

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3250

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Accounting and Auditing**

RULE NOS.:	RULE TITLES:
69I-73.001	Definitions
69I-73.002	Threshold for Recording Property
69I-73.003	Recording of Property
69I-73.004	Marking of Property
69I-73.005	Disposition of Property
69I-73.006	Inventory of Property

**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. 49, December 7, 2007 issue of the Florida Administrative Weekly.

Notice is hereby given that the hearing (if requested) on the above referenced rules (published in the December 7, 2007 issue of the Florida Administrative Weekly) has been changed to Friday, January 4, 2008, at 10:00 a.m. in Room 430 of the Fletcher Building, in Tallahassee, Florida.

**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.:	RULE TITLE:
53ER07-73	Instant Game Number 728, GREEN MACHINE

SUMMARY: This emergency rule describes Instant Game Number 728, "GREEN MACHINE," 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:

53ER07-73 Instant Game Number 728, GREEN MACHINE.

(1) Name of Game. Instant Game Number 728, "GREEN MACHINE."

(2) Price. GREEN MACHINE lottery tickets sell for \$1.00 per ticket.

(3) GREEN MACHINE 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 under the latex area on the ticket. To be a valid winning GREEN MACHINE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER07-68, F.A.C.

(4) The "YOUR CODE" play symbols and play symbol captions are as follows:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
ONE	TWO	THREE	FOUR	FIVE
<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
SIX	SEVEN	EIGHT	NINE	TEN

(5) The "ATM CODE" play symbols and play symbol captions are as follows:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
ONE	TWO	THREE	FOUR	FIVE
<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
SIX	SEVEN	EIGHT	NINE	TEN

(6) The prize symbols and prize symbol captions are as follows:

TICKET	<b>\$1.00</b>	<b>\$2.00</b>	<b>\$4.00</b>	<b>\$5.00</b>	<b>\$10.00</b>
TICKET	ONE	TWO	FOUR	FIVE	TEN
<b>\$20.00</b>	<b>\$25.00</b>	<b>\$40.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$250</b>
TWENTY	THY FIVE	FORTY	FIFTY	ONE HUN	TWO FTY
					FIVE HUN

(7) The legends are as follows:

GAME 1			
GAME 2			
GAME 3	YOUR	ATM	ATM
GAME 4	CODE	CODE	PRIZE

(8) Determination of Prizewinners.

(a) There are four games on a ticket. A ticket having a play symbol and corresponding play symbol caption in the "YOUR CODE" play area that matches a play symbol and corresponding play symbol caption in the "ATM CODE" play area of the same game shall entitle the claimant to the corresponding prize shown for that game.

(b) A ticket having a "TICKET" symbol in the play area shall entitle the claimant to a \$1.00 instant ticket, except as follows. A person who submits by mail a GREEN MACHINE lottery ticket that entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(c) The prizes are: Ticket, \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$40.00, \$50.00, \$100, \$250 and \$500.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 728 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF
			WINNERS IN 56 POOLS OF TICKETS PER POOL
TICKET	\$1 TICKET	10.00	1,008,000
\$1	\$1	23.08	436,800
\$1 x 2	\$2	42.86	235,200
\$2	\$2	42.86	235,200
\$1 x 4	\$4	100.00	100,800
\$4	\$4	50.00	201,600
\$1 + (\$2 x 2)	\$5	300.00	33,600
\$5	\$5	150.00	67,200
\$10	\$10	150.00	67,200
\$20	\$20	300.00	33,600
\$10 x 4	\$40	3,600.00	2,800
\$20 x 2	\$40	3,600.00	2,800
\$40	\$40	3,600.00	2,800
\$25 x 4	\$100	18,000.00	560
\$50 x 2	\$100	18,000.00	560
\$100	\$100	18,000.00	560
(\$50 x 3) + \$100	\$250	45,000.00	224
\$250	\$250	45,000.00	224
\$500	\$500	22,500.00	448

(10) The estimated overall odds of winning some prize in Instant Game Number 728 are 1 in 4.15. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 728, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a GREEN MACHINE lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for GREEN MACHINE lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current

rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History--New 11-30-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: November 30, 2007

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER07-74  
RULE TITLE: Instant Game Number 731, SUPER AMAZING 8's

SUMMARY: This emergency rule describes Instant Game Number 731, "SUPER AMAZING 8's," 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:

53ER07-74 Instant Game Number 731, SUPER AMAZING 8's.

