

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                    RULE TITLE:  
 6A-1.039                    Supplemental Educational Services  
                                   in Title I Schools

PURPOSE AND EFFECT: The purpose of this rule development is to update the Request for Application for Supplemental Educational Service Providers for the 2009-2010 school year as set forth in Form SES 100, pursuant to the No Child Left Behind (NCLB) Act and Section 1008.331, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Supplemental Educational Services in Title I Schools.

SPECIFIC AUTHORITY: 1008.331 FS.

LAW IMPLEMENTED: 1008.331 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: Mary Jo Butler, Chief, Bureau of Public School Options, 325 West Gaines Street, Suite 316, Tallahassee, FL 32399.

TO REQUEST A RULE DEVELOPMENT WORKSHOP, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or go to <https://app1.fldoe.org/rules/default.aspx>

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:  
 33-601.731                    Revocation or Suspension of Visiting  
                                   Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update the penalties associated with introducing or possessing a cellular telephone, device, component, or accessory thereof, into or within a correctional facility in light of the changes to Section 944.47(1)(a)6., F.S.

SUBJECT AREA TO BE ADDRESSED: Revocation or Suspension of Visiting Privileges.

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: David Arthmann, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.731 Revocation or Suspension of Visiting Privileges.

(1) No change.

(2) Indefinite suspension of an inmate’s visiting privileges shall be considered by the Institutional Classification Team (ICT) as a management tool when an inmate is found guilty of the following offenses:

(a) No change.

(b) Criminal activity, serious rule violations, repeated visiting rule or procedure infractions or security breach. A serious rule violation is a violation that subjects the violator to suspension of privileges for a minimum of two years or to revocation of visiting privileges:-

(c) Possessing or using: a cellular telephone or other portable communication device as defined in Section 944.47(1)(a)6., F.S.; any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under the statute.

(3) No change.

(4) An inmate shall be subject to suspension of visiting privileges for three months for a first offense, six months for a second offense and two years for a third or subsequent offense, by the ICT as a management tool when an inmate is found guilty of possessing any of the following contraband or illegal items:

(a) Intoxicating beverages,

(b) ~~Cellular phone or R~~ecording devices, ~~or~~

(c) Pager.

(5) through (8) No change.

(9) Suspension of Visitor’s Visiting Privileges.

(a) A visitor’s visiting privileges shall be revoked by the warden or designee when the visitor:

1. through 6. No change.

7. Is found in possession of or is found passing or attempting to pass to an inmate: a cellular telephone or other portable communication device, as defined in Section 944.47(1)(a)6., F.S.; any components or peripherals to such devices, including but not limited to SIM cards, Bluetooth items, batteries, and charging devices; any other technology that is found to be in furtherance of possessing or using a communication device prohibited under the statute.

(b) through (c) No change.

(10) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, 10-4-07,\_\_\_\_\_.

Editorial Note: Formerly 33-601.707 and 33-601.708, F.A.C.

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NOS.:	RULE TITLES:
40B-9.011	Policy and Purpose
40B-9.021	Definitions
40B-9.031	Selection of Lands – Five Year Plan
40B-9.041	Acquisition Procedures – Negotiations
40B-9.042	Inholding and Addition Property
40B-9.045	Acquisition Procedures – Condemnation
40B-9.051	Surveys
40B-9.061	Appraisals
40B-9.065	Disclosure of Beneficial Interest
40B-9.071	Use of Trust Fund
40B-9.081	Disposition of Surplus Land
40B-9.111	Funding of the District Lands Management Program
40B-9.121	Conceptual Management Plans for District Lands
40B-9.122	Resource Management Plans for District Lands
40B-9.131	Public Use of District Lands
40B-9.132	Public Vehicle Use
40B-9.133	Possession and Use of Firearms, Archery Equipment, Trapping Devices and Free-running Hunting Dogs
40B-9.134	Trespass after Notice
40B-9.138	Other Prohibited Activities
40B-9.141	Special Use Licenses
40B-9.142	Requests for Rights-of-Way
40B-9.151	Closure of District Lands
40B-9.161	Violations

**PURPOSE AND EFFECT:** The purpose and effect of the proposed amendments is to update the administration of the land acquisition and land management programs of the SRWMD consistent with Chapter 373, F.S., and other applicable provisions of the Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** The proposed amendments concern the SRWMD’s land acquisition and land management programs.

**SPECIFIC AUTHORITY:** 373.026, 373.044, 373.056, 373.083, 373.089, 373.093, 373.103, 373.113, 373.139, 373.1391, 373.59 FS.

