

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-91.007
RULE TITLE: Selection and Award Process
PURPOSE AND EFFECT: This is an amendment to subsection 14-91.007(5), F.A.C., to revise the composition of the Design-Build Technical Review Committees.
SUBJECT AREA TO BE ADDRESSED: The proposed amendment revises the requirements for Design-Build Technical Review Committees.
SPECIFIC AUTHORITY: 334.044(2), 337.11(7)(b) FS.
LAW IMPLEMENTED: 337.025, 337.11(7) 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: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-91.007 Selection and Award Process.

(1) through (4)(b) No change.

(5) Technical Review Committee. ~~A There shall be a Technical Review Committee consisting of Department employees whose members are selected based on their experience and the nature of the project. This committee will be assigned the responsibility used to evaluate letters of interest and review technical proposals in accordance with the provisions of the request for proposal. The members of the Technical Review Committee will be designated by the appropriate Director, or designee, based on the nature of the work requested and the complexity of the project. When non-Department personnel serve on the Technical Review Committee, Department personnel shall constitute the majority unless otherwise approved by the appropriate Director. No employee of a firm pursuing a project under consideration will serve on the Technical Review Committee.~~

(6) through (8) No change.

Specific Authority 334.044(2), 337.11(7)(b) FS. Law Implemented 337.025, 337.11(7) FS. History–New 3-13-88, 6-13-90, Amended 2-20-96, 9-3-96, 10-18-00,_____.

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-100.001
RULE TITLE: Training and Qualification Standards for Toll Enforcement Officers
PURPOSE AND EFFECT: Subsection 14-100.001(2), F.A.C., is being amended to require that a government entity must comply with Department rules whether it “owns or” operates the toll facility.
SUBJECT AREA TO BE ADDRESSED: Subsection 14-100.001(2), F.A.C., is being amended in regard to toll enforcement by governmental entities.
SPECIFIC AUTHORITY: 334.044(2), 337.11(7)(b) FS.
LAW IMPLEMENTED: 337.025, 337.11(7) 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: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-100.001 Training and Qualification Standards for Toll Enforcement Officers.

(1) No change.

(2) Compliance. Compliance with the rule standards shall be the responsibility of the respective governmental entity which owns or operates the toll facility.

(3) through (4)(c) No change.

Specific Authority 334.044 (2) FS. Law Implemented 316.1001, 316.640(1) FS. History–New 10-21-97, Amended 8-13-00, 1-16-03, _____.

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.”

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.041
RULE TITLE: Minimum Flows
PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C. to establish a minimum flow for the Weeki Wachee River System pursuant to Section 373.042, Florida Statutes. For

purposes of this rule, the Weeki Wachee System includes the watercourse from the Weeki Wachee Spring to the Gulf of Mexico including Twin Dees Spring, Mud River (including Salt Spring) from Mud Spring to the confluence with the Weeki Wachee River and Jenkins Springs and associated spring run.

SUBJECT AREA TO BE ADDRESSED: Establishment of a minimum flow for the Weeki Wachee River System and identification of five and ten year mean and median annual averages for use in periodic evaluation of maintenance of the minimum flow.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171, 373.083 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 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.

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: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878/SUNCOM 663-6878. 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: Charlotte Edwards, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

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

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 Medicine

RULE NO.:	RULE TITLE:
64B8-31.005	Anesthesiologist Assistant Protocols and Performance

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to permit an anesthesiologist to supervise up to four anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Supervision of anesthesiologist assistants.

SPECIFIC AUTHORITY: 458.309, 458.3475 FS.

LAW IMPLEMENTED: 458.331(1)(m), 458.3475 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: 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:

64B8-31.005 Anesthesiologist Assistant Protocols and Performance.

(1) through (2) No change.

(3) The supervising anesthesiologist shall delegate only tasks and procedures to the anesthesiologist assistant which are within the supervising physician's scope of practice. The anesthesiologist assistant may work in any setting that is within the scope of practice of the supervising anesthesiologist's practice. The supervising anesthesiologist may supervise up to four (4) anesthesiologist assistants.

(4) through (5) No change.

Specific Authority 458.309, 458.3475 FS. Law Implemented 458.331(1)(m), 458.3475 FS. History—New 8-2-05, Amended_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.:	RULE TITLE:
64B10-11.003	Reexamination

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify and adopt the Application for Nursing Home Administrators Reexamination form.

SUBJECT AREA TO BE ADDRESSED: Reexamination application form.