(1) Name of Game. Instant Game Number 731, "SUPER AMAZING 8's."

(2) Price. SUPER AMAZING 8's lottery tickets sell for \$5.00 per ticket.

(3) SUPER AMAZING 8's 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 under the latex area on the ticket. To be a valid winning SUPER AMAZING 8's lottery ticket, the ticket must meet the applicable requirements of Rule 53ER07-68, F.A.C.

(4) The black play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	
ONE	TWO	THR	FOR	FIV	SIX	SVN	
9	10	11	12	13	14	15	8
NIN	TEN	ELVN	THLV	THRTN	FORTN	FIFTN	EGT

(5) The green play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THR	<b>4</b> FOR	<b>5</b> FIV	<b>6</b> SIX	<b>7</b> SVN	
<b>9</b> NIN	<b>10</b> TEN	<b>11</b> ELVN	<b>12</b> THLV	<b>13</b> THRTN	<b>14</b> FORTN	<b>15</b> FIFTN	<b>8</b> HIN8K

(6) The prize symbols and prize symbol captions are as follows:

<b>\$5.00</b> FIVE	<b>\$8.00</b> EIGHT	<b>\$10.00</b> TEN	<b>\$15.00</b> FIFTEEN	<b>\$18.00</b> EIGHTEEN	<b>\$20.00</b> TWENTY	<b>\$25.00</b> THY FIVE	<b>\$40.00</b> FORTY
<b>\$50.00</b> FIFTY	<b>\$80.00</b> EIGHTY	<b>\$100</b> ONE HUN	<b>\$500</b> FIVE HUN	<b>\$888</b> 8HUN88	<b>\$1,000</b> ONE THO	<b>\$2,000</b> THO THO	<b>\$8,888</b> 8THO888
<b>\$88,888</b> 88THO888							

(7) The legends are as follows:

GAME 1	GAME 2	GAME 3	GAME 4	GAME 5	GAME 6	GAME 7	GAME 8
GAME 9	GAME 10	GAME 11	GAME 12	GAME 13	GAME 14	GAME 15	GAME 16

(8) Determination of Prizewinners.

(a) There are sixteen games on a ticket. A ticket having two matching play symbols and corresponding play symbol captions in the same game shall entitle the claimant to the corresponding prize shown for that game. A ticket having a

black "8" symbol in any game shall entitle the claimant to the prize shown for that game. A ticket having a green "8" symbol in any game shall entitle the claimant to eight (8) times the prize shown for that game.

(b) The prize amounts are: \$5.00, \$8.00, \$10.00, \$15.00, \$18.00, \$20.00, \$25.00, \$40.00, \$50.00, \$80.00, \$100, \$500, \$888, \$1,000, \$2,000, \$8,888 and \$88,888.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 731 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	624,000
\$8	\$8	15.00	416,000
\$5 x 2	\$10	60.00	104,000
\$10	\$10	60.00	104,000
\$10 (EIGHT)	\$10	30.00	208,000
\$15	\$15	60.00	104,000
(\$5 x 2) + \$8	\$18	120.00	52,000
\$18	\$18	120.00	52,000

\$25 (EIGHT)	\$25	171.43	36,400
\$25	\$25	400.00	15,600
\$5 (GREEN 8)	\$40	800.00	7,800
\$40 (EIGHT)	\$40	800.00	7,800
\$5 x 16	\$80	1,200.00	5,200
\$10 (GREEN 8)	\$80	1,200.00	5,200
\$80 (EIGHT)	\$80	1,200.00	5,200
(\$5 x 15) + \$25	\$100	1,500.00	4,160
\$10 (GREEN 8) + \$20	\$100	1,500.00	4,160
(\$5 x 4) + \$10 (GREEN 8)	\$100	1,500.00	4,160
(\$10 x 2) + \$10 (GREEN 8)	\$100	1,666.67	3,744
\$100 (EIGHT)	\$100	1,666.67	3,744
\$25 (GREEN 8) + (\$50 x 6)	\$500	12,000.00	520
(\$10 x 10) + \$50 (GREEN 8)	\$500	12,000.00	520
\$500 (EIGHT)	\$500	12,000.00	520
\$8 + \$50 (GREEN 8) + \$80 + (\$100 x 4)	\$888	120,000.00	52
\$8 + \$80 + \$100 (GREEN 8)	\$888	120,000.00	52
\$888 (EIGHT)	\$888	120,000.00	52
\$888 + \$1,000 (GREEN 8)	\$8,888	780,000.00	8
\$888 (EIGHT) + (\$2,000 x 4)	\$8,888	780,000.00	8
\$8,888 (EIGHT)	\$8,888	780,000.00	8
\$88,888	\$88,888	624,000.00	10

