

PLACE: 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: Gerry Smith, Office of Insurance Regulation, e-mail Gerry.Smith@flor.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: Gerry Smith, Office of Insurance Regulation; e-mail Gerry.Smith@flor.com

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

Section II Proposed Rules

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 to one application per funding cycle, requires that grant applicants be funded in order of score, reduces the minimum qualifying score from 85 to 80 points, and incorporates the program guidelines and required grant forms.

SUMMARY: This amendment limits the number of applications an organization may submit, revises the grant funding method, and incorporates the program guidelines and required grant forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There are no regulatory costs associated with this amendment and it does not have an impact on small business. Any person who wishes to provide information regarding the statement of regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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.

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

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 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: May 18, 2009, 11:00 a.m.

PLACE: Room 307, 3rd Floor, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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 IS: Morgan Lewis, Division of Cultural Affairs; (850)245-6470

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.001 Division of Cultural Affairs.

(1) through (12) No change.

(13) Culture Builds Florida Grant Program (Notice: for complete program information and application instructions, see the Culture Builds Florida Program Guidelines and Instructions, and the following forms, all of which are required for administration of this program, hereby incorporated by reference and available on the Division's web site at www.florida-arts.org: Application (CA2E141, eff. _____); Grant Agreement (CA2E140, eff. _____); Grant Amendment Request Form (CA2E002, eff. _____); and State Grant Funds Expenditure Log (CA2E136, eff. _____)). This program supports projects, with grants up to \$25,000, that strengthen the role that arts and culture play in make connections between the arts and the key areas of the Division's Strategic Plan which are: ~~of~~ learning and wellness, strengthening the economy, leadership, and design and development.

(a) In addition to the basic eligibility requirements in subsection (5) of this rule, the following are required: (i) the proposed grant must either fund a new project ~~or initiative~~ in at least one of the four key areas above, or fund a new facet of an existing project program in at least one key area; (ii) only one organization may apply for those organizations working in partnership on one project; (iii) organizations may submit only one application each funding cycle; and (iv)~~(iii)~~ the cash match

requirement is \$1 to \$1, with no more than 25% of the match from in-kind revenues. Cash match waivers will allow in-kind substitutions of up to 100% of the cash match requirement for REDI designated counties. See subparagraph (5)(e)4. of this rule for further information on cash match waivers.

(b) Application review, scoring, and funding recommendations. Applications will be evaluated by a multidisciplinary review panel based on (i) Cultural and Artistic Excellence of the Project; (ii) Sustainability of the Project; and (iii) Program Management for the Project, including planning and evaluation procedures. After each eligible application has been reviewed and scored by each member of the grant review panel, the scores of each panel member for each application will be averaged. The maximum ~~total~~ average score is 100 and an average minimum ~~average~~ score of 80 85 is required to be considered for funding. ~~A minimum average score of 80 85 will not guarantee funding, if available funding will not allow.~~ Once the Panel has assigned an average panel score to each application, it will provide a list, ranked in order of score, to the Florida Arts Council for review and recommendation. The Florida Arts Council will submit their recommended list, in order of score, to the Secretary of State for review and approval. Applications on the ranked list shall be funded for the amount recommended by the Panel and the Council, and approved by the Secretary of State in order of score, from the top down until appropriated funds are depleted. If awarded project funds are returned to the Division, it shall award these funds to the next grant application on the approved list.

(14) through (20) No change.

Rulemaking Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (6), 265.2861(2)(b), (f), 265.2865(6), 265.605(1), 265.608(1), 265.609(1), (4), 265.701(5), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 FS. History—New 11-23-82, Formerly IT-1.01, Amended 10-1-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03 (17), 10-14-03 (20), 11-16-03, 2-5-05, 5-16-05, 6-21-05, 12-20-05, 5-22-06, 6-5-06, 6-27-07, 8-20-07, 9-16-07, 1-8-08, 7-8-08, 9-8-08, 3-5-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Morgan Lewis, Division of Cultural Affairs

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy, Director, Division of Cultural Affairs

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09441	Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt the 2009-2010 Course Code Directory and Instructional Personnel Assignments. Courses which are no longer offered have been deleted and new/revised courses relating to career and technical education, science, physical education, foreign languages, and the International Baccalaureate Middle Years Program have been added. In addition, language relating to English for Speakers of Other Languages Certification, Training, and Reporting Requirements has been amended. The effect will be a complete listing of courses which may be reported for funding purposes through the Florida Education Finance Program.

SUMMARY: The rule is amended to include new/revised courses, delete obsolete courses, and address changes relating to English for Speakers of Other Languages Certification, Training, and Reporting Requirements.

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

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

RULEMAKING AUTHORITY: 1001.02(1), 1009.53(3), 1011.62(1)(r) FS.

LAW IMPLEMENTED: 1009.531, 1009.534, 1009.535, 1009.536, 1011.62(1) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 19, 2009, 9:00 a.m.

PLACE: Hillsborough Community College, Dale Mabry Campus, Dale Mabry Highway, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Heather Sherry, Director, Office of Articulation, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400; (850)245-9483

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09441 Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation.

For student membership in a program or course to generate

funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a program or course, the following conditions shall be met:

(1) The program in which the student is in membership shall be one of the programs listed in Section 1011.62(1)(c), F.S.

(2) The course or program in which the student is in membership shall be an educational activity which constitutes a part of the instructional program approved by the district school board.

(3) The student shall be under the supervision of an instructional staff member as defined in Rule 6A-1.0501, F.A.C.

(4) The course or program shall be listed in the "Course Code Directory and Instructional Personnel Assignments" for the year in which the student is in membership.

(5) The "Course Code Directory and Instructional Personnel Assignments 2009-2010." is ~~2008-2009,~~ and ~~Course Code Directory and Instructional Personnel Assignments 2008 Supplement,~~ are hereby incorporated by reference and made a part of this rule. The Commissioner may publish the documents in appropriate and useful formats such as printed copy, electronic database access, or electronic disc. The ~~directory directories~~ may be obtained from K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. The Commissioner of Education may approve additional courses and course descriptions for which funding could be generated through the Florida Education Finance Program. Such additional course listings will be made available as approved.

Rulemaking Specific Authority 1001.02(1), 1009.53(3), 1011.62(1)(r) FS. Law Implemented 1009.531, 1009.534, 1009.535, 1009.536, 1011.62(1) FS. History—New 12-20-83, Formerly 6A-1.9441, Amended 2-6-86, 12-28-86, 4-4-88, 12-13-88, 12-11-89, 1-15-91, 2-20-92, 7-13-93, 10-18-94, 8-28-95, 4-18-96, 7-17-97, 8-12-98, 5-3-99, 5-3-01, 10-15-01, 7-30-02, 4-21-05, 11-21-05, 7-27-06, 1-18-07, 5-19-08, 1-5-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Heather Sherry, Director, Office of Articulation, Department of Education

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 6, 2009

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt changes to the competencies and skills passing scores for selected subject area examinations, effective October 1, 2009. Additionally, revisions to the registration form and to the examination fee structure are proposed. The effect of these changes will be updated competencies and skills for the Florida Teacher Certification Examinations and a fee structure more aligned with the real cost of the examinations.