**LAW IMPLEMENTED:** 259.105, 373.056, 373.089, 373.093, 373.096, 373.099, 373.139, 373.1391, 373.59 FS.

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

**DATE AND TIME:** Thursday, October 23, 2008, 7:00 p.m.

**PLACE:** Suwannee River Water Management District Headquarters, 9225 County Road 49, Live Oak, FL 32060

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 24 hours before the workshop/meeting by contacting: Gwen Lord, Administrative Assistant, 9225 CR 49, Live Oak, FL or (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Robert Heeke 9225 CR 49, Live Oak, FL rgh@srwmd.org or (386)362-1001

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Certificate of Need**

RULE NO.:	RULE TITLE:
59C-1.039	Comprehensive Medical Rehabilitation Inpatient Services

**PURPOSE AND EFFECT:** The agency is proposing to update the rule that regulates Comprehensive Medical Rehabilitation Inpatient Services establishment procedures.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule is updated to reduce the requirements for establishment, construction or addition of new comprehensive medical rehabilitation inpatient beds.

**SPECIFIC AUTHORITY:** 408.15(8), 408.034(3), (5), 408.039(4)(a) FS.

**LAW IMPLEMENTED:** 408.034(3), 408.035, 408.036(1)(a), (b), (e), (l), (m), 408.039(4)(a) 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, November 17, 2008, 1:00 p.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, IF AVAILABLE, IS: Calvin J. Vice, Sr., Ph.D., Certificate of Need, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida or call (850)488-8672  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.002                      RULE TITLE: Medicaid Provider Reimbursement Schedule

PURPOSE AND EFFECT: Rule 59G-4.002, F.A.C., incorporates by reference the Florida Medicaid Provider Reimbursement Schedule, July 2008. The reimbursement schedule contains the procedure codes and maximum fees that are effective July 2008 for the following provider types whose fees are based on a resource-based relative value scale: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual. The effect will be to incorporate by reference in rule the Florida Medicaid Provider Reimbursement Schedule, July 2008.

SUBJECT AREA TO BE ADDRESSED: Medicaid Provider Reimbursement.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908 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: Tuesday, October 28, 2008, 1:30 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: Donica Harrah, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-2723, harrahd@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.002 Medicaid Provider Reimbursement Schedule. Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule, ~~July~~ ~~January~~ 2008, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, dental, hearing, independent laboratory, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, portable x-ray, registered nurse first assistant, and visual. The Florida Medicaid Provider Reimbursement Schedule is available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies of the reimbursement schedule may be obtained by calling the Provider Contact Center at (800)298-7799 and selecting Option 7.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.908 FS. History—New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, 7-25-07, 9-29-08,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.040                      RULE TITLE: Chiropractic Services

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate by reference the revised Florida Medicaid Chiropractic Services Coverage and Limitations Handbook, January 2009. The coverage and limitations handbook revisions include policy clarifications, place of service clarification, additional definitions, and new fiscal agent information. The effect will be to incorporate by reference in the rule the Florida Medicaid Chiropractic Services Coverage and Limitations Handbook, January 2009.

SUBJECT AREA TO BE ADDRESSED: Chiropractic Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 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, October 27, 2008, 1:00 p.m.  
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room D, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kathryn R. Stephens,

Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7314, stepheka@ahca.myflorida.com

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

59G-4.040 Chiropractic Services.

(1) No change.

(2) All chiropractic services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Chiropractic Services Coverage and Limitations Handbook, January ~~2009~~ ~~2004~~, updated January 2005, 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 Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)289-7799 and selecting Option 7.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.9081 FS. History—New 6-1-89, Amended 7-1-91, 12-31-91, 3-17-92, 4-21-92, 11-9-92, 7-5-93, 1-19-94, Formerly 10C-7.066, Amended 10-10-94, 5-25-95, 1-9-96, 10-21-97, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, 8-3-04, 8-18-05,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:                   RULE TITLE:

59G-4.110                   Hearing Services

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate by reference the revised Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2009. The coverage and limitations handbook revisions include policy clarifications, place of service clarification, additional definitions, and new fiscal agent information. The effect will be to incorporate by reference in the rule the Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2009.

SUBJECT AREA TO BE ADDRESSED: Hearing Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 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, October 27, 2008, 3:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room D, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kathryn R. Stephens, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7314, stepheka@ahca.myflorida.com

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

59G-4.110 Hearing Services.

(1) No change.

