

~~3. Must insure that there are no medical contraindications for patient participation including pregnancy or breastfeeding, cardiovascular disease (postinfarction, arrhythmias, hypertension, peripheral vascular disease), pheochromocytoma, hyperthyroidism, or insulin dependent diabetes mellitus.~~

~~4. Must inform patients of all contraindications and hazards of drug therapy including drug, food, and nutritional interactions.~~

~~5. Must counsel patients on proper drug use of prescribed product.~~

~~(b) After prescribing, the pharmacist:~~

~~1. May dispense no more than a 14 day supply of nicotine transdermal patches.~~

~~2. May dispense smoking cessation products for no more than 24 consecutive weeks of drug therapy.~~

~~3. May prescribe these products for nicotine replacement only.~~

~~4. Must perform and document follow up counseling during therapy.~~

~~(12)(15) Ophthalmics: Naphazoline 0.1% ophthalmic solution.~~

~~(16) Cough suppressants:~~

~~(a) Guaifenesin.~~

~~(b) Dextromethorphan.~~

~~(17) Vaginal antifungals: Miconazole nitrate suppositories and/or miconazole nitrate cream.~~

~~(13)(18) Histamine H2 antagonists: The pharmacist shall advise the patient to seek medical attention if symptoms persist longer than 14 days while using the medication or if stools darken or contain blood.~~

~~(a) Cimetidine.~~

~~(b) Famotiding.~~

~~(c) Ranitidine HCL.~~

~~Pharmacists shall advise patients that these agents may mask serious disorders.~~

~~(14) Acne products. Benzoyl Peroxide. The prescription shall be labeled to advise the patient to avoid use on the eye, eyelid, or mucous membranes.~~

~~(15)(19) Topical Antiviral:~~

~~(a) Acyclovir ointment may be ordered for the treatment of herpes simplex infections of the lips.~~

~~(b) Penciclovir.~~

~~(20) Acne product: Benzoyl peroxide.~~

Specific Authority 465.186(2) FS. Law Implemented 465.186 FS. History—New 5-1-86, Formerly 21M-39.003, 61F6-39.003, 59R-36.003, Amended 8-19-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Joint Committee, Board of Pharmacy/Board of Medicine;
Rules Committee of the Board of Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 31, 2007

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

RULE NO.:

5N-1.140

RULE TITLE:

School Curriculum; Examinations;
Retention of Records

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. 37, September 14, 2007 issue of the Florida Administrative Weekly.

In Rule 5N-1.140, F.A.C., paragraph 3, the following changes will be made: the word “providers” will be changed to the singular wherever it appears plural; the phrase “licensee’s identity” will be changed to “applicant’s identity”; and Form 16060, Certificate of Completion (1/08), to be completed by the exam provider, will be incorporated by reference. History notes will also be corrected by adding spaces for the statutory authority for this rulemaking proceeding.

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

Board of Architecture and Interior Design

RULE NO.:

61G1-21.003

RULE TITLE

Continuing Education – Approval of
Subjects and Providers

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. 27, July 6, 2007 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

61G1-21.003 Continuing Education – Approval of Subjects and Providers.

The approval of continuing education courses and providers is covered in-depth by the Board’s publication “Interior Design Continuing Education Handbook Instructions, Applications and General Information for Interior Design Continuing Education Providers and Courses” (“the Handbook”) (2007) which is hereby incorporated by reference, effective June, 2007, a copy of which may be obtained from the Board office. The Handbook contains three forms for use with the handbook. The applicant shall submit the applicable form, (DBPR ID 4002/Revised 6/07), Interior Design Continuing Education Provider and Course Application, (DBPR ID 4002-Part A/Revised 6/07), Interior Design Education Course Evaluation Summary Form, or (DBPR ID 4002 – Part B/Revised 6/07), Provider Course Evaluation Summary Form, which are hereby incorporated by reference, effective June, 2007, copies of which may be obtained from the Board office. The Board office is located at 1940 North Monroe Street, Tallahassee, FL 32399-0751.