SUMMARY: The proposed amendment will adopt the new edition of the Competencies and Skills Required for Teacher Certification in Florida, Fourteenth Edition, the revised registration form, the revised fee structure, and new passing scores for selected subject area examinations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: None.

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: 1012.56(9), 1012.59(1) FS.

LAW IMPLEMENTED: 1012.56, 1012.59 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 19, 2009, 9:00 a.m.

PLACE: Hillsborough Community College, Dale Mabry Campus, Student Center, Dale Mabry Highway, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. Michael Jones, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 West Gaines Street, Suite 414, Tallahassee, Florida 32399-0400; (850)245-0513

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) Scope. This rule governs the written examinations for teacher certification. Additional requirements for certification are specified in Chapter 6A-4, F.A.C.

(2) Description of the examinations and competencies to be demonstrated.

(a) The Florida Teacher Certification Examinations shall be developed by the Commissioner of Education.

(b) The written examinations shall include subtests of reading, writing, mathematics, professional skills, and subject area specialty. These examinations may contain multiple-choice questions and questions requiring the examinee to write an answer or demonstrate a proficiency.

(c) The following competencies are to be demonstrated by means of the written examinations:

1. Before October 1, ~~2009~~ 2008, the general knowledge competencies and skills as contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Thirteenth~~ Twelfth Edition." Beginning with the October 1, ~~2009~~ 2008, test administration, the general knowledge competencies and skills as contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Fourteenth~~ Thirteenth Edition." Copies of these publications may be obtained from Florida Teacher Examinations, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a price to be established by the Commissioner not to exceed actual cost.

2. Before October 1, ~~2009~~ 2008, the professional education test competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Thirteenth~~ Twelfth Edition," which is hereby incorporated by reference and made a part of this rule. Beginning October 1, ~~2009~~ 2008, the professional education test competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Fourteenth~~ Thirteenth Edition," which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule, and

3. Before October 1, ~~2009~~ 2008, the subject area competencies and skills contained in the publication, "Competencies and Skills Required for Teacher Certification in Florida, ~~Thirteenth~~ Twelfth Edition," which is hereby incorporated by reference and made a part of this rule. Beginning October 1, ~~2009~~ 2008, the subject area competencies and skills contained in the publication "Competencies and Skills Required for Teacher Certification in Florida, ~~Fourteenth~~ Thirteenth Edition," which is hereby incorporated by reference and made a part of this rule. Copies of these publications may be obtained as described in subparagraph (2)(c)1. of this rule.

(d) Before July 1, 2002, the College Level Academic Skills Test or the Praxis I: Academic Skills Assessment as described in subsection (13) of this rule shall be used to demonstrate mastery of general knowledge for an individual who holds a bachelor's or higher degree as specified in Rules 6A-4.004, 6A-4.050, and 6A-4.066, F.A.C.

(3) No change.

(4) Registration, late registration and refunds.

(a) Registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. To register to take the examinations, an applicant shall submit a completed application which shall be received by the test administration agency at least fifty (50) days preceding the examination date.

1. A completed application shall consist of the following:

a. A completed application Form CG-20-04, Registration Application: Certification Examinations for Florida Educators, which includes the applicant's signature. Form CG-20-04 is hereby incorporated by reference and made a part of this rule to become effective ~~September 1, 2009~~ August 1, 2008. This form may be obtained without cost from the Bureau of Educator Certification, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399 or may be submitted online via the Florida Teacher Certification Examinations/Florida Educational Leadership Examination Program Web site at <http://www.fldoe.org/edcert/apply.asp>.

b. ~~Before January 1, 2009, a twenty-five (25) dollar fee for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each registration for the professional skills examination, and each registration for the general knowledge test or any combination of subtests for the general knowledge test.~~ Beginning January 1, 2009, a fifty (50) dollar fee for each first-time registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, each first-time registration for the professional education test ~~skills examination~~, and each first-time registration for the general knowledge test or any combination of subtests for the general knowledge test. A fee of one hundred (100) dollars for each retake registration for a subject area specialty examination, the professional education test ~~skills examination~~, or the general knowledge test, effective January 1, 2009. Beginning September 1, 2009, a one-hundred (100) dollar fee for each first-time or retake registration for the general knowledge test or any combination of subtests for the general knowledge test, each first-time or retake registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination, and a one-hundred (100) dollar fee for each first-time or retake registration for the professional education test.

c. A charge of one hundred (100) dollars in addition to the fees described in sub-subparagraph 6A-4.0021(4)(a)1.b., F.A.C., for certification applicants taking a supplemental examination.

2. An incomplete application shall be returned to the applicant. Applications which are completed and resubmitted to the test administration agency after the fifty (50) day deadline shall be acceptable only if the applicant complies with requirements specified in paragraph 6A-4.0021(4)(b), F.A.C.

(b) Late registration for the examinations shall be for the initial examinations or for one (1) or more examinations not previously passed. An applicant who did not submit a completed application to the test administration agency within the fifty (50) day deadline may register for the examinations by completing the requirements listed in subparagraph 6A-4.0021(4)(a)1., F.A.C., and submitting a fifteen (15) dollar late charge for each registration for a subject area specialty examination or any combination of subtests for a subject area specialty examination; each registration for the professional education test examination; and each registration for the general knowledge examination or any combination of the general knowledge subtests. All items shall be received by the test administration agency at least thirty (30) days preceding the examination date. Late registrations shall be accepted on a space available basis.

(c) Refunds. Fees shall be refunded provided written requests for refunds are received by the test administration agency at least thirty (30) days preceding the examination date. Failure to appear for or to complete an examination shall result in forfeiture of fees.

(5) through (7) No change.

(8) Scoring the professional education test skills examination.

(a) Effective July 2003, the passing score for the professional education test shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to an examination raw score that results in an examinee passing rate of ninety-one (91) percent, which was the passing rate of teacher candidates who took the Professional Education Test examination for the first time during the 2001-2002 examination administration year. In the event that fewer than fifty (50) examinees are tested in the July 2003 administration, the passing score shall be sixty (60) percent of the items.

(b) Effective July 1, 2005, the passing score for the professional education test shall be a scaled score of at least two hundred (200). This scaled passing score will be equivalent to eighty (80) correct items on the July and October 2003 test administrations.

(9) Scoring of the subject area specialty examinations.

(a) through (q) No change.

(r) The Commissioner of Education shall review the passing score for each of the General Knowledge Subtests, each of the subject area specialty examinations, and the Professional Education Test Examination not less than once every five (5) years and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

(s) Effective October 1, 2009, the passing scores for the subject area specialty examinations listed below shall be a scaled score of at least two hundred (200):

1. Elementary Education K-6 Examination. In addition to the scaled score of at least two hundred (200), examinees must pass each of the five (5) sections of the examination: Language Arts and Reading; Social Science; Music, Visual Arts, Physical Education, and Health; Science and Technology; and Mathematics. The passing score for each section shall be a scaled score of at least sixty-four (64).

2. Middle Grades Integrated Curriculum (MGIC) 5-9 Examination. In addition to the scaled score of at least two hundred (200), examinees must pass each of the four (4) sections of the MGIC: English, General Science, Mathematics, and Social Science. The passing score for each section shall be a scaled score of at least sixty-four (64).

(10) through (11) No change.

(12) Review.