(2) All physicians, audiologists and hearing aid specialists enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2009 ~~July 2006~~, 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 Web Portal website at <http://mymedicaid-florida.com> ~~floridamedicaid.aes-inc.com~~. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center ~~Inquiry~~ at (800)289-7799 and selecting Option 7 ~~377-8216~~.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908 FS. History—New 8-3-80, Amended 7-21-83, Formerly 10C-7.522, Amended 4-13-93, Formerly 10C-7.0522, Amended 12-21-97, 10-13-98, 5-7-00, 7-5-01, 2-20-03, 8-5-03, 7-27-04, 7-26-05, 8-18-05, 11-29-06,\_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:                   RULE TITLE:

59G-4.220                   Podiatry Services

PURPOSE AND EFFECT: The purpose of the proposed amendment is to incorporate by reference the revised Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January 2009. The coverage and limitations handbook revisions include policy clarifications, place of service clarification, additional definitions, and new fiscal agent information, and deletion of text regarding locum tenens providers and Average Wholesale Price information for injectable medications. The effect will be to incorporate by reference in the rule the Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January 2009.

SUBJECT AREA TO BE ADDRESSED: Podiatry Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 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, October 27, 2008, 11:00 a.m.  
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room B, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kathryn R. Stephens, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)922-7314, stepheka@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.220 Podiatry Services.

(1) No change.

(2) All podiatry services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Podiatry Services Coverage and Limitations Handbook, January ~~2009~~ ~~2004~~, ~~updated January 2005~~, 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 Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at (800)289-7799 and selecting Option 7.

Specific Authority 409.919 FS. Law Implemented ~~409.906~~ ~~409.905~~, 409.907, 409.908, 409.9081 FS. History--New 1-23-84, Amended 10-25-84, Formerly 10C-7.529, Amended 4-21-92, 11-9-92, 7-1-93, Formerly 10C-7.0529, 10P-4.220, Amended 1-7-96, 3-11-98, 10-13-98, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, 8-18-05, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-5.020  
 RULE TITLE: Provider Requirements

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference Update January 2009 to the Florida Medicaid Provider General Handbook. The handbook update includes revised and new Medicare-Medicaid crossover policies. New policy allows for expanded Medicaid coverage of Medicare Part A and Part B cost sharing for services rendered to Qualified Medicare Beneficiaries. New policy also allows participation of freestanding psychiatric hospitals in the Medicaid program for the sole purpose of obtaining crossover reimbursement. The effect of the rule

amendment to Rule 59G-5.020, F.A.C., will be to incorporate by reference in rule Update January 2009 to the Florida Medicaid Provider General Handbook.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 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: Tuesday, October 28, 2008, 2:30 p.m.  
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Girard, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)488-9711, girardk@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

(1) All Medicaid providers enrolled in the Medicaid program and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider must comply with the provisions of the Florida Medicaid Provider General Handbook, July 2008, updated January 2009, which is incorporated by reference and available from the fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. A paper copy of the handbook may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

(2) No change.

(3) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History--New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00, 4-24-01, 8-6-01, 10-8-03, 1-19-05, 5-24-07, \_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Communications and Information Technology Services**

RULE NO.: 60FF-5.005  
 RULE TITLE: Emergency Grants

PURPOSE AND EFFECT: The purpose and effect is to establish rules and requirements for a new emergency grant program.

SUBJECT AREA TO BE ADDRESSED: Emergency Grants.

SPECIFIC AUTHORITY: 455.217, 475.614 FS.

LAW IMPLEMENTED: 455.217, 475.616 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: John C. Ford, Executive Director, E911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida 32399-0950

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60FF-5.005 Emergency Grants.

The E911 Emergency Grant program is a grant program provided to assist counties with the emergency restoration of Enhanced 911 throughout the State of Florida resulting from natural and man-made disasters or events.

(1) Eligibility: Any Board of County Commissioners in the State of Florida.

(2) General conditions:

(a) Each County applying for Emergency grant funds shall complete and submit W Form 5A, "Application for the E911 Emergency Grant Program," effective 7/1/2008, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

State of Florida E911 Board  
ATTN: Administrative Assistant  
4050 Esplanade Way  
Building 4030 – Suite 160  
Tallahassee, Florida 32399-0950.

The applicant must provide the original grant application.

(b) The E911 Board will approve grants for leased equipment only if the applicant county can demonstrate that a lease agreement would be financially beneficial to the grant program as a whole.

(c) Equipment procurement shall be based on the county's purchasing requirement and the applicable State purchasing requirements specified in Chapter 287, F.S. and the requirements of Section 112.061, F.S.

