging in unprofessional conduct, as defined in Rule 64B9-8.005, F.A.C. (Section 464.018(1)(h), F.S.)

Section II  
Proposed Rules

<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.:	RULE TITLES:
68-1.001	Adoption of Uniform Rules of Procedure; Due Process Procedures; Subject Matter Index; Official Reporter
68-1.008	Due Process Procedures
68-1.009	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.:	RULE TITLE:
33-601.737	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: