

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.001
 RULE TITLE: Division of Cultural Affairs

PURPOSE AND EFFECT: This amendment limits each organization applying to the Culture Builds Florida Grant Program to one application per funding cycle and requires that grant applicants be funded in precise order of score, rather than based only on a minimum, and reduce the minimum score from 85 to 80.

SUBJECT AREA TO BE ADDRESSED: Culture Builds Florida application requirements and funding methodology.

RULEMAKING AUTHORITY: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), (d), 265.2865(6), 265.51, 265.605(1), 265.608, 265.609, 265.701(4), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.51-.56, 265.601-.603, 265.605-.606, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 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: April 3, 2009, 11:00 a.m.
 PLACE: Room 307, 3rd Floor, R. A. Gray Building, 500 South Bronough 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 48 hours before the workshop/meeting by contacting: Morgan Lewis, Division of Cultural Affairs, (850)245-6470. 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: Morgan Lewis, Division of Cultural Affairs, (850)245-6470

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-3.047
 RULE TITLE: State Building Code Adopted

PURPOSE AND EFFECT: Implement limited changes to the building code that meet the criteria established by Section 553.73(7), F.S., identified as an update to the electrical code, an administrative amendment relating to interior designers, and correction of a nail diameter that creates conflict within the Code. Additional changes relating to conflict with statute may be considered.

SUBJECT AREA TO BE ADDRESSED: The Florida Building Code.

RULEMAKING AUTHORITY: 553.73(1), 553.73(2), 553.73(7), 553.73(8), 553.901 FS.

LAW IMPLEMENTED: 553.72, 553.73(2), 553.73(3), 553.73(7), 553.73(8), 553.73(9), 553.901 FS.

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

DATE AND TIME: April 7, 2009, 8:30 a.m. or as soon thereafter as the matter comes before the Commission pursuant to its agenda

PLACE: Hilton University of Florida Conference Center, 1714 S. W. 34th Street, Gainesville, Florida 32607

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 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100; (850)921-2247. 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100; (850)921-2247

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-13.0071
 RULE TITLE: Cost Effectiveness of Amendments to Energy Code

PURPOSE AND EFFECT: To adopt a rule defining a cost-effectiveness test for proposed increases in energy efficiency within the Florida Energy Efficiency Code for Building Construction. The cost-effectiveness test shall measure cost-effectiveness and shall ensure that energy efficiency increases result in a positive net financial impact.

SUBJECT AREA TO BE ADDRESSED: New energy efficiency requirements for construction.

RULEMAKING AUTHORITY: 553.9061(3) FS.
 LAW IMPLEMENTED: 553.9061(3) FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: April 7, 2009, 8:30 a.m. or as soon thereafter as the matter comes before the Commission pursuant to its agenda
 PLACE: Hilton University of Florida Conference Center, 1714 S.W. 34th Street, Gainesville, Florida 32607

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 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)921-2247. 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: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)921-2247

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

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-62.002	Definitions
9B-62.003	Building Permit Surcharge Collection and Remittance

PURPOSE AND EFFECT: To review the provisions of the rule regarding means of calculating the surcharge transmitted to the Operating Trust Fund and exceptions from the surcharge in light of statutory changes since 1995 and the means by which the surcharge is remitted to the Department in light of technological advances.

SUBJECT AREA TO BE ADDRESSED: The building permit surcharge; collection and statutory means of calculation thereof.

RULEMAKING AUTHORITY: 553.721 FS.
 LAW IMPLEMENTED: 553.721 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: April 15, 2009, 10:00 a.m.
 PLACE: Randall Kelley Training Center, Third Floor, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

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 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)487-1824. 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; (850)487-1824

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

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

RULE NOS.:	RULE TITLES:
9B-70.001	Building Code Core Education
9B-70.002	Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE AND EFFECT: To address needed clarifications in the structure of the rule, technical changes, qualifications for accessibility course accreditors, course auditing, and actions by the Commission for failure to comply with the requirements in law and rule.