(d) Grant applications totaling \$25,000.00 or more must be accompanied by at least three written competitive quotes from different vendors. The E911 Board will compare the three quotes to any existing state contract in order to determine appropriate funding. Any county that has made a good faith effort to obtain three competitive quotes and has not been able to obtain the quotes can request E911 Board review based on substantiated proof of request for quotes or posting of the request with documentation of the limited responses. Sole source funding will be considered on a case-by-case basis.

Justification and documentation for sole-source funding should be provided with this application. Sole source funding will be considered if provided in accordance with Florida Statutes 287 or with provision of a letter from the county's purchasing department that the project is a sole source procurement based on the county's purchasing requirements, which should be provided with the application.

(e) Priorities for awarding of grants will be determined by the E911 Board.

(f) The E911 Board may approve funding salary requests on an annual basis.

(g) No grant money will be awarded to be used for the purpose of paying call takers' salaries.

(h) Two or more rural counties may apply for a joint grant, but each county must complete and submit W Form 5A as requested and indicated.

(i) Grant funds shall be deposited in a bank account maintained by the grantee county, and each grant shall be assigned a unique accounting code designation for deposits, disbursements, and expenditures. All E911 Emergency Grant funds in the account shall be accounted for separately from other grantee funds. Grant funds including accrued interest may be used only between the beginning and ending dates of the grant, unless an extension is requested and authorized by the E911 Board.

(j) Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and activities of the grant funds. The reports are due 30 days after the end of the reporting period, which ends September 30, December 31, March 31, and June 30. In lieu of submitting a signed quarterly Grant Budget/Expenditure Report form, the updated form can be e-mailed to the Board's administrative/technical staff. The quarterly and final reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date.

(k) At project completion, a final report shall be submitted based on the same reporting periods described above. The County shall determine the final completion date based on the final payment date or the initiation date of the warranty period. Final supporting documentation including copies of all expenditures and corresponding invoices shall be submitted within 90 days of the final report.

(l) Grant funds are not transferable to any other entity. If equipment purchased using grant funds is sold or transferred within three (3) years of the end of the grant period, the grantee county must return the grant funds to the E911 Board on a pro-rata basis.

(m) The E911 Board will adjust the amount awarded to a county based upon the availability of funds, eligibility of requested items, published quotes, increased effectiveness of grant funds, minimum system requirements for performing the

needed E911 function as specified in the State E911 plan, or documented factors provided in the grant application submission.

(3) E911 Emergency Grant Program Schedule – Following the natural and man-made disasters or events and submission of the grant application. The E911 Board will hold an emergency meeting in accordance with Uniform Rule 28-102.003, F.A.C., be called into emergency for the purpose of acting upon emergency matters affecting the public health, safety or welfare.

	<u>Schedule</u>
<u>Counties submit Application</u>	<u>Event</u>
<u>Board Members evaluate applications</u>	<u>Within 5 days</u>
<u>Board votes on applications to fund at regularly scheduled meeting</u>	<u>Within 5 day</u>
<u>Board sends notification of funding and issues check to counties approved for funding</u>	<u>Within 10 day</u>
<u>Implementation period</u>	<u>One year from receipt of award and funds.</u>

Specific Authority 365.172(6)(a)11., 365.173(2)(g) FS. Law implemented 365.173(2)(g) FS. History–New

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NO.: 61B-22.006  
 RULE TITLE: Financial Reporting Requirements  
 PURPOSE AND EFFECT: These rule amendments implement a change in the condominium law requiring association financial reports to disclose the amount of reserve funding required to fully fund association reserves, and require special assessment disclosure for cash basis financial reports.  
 SUBJECT AREA TO BE ADDRESSED: The amendments require financial reports to disclose the amount of annual funding required for reserves.  
 SPECIFIC AUTHORITY: 718.111(13), 718.501(1)(f) FS.  
 LAW IMPLEMENTED: 718.111(12)(a)11., (13), 718.301(4) 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: October 27, 2008, 9:30 a.m. – 10:30 a.m.  
 PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe Street, Tallahassee, Florida  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon

A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The preliminary draft rule is also available online at <http://www.state.fl.us/dbpr/lsc/index.shtml>.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-4.010  
 RULE TITLE: Supervision and Training of Registered Trainee Appraisers  
 PURPOSE AND EFFECT: The purpose and effect is to clarify requirements of what shall be included in the maintenance of appraisal logs.  
 SUBJECT AREA TO BE ADDRESSED: Supervision and Training of Registered Trainee Appraisers.  
 SPECIFIC AUTHORITY: 475.614 FS.  
 LAW IMPLEMENTED: 475.611(1)(n), (o), (p), 475.6221, 475.6222 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: Thomas O’Bryant, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
 61J1-4.010 Supervision and Training of Registered Trainee Appraisers.  
 (1) through (5) No change.  
 (6) Appraisal logs shall be maintained by both the registered trainee appraiser and the supervisory appraiser in a format determined by the Department and shall, at a minimum, include the following for each appraisal:  
 (a) through (c) No change.  
 (d) Description of work performed; by the registered trainee/applicant and scope of the review and supervision of the supervising appraiser;  
 (e) through (f) No change.  
 (7) through (10) No change.