(a) Requests for Manual Scoring and Verification. An examinee who fails one (1) or more examination(s) may file a written request with the test administration agency for manual scoring of the multiple-choice sections of the examination(s) failed. A written request may also be made to verify the scores for computer-based tests and performance components of failed examinations, including essays, short-answer sections, and verbal responses, to ensure that the scores assigned were recorded accurately. The request shall be filed within thirty (30) days of the date the score report was mailed by the test administration agency. The fee for manual scoring, verification, or both, of one (1) or more examinations shall be twenty-five (25) dollars that amount necessary for the test administration agency to perform the service as agreed in the contract between the agency and the Florida Department of Education. The test administration agency shall notify the examinee of the results of the request within thirty (30) days of receipt of the request and fee.

(b) No change.

(13) through (15) No change.

Rulemaking Specific Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.56 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jeff Sellers, Interim Deputy Commissioner for Accountability, Research, and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 6, 2009

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-7.006
 RULE TITLE: Student Progression Plan and Requirements for Graduation

PURPOSE AND EFFECT: The purpose of this Rule is to indicate that the Florida School for the Deaf and the Blind has a Student Progression Plan and Requirements for Graduation which complies with state mandates.

SUMMARY: This rule establishes guidelines for promotion and graduation of students attending the Florida School for the Deaf and the Blind, in accordance with state and federal mandates.

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

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

RULEMAKING AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(1), 1003.49 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, June 5 2009, 9:00 a.m.

PLACE: Center for Leadership and Development, Moore Hall, FSDB Campus, St. Augustine, 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: 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: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-7.006 Student Progression Plan and Requirements for Graduation.

(1) Graduation and promotion requirements adopted by the Board of Trustees for the Florida School for the Deaf and the Blind pursuant to the provisions of Section 1003.49, Florida Statutes, are contained in the Florida School for the Deaf and the Blind Student Progression Plan, revised February 2009 ~~October 2006~~, which is hereby incorporated by this rule and made a part of the rules of the Board of Trustees.

(2) Copies of the Student Progression Plan may be obtained from the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084 at a cost set by state law.

Rulemaking Specific Authority 1002.36(4)(c) FS. Law Implemented 1003.49, 1002.36(1) FS. History--New 2-17-81. Amended 9-17-85, 8-26-86, 4-12-90, 12-6-92, 3-16-98, 1-15-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Margaret Van Ormer

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: L. Daniel Hutto, President

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 20, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 3, 2009

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-8.002
 RULE TITLE: Food Service Staff

PURPOSE AND EFFECT: The purpose of this Rule is to establish personnel who work in the Department as well as the Top Administrator who supervises it.

SUMMARY: This rule establishes supervisor and other personnel of the department.

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

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

RULEMAKING AUTHORITY: 1002.36(4)(c) FS.

LAW IMPLEMENTED: 1002.36(4)(e) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, June 5, 2009, 9:00 a.m.

PLACE: Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-8.002 Food Service Staff.

(1) The staff includes the services of a trained and experienced food service director, food service administrator, assistant food service administrators, dietitian, food service workers and support service aides.

(2) This department is under the direct supervision of the Administrator of Business Services Business Manager.

Rulemaking Specific Authority 1002.36(4)(c) 242.331(3) FS. Law Implemented 1002.36(4)(d) 242.331(4), 120.53(1)(a) FS. History--New 12-19-74, Amended 8-26-86,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bruce Fulton
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: L. Daniel Hutto, President
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 3, 2009

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: 6D-8.003
RULE TITLE: Food Service Responsibilities

PURPOSE AND EFFECT: The purpose of this Rule is to establish responsibilities of the Department.

SUMMARY: This rule establishes guidelines and responsibilities for the supervisor and other personnel of the department.

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

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

RULEMAKING AUTHORITY: 1002.36(4)(c) FS.
LAW IMPLEMENTED: 1002.36(4)(e) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, June 5, 2009, 9:00 a.m.
PLACE: Center for Leadership and Development, Moore Hall, Florida School for the Deaf and the Blind, St. Augustine, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elaine F. Ocuto, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-8.003 Food Service Responsibilities.

(1) It is the responsibility of this Department to plan, develop, and administer the complete food service program.

(2) Nutritionally balanced meals shall be served at all times.

(3) Modification of student menus for religious purposes shall be provided to the extent possible, when requested by the parent/guardian of the student, or the student, if 18+ years of age. Modifications of menus for students with medical needs shall be provided upon receipt of a written diet order provided by a licensed Florida health care provider. This is to include physicians, physician's assistants, and nurse practitioners, (ARNPs). Menus shall be reviewed periodically by the Business Manager, the School physician, and the President to see that they meet food requirements in accordance with school food service regulations.

~~(4) Special dietetic menus will be provided only in emergency situations as requested by the School physician and approved by the Director of Student Life.~~

~~(4)(5) Approved sanitary conditions must be maintained in food preparation and food services. All kitchens and dining rooms must be kept neat and sanitary.~~

~~(5)(6) The Food Service Director shall be responsible for the following:~~

~~(a) Reviewing inspection reports from the health department, taking corrective action and reporting to the Administrator of Business Services Business Manager.~~

~~(b) Issuing food as requested for approved and scheduled School activities.~~

~~(c) Serving meals to authorized staff and guests of the School.~~

~~(d) Maintaining an accurate count of students and others served meals daily and reporting to the Business Office on forms provided by the Business Manger.~~

Submit a meal claim to the State Department of Food and Nutrition each month for all means meeting the criteria for reimbursement under the National School Lunch and Breakfast Program.

~~(e) Ensuring that no unauthorized person is served meals in the dining facilities of the School.~~

~~(f) Collecting meal tickets or cash payment from visitors and employees when the cost of such meals is not a payroll deduction.~~

Rulemaking Specific Authority 1002.36(4)(c) 242.331(3) FS. Law Implemented 1002.36(4)(d) 242.331(4) FS. History--New 12-19-74, Amended 8-26-86,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bruce Fulton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: L. Daniel Hutto, President

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 3, 2009

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.: 19-8.028
 RULE TITLE: Reimbursement Premium Formula

PURPOSE AND EFFECT: This rule is promulgated to implement Section 215.555, F.S., regarding the Florida Hurricane Catastrophe Fund, for the 2009-2010 contract year.

SUMMARY: Proposed amended Rule 19-8.028, F.A.C., establishes the premium formula and adopts the rates for the 2009-2010 contract year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board has prepared a statement and found the cost to be minimal.

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: 215.555(3) FS.
 LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7) FS.
 A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 18, 2009, 2:00 p.m. – 5:00 p.m. (ET)
 PLACE: Room 116 (Hermitage Conference Room), 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: Tracy Allen, Senior Attorney, Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1341. 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: Tracy Allen at the address listed above

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.028 Reimbursement Premium Formula.
 (1) through (3)(k) No change.

(l) For the 2009-2010 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2009 Ratemaking Formula Report to the State Board of Administration of Florida, March 20, 2009" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the

Premium Formula methodology approved by the Board on April 14, 2009, are hereby adopted and incorporated by reference in Form FHCF-Rates 2009, "Florida Hurricane Catastrophe Fund Proposed 2009 Rates, March 20, 2009." These incorporated documents may be obtained directly from the SBA website, www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

(4)(a) through (d) No change.

