

(4) If the payment is received in a paper format, the received date shall be the date stamped on the payment when received by the Department of Financial Services' Cashier's Office in Tallahassee, Florida.

(5) All renewal fees required to be filed under this rule shall be filed electronically at www.flofr.com.

(6) Any person may petition for waiver of the requirement of electronic submission of fees by filing a petition pursuant to Rule 28-106.301, Florida Administrative Code. Such petition shall demonstrate a technological or financial hardship that entitles the person to file the application, fees, data or form in a paper format.

(7)(4) If December 31 of the year is on a Saturday, Sunday, or legal holiday pursuant to Section 110.117, F.S., then the renewals received on the next business day will be considered timely received.

Specific Authority 516.03(1), 516.22(1), 516.23(3) FS. Law Implemented 516.03(1), 516.05(1), (2) FS. History--New 12-13-88, Amended 1-5-00, 12-25-00, Formerly 3D-160.031, Amended _____.

69V-160.032 Amendments, Change of Name, Change of Entity and Change in Control or Ownership.

(1) Each person licensed under Chapter 516, F.S., that proposes to change its name, form of business organization, or any other information contained in any initial application form or any amendment thereto, must file an amendment pursuant to Section 516.05, F.S., not later than thirty-days (30) after the effective date of the change on Application for Consumer Finance License, Form OFR-516-01. Name changes pursuant to this subsection shall not involve any change in controlling interest of the licensed entity.

(2) Each licensee under Chapter 516, F.S., that proposes to change any personnel described in Section 516.03, F.S., listed in any initial application or any amendment thereto must file an amendment not later than thirty-days (30) prior to the effective date of the change or within two (2) business days after the date the licensee first received notice of the change on Application for Consumer Finance License, Form OFR-516-01. In the event the change in personnel in Section 516.03, F.S., listed in any initial application or any amendment thereto results in the addition of anyone referenced in this subsection, such persons must comply with Section 516.03, F.S. unless such person has previously complied Section 516.03 with an entity currently licensed under this chapter.

(3) Applications for licensure under Chapter 516, F.S., required as a result of an acquisition of a controlling interest in a licensee pursuant to Section 516.05(5), F.S., must be filed in a timely manner as to allow the Office to complete its review of the application prior to the effective date of the acquisition, but not later than thirty (30) days prior to the date of such acquisition. Such applications must be filed in accordance with Section 516.03, F.S.

(4) The office shall waive the requirement for a licensee to file a new application pursuant to Section 516.05(5), F.S., when:

(a) A person or group of persons proposing to purchase or acquire a controlling interest in a Chapter 516, F.S., licensee has previously filed with the Office the information required in Section 516.03, F.S., with the licensee to the office, provided that such person is currently affiliated with the licensee; or

(b) The acquirer is currently licensed with the office under Chapter 516, F.S.

(5) If the requirement to file a new application for a change in controlling interest is waived pursuant to subsection 4 of this rule, the licensee must file an amendment as prescribed in subsection 2 of this rule to report the change in controlling interest.

(6) Form OFR-516-01 is incorporated by reference in subsection 69V-160.030(1), F.A.C.

Specific Authority 516.05(4), 516.05(5), 516.23(3) FS. Law Implemented 516.01, 516.02(1), 516.05(4), 516.05(5) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Bureau Chief, 200 East Gaines Street, The Fletcher Building, Tallahassee, Florida 32399-0375, (850)410-9805

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2007

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

**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."

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-4.003

RULE TITLE:
Medicaid Providers Who Bill on the
UB-04

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. 24, June 15, 2007 issue of the Florida Administrative Weekly.

These changes are in response to comments received from the Joint Administrative Procedures Committee and to comments received prior to the date of the public hearing.

59G-4.003(2). We added the effective date of May 2007 to Form UB-04 CMS-1450, Approved OMB No. 0938-0097, and placed the word "and" before "State of Florida Abortion Certification Form."