(10) The estimated overall odds of winning some prize in Instant Game Number 731 are 1 in 3.53. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 731, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a SUPER AMAZING 8's lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for SUPER AMAZING 8's lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 11-30-07.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 30, 2007

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NOS.:	RULE TITLES:
59GER07-2	Developmental Disabilities Residential Habilitation Services in a Licensed Facility Provider Rate Table
59GER07-3	Developmental Disabilities Services Waiver Provider Rate Table

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE:** The Agency for Persons with Disabilities faces a severe and growing budget deficit that creates an immediate danger to the public health, safety, or welfare. Adoption of the emergency rule is necessary to assure appropriated dollars are available for the provision of basic services to persons with disabilities, one of Florida’s most vulnerable communities. The emergency rule is necessary to conserve legislatively appropriated dollars necessary for the protection of the public health, safety and welfare.

The Agency for Persons with Disabilities (APD) administers the State of Florida’s Medicaid waiver program for persons with developmental disabilities and establishes the rates for residential habilitation services. The Agency for Health Care Administration (AHCA) is designated as the “single state agency” for Medicaid with legislatively delegated authority to adopt the rates for residential habilitation services as administrative rules.

The individuals served are people diagnosed with retardation, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome that manifest before the age of 18. They often suffer from complex medical problems as well. Many require assistance with eating, supervision during waking hours, enteral nutrition, and multiple medications. The Agency for Persons with Disabilities’ waiver program serves over 30,000 disabled persons. It has a waiting list of over 15,000 disabled persons who seek services that cannot be provided as the result of APD’s severe budget deficit.

No disabled persons will be removed from the waiver program, as a result of the Emergency Rule. Instead, the Emergency Rule will immediately reduce the rates paid to providers of residential habilitation services by an average of 7% effective December 1, 2007. APD determined that the 7% average rate reduction will combine with the effect of other actions to reduce the projected deficit enough to permit continued funding of services within the legislative appropriation. The rate reduction is a critical component of a total deficit reduction of approximately 36.1 million dollars. The other actions include imposing a 180 hours per month limit on personal care services for adult clients which reduces the services of many. APD has eliminated therapeutic massage, homemaker, chore, non-residential support, and psychological assessment services for clients. The combined savings from

those actions are projected to reduce the deficit by 24.6 million dollars. These actions allowed APD to limit the rate reduction to an average of 7 percent.

Without the savings achieved by the immediate implementation of these rate reductions required by the Florida Legislature, the Agency for Persons with Disabilities’ budget deficit will continue to increase by approximately \$1.5 million per month. In addition, the State of Florida is now projecting a revenue shortfall for the current budget year. Every dollar not saved now is a dollar that cannot be used to make needed services available to persons with disabilities. If this rate reduction and the other savings measures mandated by the Legislature are not implemented, the Developmental Disabilities Home and Community Based Medicaid Waiver Services expenses for the developmentally disabled are projected to exceed the legislative appropriation by \$84,006,018.