(5) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Strategic Solutions Inc., ~~8200 Norman Center Drive, Bloomington 3600 American Boulevard West, Suite 700, Minneapolis, Minnesota 55437~~ 55431.

Rulemaking Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History--New 9-20-99, Amended 7-3-00, 9-17-01, 7-17-02, 7-2-03, 7-29-04, 7-17-05, 7-6-06, 7-17-07, 6-16-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 19, 2008, Vol. 34, No. 51

STATE BOARD OF ADMINISTRATION

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

PURPOSE AND EFFECT: The State Board of Administration, Florida Hurricane Catastrophe Fund, seeks to amend the rules listed above to implement Section 215.555, F.S.

SUMMARY: Form FHCF C-1, Company Contact Information, incorporated into Rule 19-8.029, F.A.C., and referred to in Rule 19-8.030, F.A.C., 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 as provided for in the Reimbursement Contract.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board has prepared a statement and found the cost of the proposed amendments to be minimal. 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: 215.555(3) FS.
LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), (16), (17) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tracy Allen, Senior Attorney, Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1341

THE FULL TEXT OF THE PROPOSED RULES IS:

- 19-8.029 Insurer Reporting Requirements.
 - (1) through (2)(a) No change.
 - (b) Commutation means that period of time which is not less than 36 months or more than 60 months after the end of the Contract Year during which the loss occurrence took place. The Reimbursement Contract, adopted and incorporated into Rule 19-8.010, F.A.C., may provide for voluntary commutation earlier than the 36 month period under certain circumstances.
 - (c) through (7) No change.
 - (8) Company Contact Information: Companies must submit Form FHCF C-1, Company Contact Information, rev. 05/09 ~~new 05/08~~, by June 1 of each Contract Year. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed ~~and notarized~~ FHCF C-1 from the Company. The form may be obtained from the Fund's Administrator at the address stated in subsection (6) above.

Rulemaking Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15) FS. History--New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09,_____.

- 19-8.030 Insurer Responsibilities.
 - (1) through (11) No change.
 - (12) Company Contact Information: Companies must submit Form FHCF-C1, Company Contact Information, by June 1 of each Contract Year to the FHCF Administrator, Paragon Strategic Solutions Inc., 8200 Norman Center Drive, Bloomington, Minnesota 55437. This form must be updated by the Company as the information provided thereon changes. The FHCF shall have the right to rely upon the information provided by the Company to the FHCF on this form until receipt by the FHCF of a new properly completed ~~and notarized~~ FHCF C-1 from the Company.

Rulemaking Specific Authority 215.555(3) FS. Law Implemented 215.555 FS. History--New 5-13-03, Amended 5-19-04, 5-29-05, 5-10-06, 5-8-07, 8-13-07, 6-8-08, 3-30-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009, Vol. 35, No. 11

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

RULE NO.: 41-2.002
RULE TITLE: Definitions
PURPOSE AND EFFECT: The amendments made to the rule brings the rule into compliance with the new legislative changes.
SUMMARY: The amendments made to the rule brings the rule into compliance with the new legislative changes.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed amendments would not have an impact on small business.

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: 476.064(4) FS.
LAW IMPLEMENTED: 455.225(3) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bobby Jernigan, Interim Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

- 41-2.002 Definitions.
- For purposes of this rule chapter, the following definitions will apply:
 - (1) No change.
 - (2) ~~“Annual Budget Estimate” means a budget estimate of funding resources available for providing transportation services to the transportation disadvantaged, and which is prepared annually to cover a period of one state fiscal year. The estimate shall identify local, state, and federal government transportation disadvantaged funds available from all agencies and local and federal transportation disadvantaged funds from the Official Planning Agency.~~

~~(2)(3)~~ “Coordination Contract” means a written contract between the Community Transportation Coordinator and an agency who receives transportation disadvantaged funds and performs some, if not all, of its own transportation services, as well as transportation services to others, when shown to be more effective and more efficient from a total system perspective. The contract reflects the specific terms and conditions that will apply to those agencies who perform their own transportation, as well as joint utilization and cost provisions for transportation services to and from the community transportation coordinator.

~~(3)(4)~~ “Designated Official Planning Agency” means the official body or agency designated by the Commission to fulfill the functions of transportation disadvantaged planning in areas not covered by a Metropolitan Planning Organization. The Metropolitan Planning Organization shall serve as the designated official planning agency in areas covered by such organizations.

~~(4)(5)~~ “Designated Service Area” means a geographical area recommended by a designated official planning agency, subject to approval by the Commission, which defines the community where coordinated transportation services will be provided to the transportation disadvantaged.

~~(5)(6)~~ “Emergency” means any occurrence, or threat thereof, whether accidental, natural or caused by man, in war or in peace, which results or may result in substantial denial of transportation services to a designated service area for the transportation disadvantaged population.

~~(6)(7)~~ “Emergency Fund” means transportation disadvantaged trust fund monies set aside to address emergency situations and which can be utilized by direct contract, without competitive bidding, between the Commission and an entity to handle transportation services during a time of emergency.

~~(7)(8)~~ “Florida Coordinated Transportation System” (FCTS) means a transportation system responsible for coordination and service provisions for the transportation disadvantaged as outlined in Chapter 427, Florida Statutes.

~~(8)(9)~~ “Local Government” means an elected and/or appointed public body existing to coordinate, govern, plan, fund and administer public services within a designated, limited geographic area within the state.

~~(9)(10)~~ “Local Government Comprehensive Plan” means a plan that meets the requirements of Sections 163.3177 and 163.3178, Florida Statutes.

~~(10)(11)~~ “Memorandum of Agreement” is the state contract for transportation disadvantaged services purchased with federal, state or local government transportation disadvantaged funds. This agreement is between the Commission and the Community Transportation Coordinator and recognizes the Community Transportation Coordinator as

being responsible for the arrangement of the provision of transportation disadvantaged services for a designated service area.

~~(11)(12)~~ “Public Transit” means the transporting of people by conveyances or systems of conveyances, traveling on land or water, local or regional in nature, and available for use by the public. Public transit systems may be governmentally or privately owned. Public transit specifically includes those forms of transportation commonly known as “paratransit”.

~~(12)(13)~~ “Regional Planning Council (RPC)” means the organization created under the provisions of Section 186.504, Florida Statutes.

~~(13)(14)~~ “Reserve Fund” means transportation disadvantaged trust fund monies set aside each budget year to insure adequate cash is available for incoming reimbursement requests when estimated revenues do not materialize.

~~(14)(15)~~ “State Fiscal Year” means the period from July 1 through June 30 of the following year.

~~(15)(16)~~ “Transportation Disadvantaged Service Plan” means an annually updated plan jointly developed by the designated official planning agency and the Community Transportation Coordinator which contains a development plan, service plan, and quality assurance components. The plan shall be approved and used by the local Coordinating Board to evaluate the Community Transportation Coordinator.

~~(16)(17)~~ “Transportation Operator” means one or more public, private for profit or private nonprofit entities engaged by the community transportation coordinator to provide service to transportation disadvantaged persons pursuant to a coordinated transportation development plan.

~~(17)(18)~~ “Transportation Operator Contract” means a written contract between the Community Transportation Coordinator and the Transportation Operators, as approved by the Commission, that outlines the terms and conditions for any services to be performed.