The rule incorporates by reference the Florida Medicaid Provider Reimbursement Handbook, UB-04, May 2007. The following changes were made to the handbook:

Page 1-3, Clean Claim. The section was rewritten to read, "In order for a claim to be paid, it must be a clean claim. Per subsection 59G-1.010(42), F.A.C., 'clean claim' means a claim that:

- Has been completed properly according to Medicaid billing guidelines;
- Is accompanied by all necessary documentation required by federal law, state law, or state administrative rule for payment; and
- Can be processed and adjudicated without obtaining additional information from the provider or from a third party.

A clean claim includes a claim with errors originating in the claim system. It does not include a claim from a provider who is under investigation for fraud, abuse, or violation of state or federal Medicaid laws, rules, regulations, policies, or directives, or a claim under review for medical necessity."

Page 1-3, Out-of-State Claims Filing Limit. We corrected the section to read, "Claims submitted by out-of-state providers must be received by Medicaid or the Medicaid fiscal agent no later than 12 months from the date of service or the date of discharge to be considered for payment."

Page 1-5, Delay in Recipient Eligibility Determination. We revised the section to read, "An exception is granted when there is a delay in the determination of an individual's Medicaid eligibility by the Department of Children and Families or the Social Security Administration."

Page 1-6, Medicaid Delay in Updating Eligibility File. We revised the first sentence to read, "If Medicaid delays updating a recipient's eligibility on FMMIS, an exception is granted."

Page 1-6, Evaluate the Claim. We corrected the section to read, "The provider must evaluate any claim that exceeds the 12-month filing limit and determine if the claim fits any of the conditions for an exception to the 12-month filing limit."

Page 1-9, The UB-04 Claim Form. We replaced the sample claim form with the final version, which contains the OMB approval number.

Page 1-28, Form Locator 44. We expanded the instructions for Freestanding Dialysis Centers to read, "Claims for the administration of Erythropoietin (Epogen, EPO) require the entry of the five-digit injection HCPCS code and the 11-digit National Drug Code (NDC). The first five digits of the NDC are the manufacturer's labeler code. If the manufacturer omitted one or more leading zero from the labeler code on the package, be sure to add the leading zeros on the claim. If the NDC is only 10 digits, add a leading '0' in the middle group of numbers so the claim can process. For example, if the NDC is in a 5-3-2 digit format, add a leading '0' in the middle group to make it a 5-4-2 digit format.

Whenever possible, bill the claim electronically on an 837i transaction, because there is not a Form Locator on the UB-04 for the NDC. If the provider must bill on a paper claim, attach documentation with the NDC to the claim and send it to the area Medicaid office for processing."

Page 1-49, Technical Support. In the first paragraph, second sentence, we added the time zone so the sentence reads, "The Medicaid fiscal agent's EDI Technical Support is available to all providers Monday through Friday from 8:00 a.m. to 7:00 p.m. Eastern Time at (800)829-0218."

Page 2-1, Prior Authorization Requirements. We revised the first sentence to read, "In order to be reimbursed by Medicaid, certain services require that providers obtain prior authorization of the services' medical necessity per subsection 59G-1.010(166), F.A.C., before the services are performed."

Page 2-3, Introduction. In the first paragraph, second sentence, we added, "in accordance with subsection 59G-1.010(166), F.A.C."

Page 2-8, Individuals with Pending Medicaid Eligibility and Medically Need Recipients. We added the following note after the last paragraph, "See Chapter 3 in the Florida Medicaid Provider General Handbook for a description of the Medically Needy Program. The Florida Medicaid Provider General Handbook is incorporated by reference in Rule 59G-5.020, F.A.C."

Page 2-9, Retrospective Payment Review. In the first paragraph, first sentence, we added "liability" after third party so that the sentence reads, "recipients with third party liability (TPL) insurance coverage."

Page 2-15, Medicaid Prior Authorization Unit Responsibility. We revised the second sentence to read, "The decision will be rendered within ten business days following the receipt of documentation to establish the need for the out-of-state service."

Page 2-21, Illustration 2-2. Completed Sample Prior Authorization Request. We revised the sample to be for a procedure that requires prior authorization.

