

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2008

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-4.0021 Florida Teacher Certification Examinations

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly. The notice of change as advertised on May 29, 2009, referenced the incorrect edition of the Florida Administrative Weekly in which the rule had originally been noticed as the April 10, 2009 edition. The correct edition is April 24, 2009, Vol. 35, No 21.

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

Certificate of Need

RULE NO.: RULE TITLE:
 59C-1.008 Certificate of Need Application Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made in accordance with subparagraph 120.54(3)(d)1., F.S., to the proposed rule published in Vol. 34, No. 48, November 26, 2008 issue of the Florida Administrative Weekly and subsequently amended by notice of change published in the March 6, 2009, Florida Administrative Weekly, Vol. 35, No. 9 and May 22, 2009, Florida Administrative Weekly, Vol 35, No. 20.

59C-1.008 Certificate of Need Application Procedures

(1)(f) Certificate of Need Application Submission. An application for a certificate of need shall be submitted on AHCA Forms 3150-0001 Application for a Certificate of Need, March 2009 or 3150-0003 Transfer of a Certificate of Need, March 2009, ~~CON-1, July 2009~~, which includes a Cover Page, Cover Page-TRN Schedules A ~~or A-TRN~~, B or B-TRN, C, D, D-1, 1 or 1-TRN, 2, 3, 4, 5, 6, 6A, 7, 7A, 7B, 8, 8A, 9, 10 or

10-TRN, 11-TRN, and 12-TRN, which are incorporated by reference herein. An application for a General Hospital shall be submitted on AHCA Form 3150-0002, March 2009 Application For A General Hospital Certificate of Need which include Schedules 11, A(H), B(H), C, D(H) in addition to a Cover (H) Page, which are incorporated by reference herein. A Paper copies or copies on electronic media copy of AHCA Form 3150-0001 Application For A Certificate of Need, March 2009 AHCA Form 3150-0002, March 2009 Application For A General Hospital Certificate of Need or AHCA Form 3150-0003 Transfer of A Certificate of Need, March 2009 ~~CON-1~~ and the Schedules may be obtained from:

Agency for Health Care Administration,
 Certificate of Need
 2727 Mahan Drive, ~~Building 1~~, Mail Stop 28
 Tallahassee, FL 32308.

~~An~~ Electronic versions of AHCA Forms 3150-0001, 3150-0002 and 3150-0003 ~~CON-1~~ and the Schedules are also available at <http://ahca.myflorida.com/MCHO/CON FA/ Application/index.shtml> ~~www.fche.state.fl.us~~.

1. The application must be actually received by the agency by 5:00 p.m. local time on or before the application due date.
2. Applications for projects which exceed the proposed number of beds contained in the letter of intent shall not be deemed complete for review by the agency and shall be withdrawn from further review.
3. Applications may propose a lesser number of beds than that contained in the letter of intent.

AGENCY FOR HEALTH CARE ADMINISTRATION

Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals

RULE NO.: RULE TITLE:
 59E-7.012 Inpatient Data Reporting and Audit Procedures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 12, March 27, 2009 issue of the Florida Administrative Weekly. This corrects the Notice of Withdrawal rule as noticed in Vol. 35, No. 17, March 27, 2009 issue of the Florida Administrative Weekly in place of rule as noticed in Vol. 35, No. 18, May 8, 2009 issue of the Florida Administrative Weekly.

AGENCY FOR HEALTH CARE ADMINISTRATION

Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals

RULE NO.: RULE TITLE:
 59E-7.024 Reporting Instructions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 12, March 27, 2009 issue of the Florida Administrative Weekly.

This corrects the Notice of Withdrawal rule as noticed in Vol. 35, No. 17, March 27, 2009 issue of the Florida Administrative Weekly in place of rule as noticed in Vol. 35, No. 18, May 8, 2009 issue of the Florida Administrative Weekly.

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: RULE TITLE:
60BB-8.410 Voluntary Prekindergarten Program
 Substitute Instructors

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. 35, No. 7, February 20, 2009 issue of the Florida Administrative Weekly.

The proposed rule, as revised in a Notice of Change published May 1, 2009, is amended as follows:

*Sub-subparagraph (2)(b)1.c. is amended to read:

c. A credential approved by the Department of Children and Family Services as defined in Rule 65C-22.003, F.A.C. (effective May 1, 2008), which is hereby incorporated by reference and may be obtained as described in Rule 60BB-8.900, F.A.C., as being equivalent to or greater than the national CDA.

*Sub-paragraphs (2)(b)2.b.-d. are amended to read:

b. A Department of Children and Family Services 40-hour Introductory Child Care Training course, as described in Rule 65C-22.003, F.A.C. (effective May 1, 2008), if the class is offered in a child care facility;

c. A Department of Children and Family Services 30-clock-hour Family Child Care Home training as described in Rule 65C-20.013, F.A.C. (effective May 1, 2008), which is hereby incorporated by reference and may be obtained as described in Rule 60BB-8.900, F.A.C., if the class is offered in a large family child care home;

d. A Department of Children and Family Services 30-clock-hour Family Child Care Home training as described in Rule 65C-20.009, F.A.C. (effective May 1, 2008), which is hereby incorporated by reference and may be obtained as described in Rule 60BB-8.900, F.A.C., if the class is offered in a family day care home;

*The first sentence of subsection (5) is amended to read:

(5) Before a provider may assign a substitute instructor to a VPK classroom, the provider must ensure that the coalition ~~substitute instructor~~ has received documentation of the substitute instructor's current level 2 background screening and applicable credentials.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: RULE TITLE:
61G14-19.001 Percentage of Gross Pilotage
 Assessed

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 19, May 15, 2009 issue of the Florida Administrative Weekly.