~~(18)(19)~~ “Trust Fund” means the Transportation Disadvantaged Trust Fund authorized in Section 427.0159, Florida Statutes, and administered by the Commission.

Rulemaking Specific Authority 427.013(9) FS. Law Implemented 427.011-427.017 FS. History—New 5-2-90, Amended 6-17-92, 1-4-94, 7-11-95, 5-1-96, 10-1-96, 3-10-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Commission for the Transportation Disadvantaged

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

**COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED**

RULE NO.: 41-2.007
 RULE TITLE: Reporting Requirements

PURPOSE AND EFFECT: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board determined that the proposed amendments would not have a impact on small business.

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: 476.013(9) FS.

LAW IMPLEMENTED: 427.012(8), 427.013(3), (7), (8), (9), (12), (13), (16), 427.0135(1), 427.015(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bobby Jernigan, Interim Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.007 Reporting Requirements.

(1) Each state agency shall identify in the legislative budget request provided to the Governor each year for the General appropriations Act the specific amount of money the purchasing agency will allocate to provide transportation disadvantaged services provide to the Commission prior to each state fiscal year, an estimate of all transportation disadvantaged funds anticipated to be available to each state agency's state fiscal year budget. The estimate shall include the following information identified by county:

- (a) ~~A brief description of the project or program;~~
 - (b) ~~The dollar amount of transportation disadvantaged funds reported by categories of Coordinated, Non-Coordinated, Transportation Alternatives, or Other; and~~
 - (c) ~~The estimated number of one-way passenger trips to be provided by categories of Coordinated, Transportation Alternatives, or Other.~~
- (2) through (9) No change.

Rulemaking Specific Authority 427.013(9) FS. Law Implemented 427.012(8), 427.013(3), (7), (8), (9), (12), (13), (16), 427.0135(1), 427.015(1) FS. History—New 5-2-90, Amended 6-17-92, 11-17-92, 1-4-94, 7-11-95, 5-1-96, 3-10-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Commission for the Transportation Disadvantaged

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

**COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED**

RULE NO.: 41-2.0162
 RULE TITLE: Chronological Listing of Report Dates

PURPOSE AND EFFECT: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY: The amendments made to the rule brings the rule into compliance with the new legislative changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board determined that the proposed amendment would not have an impact on small business.

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: 476.013(9) FS.

LAW IMPLEMENTED: 476.013 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bobby Jernigan, Interim Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0405

THE FULL TEXT OF THE PROPOSED RULE IS:

41-2.0162 Chronological Listing of Report Dates.

The following reports are listed in chronological order by due date and the recipient of the report:

- (1) No change.
- (2) ~~June 30 — Annual Budget Estimates due from State Agencies and Official Planning Agencies.~~
- (2)(3) September 15 – Annual Operating Report of Community Transportation Coordinator due to Commission.
- (3)(4) September 15 – Transportation Improvement Programs in urbanized areas due to Commission.

~~(4)(5)~~ September 15 – Annual report of the actual amount of funds expended and trips purchased due from each state agency.

~~(5)(6)~~ September 15 – Annual report accounting for all local government and direct federal funds for transportation for the disadvantaged expended in its jurisdiction due from each designated official planning agency or metropolitan planning organization.

Rulemaking Specific Authority 427.013(9) FS. Law Implemented 427.013 FS. History–New 6-17-92, Amended 6-15-93, 1-4-94, 7-11-95, 5-1-96, 3-10-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Commission for the Transportation Disadvantaged
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commission for the Transportation Disadvantaged
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 13, 2009

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-9.060 Utilization Control in Institutional Care Facilities

PURPOSE AND EFFECT: The purpose is to repeal Rule 59G-9.060, F.A.C., Utilization Control in Institutional Care Facilities, because it is obsolete. The institutional care facility policies for Medicaid are governed by the institutional-specific Medicaid rules in Chapter 59G-4, F.A.C. The Health Quality Assurance institutional licensure policies are governed by the licensure rules in Chapter 59A, F.A.C. The effect will be to repeal Rule 59G-9.060, F.A.C., Utilization Control in Institutional Care Facilities.

SUMMARY: The purpose is to repeal Rule 59G-9.060, F.A.C., Utilization Control in Institutional Care Facilities, because it is obsolete.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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: 409.919 FS.

LAW IMPLEMENTED: 409.026(1), (6), 409.266 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, May 27, 2009, 1:00 p.m.
PLACE: Agency for Health Care Administration, Building 3, Conference Room 2316, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Girard, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407; (850)488-9711; girardk@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-9.060 Utilization Control in Institutional Care Facilities.

Rulemaking Specific Authority 409.266(15) FS. Law Implemented 409.026(1), (6), 409.266 FS. History–Revised 7-16-79, Amended 7-5-81, 1-2-84, 10-15-85, Formerly 10C-7.58, Amended 12-21-87, 5-17-90, Formerly 10C-7.058, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Girard
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2009

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement – Local Retirement

RULE NO.: RULE TITLE:
60T-1.005 Review of Actuarial Reports and Actuarial Impact Statements

PURPOSE AND EFFECT: The purpose is to repeal Rule 60T-1.005, F.A.C., Review of Actuarial Reports and Actuarial Impact Statements.

SUMMARY: The proposed repeal of this rule is prompted by the substantial changes the Legislature has made to Section 112.63(4), F.S.

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

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

RULEMAKING AUTHORITY: 112.665(1) FS.

LAW IMPLEMENTED: 112.661(9), 112.61, 112.625, 112.63, 112.665, 112.64, 112.661(9) 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 26, 2009, 9:00 a.m.

PLACE: Division of Retirement, 1317 Winewood Blvd, Bldg. 8, Room 205, Tallahassee, FL 32399-1560

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: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560; (850)488-5706. 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: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560; (850)488-5706

THE FULL TEXT OF THE PROPOSED RULE IS:

60T-1.005 Review of Actuarial Reports and Actuarial Impact Statements.

Rulemaking Specific Authority 112.665(1) (e) FS. Law Implemented 112.63 FS. History–New 5-6-81, Formerly 22D-1.05, 22D-1.005, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Gary Green

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David Faulkenberry, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: 61G3-21.012 RULE TITLE: Notice of Non-Compliance

PURPOSE AND EFFECT: The proposed rule amendment requires the consumer laminate and display their license until the license is inactive.

SUMMARY: The proposed rule amendment imposes penalties on licensees who do not laminate their licenses accordance with Rule 61G3-19.009, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Costs has been prepared. The Board determined the proposed change to the rule is not expected to have an impact on small businesses, unless a citation is issued for non-compliance.

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: 476.064(4) FS.

LAW IMPLEMENTED: 455.225(3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-21.012 Notice of Non-Compliance.

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

(c) Rule 61G3-19.009, F.A.C. – failure to laminate and display license as long as license is current.

(d) through (2) No change.

Rulemaking Specific Authority 476.064(4) FS. Law Implemented 455.225(3) FS. History–New 12-22-94, Amended 2-14-96, 5-1-96, 11-6-97,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers’ Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbers’ Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 3, 2008

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 Chiropractic

RULE NO.: 64B2-11.001 RULE TITLE: Application for Licensure Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the application form by reference and to update the requirements for the licensure examination.

SUMMARY: The application form will be incorporated into the rule and the requirements for the licensure examination will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 460.405, 460.406 FS.