Page 2-43, Illustration 2-11. Exception to Hysterectomy Acknowledgement Requirement Form. We changed the reference on the form from the UB-92 to the UB-04.

Page 3-11, New or Photocopied Claims. We added the following definition of an AHCA priority exception claim, “An AHCA priority exemption claim is a claim that AHCA sends to the Medicaid fiscal agent for processing.”

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: 64F-12.011
 RULE TITLE: Wholesale Distribution of Prescription Drugs – Exceptions and Specific Distributions Authorized

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. 7, February 16, 2007 issue of the Florida Administrative Weekly.

The changes are in response to comments from staff of the Joint Administrative Procedures Committee and to comments made at a public hearing held on the rule.

The changes are as follows:

(1) The exemption from the definition of wholesale distribution in Section 499.012(1)(a)2.b., F.S., for “emergency medical reasons” includes:

- (a) No change.
- (b) Transfers of prescription drugs by a health care entity to an emergency transport vehicle which is under the direction of a medical director of an emergency medical service provider licensed under Chapter 401, F.S., for use in the treatment of persons transported to that health care entity to immediately restock a licensed vehicle or an emergency medical kit for prescription drugs used on that person or to immediately restock prescription drugs on the vehicle which have become unsuitable for use. This exception does not extend to the stocking of supply inventory or for warehousing of prescription drugs used by emergency medical service providers;

(c) Emergency transfers of prescription drugs as authorized in Rule 59A-4.112, F.A.C., for nursing homes or Rule 64B16-28.6021, F.A.C., of the Florida Board of Pharmacy; or

(d) No change.

(e) Transfers of prescription drugs in an emergency declared pursuant to Section 252.36, F.S., until the state of emergency is lifted, under the following conditions:

1. The manufacturer, wholesaler, or other person supplying the prescription drugs is authorized by Florida law to distribute prescription drugs in or into Florida; and

2. The prescription drugs are delivered to a temporary emergency medical station, officially designated by the state emergency operation center as a Disaster Medical Assistance Team or State Medical Response Team site; or

3. The prescription drugs are delivered to a Pharmacy licensed under Chapter 465, F.S.;

(f) through (g) No change.

(h) Transfers of prescription drugs by or on behalf of the Department of Health to a health care entity authorized to purchase prescription drugs, for storage and use in the treatment of persons in need of emergency medical services, including controlling communicable diseases or providing protection from unsafe conditions that pose an imminent threat to public health;

(i) Transfers of prescription drugs by or on behalf of the Department of Health to the licensed medical director of a government agency health care entity, authorized to purchase prescription drugs, for storage and use in the treatment of persons in need of emergency medical services, including controlling communicable diseases or providing protection from unsafe conditions that pose an imminent threat to public health.

(2) through (4) No change.

Specific Authority 499.012, 499.014, 499.03, 499.05 FS. Law Implemented 499.012, 499.014, 499.03 FS. History—New 7-1-96, Formerly 10D-45.0525, Amended 1-26-99, 4-17-01, 1-1-04,_____.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: 64F-20.002
 RULE TITLE: Criteria for Distributing Monies

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. 20, May 18, 2007 issue of the Florida Administrative Weekly.

The changes are in response to written comments received from the Joint Administrative Procedures Committee (JAPC) and the Florida Council Against Sexual Violence (FCASV). The rule is amended to address concerns raised by JAPC and FCASV and shall read as follows:

(1)(a) No change.

(b) If governed by a board of directors, the rape crisis center’s board of directors must meet no less than four times out of the year;

(c) The rape crisis center must have been in operation for at least a year;

(d) No change.

(e) A rape crisis center must complete and submit a rape crisis trust fund survey form, #DH 3230, 7/07, to the Florida Department of Health Sexual Violence Prevention Program on or before March 31st of each year. The Rape Crisis Trust Fund Survey as published May 18, 2007, is incorporated by reference and a copy of the form may be obtained from <http://www.doh.state.fl.us/Family/svpp/index.html> or writing to the Florida Department of Health, Sexual Violence Prevention Program, 4052 Bald Cypress Way, BIN #A-13, Tallahassee, Florida 32399-1723; and

(f) No change.