Specific Authority 475.614 FS. Law Implemented 475.611(1)(n), (o), (p), 475.6221, 475.6222 FS. History—New 2-16-04, Amended 3-1-06, 12-4-06, 8-12-07, 11-25-07, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NOS.:	RULE TITLES:
61J1-10.001	General Requirements
61J1-10.002	Registered Trainee Real Estate Appraiser
61J1-10.003	Certified Residential Appraiser
61J1-10.004	Certified General Appraiser

**PURPOSE AND EFFECT:** The purpose and effect of the amendments to Rule 61J1-10.001, F.A.C., is to provide definitions of terms relevant to education requirements, clarification of credit allowed for pre-license and post-license classroom hours, and specification of classroom hour credit to be granted. The purpose and effect of the amendments to Rules 61J1-10.002, 10.003 and 10.004, F.A.C., is to provide detailed enumeration of education requirements for registered trainee real estate appraisers, and to update the classroom hours and subject matter of the education requirements for certified residential real estate appraisers, and certified general real estate appraisers.

**SUBJECT AREA TO BE ADDRESSED:** Definitions; Registered Trainee Real Estate Appraiser; Certified Residential Appraiser; Certified General Appraiser.

**SPECIFIC AUTHORITY:** 475.614 FS.

**LAW IMPLEMENTED:** 475.611(1)(n), (o), (p), (q), 475.613(2), 475.615(2), 475.616, 475.617(1), (2), (3) 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:** Thomas O’Bryant, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

61J1-10.001 General Requirements ~~Definitions~~.

(1) Definitions.

~~(a)(4)~~ “Accredited” means accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

~~(b)(2)~~ “AQB” means Appraiser Qualifications Board, which is an independent board of the Appraisal Foundation.

~~(c)(3)~~ “Classroom hour” is defined as 50 minutes out of each 60-minute segment.

~~(d)(4)~~ “USPAP” means Uniform Standards of Professional Appraisal Practice, and are the most recent standards approved and adopted by the Appraisal Standards Board of the Appraisal Foundation.

(2) Classroom Hours.

(a) The classroom hours may include the classroom pre-license education required to become a registered trainee appraiser, the classroom pre-license education required to become a licensed appraiser, the classroom pre-license education required to become a certified residential appraiser, or the applicable classroom hours of post-license education for registered trainee appraisers.

(b) Credit towards the classroom hour requirement shall only be granted where the length of the educational offering is at least 15 classroom hours, and the person successfully completes an examination pertinent to that educational offering. Any applicant requesting the issuance of his or her certification shall provide the Board with proof of passing a written examination as specified in Section 475.616, F.S., and as further defined by Rule 61J1-5.001, F.A.C., if a written examination is required. Examination results are only valid for a maximum period of 24 months from the exam date.

Specific Authority 475.614 FS. Law Implemented 475.611(1)(q), 475.613(2), 475.615(2), 475.616, 475.617 FS. History—New 12-27-07, Amended \_\_\_\_\_.

61J1-10.002 Registered Trainee Real Estate Appraiser.

(1) An applicant for registration as a trainee real estate appraiser must present evidence satisfactory to the Board that the applicant has successfully completed at least 100 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required curriculum:

(a) through (c) No change.

(d) Appraisal Subject Matter Electives ~~(25)(20)~~ hours which shall include six (6) hours of the Florida laws and rules and three (3) hours of Roles and Responsibilities of Supervisors and Trainees.