SUBJECT AREA TO BE ADDRESSED: Integration of Education Program elements with revised Building Code Information System specifically relating to course development, submission, and approval.

RULEMAKING AUTHORITY: 553.841(2) FS.
 LAW IMPLEMENTED: 553.841 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: April 7, 2009, 8:30 a.m. or as soon thereafter as the matter comes before the Commission pursuant to its agenda
 PLACE: Hilton University of Florida Conference Center, 1714 S.W. 34th Street, Gainesville, Florida 32607

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 7 days before the workshop/meeting by contacting: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida

32399-2100, (850)487-1824. 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100; (850)487-1824
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."

STATE BOARD OF ADMINISTRATION

RULE NOS.: RULE TITLES:
19-8.029 Insurer Reporting Requirements
19-8.030 Insurer Responsibilities

PURPOSE AND EFFECT: The Florida Hurricane Catastrophe Fund proposes amendments to the following rules: Rule 19-8.029, F.A.C., the Insurer Reporting Requirements, and Rule 19-8.030, F.A.C., Insurer Responsibilities.

SUBJECT AREA TO BE ADDRESSED: An incorporated form, FHCF C-1, Company Contact Information, is being revised to remove the notarization requirement. This change necessitates changes to Rules 19-8.029 and 19-8.030, F.A.C. In addition, language is added to Rule 19-8.029, F.A.C., providing for voluntary commutation earlier than 36 months under certain circumstances.

RULEMAKING AUTHORITY: 215.555 FS.

LAW IMPLEMENTED: 215.555 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: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; (850)413-1341, or tracy.allen@sbafla.com

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

**LAND AND WATER ADJUDICATORY COMMISSION
The Crossings at Fleming Island Community Development District**

RULE NO.: RULE TITLE:
42H-1.002 Boundary

PURPOSE AND EFFECT: The Petition, as supplemented, was filed by the Crossings at Fleming Island Community Development District with its registered office located at 1279 Kingsley Avenue, Suite 118, Orange Park, Florida 32073. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 20.7 acres to the District located within Clay County, Florida. The District currently covers approximately 2,848 acres of land and after amendment the District will consist of approximately 2,868.7 acres. The District is generally located northwest, southwest and southeast of the intersection of U.S. 17 and C.R. 220 on Fleming Island. There are no parcels within the expansion parcels or the proposed amended boundaries of the District that are to be excluded from the District. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcels. The District intends to provide the following improvements or provide the following facilities or services for the expansion parcels: master surface water management and drainage system; internal roadways; potable water distribution; wastewater collection system; and reclaimed water system.

SUBJECT AREA TO BE ADDRESSED: The Petition, as supplemented, was filed by the Crossings at Fleming Island Community Development District with its registered office located at 1279 Kingsley Avenue, Suite 118, Orange Park, Florida 32073. The Petition, as supplemented, proposes to modify the land area presently serviced by the District by amending its boundary to add 20.7 acres to the District located within Clay County, Florida. The District currently covers approximately 2,848 acres of land and after amendment the District will consist of approximately 2,868.7 acres. The District is generally located northwest, southwest and southeast of the intersection of U.S. 17 and C.R. 220 on Fleming Island. There are no parcels within the expansion parcels or the proposed amended boundaries of the District that are to be excluded from the District. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcels. The District intends to provide the following improvements or provide the following facilities or services for the expansion parcels: master surface water management and drainage system; internal roadways; potable water distribution; wastewater collection system; and reclaimed water system.

RULEMAKING AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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: Thursday, April 9, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Room 2103, The Capitol, 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 two days before the workshop/meeting by contacting: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; telephone (850)487-1884. 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: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; telephone (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-24.006
RULE TITLE: Drug Testing Laboratories

PURPOSE AND EFFECT: The Agency proposes to revise the rule on surveying forensic toxicology laboratories

SUBJECT AREA TO BE ADDRESSED: The proposed changes to this rule would revise the frequency of on-site surveys of forensic toxicology laboratories that perform testing as part of the drug-free workplace program and permit acceptance of accreditation reports in lieu of some surveying.

