

agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or Ellen.Simon@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 IS: Ellen Simon, Assistant General Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399, (850)413-4270

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69J-7.005 My Safe Florida Home Program, Forms For Use Regarding Grants.

(1) The following forms are hereby adopted and incorporated by reference, for use in the My Safe Florida Home program under Section 215.5586, Florida Statutes:

(a) DFS-I4-1807, "LMI Grant Award Packet (low income)." (effective: _____).

(b) DFS-I4-1806, "Matching Grant Award Packet (non-low income)." (effective: _____).

(2) These forms may be obtained from the Department of Financial Services by request directed to the following address: My Safe Florida Home Program, Larson Building, 5th floor, 200 East Gaines Street, Tallahassee FL 32399-0333.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History--New _____.

**Section II
Proposed 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 BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-19.009
RULE TITLE: Display of License

PURPOSE AND EFFECT: The rule amendment sets forth the Department's criteria for the display of license or registration.

SUMMARY: The rule amendment sets forth the Department's criteria for the display of license or registration.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 476.064(4), 476.184(2) FS.

LAW IMPLEMENTED: 476.184(10) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-19.009 Display of License.

(1) A current personal license shall be displayed at all times at the barber's place of employment in plain view of the work station. The license or registration on display shall be the original certificate or a duplicate issued by the Department and shall have attached a 2" by 2" photograph taken within the previous two years of the individual whose name appears on the certificate. The certificate with photograph attached shall be permanently laminated as of July 1, 2008. A photograph of the licensee, approximately two inches by two inches and less than two years old shall be attached to the displayed license.

(2) No change.

Specific Authority 476.064(4), 476.184(2) FS. Law Implemented 476.184(10) FS. History--New 4-27-86, Amended 8-31-88, 3-15-93, Formerly 21C-19.009, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 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."

DEPARTMENT OF HEALTH

Board of Nursing

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

PURPOSE AND EFFECT: The purpose and effect is to set forth the disciplinary guidelines for unprofessional conduct by certified nursing assistants.

SUMMARY: The disciplinary guidelines for unprofessional conduct by certified nursing assistants are set forth.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 464.204 FS.

LAW IMPLEMENTED: 456.072, 464.204 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-15.009 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (2) No change.

(3) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon registrants for violation of the noted statutes and rules:

(a) through (gg) No change.

(hh) Intentionally engaging in unprofessional conduct, as defined in Rule 64B9-8.005, F.A.C. (Section 464.018(1)(h), F.S.).

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$50.00 fine,</u> <u>reprimand and</u> <u>probation,</u> <u>continuing education</u>	<u>\$150.00 fine,</u> <u>reprimand,</u> <u>suspension</u> <u>followed by</u> <u>probation</u>
<u>SECOND OFFENSE</u>	<u>\$150.00 fine,</u> <u>reprimand,</u> <u>suspension followed</u> <u>by probation</u>	<u>\$150.00 fine and</u> <u>revocation</u>

If the unprofessional conduct involves hitting a patient or intentionally causing harm to a patient, the MINIMUM penalty for a FIRST OFFENSE is REVOCATION of the license.

(4) through (6) No change.

Specific Authority 464.204 FS. Law Implemented 456.072, 464.204 FS. History--New 10-28-02, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 15, 2007

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-12.002 RULE TITLE: Application for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to eliminate the application fee for licensure by endorsement.

SUMMARY: The rule amendment will eliminate the application fee for licensure by endorsement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.1685(1), 468.1695(2) FS.

LAW IMPLEMENTED: 456.013(2), 468.013(2), 468.1685(4), 468.1705(1), 468.1735 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-12.002 Application for Licensure.

(1) The application fee for ~~licensure by endorsement~~ and provisional licensure shall be \$250.00 ~~each~~.

(2) No change.

Specific Authority 468.1685(1), 468.1695(2) FS. Law Implemented 456.013(2), 468.1685(4), 468.1705(1), 468.1735 FS. History--New 12-26-79, Formerly 21Z-12.02, Amended 1-22-90, Formerly 21Z-12.002, 61G12-12.002, 59T-12.002, Amended 11-4-02, 2-15-06, 10-15-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 21, 2007

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.002
 RULE TITLE: Criteria for Approved Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add language to clarify the criteria for approved continuing education.

SUMMARY: The rule amendment will delete unnecessary language and to add language to clarify the criteria for approved continuing education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.1685(1), 468.1725(3) FS.

LAW IMPLEMENTED: 456.013, 468.1715, 468.1725 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-15.002 Criteria for Approved Continuing Education.

(1) through (4) No change.