(2) through (5) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elvira Hanson, 4052 Bald Cypress Way, Bin A-13, Tallahassee, Florida 32399

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-32.001	Definitions
65C-32.002	Parenting Course Delivery
65C-32.003	Required Components of the Parenting Course
65C-32.004	Parenting Course Evaluation
65C-32.005	Parenting Course Approval
65C-32.006	Parenting Course Approval Process
65C-32.007	Complaints
65C-32.008	Revocation of Approval

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. 19, May 11, 2007 issue of the Florida Administrative Weekly.

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-32.001 Definitions.

(1) "Complaint" means an allegation of a violation of Section 61.21(3), F.S., and the rules adopted pursuant to Chapter 65C-32, F.A.C.

(2) "Department" means the Department of Children and Family Services.

(3) "Distance learning" means instruction provided through correspondence or via the Internet, pursuant to Rule 65C-32.002, F.A.C.

(4) "Instructor" means the individual(s) qualified to provide instruction in a live classroom setting.

(5) "Letter of Non-Compliance" means a written notification advising the provider of the specified rule violation(s).

(6) "Parenting Course" means the Parent Education and Family Stabilization Course designated pursuant to Section 61.21(2)(a), F.S., to provide information to parents as that information relates to court actions between the parents involving custody, care, visitation, and support of a child or children.

(7) "Provider" means an individual or legal entity qualified to develop and implement the Parent Education and Family Stabilization Course meeting the qualifications for approval pursuant to Chapter 65C-32, F.A.C.

(8) "Revocation" means withdrawal of approval of a parenting course.

(9) "Verified finding" means to substantiate a complaint of non-compliance with Section 61.21, F.S., or the rules in this chapter.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

65C-32.002 Parenting Course Delivery.

(1) A parenting course shall be a minimum of 4 hours, including the time required for instruction, participant exercises and course evaluation.

(2) The conveyance of the specific live parenting course content shall include a variety of methods, such as lectures, group discussions, role-plays, videotapes, or other instructional activities.

(3) Each provider offering a parenting course shall incorporate a means for participants to communicate with the course instructor for questions.

(4) The provider(s) of a parenting course and the instructor of a live parenting course shall possess the following qualifications:

(a) Bachelor's degree in counseling, social work, psychology, education or related field and have at a minimum 2 years experience in dealing with family, parenting, and divorce related issues; or

(b) Has a minimum of 4 years related work experience in dealing with family, parenting, and divorce-related issues.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

65C-32.003 Required Components of the Parenting Course.

(1) The provider of a parenting course shall provide to each participant a printed disclaimer in written form which states the following: "The components of the parenting course are intended for educational purposes only. The presentation of this material is not intended to constitute mental health therapy, give information on specific mental health disorders nor medications to treat mental health disorders. Participants are encouraged to discuss specific mental health questions with a licensed mental health therapist of their choice."

(2) The legal component of the parenting course shall provide general Florida family law principles. The presentation of this material is not intended to constitute legal advice and the course material must direct the participant to consult with a licensed attorney for answers to specific legal questions.

(3) The components required for the parenting courses for divorcing parents in the state of Florida shall include, but are not limited to the following:

(a) Divorce as Loss. This component shall include a recognition of divorce as the loss of the current family structure and processes experienced by adults and children in working through loss. In addition, a distinction shall be made between loss of the current family structure and the continuing parental role;

(b) Permanency of Parental Role / Shared Parenting. This component shall include information about how children are positively impacted by a continuing relationship with both parents and the types of support children need from both parents;

(c) Developmental Stages of Childhood. This component shall include information on the developmental stages of childhood, as well as how a divorce may impact development, what parents can do to minimize the impact of the divorce, and when to seek additional help for a child experiencing problems;

(d) Communicating with Children In a Divorce Situation. This component shall include information about discussing divorce-related issues with children in reference to the developmental stage of the child;

(e) Communicating with the Other Parent. This component shall include the negative impact of a parent expressing anger toward the other parent in front of the children, the benefits to children of keeping them out of the middle of parental conflict, and how to establish a relationship with the other parent which shall minimize the children's exposure to parental conflict;