RULEMAKING AUTHORITY: 112.0455(13)(a) FS.

LAW IMPLEMENTED: 112.0455(12), (13) 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: Bill McCort, (850)487-0641

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-24.006 Drug Testing Laboratories.

(1) through (6) are not changed.

(7) Inspections. The agency or the representatives of the federal Department of Health and Human Services Federal Workplace Drug Testing Program shall conduct announced or unannounced inspections of the laboratory at any reasonable time for the purpose of determining compliance with this rule chapter. The right of entry and inspection shall also be extended to any collection sites under contract with the laboratory. Inspections shall document the overall quality of the laboratory setting for the purpose of licensure to conduct drug free workplace testing. Inspection reports shall also contain any requirements of the laboratory to correct deficiencies noted during the inspections.

(a) Prior to laboratory licensure and at least ~~once~~ twice a year after licensure, an on-site inspection of the laboratory shall be conducted.

(b) In order to be considered for licensure renewal, laboratories certified by the federal Department of Health and Human Services Federal Workplace Drug Testing Programs shall submit ~~an~~ one inspection report of the federal Department of Health and Human Services Federal Workplace Drug Testing Programs in lieu of ~~one of the two~~ two required ~~bi~~-annual inspections. This provision does not apply to laboratories applying for initial licensure. In addition, such laboratories certified by the federal Department of Health and Human Services Federal Workplace Drug Testing Programs shall:

1. Maintain a policy to conduct the testing of all specimens authorized under Section 112.0455, F.S., in the same manner as required for those drugs included under the Mandatory Guidelines for Federal Workplace Drug Testing Programs. This policy must be in writing and contained in the laboratory’s policy and procedure manual.

2. Submit to the agency all reports of such inspections, post inspection activities and reports including any corrective action taken by the laboratory within 45 days of the receipt of the initial evaluation report in the laboratory.

3. Request in writing that the inspection report be accepted in lieu of an on-site inspection by the agency.

(c) Laboratories that are accredited by a nationally recognized accreditation organization may submit an accreditation report and proof of non-provisional accreditation or reaccreditation for the current year in lieu of the annual on-site inspection.

(8) through (15) No change.

Rulemaking Specific Authority 112.0455(12)(e), (13)(a) FS. Law Implemented 112.0455(12), (13) FS. History–New 3-15-90, Amended 6-28-91, Formerly 10E-18.006, Amended 5-1-96, 12-5-96, 3-11-98, 3-29-00,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NOS.:	RULE TITLES:
61B-60.001	Definitions and Scope
61B-60.002	General Provisions; Forms and Fees
61B-60.003	Application for and Renewal of Broker or Salesperson License
61B-60.004	Bond and Irrevocable Letter of Credit
61B-60.005	Principal Place of Business; Broker's Branch Office License Application and Branch Office License Renewal
61B-60.006	Escrow Trust Depository; Closing Transactions
61B-60.008	Standards of Conduct; Penalties

PURPOSE AND EFFECT: This rule amendment incorporates Governor Crist's plain language initiative, clarifies current rules and includes substantive changes, including the following: adds various definitions; addresses principal place of business requirements; revises and incorporates division forms; changes fingerprint processing fees; deletes the fee for the change form; clarifies the application process; provides a new section addressing the renewal process; addresses the audit and inspection of business records by the division; addresses and clarifies the suspension and revocation procedures; and provides new guidelines for determining civil penalties.

SUBJECT AREA TO BE ADDRESSED: This rule amendment addresses the licensing and regulation of yacht and ship brokers and salespersons under Chapter 326, Florida Statutes.

RULEMAKING AUTHORITY: 215.405, 326.003(2), 326.004(1), (5), (13), (15) FS.