SPECIFIC AUTHORITY: 456.017(2), 468.1685(1) FS.

LAW IMPLEMENTED: 456.017(2) 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrator /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-11.011 RULE TITLE: Provisional License

PURPOSE AND EFFECT: The Board proposes the rule amendment to revise the Application for Provisional License form.

SUBJECT AREA TO BE ADDRESSED: Application for provisional license form.

SPECIFIC AUTHORITY: 468.1685(1), 468.1735 FS.

LAW IMPLEMENTED: 468.1735 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrator/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-11.013 RULE TITLE: Temporary License

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify when temporary license expires.

SUBJECT AREA TO BE ADDRESSED: Temporary license expiration.

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

LAW IMPLEMENTED: 468.1705(4) 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.005 RULE TITLE: Anesthesiologist Assistant Protocols and Performance

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to permit an anesthesiologist to supervise up to four anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Supervision of anesthesiologist assistants.

SPECIFIC AUTHORITY: 459.005, 459.023 FS.

LAW IMPLEMENTED: 459.015(1)(o), 459.023 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/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-7.005 Anesthesiologist Assistant Protocols and Performance.

(1) through (2) No change.

(3) The supervising anesthesiologist shall delegate only tasks and procedures to the anesthesiologist assistant which are within the supervising physician's scope of practice. The anesthesiologist assistant may work in any setting that is within the scope of practice of the supervising anesthesiologist's practice. The supervising anesthesiologist may supervise up to four (4) anesthesiologist assistants.

(4) through (5) No change.

Specific Authority 459.005, 459.023 FS. Law Implemented 459.015(1)(o), 459.023 FS. History--New 8-2-05, Amended _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-11.001
 RULE TITLE: Application for Licensure
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the application form for licensure.
 SUBJECT AREA TO BE ADDRESSED: Application for licensure.
 SPECIFIC AUTHORITY: 461.005 FS.
 LAW IMPLEMENTED: 456.017(1)(c), 461.006 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, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B18-11.001 Application for Licensure.
- (1) Any person desiring to be licensed as a podiatric physician shall apply to the Board of Podiatric Medicine. The application shall be made on the Application for Podiatric Examination Initial Licensure form DH-MQA 1138 (revised 12/08), hereby adopted and incorporated by reference, that can be obtained from the Board of Podiatric Medicine's website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>.
- (2) An application file for licensure is not complete unless and until it contains verification of a passing score from examination of the National Board of Podiatric Medical Examiners, including Part I, Part II, and the PMLexis Examination. Such verification must be received by the Board office directly from the provider of the National Board of Podiatric Medical Examiners examination.

Specific Authority 461.005 FS. Law Implemented 456.017(1)(c), 461.006 FS. History--New 1-29-80, Amended 12-9-82, Formerly 21T-11.01, Amended 10-14-86, 1-26-88, 6-20-88, 7-3-89, 6-24-92, Formerly 21T-11.001, Amended 7-6-94, Formerly 61F12-11.001, Amended 1-1-96, 7-15-96, Formerly 59Z-11.001, Amended 9-3-98, 2-8-00, 4-22-08, _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-12.008
 RULE TITLE: Registration Fee for Dispensing Practitioners
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the Dispensing Practitioner Registration form.
 SUBJECT AREA TO BE ADDRESSED: Registration Fee for Dispensing Practitioners.
 SPECIFIC AUTHORITY: 461.005, 465.0276 FS.
 LAW IMPLEMENTED: 456.0276 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, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B18-12.008 Registration Fee for Dispensing Practitioners.
- A podiatric physician who dispenses medicinal drugs for human consumption for a fee or remuneration of any kind, whether direct or indirect, must register with the Board using the Dispensing Practitioner Registration form DH-MQA 1141 (revised 12/08), hereby adopted and incorporated by reference, that can be obtained from the Board of Podiatric Medicine's website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>, and pay a fee of \$100.00 at the time of such registration and upon each renewal of licensure.

Specific Authority 461.005, 465.0276 FS. Law Implemented 465.0276 FS. History--New 2-27-94, Formerly 61F12-12.010, Amended 1-1-96, Formerly 59Z-12.008, Amended _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.012
 RULE TITLE: Address of Record
 PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to provide instruction for licensees who have a change of address.
 SUBJECT AREA TO BE ADDRESSED: Address of Record.
 SPECIFIC AUTHORITY: 456.035, 463.005(1) FS.
 LAW IMPLEMENTED: 456.035 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, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.012 Address of Record.