(2) Board approved pre-registration courses for trainee appraisers must include the following subject matter:

(a) Real property concepts and characteristics;

(b) Legal consideration;

(c) Influences on real estate values;

(d) Types of value;

(e) Economic principles;

(f) Overview of real estate markets and analysis;

(g) Ethics and how they apply in appraisal theory and practice;

(h) Overview of approaches to value;

(i) Valuation procedures;

(j) Property description;



(k) Residential applications:(l) Coverage of the Uniform Standards of Professional Appraisal Practice; and(m) Coverage of Florida rules and regulations that pertain to the practice of appraisal. Effective January 1, 2008, Board approved pre-registration courses for trainee appraisers must include a minimum of six (6) hours coverage of Florida laws, rules, and regulations that pertain to the practice of appraisal; and(n) Effective January 1, 2008, Board approved pre-registration courses for trainee appraisers must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:1. The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611(1)(k), (n), (o), (p), (s), F.S.2. Review of Chapter 475, Part II, F.S., sections regarding the postlicensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records.3. Review of Chapter 61J1, F.A.C., sections regarding postlicensing education for registered trainee appraisers, supervision of registered trainee appraisers, display and disclosure of registration, licensure or certification designation and advertising.4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J1-9.001, F.A.C., including at least the following topics: USPAP Advisory Opinion 31, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.(3)(2) An applicant must have passed examinations in the prerequisite courses set forth in subsection 61J1-10.002(1), F.A.C., for the courses to be acceptable.(4)(3) An applicant must have completed the 15-hour National USPAP course, or its equivalent, within the 2 years immediately preceding the receipt of the application for registration by the Board or department.(5)(4) An applicant who was previously registered as a trainee real estate appraiser and whose registration expired due to failure to renew pursuant to Rule 61J1-4.007, F.A.C., may not use the qualifying education for the void trainee real estate appraiser registration to obtain another trainee real estate appraiser registration.Specific Authority 475.614 FS. Law Implemented 475.611(1)(n), (o), (p), 475.613(2), 475.615, 475.617(1) FS. History–New 12-27-07, Amended \_\_\_\_\_.

## 61J1-10.003 Certified Residential Appraiser.

An applicant for certification as a residential real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

(1) Education requirement.

(a) through (b) No change.

(c) Satisfactory completion of at least 200 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

1. through 9. No change.

10. Appraisal Subject Matter Electives (20 hours) which shall include six (6) hours of the Florida laws and rules and three (3) hours of the Roles and Responsibilities of Supervisors and Trainees.

(2) through (3) No change.

Specific Authority 475.614 FS. Law Implemented 475.613(2), 475.615(2), 475.617(2) FS. History–New 12-27-07, Amended \_\_\_\_\_.

## 61J1-10.004 Certified General Appraiser.

An applicant for certification as a general real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

(1) Education requirement.

(a) through (b) No change.

(c) Satisfactory completion of at least 300 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

1. through 2. No change.

3. The 15-hour National USPAP course, or its equivalent, taught by an AQB certified USPAP instructor (15 hours);

4. through 9. No change.

10. Appraisal Subject Matter Electives (30 hours) which shall include six (6) hours of the Florida laws and rules and three (3) hours of the Roles and Responsibilities of Supervisors and Trainees.

(2) through (3) No change.

Specific Authority 475.614 FS. Law Implemented 475.613(2), 475.615(2), 475.617(3) FS. History–New 12-27-07, Amended \_\_\_\_\_.

**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 ENVIRONMENTAL PROTECTION**

RULE NOS.:                 RULE TITLES:  
 62-710.500                 Registration and Notification  
 62-710.901                 Forms

PURPOSE AND EFFECT: To delete Form 62-710.901(1), Application for Registration of Used Oil and Used Oil Filter Handlers, effective June 9, 2005, and incorporate Form 62-730.900(b), 8700-12FL – Florida Notification of Regulated Waste Activity.

SUBJECT AREA TO BE ADDRESSED: Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity, is being revised to include registration of handlers of used oil and used oil filters. The existing used oil registration form will be deleted.

SPECIFIC AUTHORITY: 403.704, 403.754, 403.760 FS.

LAW IMPLEMENTED: 403.704, 403.754, 403.760 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: Julie Rainey, Environmental Manager, Hazardous Waste Regulation, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8713, julie.c.rainey@dep.state.fl.us

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:                 RULE TITLES:  
 62-730.150                 General  
 62-730.171                 Transfer Facilities  
 62-730.900                 Forms

PURPOSE AND EFFECT: To adopt a revised Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity.

SUBJECT AREA TO BE ADDRESSED: Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity, is being revised to include transfer facility notification and to clarify other reporting requirements.

SPECIFIC AUTHORITY: 403.704, 403.721, 403.7211 FS.

LAW IMPLEMENTED: 403.704, 403.721, 403.7211 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: Julie Rainey, Environmental Manager, Hazardous Waste Regulation, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:                 RULE TITLES:  
 62-737.400                 Requirements and Management  
    Standards for Handlers and  
    Transporters of Spent Universal  
    Waste Lamps and Devices  
 62-737.900                 Forms

PURPOSE AND EFFECT: To delete Form 62-737.900(1), Universal Waste Mercury-Containing Lamp and Device Transporter and Handler Registrations Form and Instructions, effective 5-20-98, and incorporate Form 62-730.900(b), 8700-12FL – Florida Notification of Regulated Waste Activity.