(f) Abuse. This component shall include information on the power and control dynamics of domestic violence and the statewide toll-free domestic violence hotline telephone number where services may be accessed. An explanation of child abuse and neglect and the statutory mandate to report such incidences to the Child Abuse Hotline must also be included in addition to the penalties for false reporting;

(g) Legal Concepts. This component shall include general information about Florida family law, including references to statutory definitions as they relate to court issues involving divorcing parents with minor children and financial responsibilities to the child(ren); and

(h) Parenting Time. This component shall include information about the benefits to children of maintaining a stable and consistent relationship with both parents,

suggestions about how to develop a parenting plan, and effective communication between the parents about parenting time.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

65C-32.004 Parenting Course Evaluation.

(1) Each parenting course shall include a demonstration of the level of comprehension of the learning objectives by the participants following the conclusion of the training.

(2) A certificate of completion shall be distributed to each participant who completes a 4 hour minimum Parent Education and Family Stabilization Course.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

65C-32.005 Parenting Course Approval.

(1) To ensure the legislative intent is maintained, each applicant seeking approval of a parenting course shall submit the following documentation for review:

(a) Letter of Introduction;

(b) Course components pursuant to Rule 65C-32.003, F.A.C.;

(c) Course Learning Objectives;

(d) All course materials including instructor's manuals and videos;

(e) Definitions of Key Terms. The key terms include legal and mental health terms to be introduced in a parenting course.

(f) References. The provider of a parenting course shall include a list of resources or a bibliography to reference the source(s) of information of the course content and a list of resource(s) for the divorcing parents and their minor children which is beyond the scope of the course.

(g) Accessibility. The course provider shall provide a means for the department to access their course for the approval process;

(h) Communication. Each distance learning provider shall submit to the department its means of communicating with the participant to answer questions or interact with the participant.

(i) Instructional Techniques. This requirement requires a list of all instructional techniques implemented by a provider or instructor;

(j) Language. This requirement shall include availability of different languages in which the course is offered;

(k) Registration Information. This requirement shall include course name, delivery sites of the course, address and phone number of the provider, and web-site address if available;

(l) Evaluation form. The provider shall provide a copy of the evaluation form for participants upon completion of the parenting course;

(m) Indigent status fees. This requirement shall include a means for indigent divorcing parents to complete their course such as scholarships, acceptance of court waivers, and sliding fee scales if available; and

(n) Resource list. A list of available resources in and around the community that is furnished to each course participant.

(2) The department is under no obligation to accept a packet for approval of a parenting course advertised as "Approved by the Department" before department approval has been granted.

(3) The provider shall provide documentation of the approval requirements pursuant to Rules 65C-32.002 and 65C-32.003, F.A.C. at each delivery site.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

65C-32.006 Parenting Course Approval Process.

(1) The approval process shall be:

(a) The department shall notify the provider within five working days of receipt of the packet, either in writing or personally;

(b) The department shall review the packet within 30 working days of notification to the applicant;

(c) After a review of the packet, the department shall notify the applicant of the determination of approval or denial of approval of a course or course provider;

(d) The applicant shall have 90 days to make the specified corrections necessary for approval of a course;

(e) The applicant shall have the opportunity to resubmit completed packets and begin the process over after corrections are completed.

(2) The department shall deem as approved all Parent Education and Family Stabilization Courses submitted and approved prior to the effective date of Chapter 65C-32, F.A.C. The exception is any Parent Education and Family Stabilization Course which has had its approval status revoked.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

65C-32.007 Complaints.

(1) All complaints shall be in writing to the department and shall include the following information:

(a) Date of the alleged violation of Section 61.21, F.S., or the rules in this chapter;

(b) Name of the parenting course;

(c) Name of the provider or lead instructor of the course; and

(d) Basis and content of the complaint.