It shall be the duty of each licensee to provide to the Department of Health written notification by certified mail of the licensee's current mailing address and place of practice within 15 business days upon change thereof. The term "place of practice" means the address(es) of the physical location(s) where the licensee practices podiatric medicine.

Specific Authority 456.035, 463.005(1) FS. Law Implemented 456.035 FS. History--New _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-16.006 Registration Requirements of
 Podiatric Residents

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the Podiatric Resident Registration form.

SUBJECT AREA TO BE ADDRESSED: Registration Requirements of Podiatric Residents.

SPECIFIC AUTHORITY: 461.005, 461.014(3) FS.

LAW IMPLEMENTED: 461.014(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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-16.006 Registration Requirements of Podiatric Residents.

(1) Every podiatric resident participating in a residency program in a hospital in this state shall register ~~the following information~~ with the Board within sixty (60) days of the date of commencement of residency: using the Podiatric Resident Registration form DH-MQA 1139 (revised 12/08), hereby adopted and incorporated by reference, that can be obtained from the Board of Podiatric Medicine's website at <http://www.doh.state.fl.us/mqa/podiatry/index.html>.

- ~~(a) The name and current mailing address of the resident.~~
- ~~(b) A physical description of the resident to include the resident's birthdate, the resident's height, weight, color of hair and color of eyes, and a 2" x 2" I.D. type full face view photograph.~~

~~(c) The name and address of the hospital, and the date upon which the residency was commenced and the anticipated date of completion.~~

~~(d) The name of the school from which the resident received his or her DPM degree, the date on which such degree was conferred, and a certified copy of the resident's final transcript.~~

~~(e) Whether or not the resident has made application for the Florida licensure examination.~~

~~(f) Whether or not the resident holds a valid license to practice podiatry in any other state of the United States or in any foreign country. If so, the resident must submit verification of such licensure from the regulatory agency on forms provided by this Board.~~

(2) No change.

Specific Authority 461.005, 461.014(3) FS. Law Implemented 461.014(3) FS. History--New 11-24-80, Formerly 21T-16.06, 21T-16.006, 61F12-16.006, Amended 1-4-96, Formerly 59Z-16.006, Amended _____.

FLORIDA HOUSING FINANCE CORPORATION

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

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish procedures for the Homeownership Pool ("HOP") Program by which the Corporation shall administer the application process, determine loan amounts, service loans, and provide purchase assistance to eligible homebuyers under

the HOME Investment Partnerships Program (HOME) and/or the Homeownership Assistance Program (HAP) as authorized by Section 420.5088 and Section 420.5089, F.S. and HUD regulations, 24 CFR § 92.

SUBJECT AREA TO BE ADDRESSED: The Rule Development Workshop will be held to receive comments and suggestions from interested persons.

SPECIFIC AUTHORITY: 420.507(12), (14) FS.

LAW IMPLEMENTED: 420.507(23), 420.5088, 420.5089(2) FS.

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

DATE AND TIME: Friday, January 23, 2009 (immediately following the Board meeting which begins at 8:30 a.m.)

PLACE: Hyatt Regency Tampa, 211 N. Tampa Street, Tampa, FL 33602

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: Bridget Warring 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: Bridget Warring at (850)488-4197

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-5.012
RULE TITLE: Application and Renewal Procedures for Broker of Burial Rights License

PURPOSE AND EFFECT: Section 497.281(1), F.S., authorizes the licensing authority to set by rule a license fee not to exceed \$250 for a broker of burial rights. Section 497.281(5), F.S., authorizes the Department to provide by rule for the biennial renewal of broker of burial rights licenses and to set a renewal fee not to exceed \$250. Rule 69K-5.012, F.A.C., is amended to update the requirements for obtaining and renewing a broker of burial rights license and sets the license fee at \$150 and the renewal fee at \$100.

SUBJECT AREA TO BE ADDRESSED: Application and renewal requirements for broker of burial rights licenses.

SPECIFIC AUTHORITY: 497.103(2)(c), (5)(b), 497.281 FS.

LAW IMPLEMENTED: 497.103(2)(c), 497.281 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: January 20, 2009, 10:00 a.m.