SUBJECT AREA TO BE ADDRESSED: Form 62-730.900(1)(b), 8700-12FL – Florida Notification of Regulated Waste Activity, is being revised to include registration of handlers and transporters of universal waste mercury lamps and devices. The existing mercury registration form will be deleted.

SPECIFIC AUTHORITY: 403.704, 403.7186, 403.721 FS.

LAW IMPLEMENTED: 403.704, 403.7186, 403.721 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: Julie Rainey, Environmental Manager, Hazardous Waste Regulation, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee 32399-2400, (850)245-8713, julie.c.rainey@dep.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.:                 RULE TITLE:  
 64B5-1.021                 List of Approved Forms;  
    Incorporation

PURPOSE AND EFFECT: The Board proposes the rule amendment to adopt language to clarify the application for Health Access Dental License and have form # DH-MQA 1154 (revised 9/23/08) incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: List of approved forms.

SPECIFIC AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 120.52(15) 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-30.008                      RULE TITLE: Formulary

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA formulary pursuant to recent legislation.

SUBJECT AREA TO BE ADDRESSED: Proposed amendments to the formulary pursuant to Chapter 2008-86, Laws of Florida.

SPECIFIC AUTHORITY: 458.309, 458.347(4)(f)1. FS.

LAW IMPLEMENTED: 458.347(4)(f)1. FS.

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

DATE AND TIME: November 6, 2008, 9:00 a.m.

PLACE: Tampa Airport Marriot, Tampa International Airport, Tampa, Florida 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-2.0015                      RULE TITLE: Application, Examination and Initial Licensure Fees

PURPOSE AND EFFECT: To implement the statutory amendments in Section 1, 2008-121, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Application, Examination and Initial Licensure Fees.

SPECIFIC AUTHORITY: 456.004(5), 456.013(2), 468.803(2)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 468.803(2)(a) 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: Joe Baker, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3527

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-2.0015 Application, Examination and Initial Licensure Fees.

(1) through (2) No change.

(3) An applicant for a residency or an internship shall remit an application fee of \$250.00 and a registration fee of \$250.00 at the time the application is submitted.

~~(4)~~ No change.

Specific Authority 456.036, 468.802, 468.806 FS. Law Implemented 456.036, 468.806 FS. History—New 2-25-99, Amended 3-18-01, 5-30-02, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-5.002                      RULE TITLE: Continuing Education Requirement

PURPOSE AND EFFECT: To implement the statutory amendments in Section 1, 2008-121, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements.

SPECIFIC AUTHORITY: 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.806 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: Joe Baker, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3527

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-5.002 Continuing Education Requirement.

(1) As a condition of issuance of an initial license or renewal or recertification, each applicant or licensee must complete approved continuing education.

(a) Each renewing or recertifying licensee must complete the following continuing education within 24 months immediately preceding the date license renewal is due:

1. through 5. No change.

(b) Each renewing or recertifying licensee, and, beginning on January 1, 2009, each applicant for initial license, shall demonstrate completion of approved courses covering For the biennium beginning December 1, 2007, each licensee's continuing education must include two hours on Chapters 456, 468, Part XIV, F.S., and Rule Chapter 64B14, F.A.C.; an up to date registration showing competency as a Healthcare Provider by the American Heart Association, the American Safety and Health Institute or the American Red Cross; and two hours of continuing education relating to the prevention of medical errors, which shall include a study of continuing education relating to the prevention of medical errors, which shall include a study of root cause analysis, error reduction and prevention, and patient safety; and one hour in infection control, including HIV/AIDS. The two hour medical error course shall be a course approved by the Board and shall count toward the total number of continuing education hours required for the biennium.

(2) through (8) No change.

Specific Authority 468.802, 468.806 FS. Law Implemented 456.013, 456.024, 468.806 FS. History--New 7-1-98, Amended 5-18-00, 7-18-02, 11-11-02, 2-15-05, 11-1-05, 3-2-08,\_\_\_\_\_.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.0038 RULE TITLE: Formulary

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA formulary pursuant to recent legislation.

SUBJECT AREA TO BE ADDRESSED: Proposed amendments to the formulary pursuant to Chapter 2008-86, Laws of Florida.

SPECIFIC AUTHORITY: 458.347, 459.022(4)(e) FS.

LAW IMPLEMENTED: 459.022(4)(e) FS.