LAW IMPLEMENTED: 326.002, 326.003(3), 326.004, 326.005, 326.006 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: April 9, 2009, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe 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 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II,

at (850)488-1631. 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: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The preliminary draft rule is also available on line at <http://www.myflorida.com/dbpr/lsc/LSCMHRulePromulgation.html>

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

Building Code Administrators and Inspectors Board

RULE NO.:	RULE TITLE:
61G19-5.002	Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect is to raise all fines to maximum of \$5,000 in all disciplinary instances.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 455.227, 455.2273, 468.606 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-5.002 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section 455.2273, F.S., the Board provides within this rule disciplinary guidelines which shall be imposed upon applicants or licensees whom it regulates under Chapter 468, Part XII, F.S. The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will

routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given in Rule 61G19-5.003, F.A.C. The ranges of penalties provided below include the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.569, 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

VIOLATION

(a) Violating or failing to comply with any provision of this part, Chapter 455 or a valid rule or lawful order of the board or department, or subpoena of the department. (468.621(1)(a), F.S., 455.227(1)(b) and (q), F.S.)

(b) Obtaining certificate through fraud, deceit, or perjury.

(468.621(1)(b), 455.227(1)(h), F.S.)

(c) Knowingly assisting any person to unlawfully practice building code administration, inspecting, or plans examination contrary to the provisions of this part or the building code adopted by the enforcement authority governing that person.

(468.621(1)(c), 455.227(1)(j), F.S.)

(d) Having been convicted of a felony.

(468.621(1)(d), F.S.)

(e) Guilt of or nolo plea entered to a crime directly related to building code administration or inspection.

RECOMMENDED RANGE OF PENALTY

(a)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to \$5,000 ~~1,500~~.

(a)2. After the first offense, a minimum of one year's probation to revocation or denial of licensure, and a fine of up to \$5,000 depending on the underlying offense and the magnitude of the violation.

The usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000 ~~1,500~~.

(c)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension and a fine of up to \$5,000 ~~1,500~~.

(c)2. After the first offense, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to \$5,000.

(d)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to \$5,000 ~~1,500~~.

(d)2. For a second offense in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and suspension of at least 30 days followed by probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation with conditions to revocation and a fine of up to \$5,000 ~~4,000~~.

(d)3. After the second offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

(e)1. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board

(468.621(1)(e), 455.227(1)(c), F.S.)

shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$5,000~~ 4,500.

(e)2. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

(f) Knowingly making or filing a false report or failing to file a report as required. (468.621(1)(f), 455.227(1)(l), F.S.)

(f)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and 30-day suspension followed by probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a period of suspension to be followed by probation and a fine of up to ~~\$5,000~~ 4,500.

(f)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be revocation and a fine of up to \$5,000.

(g) Committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property. (468.621(1)(g), F.S.)

1. Negligence

1.a. In the case of an applicant, the usual action of the Board shall be from licensure with probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension and a fine of up to ~~\$5,000~~ 4,500.

1.b. For a second offense in the case of an applicant, the usual action of the Board shall be from probation to denial and an administrative fine. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation and a fine of up to ~~\$5,000~~ 4,000.

1.c. After the second offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

2. Gross or repeated negligence, or gross misconduct.

2.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$5,000~~ 4,500.

2.b. After the first offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

3. Willful misconduct.

3.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board

(h) Making misleading, deceptive or fraudulent representations.
(455.227(1)(a), and (m), F.S.)
1. Misleading or deceptive.

2. Fraudulent.

(i) through (m) No change.
(n) Practicing as a building code administrator, plans examiner, or inspector without a valid active certificate.
(468.607, 468.621(1)(a), F.S.)

(o) Having the authority to practice revoked or acted against, including the denial of licensure.
(455.227(1)(f), F.S.)

shall be to impose a penalty of revocation and fine of up to ~~\$5,000~~ ~~1,500~~.
3.b. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

1.a. In the case of an applicant, the usual action of the Board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$5,000~~ ~~1,500~~.

1.b. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual penalty shall be suspension to revocation and a fine of up to \$5,000.

2.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation, a fine of up to ~~\$5,000~~ ~~1,500~~.

2.b. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

(n)1. In the case of an applicant, the usual action of the Board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action by the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$5,000~~ ~~1,500~~.