LAW IMPLEMENTED: 460.406 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-11.001 Application for Licensure Examination.

(1) Any person desiring to be licensed as a chiropractor shall apply to the Department of Health to take the licensure examination. ~~The application shall be made on board approved form DH-MQA 1147, (Rev 11/08), Application for Chiropractic Examination and Initial Licensure prepared and furnished by the Department, which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.~~

(2) ~~The licensure examination approved by the Board for licensure are the examinations developed and administered by the National Board of Chiropractic Examiners (hereafter NBCE) which consist of the Parts I, II, and III of the written examination, and beginning July 1, 2009, the Physiotherapy examination and Part IV, the practical examination; and the examination developed and administered by the Department of Health which measures and applicant's knowledge of Chapters 456 and 460, F.S., and the rules promulgated thereunder ("laws and rules examination"). A score of three hundred seventy-five (375) shall be necessary on each section of Parts I, II, III, and IV of the National Board Written Examination. A score of three hundred seventy-five (375) shall be necessary on the Physiotherapy Examination. A score of seventy-five percent (75%) is required on the Department of Health laws and rules examination. The board shall certify to the Department as eligible for to take the licensure examination only those applicants who have completed the application form, remitted the application and examination fee required by Chapter 64B2-12, F.A.C., to the Department and who have demonstrated to the Board the they:~~

(a) Are at least eighteen (18) years of age;

~~(b) Have completed, prior to matriculation in a chiropractic college, the equivalent of sixty (60) semester hours of resident college work toward a baccalaureate degree at a college or university accredited by an accrediting agency recognized and approved by the United State Department of Education, or for those who matriculate in a chiropractic college on or after July 1, 1990, shall have been granted, prior to being certified by the board to sit for the examination a bachelor's degree based upon four (4) academic years of study by a college or university accredited by a regional accrediting agency which is a member of the Commission on Recognition of Post-secondary Accreditation, Effective July 1, 2000, completed, prior to matriculation in a chiropractic college, at least three (3) years of residence college work, consisting of a minimum of ninety (90) semester hours leading to a bachelor's degree in a liberal arts college or university accredited by an accrediting agency recognized and approved by the United States Department of Education. Applicants who matriculated in a chiropractic college after July 1, 2000, shall have been granted a bachelor's degree from an institution holding accreditation for that degree from a regional accrediting agency which is recognized by the United States Department of Education. The applicant's chiropractic degree must consist of credits earned in the chiropractic program and may not include academic credit for courses from the bachelor's degree. matriculation is defined as a student who is registered and enrolled in a chiropractic college;~~

~~(c) Are graduates of a chiropractic college which accredited by or has status with the Council on Chiropractic Education or its predecessor Department;~~

~~(d) Shall have successfully completed and passed the examination developed and administered by the National Board of Chiropractic Examiners (hereafter NBCE) which consists of the written examination and the Written Clinical Competency Examination, A sealed score of seventy-five (75) shall be necessary on each section of Part I, II and III, of the National Board Written Examination and a sealed score of seventy-five (75) shall be necessary on the Written Clinical competency Examination. These examinations shall be successfully completed within ten (10) years immediately preceding application to the department for licensure.~~

(3) In order that the Board may timely certify to the Department of Health those applicants eligible for licensure, ~~to take the examination~~, all applications, fees, and supporting documentation including transcripts, NBCE examination results, fingerprint card, verification of licensure from other jurisdictions and, if applicable, certified copies of court records evidencing a criminal conviction, plea, or other disposition, must be on file with the Board no later than March 1st of each year for those candidates applying for the May Examination and September 1st for the November examination.

(4) Upon written request from an applicant, the Department shall provide a translated version of the laws and rules examination into a language other than English. If no such translated examination exists however, the Department shall require the applicant to pay the cost of the translation before employing translators to perform the task.

Rulemaking Specific Authority 460.405, 460.406 FS. Law Implemented 460.406 FS. History—New 1-10-80, Amended 3-15-81, 10-10-85, Formerly 21D-11.01, Amended 2-19-86, 10-6-86, 1-28-87, 2-1-88, 4-19-89, 12-31-89, 5-7-90, 7-8-90, 7-15-91, 2-2-93, Formerly 21D-11.001, Amended 4-18-94, Formerly 61F2-11.001, Amended 2-20-95, Formerly 59N-11.001, Amended 11-4-98, 3-23-00, 2-3-08,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2009

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-13.004
RULE TITLE: Continuing Education
PURPOSE AND EFFECT: The Board proposes the rule amendment in order to include additional ways of earning continuing education credits.
SUMMARY: Additional ways of obtaining continuing education credits will be included in the rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.
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: 456.025(7), 460.408(3) FS.
LAW IMPLEMENTED: 456.013(6), 456.025(7), 456.036(10), 460.408 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) through (10) No change.

(11) In addition to the continuing chiropractic education credits authorized above, test examiners who have passed their trainee period and were used by the Department during the biennium and test consultants who assist the department in writing and reviewing the questions for the laws and rules examination will receive two eight hours of laws and rules continuing education credit for the biennium.

(12) In addition to the continuing chiropractic education credits authorized above, former Board members will receive thirteen eight hours of continuing education credit for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation per biennium for annual service on a Probable Cause Panel.

(13) Board members shall receive thirteen hours of continuing education for the required hours in laws and rules, risk management, prevention of medical errors, boundaries and ethics, and record-keeping and documentation credit for each full or partial biennium served ~~the two risk management hours that relate to the laws and rules of the Board during their~~ on the Board.

Rulemaking Specific Authority 456.025(7), 460.408(3) FS. Law Implemented 456.013(6), 456.025(7), 456.036(10), 460.408 FS. History—New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03, 4-17-05, 11-14-06, 11-13-07,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 20, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-3.001
RULE TITLE: General Requirements of Clinical Laboratory Personnel Training Programs

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate: (1) a new form to be utilized by applicants seeking approval to be clinical laboratory personnel training programs; (2) a new form for the self study document required of clinical laboratory personnel training programs; and (3) a new form for reporting a trainee’s status change.

SUMMARY: Rule 64B3-3.001, F.A.C., sets forth the requirements imposed on Clinical Laboratory Personnel Training Programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 483.805(4), 483.811(2) FS.

LAW IMPLEMENTED: 483.800, 483.809, 483.811 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs.

(1) Each clinical laboratory personnel training program, hereinafter referred to as program, shall be approved by the Board of Clinical Laboratory Personnel and pay the fee set forth in subsection 64B3-9.001(3)(8), F.A.C. An applicant for approval shall apply to the Department on Form # DH-MQA 3007 (11/08) "Training Program Instructions" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>.

(2) No change.

(3)(a) Programs shall submit a self study at the time of the initial application and shall update the self study within six (6) months of any major change in curriculum, sponsorship, faculty, student enrollment or clinical sites. The self study shall be submitted to the Department on Form #DH-MQA 1167 (11/08) "Clinical Laboratory Training Program Self Study Document for Programs not Nationally Accredited" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html> ~~document shall be prepared on a form provided by the Department entitled "Clinical Laboratory Training Program Self Study Document," DH1261-10/98, effective 1-11-99 which is hereby incorporated by reference and may be obtained from the Board office.~~ If the program is accredited by the National Accrediting Agency for Clinical Laboratory Science (NAACLS), the

Council on Accreditation of Allied Health Education Programs (CAAHEP), or the Accrediting Bureau of Health Education Schools (ABHES), proof of accreditation may be substituted in lieu of the self study document.