Specific Authority 481.215(4) FS. Law Implemented 481.215(4) FS. History–New 11-29-90, Formerly 21B-21.003, Amended 9-14-93, 6-22-95, 10-8-96,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-24.002
 RULE TITLE: Continuing Education Approval of Subjects and Providers

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. 27, July 6, 2007 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

61G1-24.002 Continuing Education Approval of Subjects and Providers.

The approval of continuing education courses and providerships is covered in-depth by the Board’s publication “Architecture Continuing Education Handbook Instructions, Applications and General Information for Architecture Continuing Education Providers and Courses” (“the Handbook”) (2007) which is hereby incorporated by reference, effective June 2007, a copy of which may be obtained from the Board office. The Handbook contains three forms for use with

the booklet. The applicant shall submit the applicable form, (DBPR AID 4003/Revised 6/07), Architecture Continuing Education Provider/Course Application, (DBPR AID 4003-Part A/Revised 6/07), Architecture Education Course Evaluation Summary Form, or (DBPR AID 4003 – Part B/Revised 6/07), Provider Course Evaluation Summary Form, which are hereby incorporated by reference, effective June 2007, copies of which may be obtained from the Board office. The Board office is located at 1940 North Monroe Street, Tallahassee, FL 32399-0751.

Specific Authority 481.215(4) FS. Law Implemented 481.215(4) FS. History–New 1-17-96, Amended 10-8-96, 1-11-00,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751

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 Clinical Laboratory Personnel

RULE NO.: 64B3-12.002
 RULE TITLE: Citations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in the March 9, 2007, issue of the Florida Administrative Code, in Vol. 33, No. 10. The changes are being made in response to comments received from the Joint Administrative Procedures Committee. The changes are as follows:

1. The statutory reference in the proposed subsection (3)(f) shall be changed from Section 456.072(1)(w) to Section 456.072(1)(x), F.S.

2. The proposed subsection (4) shall read as follows: “Failure to comply with and document continuing education requirements shall result in a fine of \$50.00 per hour missing or incomplete.”

3. Section 456.077(3), F.S., shall be added to the Specific Authority citations.

4. Section 483.827, F.S.. shall be deleted from the Specific Authority citations.

5. Section 483.827, F.S., shall be deleted from the Law Implemented citations.

THE PERSON TO BE CONTACTED REGARDING THE CHANGES IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
 64B15-9.007 Forms and Instructions
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 26, June 29, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.: RULE TITLES:
 69A-46.010 Submission of the Application
 69A-46.015 Testing
 69A-46.016 Insurance Requirements
 69A-46.0165 Submission of the Application for a
 Water-Based Fire Protection Permit
 69A-46.017 Required Continuing Education
 69A-46.040 Installation Requirements for
 Automatic Sprinkler Systems
 Employing Water as the
 Extinguishing Agent
 69A-46.041 Inspection, Testing and Maintenance
 Requirements for Fire Protection
 Systems

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NOS.: RULE TITLES:
 69V-85.002 Application Forms, Fees, Procedures
 and Requirements
 69V-85.003 Branch Application Forms, Fees,
 Procedures and Requirements
 69V-85.005 Amendments, Change of Name,
 Change of Entity and Change in
 Control or Ownership

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. 32, August 10, 2007 issue of the Florida Administrative Weekly.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

69V-85.002 Application Forms, Fees, Procedures and Requirements.

(4) Amendments to Pending Applications. If the information contained in any application form for a licensure under Chapter 520, F.S., or any amendment thereto, becomes

inaccurate for any reason, the applicant shall file an amendment correcting such information within thirty (30) days after the change on Form OFR-520-01. An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days after receipt of the application by the Office. Otherwise, the application may be amended only with prior written permission from the Office of Financial Regulation. Requests to make changes that are material to the application shall be deemed by the Office of Financial Regulation to be grounds for denial, and a new application, accompanied by the appropriate filing fee, shall be required. Material changes include the substitution or addition of an ultimate equitable owner of 10% or greater interest, a chief executive officer, a chief financial officer, a chief operations officer, a chief legal officer, a chief compliance officer, a control person, a member, a partner, or a joint venturer. Form OFR-520-01 is incorporated by reference in subsection 69V-85.002(1), F.A.C.