(n)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. For a licensee, the penalty shall be revocation and a fine of up to \$5,000.

(o)1. Imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida or suspension or licensure with an administrative fine and probation or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken, and an administrative fine up to ~~\$5,000~~ ~~ranging from \$250 to \$1,500~~.

(o)2. After the first offense, from imposition of discipline comparable to that which would have been imposed if a second or higher substantive

(p) Failing to report to the department any person who the licensee knows is in violation of Chapter 468, Part XII, Chapter 455, or the rules of the Board or Department.
(455.277(1)(I), F.S.)

(q) Failing to perform any statutory or legal obligations.
(455.227(1)(k), F.S.)

(r) through (u) No change.
(3) through (5) No change.

violation had occurred in Florida to revocation or for an applicant from probation to denial of license and an administrative fine ~~up from~~ \$1,000 to \$5,000.

(p)1. In case of an applicant, the usual action of the Board shall be denial or licensure with probation and an administrative fine. In case of the licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to \$1,500.

(p)2. After the first offense, in the case of an applicant the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation to revocation and a fine of up to \$5,000.

(q)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the board shall be to impose a penalty from reprimand to probation and a fine of up to \$5,000 ~~1,500~~.

(q)2. After the first offense unless otherwise specified in this rule, the usual action of the Board shall be denial in the case of an applicant; in the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to revocation and a fine of up to \$5,000.

Rulemaking Specific Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History—New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06, 1-10-07,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-6.016 Voluntary Certification Categories

PURPOSE AND EFFECT: The purpose and effect is to require passage of pertinent exam as other certificate holder categories had to do.

SUBJECT AREA TO BE ADDRESSED: Voluntary Certification Categories.

RULEMAKING AUTHORITY: 468.606, 468.609(10) FS.

LAW IMPLEMENTED: 468.609(10) 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G19-6.016 Voluntary Certification Categories.

The following voluntary certification categories are created.

(1) through (3) No change.

(4) Modular Inspector. This license is required for inspection of all modular buildings constructed to the Florida Building Code and administered under Chapter 553, Part I, F.S., unless otherwise provided for in Florida Statutes.

(a) Modular Inspector means a person who is authorized to inspect any manufactured (modular) building and systems incorporated therein designed and built to comply with the Florida Building Code pursuant to Part I, Chapter 553, F.S.; In order to obtain this voluntary certification, the Board will require the applicant to pass the standardized modular inspectors' examination and the applicant must have ~~and has~~ three (3) years experience as an inspector with local government and/or state government or three years experience as an inspector with an independent inspection/plans review agency under contract with a state agency or three (3) years experience as a registered or certified state general, building, or residential contractor or job superintendent, project manager or quality control manager, the latter as provided for in Chapter 9B-1, F.A.C., in a supervisory capacity that included

operational control and direction of building, mechanical, electrical and plumbing personnel or subcontractors on residential or commercial projects.

(b) No change.

(5) Modular Plans Examiner. This license is required for plans reviews of all modular buildings constructed to the Florida Building Code and administered under Chapter 553, Part I, F.S., unless otherwise provided for in Florida Statutes.

(a) Modular Plans Examiner means a person who is authorized to review plans for any manufactured (modular) building and systems incorporated therein designed and built to comply with the Florida Building Code pursuant to Part I, Chapter 553, F.S.; In order to obtain this voluntary certification, the Board will require the applicant to pass the standardized modular plans inspectors' examination and the applicant must have ~~and has~~ three (3) years experience as a plans examiner with local and/or state government. As an alternative, the applicant must have three (3) years experience as a plans examiner with an independent inspection/plans review agency under contract with a state department or three (3) years experience as a registered or certified state general, building, or residential contractor or job superintendent, project manager or quality control manager, the latter as provided for in Chapter 9B-1, F.A.C., in a supervisory capacity that included operational control and direction of building, mechanical, electrical and plumbing personnel or subcontractors on residential or commercial projects.

(b) No change.

(6) No change.