(b) No change.

(4) All trainee's names shall be reported to the Board upon acceptance into the clinical laboratory personnel training program and at the time of the program's biennial renewal. The program director shall also report to notify the Board when a trainee withdraws. These reports shall be submitted to the Board on Form # DH-MQA 1166 (revised 11/08) "Notice of Trainee Status Change" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>.

(5) through (6) No change.

~~Rulemaking Specific~~ Authority 483.805(4), 483.811(2) FS. Law Implemented 483.800, 483.809, 483.811 FS. History--New 12-28-94, Amended 7-12-95, 4-24-96, Formerly 59O-3.001, Amended 1-11-99, 11-15-99, 9-29-02, 2-2-04, 12-5-04, 2-23-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-4.001 RULE TITLE: Trainee Registration

PURPOSE AND EFFECT: The purpose of this amendment is to: (1) incorporate a new form to be utilized by applicants seeking trainee registration; (2) move the language setting forth the requirements imposed on trainees and trainee applicants; (3) incorporate a new form to be utilized for requesting an extension of trainee registration; and (4) amend the language governing the circumstances under which a trainee registration may be extended beyond its expiration date. SUMMARY: The proposed rule will govern how applicants become registered for enrollment in a clinical laboratory training program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 483.805(4) FS.

LAW IMPLEMENTED: 483.809(3), 483.811(2), (3), (4), 483.825 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-4.001 Trainee Registration.

(1) No change.

(2) An applicant for trainee registration shall apply to the Department on Form # DH-MQA 3005 (11/08) "Clinical Laboratory Trainee" forms DH 1083 (10/97), Clinical Laboratory Trainee Application, effective 2-15-01, which is incorporated by reference herein copies of which, and which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 Department or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html> www.DOH.state.fl.us/mqa.

(3) Upon graduation from a Board approved training program, a student who intends to work in a laboratory licensed under Chapter 483, Part I, Florida Statutes, shall apply for licensure.

(4) Individuals enrolled in a Board-approved histology program shall be issued a two-year trainee registration.

(5) All trainee applicants shall submit either a certified copy of a high school diploma or its equivalent, or an official transcript sent directly to the Department.

~~(6)(3) If the trainee is unable to complete the training by the date indicated on the application for initial registration due to the reasons set forth in subsection (7), then the training program coordinator must submit to the Board of Clinical Laboratory Personnel Form # DH-MQA 1165 (11/08) "Request to Extend Trainee Registration" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>, based on extenuating circumstances such as the applicant's surgery, serious illness or injury, hospitalization, pregnancy or a death in the applicant's family, a letter must be submitted from the training program coordinator to the Board of Clinical Laboratory Personnel explaining the reasons. Failure to submit such a letter shall result in a denial of the request for renewal.~~

~~(7)(4) Trainee registration may not be extended beyond its expiration date except upon recommendation of the program director and approval by the Board based upon one of the following circumstances:~~

~~(a) Approved training program failed to commence on the date indicated in the training program's application for approval.~~

~~(b) Trainee withdrew from approved training program and reentered the same or another approved training program at a later date.~~

~~(c) Training program ceases to operate after trainee's registration.~~

~~(d) Trainee is unable to complete the approved program requirements prior to the expiration date of the trainee's registration because of extenuating circumstances.~~

~~(5) Upon graduation from a Board approved training program, a student who intends to work in a laboratory licensed under Chapter 483, Part I, Florida Statutes, shall apply for licensure. Individuals enrolled in a Board approved histology program shall be issued a two year trainee registration.~~

~~(6) All trainee applicants shall submit either a certified copy of a high school diploma or its equivalent, or an official transcript sent directly to the Department.~~

~~Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.809(3), 483.811(2), (3), (4), 483.825, 483.827 FS. History--New 7-20-93, Formerly 21KK-4.001, 61F3-4.001, Amended 4-10-96, 7-3-97, Formerly 59O-4.001, Amended 3-19-98, 2-15-01, 3-24-02, 3-30-04, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NOS.:	RULE TITLES:
64B3-5.002	Supervisor
64B3-5.003	Technologist
64B3-5.007	Director; Limitations and Qualifications
64B3-5.008	Public Health Laboratory Personnel

PURPOSE AND EFFECT: The purpose of this notice is to: (1) incorporate a new version of the application form for those seeking licensure as Public Health Laboratory Scientists; (2) require those seeking initial licensure as a Clinical Laboratory Director to complete a 2-hour course on the prevention of medical errors; (3) amend the requirements for those seeking

licensure as Public Health Laboratory Personnel; (4) add molecular pathology as a specialty for technicians; and (5) require that those seeking licensure as Clinical Laboratory Supervisors, Technologists, Technicians, or Directors complete a course on HIV/AIDS.

SUMMARY: The proposed rules: (1) incorporate a new version of the application form for those seeking licensure as Public Health Laboratory Scientists; (2) require those seeking initial licensure as a Clinical Laboratory Director to complete a 2-hour course on the prevention of medical errors; (3) amend the requirements for those seeking licensure as Public Health Laboratory Personnel; (4) add molecular pathology as a specialty for technicians; and (5) require that those seeking licensure as Clinical Laboratory Supervisors, Technologists, Technicians, or Directors complete a course on HIV/AIDS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.800, 483.809, 483.811(2), 483.812, 483.815, 483.823, 483.824 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

(1) Qualification. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or by foreign education equated pursuant to subsection 64B3-6.002(6), F.A.C. In order to be licensed as a supervisor, an applicant shall be licensed or meet the requirements for licensure as a technologist, ~~and~~ have a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, patient safety, complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome, and one of the following:

- (a) through (f) No change.
- (2) through (4)(i) No change.

Rulemaking Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 59O-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 5-23-02, 10-14-02, 9-16-03, 4-20-04, 2-23-06, 5-25-06, 7-9-07, 2-7-08, _____.

64B3-5.003 Technologist.

(1) Technologist Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to subsection 64B3-6.002(6), F.A.C. Applicants for technologist licensure in the categories of microbiology, serology/immunology, chemistry, hematology, immunohematology, histocompatibility, blood banking, cytology, cytogenetics, histology, molecular pathology, andrology and embryology shall have a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety, and such applicants shall complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome.

- (2) through (3)(h) No change.

Rulemaking Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 59O-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, 10-29-02, 8-16-04, 5-15-05, 12-19-05, 5-25-06, 7-9-07, 2-7-08, _____.

64B3-5.007 Director; Limitations and Qualifications.

(1) All applicants for a Director license must have the qualifications for a High Complexity Laboratory Director, listed in 42 CFR 493.1443 as published on October 1, 2007, and complete a Board-approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety. Such applicants shall also complete an educational course acceptable to the Department on human immunodeficiency virus and acquired immune deficiency syndrome.

- (2) No change.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.823(1), 483.824 FS. History—New 6-6-85, Formerly 10D-41.67, Amended 3-11-90, Formerly 10D-41.067, Amended 7-1-97, Formerly 59O-5.007, Amended 5-26-98, 3-2-99, 3-24-02, 10-14-02, 4-20-04, 2-23-06, 3-17-08, _____.