Although the rule notice stated that a Statement of Estimated Regulatory Costs (SERC) had been prepared, the notice did not summarize the SERC. The following is a summary of the SERC:

1. Eleven pilot associations comprised of 92 State Pilots and five Deputy Pilots will be affected and will be required to comply with this rule change.

2. This rule change may affect up to 99 small businesses comprised of pilot associations, State Pilots and Deputy Pilots.

3. The rule change will not require any government entity to incur additional costs or receive additional revenues.

4. Minimal transactional costs will be incurred by state pilot associations.

5. This rule amendment will have an impact on pilot associations because they will be able to meet the required gross pilotage assessments forwarded to the Department of Business and Professional Regulation.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly as outlined above.

THE PERSON TO BE CONTACTED REGARDING THIS RULE IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, FL 32399-0750.

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 FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: RULE TITLE:
69I-51.003 Procedures for Local Government
 Reporting

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. 35, No. 17, May 1, 2009 issue of the Florida Administrative Weekly.

When adopted, paragraph (2)(a) will read:

(2)(a) Each local government entity that is determined to be a reporting entity, as defined by generally accepted accounting principles as defined in Section 218.31, F.S.;
 The remainder of the rule remains as published.

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: RULE TITLE:
 69V-85.006 Electronic Filing of Forms and Fees
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 11, March 20, 2009 issue of the Florida Administrative Weekly. A Statement of Estimated Regulatory Cost (SERC) has been prepared and is available by contacting: Andrea Moreland, Cabinet Affairs Director, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Suite 118, Tallahassee, Florida 32399; (850)410-9601; andrea.moreland@flofr.com.

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: RULE TITLE:
 69V-160.036 Electronic Filing of Forms and Fees
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 11, March 20, 2009 issue of the Florida Administrative Weekly. A Statement of Estimated Regulatory Cost (SERC) has been prepared and is available by contacting: Andrea Moreland, Cabinet Affairs Director, Office of Financial Regulation, The Fletcher Building, 200 E. Gaines Street, Suite 118, Tallahassee, Florida 32399; (850)410-9601; andrea.moreland@flofr.com.

**Section IV
 Emergency Rules**

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: RULE TITLE:
 2AER09-1 Claims

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The proposed emergency rule is necessary to maintain the solvency and financial integrity of the Crimes Compensation Trust Fund. Benefits are being paid at a rate the trust fund cannot continue to support according to an urgent directive from the agency budget director. There is an immediate danger to the public’s welfare because innocent crime victims depend on the trust fund to assist them in paying their crime related expenses. Without access to the medical benefits the trust fund provides, crime victims may not be able

to get the care they need, thereby impacting both the public’s health and safety, because the trust fund’s solvency to pay any benefits is in jeopardy.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The agency concludes this rulemaking procedure is fair under the circumstances, since the crime victims in the State of Florida must be able to make a claim for assistance and receive some benefits, even if it is at a reduced rate. Fiscal prudence dictates that benefits be reduced immediately, and the agency has statutory authority to pay reduced benefits when rules are promulgated (see Section 960.13(9)(b), F.S.).

SUMMARY: The emergency rule incorporates amendments to form BVC-P001 that will lower the mental health and domestic violence relocation benefits paid to some victims from the Crimes Compensation Trust Fund.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Ms. Gwen Roache, Bureau Chief, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE FULL TEXT OF THE EMERGENCY RULE IS:

2AER09-1 (2A-2.002) Claims.

Application and benefit payment criteria, limitations and procedures for victim assistance are provided in the publication entitled “Victim Compensation Assistance,” BVC-P001 (Rev. 5/09) (~~Rev. 9/07~~), effective 1-16-08, which is incorporated into these rules by reference. This publication is available by telephoning (850)414-3300, or via website at: www.myfloridalegal.com/victims. In addition, the following documents are incorporated into this rule by reference:

- (1) BVC 100, entitled “Victim Compensation Claim Form,” (rev. 3/03), effective 5-13-03.
- (2) BVC 100SF, entitled “Victim Compensation Claim Form” (Short Form), (10/99), effective 2-3-00.
- (3) BVC 102, entitled “Filing Time Explanation” (1/99), effective 8-17-99.
- (4) BVC 103, entitled “Reporting Time Explanation” (2/99), effective 8-17-99.
- (5) BVC 104, entitled “Non-Cooperation Explanation” (1/99), effective 8-17-99.
- (6) BVC 105, entitled “Domestic Violence Relocation Certification” (8/01), effective 10-23-01.
- (7) BVC 105A, entitled “Domestic Violence Relocation Expense Worksheet,” (8/01), effective 10-23-01.
- (8) BVC 211, entitled “Notice of Rights – Hearing Request,” (3/99), effective 8-17-99.
- (9) BVC 405, entitled “Employment Report,” (1/99), effective 8-17-99.
- (10) BVC 409, entitled “Treatment Statement,” (2/99), effective 8-17-99.
- (11) BVC 410, entitled “Disability Statement,” (1/99), effective 8-17-99.