PLACE: Alexander Building, 2020 Capital Circle, S.E., 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: Doug Shropshire (850)413-3039 or doug.shropshire@myfloridacfo.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: Doug Shropshire, Director, Division of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S.E., Tallahassee, Florida 32399-0361, (850)413-3039

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69K-5.012 Application and Renewal Procedures for Registration of Broker of Burial Rights License.

(1) Each person desiring to obtain licensure registration as a broker of burial rights shall apply to the Department by submitting the following:

(a) A completed application for Registration of Broker of Burial Rights License Application, Form DFS-C-BBRI, revised 10/06 effective 3-3-97, which is hereby incorporated by reference in Rule 69K-1.001, F.A.C., and available on the Department's website at www.myfloridacfo.com/Funeral Cemetery or by mail from the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361. The application shall for registration must be completed and signed within thirty (30) days prior to receipt by the Department; ~~and~~

(b) A non-refundable license initial registration fee of \$150, which shall be the fee for the biennial licensure registration period beginning October 1 of each odd numbered year or any part thereof;

(c) A \$5 unlicensed activity fee pursuant to Section 497.140(6)(a), F.S.; and

(d) A set of fingerprints (either electronic or on paper) pursuant to Rule 69K-1.002, F.A.C.

(2) Licensees shall submit renewal requests on Form DFS-N1-1771, Broker of Burial Rights Renewal, effective 10/06, which is incorporated by reference in Rule 69K-1.001,

F.A.C., and is available from the Department at the address and website listed above. A renewal fee of \$100 and an unlicensed activity fee of \$5 shall accompany the form.

~~Request for Additional Information. Any request for additional information will be made by the Department within thirty (30) days after receipt of the application by the Department. The additional information must be received by the Department within forty five (45) days from the date of request. Failure to respond to the request within forty five (45) days from the date of request shall be construed by the Department as grounds for denial for failure to complete the application, and the application shall be denied pursuant to Section 120.60(2), F.S.~~

~~(3) Amendment of Registration. An applicant may amend the application for registration as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within thirty (30) days from its receipt for filing. Otherwise, the application may be amended only with prior permission from the Department. Requests to make changes which are material to the application or to the Department's evaluation of the registration filed at any time after the application has been received shall be deemed by the Department to be grounds for denial, and a new application for registration, accompanied by the appropriate filing fee, shall be required.~~

~~(4) Withdrawal of Registration. An applicant may request withdrawal of a registration prior to a determination of the registration being made by the Department by submitting a written request that the registration be withdrawn.~~

~~(5) Refunds. If the registration is withdrawn or denied, the registration fee is non-refundable.~~

~~(6) Upon approval of the registration, a license will be issued for the remainder of the biennial registration period.~~

Specific Authority 497.103(2)(c), (5)(b) (+), 497.281 FS. Law Implemented 497.103(2)(c), 497.281 FS. History--New 3-3-97, Formerly 3D-30.105, 69K-100.105, Amended _____.

**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."

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NOS.:	RULE TITLES:
59B-9.010	Purpose of Ambulatory Patient Data Reporting
59B-9.011	Submission of Ambulatory Patient Data
59B-9.013	Definitions
59B-9.014	Schedule for Submission of Ambulatory Patient Data and Extensions
59B-9.015	Reporting Instructions
59B-9.016	Notice of Reporting Deficiencies and Response
59B-9.017	Certification and Audit Procedures
59B-9.018	Ambulatory Patient Data Format – Data Elements, Codes and Standards
59B-9.022	Penalties for Ambulatory Patient Data Reporting Deficiencies
59B-9.023	Ambulatory Patient Data Release
59B-9.030	Purpose of Ambulatory and Emergency Department Patient Data Reporting
59B-9.031	Definitions
59B-9.032	Ambulatory and Emergency Department Data Reporting and Audit Procedures
59B-9.033	Schedule for Submission of Ambulatory and Emergency Department Patient Data and Extensions
59B-9.034	Reporting Instructions
59B-9.035	Certification, Audits, and Resubmission Procedures
59B-9.036	Penalties for Ambulatory Patient Data Reporting and Deficiencies
59B-9.037	Header Record
59B-9.038	Ambulatory Data Elements, Codes and Standards
59B-9.039	Public Records

PURPOSE AND EFFECT: The new rules align ambulatory data reporting standards with the uniform bill for institutional facilities (UB-04), modify data elements and codes, definition of submission requirements and other clarifications.

SUMMARY: The agency is proposing amendments to Rules 59B-9.010 through 59B-9.023, F.A.C., that modify ambulatory and emergency department reporting requirements.

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