69V-85.003 Branch Application Forms, Fees, Procedures and Requirements.

(4) Amendments to Pending Applications. If the information contained in any application form for branch office license, or any amendment thereto, becomes inaccurate for any reason, the applicant shall file an amendment correcting such information within thirty (30) days after the change on Form OFR-520-02. An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days from receipt of the application by the Office. Otherwise, the application may be amended only with prior written permission from the Office of Financial Regulation. Requests to make changes that are material to the application shall be deemed by the Office of Financial Regulation to be grounds for denial, and a new application, accompanied by the appropriate filing fee, shall be required. Material changes include the substitution or addition of an ultimate equitable owner of 10% or greater interest, a chief executive officer, a chief financial officer, a chief operations officer, a chief legal officer, a chief compliance officer, a control person, a member, a partner, or a joint venturer. Form OFR-520-02 is incorporated by reference in subsection 69V-85.003(1), F.A.C.

69V-85.005 Amendments, Change of Name, Change of Entity and Change in Control or Ownership.

(1) Each person licensed under Chapter 520, F.S., which 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 520.999, F.S., not later than thirty-days (30) after the effective date of the change on: Application for License under Chapter 520, Florida Statutes, Form OFR-520-01 and Application for Branch Office License, Form OFR-520-02.

The forms are available on the Office’s website at www.flofr.com and by mail from the Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0376. Name changes pursuant to this subsection shall not involve any change in controlling interest of the licensed entity:

(2) Each licensee under Chapter 520, F.S., that proposes to change any personnel described in Sections 520.03, 520.32, 520.52, and 520.63, 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 License under Chapter 520, Florida Statutes, Form OFR-520-01 and Application for Branch Office License, Form OFR-520-02. In the event the change in personnel in Section 520.999, 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 520.999, F.S. unless such person has previously complied with Section 520.999, F.S., with an entity currently licensed under this chapter.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: 69V-160.030
 RULE TITLE: Application Procedure for Consumer Finance License
 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. 32, August 10, 2007 issue of the Florida Administrative Weekly.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

69V-160.030 Application Procedure for Consumer Finance License.

(4) Amendments to Pending Applications. If the information contained in any application form for licensure as a consumer finance company, or in any amendment thereto, becomes inaccurate for any reason, the applicant shall file an amendment correcting such information within thirty (30) days after the change on Form OFR-516-01, Application for Consumer Finance License. An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days after receipt of the application by the Office. Otherwise, the application may be amended only with prior written permission from the Office of Financial Regulation. Requests to make changes that are material to the application shall be deemed by the Office of Financial

Regulation to be grounds for denial, and a new application, accompanied by the appropriate filing fees, shall be required. Material changes include:

(a) The substitution or addition of an ultimate equitable owner of 10% or greater interest, a chief executive officer, a chief financial officer, a chief operations officer, a chief legal officer, a chief compliance officer, a control person, a member, a partner, or a joint venturer; and

(b) Amendments affecting the \$25,000.00 liquid asset requirement.

**Section IV
 Emergency Rules**

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 THE LOTTERY

RULE NO.: 53ER07-59
 RULE TITLE: Instant Game Number 720, HOLIDAY SHOPPING SPREE

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 720, “HOLIDAY SHOPPING SPREE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-59 Instant Game Number 720, HOLIDAY SHOPPING SPREE.

(1) Name of Game. Instant Game Number 720, “HOLIDAY SHOPPING SPREE.”

(2) Price. HOLIDAY SHOPPING SPREE lottery tickets sell for \$2.00 per ticket.

(3) HOLIDAY SHOPPING SPREE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number