Rulemaking Specific Authority 468.606, 468.609(10) FS. Law Implemented 468.609(10) FS. History—New 7-5-95, Amended 7-7-96, 8-6-97, 6-25-98, 12-28-00, 2-28-02, 4-7-03, 9-3-03, 3-7-06, 6-13-07, 11-21-07,_____.

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

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:

64B-9.002 Physician Survey Procedures

PURPOSE AND EFFECT: To update the survey questions.

SUBJECT AREA TO BE ADDRESSED: Physician Survey Procedures.

RULEMAKING AUTHORITY: 458.3191(4), 459.0081(4) FS.

LAW IMPLEMENTED: 381.4018, 458.3191, 459.0081 FS.

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

DATE AND TIME: April 10, 2009, 10:00 a.m. – 3:00 p.m.
 PLACE: Department of Health, Capital Circle Office Center, Building #4052, Room 301, 4052 Bald Cypress Way, Tallahassee, Florida 32399

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 five (5) days before the workshop/meeting by contacting: Jessica Swanson Rivenbark at telephone number (850)245-4444, x-2711 or mailing address, 4052 Bald Cypress Way, Bin #C15, Tallahassee, Florida 32399-1735. 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: Jessica Swanson Rivenbark, 4052 Bald Cypress Way, Bin #C15, Tallahassee, Florida 32399-1735

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:
 64B1-4.0011 Documentation Necessary for
 Licensure Application

PURPOSE AND EFFECT: The Board proposes the review, the application form and make any necessary changes.

SUBJECT AREA TO BE ADDRESSED: Documentation necessary for licensure application.

RULEMAKING AUTHORITY: 457.104 FS.

LAW IMPLEMENTED: 457.105 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: Kaye Howerton, Executive Director, Board of Acupuncture/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 Acupuncture

RULE NO.: RULE TITLE:
 64B1-6.005 Standards for Approval of
 Continuing Education Credit

PURPOSE AND EFFECT: The Board proposes the rule amendment to set standards for continuing education credit.

SUBJECT AREA TO BE ADDRESSED: Standards for approval of continuing education credit.

RULEMAKING AUTHORITY: 456.013(9), 456.033, 457.104, 457.107(3) FS.

LAW IMPLEMENTED: 456.013(9), 456.033, 457.107(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, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:
 64B2-13.004 Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update language concerning continuing education.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 456.025(7), 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 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 Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0146
 RULE TITLE: Licensure Requirements for Applicants from Non-Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to adopt new language setting forth new supplemental dental education requirements for dental licensure applicants that graduated from unaccredited dental schools or from dental schools not approved by the Board.

SUBJECT AREA TO BE ADDRESSED: Licensure requirements for applicants from non-accredited schools or colleges.

RULEMAKING AUTHORITY: 466.004, 466.006(3) FS.

LAW IMPLEMENTED: 456.033(6), 466.006, 466.075 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: 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:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

- (1) No change.
- (2) An applicant who otherwise meets the requirements of Section 466.006(3), F.S., and chooses to apply pursuant to Section 466.006(3)(b), F.S., will be required to:
 - (a) Complete a full-time, matriculated, American Dental Association recognized dental specialty education program accredited by the Commission on Dental Accreditation of the American Dental Association or a Commission on Dental Accreditation of the American Dental Association accredited supplemental general dentistry programs, which provides didactic and clinical education to the level of an accredited D.D.S. or D.M.D. program, either of which have a duration of at least two consecutive resident program offered by an accredited dental school which provides remediation to the level of an accredited D.D.S. or D.M.D. program and which has a duration equivalent to at least 2 academic years at the sponsoring institution.
 - (b) through (c) No change.
 - (3) No change.

Rulemaking Specific Authority 466.004, 466.006(3) FS. Law Implemented ~~456.033(6)~~, 466.006, ~~466.0075~~ FS. History—New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97, 5-20-01, 6-7-05, 12-26-06, _____.

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 to review and modify the rule regarding criteria for approved continuing education.