This deficit of over \$84 million dollars creates an immediate and continuing danger to the developmentally disabled people APD serves. Thousands of needy go unserved because of it. The consequence of the deficit is that APD will not have a sufficient amount of appropriated funds in the 2007-2008 Fiscal Year to cover the needed services as the budget year ends. Without the immediate implementation of the rate structure, the Developmentally Disabled Waiver will have insufficient funds to operate through the end of the year, which would result in the inability to provide services to the recipients who depend on these services. Consequently, there will be an immediate danger to the public health, safety and welfare. There is insufficient time to promulgate a rule through the regular rulemaking process as the rate structure assumes the start date of December 1, 2007 to accomplish the minimum saving necessary for protection of the public health, safety and welfare. Each month, the new rate is not in effect, the budget deficit will continue to grow which means the amount of services that may be eliminated at the end of the year will be increased.

The Florida Legislature has emphasized curing the financial problems by any means in statute and General Appropriations Act proviso requirements. Section 393.0661(4), F.S. (2007) states:

Nothing in this section or in any administrative rule shall be construed to prevent or limit the Agency for Health Care Administration, in consultation with the Agency for Persons with Disabilities, from adjusting fees, reimbursement rates, lengths of stay, number of visits or number of services, or from limiting enrollment, or making any other adjustment necessary to comply with the availability of moneys and any limitations or direction provided for in the General Appropriations Act.

The budget proviso to the 2007 General Appropriations Act provides:

The agency [for Persons with Disabilities] shall work with the Agency for Health Care Administration to implement the plan to remain within appropriation.

From the funds in Specific Appropriation 270, the agency [for Persons with Disabilities] shall only serve additional clients on the Developmental Disabilities Home and Community Based Services Medicaid Waiver if they are in crisis and sufficient funding is made available through attrition.

Payment for residential habilitation services is a major part of the APD's expenditures. For FY 2006-2007, APD spent \$312,366,441 on residential habitation services. That is approximately 30% of total Developmental Disabilities Home and Community Based Services Medicaid Waiver budget and nearly 400% more than any other waiver service. Approximately 6,000 persons receive residential services. That is 20% of the total number of people receiving Medicaid waiver services. In addition to Developmental Disabilities Home and Community Based Services Medicaid Waiver costs, APD spends \$2 million on Room and Board for children in Group Homes. APD also pays the difference if an adult's SSI payment is less than the standard monthly amount.

The proposed changes will reduce the expenditure for residential habilitation services for the remainder of FY 2007-2008 by about \$11.4 million dollars. This savings is necessary to help reduce APD's deficit, to comply with Legislative mandates, and to continue to serve the needy at the current level and expand the number APD can help. The Legislature has also commanded the APD to do all things necessary to cure the deficit. Section 393.0061, F.S. (2007) commands APD to reduce the deficit by all means including limiting services, reducing rates or even limiting the number of people provided services. All of these may be necessary without the savings generated by this emergency rule and other cost savings measures.

The Legislature also specifically commanded the Agency for Persons with Disabilities to reduce residential habilitation rates and implement a consolidated residential habilitation rate structure to increase savings to the state through a more cost-effective payment method and establish uniform rates for intensive behavioral residential habilitation services. The emergency rule fulfills that requirement.

**REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:** The procedure for adoption of this emergency rule is "fair under the circumstances" as required by Section 120.54(4), F.S. and provides the procedural protection required for adoption of an emergency rule. Section 393.0661(3), F.S. (2007) mandated APD to reduce the deficit by all means including limiting services, reducing rates, or limiting the number of people provided services. Chapter 2007-64, Laws of Florida specifically mandated APD to reduce residential habilitation rates by implementing a consolidated residential habilitation

rate structure to increase savings to the state through a more cost-effective payment method and establish uniform rates for intensive behavioral residential habilitation services.

The provider community received timely advance notice that the Agency for Persons with Disabilities was considering rate adjustments to meet the legislature mandate to increase savings and establish uniform rates for providers. APD hosted a series of Systems Review Workgroups for the purpose of identifying means of dealing with the projected deficit for APD, improving the accountability of the Developmental Disabilities Medicaid waiver system, and restructuring the residential habilitation rate structure. In addition to the 12 meetings held between APD and various interest groups, there was also a specific sub-workgroup developed to exclusively address the residential habilitation rates. Along with staff from APD and AHCA, participants in the process included self-advocates (clients), family members, providers and provider associations, waiver support coordinators, representatives from advocacy groups including Florida Association for Rehabilitation Facilities (FARF), the Family Care Council, Arc of Florida, Florida Association of Support Coordinators, Sunrise, a provider agency, and Mentor, a provider agency. After the initial introduction of the APD Residential Habilitation rate structure, additional input was obtained from the various affected groups. The Agency for Persons with Disabilities received, considered and incorporated comments from the provider community regarding its position on the proposed rate adjustments. Constitutional and statutory due process requirements are met as an opportunity for judicial review of the emergency rule is provided by Section 120.54(4)(a)3., F.S., and an opportunity to contest the emergency rule is provided by Section 120.5615, F.S.