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

DATE AND TIME: November 6, 2008, 9:00 a.m.

PLACE: Tampa Airport Marriot, Tampa International Airport, Tampa, Florida 33607

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ronda Bryan, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: 64B15-14.007, 64B15-14.0076 RULE TITLES: Standard of Care for Office Surgery Requirement for Osteopathic Physician Office Registration; Inspection or Accreditation

PURPOSE AND EFFECT: The Board proposes the rule amendments to update office surgery procedures.

SUBJECT AREA TO BE ADDRESSED: Standard of Care for Office Surgery; Requirement for Osteopathic Physician Office Registration; Inspection of Accreditation.

SPECIFIC AUTHORITY: 459.005(1), (2), 459.015(1)(z), 459.026 FS.

LAW IMPLEMENTED: 459.005(2), 459.015(1)(g), (x), (z), (aa), 459.026 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: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: 67-21.002, 67-21.003, 67-21.0035, 67-21.004, 67-21.0045, 67-21.006, 67-21.007 RULE TITLES: Definitions Application and Selection Process for Developments Applicant Administrative Appeal Procedures Federal Set-Aside Requirements Determination of Method of Bond Sale Development Requirements Fees

67-21.008	Terms and Conditions of MMRB Loans
67-21.009	Interest Rate on Mortgage Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014	Credit Underwriting Procedures
67-21.015	Use of Bonds with Other Affordable Housing Finance Programs
67-21.017	Transfer of Ownership
67-21.018	Refundings and Troubled Development Review
67-21.019	Issuance of Bonds for Section 501(c)(3) Entities

**PURPOSE AND EFFECT:** The purpose of this Rule is to establish the procedures by which the Corporation shall administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.

**SUBJECT AREA TO BE ADDRESSED:** The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2009 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

**SPECIFIC AUTHORITY:** 420.507, 420.508 FS.

**LAW IMPLEMENTED:** 420.509 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:** October 30, 2008, 1:00 p.m. – 4:00 p.m.

**PLACE:** SpringHill Suites, 5828 Hazeltine National Drive, Orlando, FL 32822. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197.

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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197. The preliminary text of the proposed rule development is available on Florida Housing’s web site [www.floridahousing.org](http://www.floridahousing.org)

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

**FLORIDA HOUSING FINANCE CORPORATION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments

**PURPOSE AND EFFECT:** The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or

rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

**SUBJECT AREA TO BE ADDRESSED:** The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2009 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation's 2008 Qualified Allocation Plan (QAP).

**SPECIFIC AUTHORITY:** 420.507 FS.

**LAW IMPLEMENTED:** 420.5087, 420.5089, 420.5099 FS.

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

**DATE AND TIME:** October 30, 2008, 1:00 p.m. – 4:00 p.m.

**PLACE:** SpringHill Suites, 5828 Hazeltine National Drive, Orlando, FL 32822. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197.

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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Deborah Dozier Blinderman, Deputy Development Officer

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

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-125.005	Use of Credit Reports and Credit Scores by Insurers
69O-125.006	Unfair Discrimination in Use of Credit Reports or Credit Scores by Insurers

**PURPOSE AND EFFECT:** The proposed rule will implement the provisions of Section 626.9741, F.S., which addresses compliance; statistical detail and standards necessary to ensure that rates or premiums associated with credit reports or scores

are not unfairly discriminatory; and standards for review of models, methods, programs, or other processes that produce credit scores to determine that they are not unfairly discriminatory. The rule will establish standards and requirements for the use of credit reports or scores by insurers. **SUBJECT AREA TO BE ADDRESSED:** Adopting standards for the review and approval of credit scoring models and methodologies.

**SPECIFIC AUTHORITY:** 624.308(1), 626.9741(8) FS.

**LAW IMPLEMENTED:** 624.307(1), 626.9741 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:** October 27, 2008, 9:30 a.m.

**PLACE:** 116 Larson Building, 200 East Gaines 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: Michael Milnes, Senior Management Analyst/Supervisor, Property and Casualty Product Review, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, E-mail michael.milnes@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Michael Milnes, Senior Management Analyst/Supervisor, Property and Casualty Product Review, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, E-mail michael.milnes@fldfs.com

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**Section II  
Proposed Rules**

**DEPARTMENT OF REVENUE**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
12-6.0015	Public Use Forms

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12-6.0015, F.A.C. (Public Use Forms), is to adopt, by reference, changes to Form DR-835, Power of Attorney and Declaration of Representative, used by taxpayers to grant a representative authority to perform certain acts on behalf of the taxpayer and to receive and inspect confidential information from the Department.