SUBJECT AREA TO BE ADDRESSED: Criteria for approved continuing education.

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

LAW IMPLEMENTED: 456.013, 468.1715, 468.1725 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 #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-16.001
 RULE TITLE: General Information

PURPOSE AND EFFECT: The Board proposes the rule amendment to review and modify portions of the rule regarding Administrator-in-Training quarterly reports.

SUBJECT AREA TO BE ADDRESSED: Administrator-in-Training quarterly reports.

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

LAW IMPLEMENTED: 468.1695(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 Administrators/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health and Safety Related Requirements
65C-20.011	Health Records
65C-20.012	Enforcement
65C-20.013	Large Family Child Care Homes (LFCCH)
65C-20.014	Gold Seal Quality Care Program

PURPOSE AND EFFECT: The rule modifications are being made to clarify sections of the rule, reorganize for easier use for the user, and provide additional health and safety language to protect children in care in a child care setting

SUBJECT AREA TO BE ADDRESSED: Proposed changes to Family Day Care Home and Large Family Child Care Standards.

RULEMAKING AUTHORITY: 402.302, 402.313, 402.3131, 402.310 FS.

LAW IMPLEMENTED: 402.302, 402.313, 402.3131, 402.310 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: Department of Children and Family Services, Child Care Program Office-Policy Unit, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room #389A, Tallahassee, Florida 32399-0700, or by calling (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.004	Health Related Requirements

65C-22.005	Food and Nutrition
65C-22.006	Record Keeping
65C-22.007	Evening Child Care
65C-22.008	School Age Child Care
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: The rule modifications are being made to clarify sections of the rule, reorganize for easier use for the user, and provide additional health and safety language to protect children in care in a child care setting.

SUBJECT AREA TO BE ADDRESSED: Proposed changes to Child Care Standards.

RULEMAKING AUTHORITY: 402.216-.319 FS.

LAW IMPLEMENTED: 402.216-.319 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: Department of Children and Family Services, Child Care Program Office-Policy Unit, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room #389A, Tallahassee, Florida 32399-0700 or by calling (850)488-4900

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.:	RULE TITLE:
69J-166.002	Mediation of Commercial Residential Property Insurance Claims

PURPOSE AND EFFECT: The proposed rule will establish a mediation program for resolving disputed commercial residential insurance claims to be administered by the Department. This rule will replace Rule 69J-2.002, F.A.C., which is no longer needed since the number of disputed commercial residential insurance claims being mediated through the outside vendor has significantly diminished.

SUBJECT AREA TO BE ADDRESSED: The establishment of a mediation program to resolve disputed commercial residential property insurance claims.

RULEMAKING AUTHORITY: 624.308(1), 626.9611, 627.7015(4) FS.

LAW IMPLEMENTED: 624.307(1), (2), (4), (5), 626.9541(1)(a), (e), (i), (u), 626.9561, 626.9581(1), 626.9641(1)(g), 627.7015 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: April 6, 2009, 2:00 p.m.

PLACE: Room 142, 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: Ellen Simon at (850)413-4270 or ellen.simon@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, IF AVAILABLE, IS: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333; (850)413-4270 or ellen.simon@myfloridacfo.com.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NOS.:	RULE TITLES:
69L-24.001	Purpose
69L-24.002	Scope
69L-24.003	Definitions
69L-24.004	Monitoring, Examining and Investigating
69L-24.005	Maintaining and Providig Records
69L-24.006	Administrative Penalties and Fines
69L-24.007	Patterns and Practices
69L-24.021	Minimum Performance Standards
69L-24.0211	Monitoring
69L-24.022	Auditing
69L-24.0222	Re-Audit and Certification for Noncompliance
69L-24.0231	Benefits and Administration Trust Fund Penalties Improper Filing Practices
69L-24.024	Medical Penalties
69L-24.0241	Employee Failure to Appear for Independent Medical Examination

PURPOSE AND EFFECT: Rule Chapter 69L-24, F.A.C., is being amended to concurrently repeal and replace all existing rules with new rules which have been restructured and renumbered to promote clarity regarding the establishment of uniform guidelines under which the Department of Financial