(5) To satisfy the requirements of this rule, in any biennium a licensee shall have a minimum of forty (40) hours of continuing education credit. In any biennium: attendance in the programs or courses of continuing education include personal presence at a live presentation or video conferencing offering, except a maximum of 10 hours credit may be obtained in any biennium through correspondence courses, home study courses, tape and/or video cassette courses or internet courses in the domains of practice provided the course requires passing a test to be graded by the provider and the passing score is verified by the provider of the course. Video cassette courses shall not exceed 5 hours per subject and must be in one of the domains of practice listed in Rule 64B10-16.005, F.A.C. A validation form shall be signed by the

~~vendor and the licensee verifying the specific domains of practice covered in the video cassette course and total viewing time. Such verification/validation shall clearly indicate the course is a "correspondence course," "home study course," "tape or video cassette course" or "internet course" and that the licensee passed the course in order to be accepted as proof of attendance.~~

(a) A licensee shall have a minimum of twenty (20) hours of continuing education credits that include personal attendance at a live presentation.

(b) A licensee is allowed a maximum of twenty (20) hours of continuing education credits for web-based, video or audio-transmitted, or on-line instruction programs that require the licensee to interact or communicate back and forth with the instructor during the presentation of the program.

(c) A licensee is allowed a maximum of ten (10) hours home-study continuing education credits. Home-study education is independent study and includes pre-recorded programs that were previously classified as live or interactive under subsections (5)(a) and (5)(b). Home-study courses or programs require a certificate of completion.

(6) Providers, and licensees who self-submit continuing education hours earned, shall identify the course type as described in subsection (5).

(6) through (10) renumbered (7) through (11) No change.

Specific Authority 468.1685(1), 468.1725(3) FS. Law Implemented 456.013, 468.1715, 468.1725 FS. History—New 12-11-80, Amended 2-20-83, Formerly 21Z-15.02, Amended 6-22-87, 2-26-89, 12-6-89, 11-11-92, Formerly 21Z-15.002, 61G12-15.002, 59T-15.002, Amended 10-12-97, 12-2-02, 8-11-03, 8-9-04, 2-23-06, 10-24-07,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 21, 2007

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.0021
 RULE TITLE: Approved Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the rule title; delete unnecessary language and add reference to Rule 64B10-12.017, F.A.C., to the rule; and add new language regarding requirements for licensees seeking approval status of a continuing education program.

SUMMARY: The rule amendment will update the rule title; delete unnecessary language and add reference to Rule 64B10-12.017, F.A.C., to the rule; and add new language regarding requirements for licensees seeking approval status of a continuing education program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.1685, 468.1725 FS.

LAW IMPLEMENTED: 456.1685(5), 468.1715, 468.1725 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-15.0021 Approved Providers.

(1) No change.

(2) The applicant seeking approval status shall submit to the board the following:

(a) through (g) No change.

(h) Evidence that the fee specified in Rule 64B10-12.017, F.A.C., has been paid by the provider or sponsor.

~~(3) Those applying for provider status shall pay an initial fee of \$250.00. A provider seeking to renew approved provider status, shall pay a biennial renewal fee of \$250.00.~~

(4) through (6) renumbered (3) through (5) No change.

(6) The licensee seeking approval status of a continuing education program shall submit to the Board the following information:

(a) Compliance with the criteria or course contact specified in subsections (2)(a)-(h) above and date and time of each course; or

(b) Submission of the course number if the program previously has been approved by the National Association of Boards of Examiners of Long Term Care Administrators (NAB).

Specific Authority 468.1685, 468.1725 FS. Law Implemented 456.1685(5), 468.1715, 468.1725 FS. History—New 2-20-83, Amended 7-31-84, Formerly 21Z-15.021, Amended 3-5-89, 3-15-90, Formerly 21Z-15.0021, 61G12-15.0021, 59T-15.0021, Amended 11-15-99, 8-9-04, 3-14-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 21, 2007

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NOS.:	RULE TITLES:
60L-35.001	Scope and Purpose
60L-35.002	Definitions
60L-35.003	Minimum Requirements
60L-35.004	Career Service
60L-35.005	Selected Exempt Service
60L-35.006	Senior Management Service
60L-35.007	Transitional Provision

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.

PERFORMANCE EVALUATION MANAGEMENT SYSTEM

60L-35.001 Scope and Purpose.

This chapter sets forth the rules governing the Performance ~~Evaluation Management~~ System, which is the method basis for reviewing and evaluating the job performance of employees in the state's Career Service, Selected Exempt Service, and Senior Management Service. The Performance ~~Evaluation Management~~ System enables employees to receive feedback concerning performance of assigned duties and responsibilities. It informs them of their strengths and areas of needed improvement in job performance, identifies current and future training needs, and provides documentation for awarding discretionary merit increases, and lump sum bonuses in accordance with Section 110.1245(2), Florida Statutes.

Specific Authority 110.1055, 110.224(3), 110.403, 110.605 FS. Law Implemented 110.1245(2)(b)5., 110.224, 110.403(1)(b), 110.605(1)(b) FS. History—New_____.