**SUMMARY OF THE RULE:** The emergency rule implements the mandate of the Florida Legislature in Chapter 2007-64 of the Laws of Florida amending Sections 393.0661(3)(f)4. and 393.0661(3)(f)8., F.S. (2007) and the budget proviso requirements of the 2007 General Appropriations Act. Chapter 2007-64 required:

Section 393.0661(3)(f)8., F.S. The agency [for Persons with Disabilities] shall implement a consolidated residential habilitation rate structure to increase savings to the state through a more cost-effective payment method and establish uniform rates for intensive behavioral residential habilitation services.

The budget proviso to the 2007 General Appropriations Act provides:

The agency [for Persons with Disabilities] shall implement a consolidated Residential Habilitation rate structure to increase savings to the state through a more cost effective payment method and establish uniform rates for the Intensive Behavior Residential Habilitation services.

The Emergency Rule establishes the rates paid providers of residential habilitation services provided to developmentally disabled individuals on the Developmental Disabilities Home and Community Based Services Medicaid Waiver. Residential habilitation provides supervision and specific training activities that assist the recipient to acquire, maintain or improve skills related to activities of daily living.

The purpose of Rule 59GER07-2, is to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, December 1, 2007. The effect will be to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Residential Habilitation Services in a Licensed Facility Provider Rate Table, December 1, 2007.

The purpose of Rule 59GER07-3 Developmental Disabilities Services Waiver Provider Rate Table is to amend Rule 59G-13.081, F.A.C., to remove the rates for Residential Habilitation Services from the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table effective December 1, 2007. The effect will be to incorporate by reference in rule the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, December 1, 2007.

The Agency for Health Care Administration published a Notice of Rule Development for proposed changes to residential rehabilitation rates paid by the Agency for Persons with Disabilities to providers in the November 16, 2007 Florida Administrative Weekly. The rule development hearing is scheduled for Monday, December 3, 2007, from 3:00 to 4:30.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Pamela Kyllonen, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)414-9756, Kyllonep@ahca.myflorida.com.

THE FULL TEXT OF THE EMERGENCY RULES IS:

59GER07-2 Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table.

(1) This rule applies to all developmental disabilities waiver services providers enrolled in the Medicaid program.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table, December 1, 2007, which is incorporated by reference. The Developmental Disabilities Waiver Residential Habilitation Services in a Licensed Facility Provider Rate Table is available from the Medicaid fiscal agent website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Fees.

Specific Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS., Chapter 2007-64, L.O.F. History–New \_\_\_\_\_.

59GER07-3 (amending 59G-13.081) Developmental Disabilities Waiver Provider Rate Table.

(1) No change.

(2) All developmental disabilities waiver services providers enrolled in the Medicaid program must be in compliance with the Developmental Disabilities Home and Community-Based Services Waiver Provider Rate Table, ~~December January~~ 1, 2007, which is incorporated by reference. The rate table is available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com>. Click on Provider Support, and then on Fees. Paper copies of the rate table may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 393.0661, 409.906, 409.908 FS. History–New 5-29-06, Amended 11-15-07, \_\_\_\_\_.

THESE RULES TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULES.

EFFECTIVE DATE: December 1, 2007

#### **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."

## Section V

### Petitions and Dispositions Regarding Rule Variance or Waiver

#### **DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on November 26, 2007, the Criminal Justice Standards and Training Commission, received a petition for a temporary variance of the requirements of subsection 11B-27.002(4), F.A.C., pursuant to Section 120.542, F.S. Petitioner requests that the Commission grant him an additional 45 days to become employed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, or by telephoning (850)410-7676. Comments on the Petition should also be directed to the above address or telephone number.