Services, Division of Workers' Compensation will monitor, audit and investigate regulated entities to ensure compliance with statutory obligations under Chapter 440, Florida Statutes. The proposed rules provide guidance to regulated entities regarding requirements to provide timely payment of workers' compensation benefits to injured workers, to timely pay medical bills to providers, and to timely report workers' compensation data to the Department. Regulated entities include but are not limited to insurers, service companies, third-party administrators, self-serviced self-insured employers or funds, managing general agents, and data submitters that are responsible for adjusting workers' compensation claims or submitting information and data regarding those claims to the Department. The purpose and effect is also to establish uniform guidelines to penalize regulated entities for failure to provide timely payment of workers' compensation benefits to injured workers, for failure to timely pay medical bills to providers, and for failure to timely report workers' compensation information or data to the Department, based on findings made during the process of monitoring, auditing and investigating those regulated entities.

SUBJECT AREA TO BE ADDRESSED: Repeal of all existing rules in Rule Chapter 69L-24, F.A.C., and replacement of those rules with new rules which establish guidelines to monitor, audit and investigate regulated entities for compliance with the requirements of Chapter 440, Florida Statutes, regarding timely payment of benefits to injured workers, timely payment of medical bills, and timely reporting of data to the Department, and establish penalty guidelines for assessment of penalties for failure to comply with the statutory requirements.

RULEMAKING AUTHORITY: 440.13(11), 440.185(10), 440.20(6), 440.525(4), 440.591, 440.593(5) FS.

LAW IMPLEMENTED: 440.13(11), 440.185, 440.20(6), (8), 440.525, 440.593 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A SECOND RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, April 15, 2009, 10:00 a.m.

PLACE: 104 J Hartman Bldg., 2012 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: Robin Ippolito, (850)413-1775 or Robin.Ippolito@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, IF AVAILABLE, IS: Robin

Ippolito, Bureau Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4224, (850)413-1775

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON THE DEPARTMENT'S DIVISION OF WORKERS' COMPENSATION WEBSITE AT: <http://www.fldfs.com/wc/>. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

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."

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-9.001
RULE TITLE: Investment Policy Statement
PURPOSE AND EFFECT: To adopt the most recent version of the Investment Policy Statement.
SUMMARY: The latest version was approved by the Trustees on December 9, 2008.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC was prepared in an abundance of caution.

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.

RULEMAKING AUTHORITY: 121.4501(8)(a), 215.52 FS.
LAW IMPLEMENTED: 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, April 13, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, FL 32308

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: Cindy Morea, Office of Defined Contributions,

1801 Hermitage Blvd, Tallahassee, FL 32308; tel: (850)413-1491 or cindy.morea@sbalffa.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 IS: Cindy Gokel, Assistant General Counsel, SBA, 1801 Hermitage Blvd., Tallahassee, FL 32308; tel: (850)413-1199; or cindy.gokel@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-9.001 Investment Policy Statement.

The Florida Retirement System Public Employee Optional Retirement Program Investment Policy Statement, as approved by the Trustees of the State Board of Administration on December 9, 2008 ~~February 1, 2005~~, is hereby adopted and incorporated by reference. The Investment Policy Statement may be obtained by contacting: State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308; Attn: Office of Defined Contribution Programs.

Rulemaking Specific Authority 121.4501(8)(a), 215.52 FS. Law Implemented 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) FS. History--New 7-29-01, Amended 7-23-02, 5-10-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: John Benton, Senior Investment Policy Officer, SBA

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 23, 2009

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-11.003	Distributions from FRS Investment Plan Accounts
19-11.005	FRS Investment Plan Complaint Procedures
19-11.006	Enrollment Procedures for New Hires
19-11.007	Second Election Enrollment Procedures for the FRS Retirement Programs

PURPOSE AND EFFECT: To adopt amended forms, to adopt two definitions.

SUMMARY: To adopt four revised forms and two definitions and provide indications of the definitions' usage.