(2) The department shall handle the complaints of non-compliance in the following manner:

(a) The department shall review the rule and designate the rule violation(s) as specified in the complaint;

(b) The department shall notify the provider of the specified alleged rule violation(s) within five working days of receipt of the complaint;

(c) The provider shall have the opportunity to respond to the alleged rule violation(s) within 15 days of the receipt of notice of the alleged rule violation; and

(d) The department shall determine the validity of the alleged rule violation(s) within 45 days of receipt of the provider's response to the complaint.

(3) A "notice of non-compliance" shall be issued to the provider of the course if the complaint is founded.

(4) The provider shall have corrections completed within 60 days of the receipt of the "notice of non-compliance."

(5) Except as otherwise provided in this rule, prior to the final action of denying, suspending or revoking approval of a course, the provider shall have the opportunity to request either a formal or informal administrative hearing to show cause as to why the action should not be taken.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

65C-32.008 Revocation of Course Approval.

The following shall subject a parenting course to revocation of approval:

(1) A verified finding that course approval or certification was obtained by fraudulent means such as providing documentation for approval which was based on false documentation;

(2) A verified finding that a course has been altered in any manner such as course contents or change of course materials that are contrary to course requirements per Section 61.21(2), F.S., without written approval from the department;

(3) Providing mental health therapy to participants;

(4) Providing individual legal advice to participants;

(5) Solicitation of participants from the sessions to become private clients or patients; or

(6) The use of the Department of Children and Family Services past or present logo.

Specific Authority 61.21(3)(e) FS. Law Implemented 61.21 FS. History--New_____.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-57.001	Purpose and Intent
67-57.005	Definitions
67-57.010	Fees
67-57.020	Notice of funding Availability (NOFA)
67-57.030	Membership Application Procedures
67-57.040	Property Standards
67-57.050	HOP Program Restrictions
67-57.060	Eligible Homebuyer Requirements
67-57.070	Homebuyer Loan Process
67-57.080	HOME Regulations

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 28, July 13, 2007 issue of the Florida Administrative Weekly:

DATE PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: Vol. 33, No. 14, April 6, 2007

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-157.301	Rate Increase Standards
69O-157.302	Facility Only Rates
69O-157.303	Home Health Care Only Rates
69O-157.304	Comprehensive Only Rates

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. 23, June 8, 2007 issue of the Florida Administrative Weekly.

The footnote following Section 627.9407, Florida Statutes, states that Section 11, Ch. 2006-254, provides that “[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.”

The remainder of the reads as previously published.

**Section IV
Emergency Rules**

DEPARTMENT OF STATE

Division of Elections

RULE NO.:	RULE TITLE:
1SER07-1	Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Pursuant to Section 120.54(4)(b), Florida Statutes, this emergency rule is a rule pertaining to the public health, safety, and welfare as it involves the interpretation and implementation of the requirements of Chapters 97-102 and 105 of the Florida Election Code. This emergency rule implements legislative changes as set forth in chapter 2007-30, Laws of Florida, which pertain to new requirements for a supervisor of elections to verify a signature of an elector on initiative petitions. The legislative changes also provide new requirements for electors to have their signatures count, i.e., the elector must be the person who dates the petition form, the elector now may choose to provide a voter registration number in lieu of his or her date of birth on the petition form, and the elector at the time he or she signs the form, must be a registered elector in the county in which the signature is eventually submitted. There is insufficient time to create a new rule incorporating amendments to Rule 1S-2.0091, F.A.C., prior to the effective date of these changes in the law. Procedures must be in place on the effective date of the amendment so that supervisors know what is required for verification and so that electors may properly exercise their right to sign initiative petitions. The absence of a rule with up-to-date applicable procedures for verification of initiative petitions will have an adverse effect of the conduct of elections and the initiative process in the State of Florida. Therefore, this emergency rule is necessary: 1) To establish the procedures for supervisors of elections to verify the signatures of electors on initiative petitions proposing constitutional amendments; 2) To make the electors and political committees know what is required when signing an initiative petition; and 3) To ensure and maintain the efficiency, integrity, and public confidence in the electoral process. The Department of State further finds that the adoption of this rule is necessary to prevent an immediate danger to the public health, safety and welfare.