64B3-5.008 Public Health Laboratory Personnel.

(1) Applicants for director level licensure in the category of public health must meet the requirements in Rule 64B3-5.007, F.A.C., for licensees at the Director level in chemistry or microbiology who are registered by the National

~~Registry in Clinical Chemistry or the American Society for Microbiology shall pass the supervision and administration examination.~~

~~(2) Applicants for supervisor level licensure in the category of public health must meet the requirements in Rule 64B3-5.002, F.A.C., for licensure at the supervisory level who are registered by the National Registry in Clinical Chemistry or the American Society for Microbiology at the technologist level shall pass the supervision and administration examination.~~

(3) No change.

(4) All applicants for licensure as a Public Health Laboratory Scientist shall apply to the Department on Form # DH-MQA 3001 (11/08) "Applicant for Public Health Laboratory Scientist" which is incorporated by reference herein, copies of which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html>.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.809(2), 483.812 FS. History--New 5-26-98, Amended 4-20-04,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NOS.: RULE TITLES:
64B3-6.001 Manner of Application
64B3-6.002 Documentation for Licensure

PURPOSE AND EFFECT: The purpose of this notice is to amend Rule 64B3-6.001, F.A.C., in order to: (1) incorporate an amended version of an application form; and (2) set forth a more precise statutory citation which makes the disclosure of social security numbers mandatory. This notice is also intended to amend Rule 64B3-6.002, F.A.C., in order to clarify the type of supporting documentation that must be submitted with licensure applications.

SUMMARY: Rule 64B3-6.001, F.A.C., sets forth the manner by which applicants can apply for licensure as Clinical Laboratory Personnel Directors, Supervisors, Technologists, or Technicians. Rule 64B3-6.002, F.A.C., describes the type of documentation that must be submitted with licensure applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 483.805(4) FS.

LAW IMPLEMENTED: 456.013, 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULES IS:

64B3-6.001 Manner of Application.

(1) All applicants for licensure as a Clinical Laboratory Personnel Director, Supervisor, Technologist, or Technician shall apply to the Department on Form # DH-MQA 3000 (11/08) "Application for Clinical Laboratory Personnel Director, Supervisor, Technologist, and Technician" All persons applying for licensure shall submit an application signed under oath to the Board on Form #DH-MQA3000 10/99, Application for Clinical Laboratory Licensure which is incorporated by reference herein, copies of which and which can be obtained from the Board office at 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 Department or from its website at <http://www.doh.state.fl.us/mqa/ClinLab/index.html> the web address www.doh.state.fl.us/mqa. The application must be accompanied by the appropriate application fee required by Rule 64B3-9.001, F.A.C.

(2) No change.

(3) With regard to persons who have been issued a social security number by the Federal Government, disclosure of a social security number is mandatory pursuant to Section 456.013(1)(a), F.S. Sections 456.004(9), 409.2577 and 409.2598, F.S., and social security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations.

Rulemaking Specific Authority 456.013, 483.805(4) FS. Law Implemented 456.013, 483.815, 483.823 FS. History--New 12-29-93, Formerly 61F3-6.001, Amended 5-29-95, 8-1-95, Formerly 59O-6.001, Amended 8-27-97, 9-20-98, 1-5-00, 3-24-02, 4-13-04,

64B3-6.002 Documentation for Licensure.

The following is a list of acceptable documents which shall be submitted to the Board as appropriate for the type of license sought in order to show eligibility for the license:

- (1) Official transcript sent directly from the institution.
- (2) A civil notarized ~~Notarized~~ copy of high school diploma.
- (3) Certified copy of a diploma, training certificate or Department of Defense form DD-214 or any other document which verifies pertinent education and experience.
- (4) A civil notarized ~~Notarized~~ copy of certificate of attendance or ~~notarized~~ documentation of training required pursuant to Chapters 64B3-4 and 64B3-3, F.A.C., and continuing education required pursuant to Chapter 64B3-11, F.A.C., including HIV/AIDS continuing education, and the 2-hour course on medical error prevention.
- (5) Civil notarized ~~Certified~~ copies of documents of foreign education and translation, if appropriate.
- (6) Foreign credentials evaluation which includes a breakdown of all college level courses by credit hours and subject sent directly to the board office by one of the following evaluators:
 - (a) A regionally accredited U.S. college or university.
 - (b) American Society for Clinical Pathology Board of Registry.
 - (c) National Accrediting Agency for Clinical Laboratory Sciences.
 - (d) Center for Applied Research, Evaluation & Education, Inc.
 - (e) Foundation for International Services, Inc.
 - (f) Educational Credential Evaluators, Inc.
 - (g) International Consultants of Delaware, Inc.
 - (h) Education Evaluators International, Inc.
 - (i) International Education Research Foundation, Inc.
 - (j) Education International.
 - (k) Josef Silney & Associates International Educational Consultants.
 - (l) Foreign Academic Credentials Services, Inc.
 - (m) World Education Services, Inc.
- (7) Individuals with a baccalaureate degree in accredited medical technology programs from accredited institutions in the Philippines need only submit official transcripts sent directly by the institution to the Board office. No foreign credentials evaluation is necessary.
- (8) Applicants with a degree from a regionally accredited U.S. college or university whose major is not a chemical or biological science may submit an evaluation of the applicant's academic record from the chairperson of a chemical or biological science department of a regionally accredited U.S. college or university to demonstrate that the applicant's education is equivalent to a U.S. degree in the chemical or biological sciences.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.815, 483.823 FS. History—New 1-9-94, Amended 7-13-94, Formerly 61F3-6.002, Amended 12-28-94, 5-29-95, Formerly 59O-6.002, Amended 8-27-97, 10-14-02, 4-13-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Clinical Laboratory Personnel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-9.0035
RULE TITLE: Additional Specialty Fee
PURPOSE AND EFFECT: The purpose of this new rule is to impose a \$25.00 fee on those clinical laboratory personnel licensees seeking to add a specialty to an existing license.
SUMMARY: The proposed rule imposes a \$25.00 fee on those clinical laboratory personnel licensees seeking to add a specialty to an existing license.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.
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: 456.025(3), 483.805(4), 483.807(1) FS.
LAW IMPLEMENTED: 456.025, 483.807(1) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-9.0035 Additional Specialty Fee.
The fee for adding a specialty to an existing license shall be \$25.00.
Rulemaking Authority 456.025(3), 483.805(4), 483.807(1) FS. Law Implemented 456.025, 483.807(1) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-9.008
RULE TITLE: Request to Extend Trainee Registration

PURPOSE AND EFFECT: The purpose of this new rule is to impose a \$25.00 fee on those clinical laboratory personnel trainees seeking to extend their registration.

SUMMARY: The proposed rule would impose a \$25.00 fee on those clinical laboratory personnel trainees seeking to extend their registration.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 456.025(3), 483.805(4), 483.807 FS.

LAW IMPLEMENTED: 456.025, 483.807(1), 483.809(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-9.008 Request to Extend Trainee Registration.
The fee for extending trainee registration shall be \$25.00.
Rulemaking Authority 456.025(3) FS. Law Implemented 483.807(1), 483.809(3) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-9.011
RULE TITLE: Delinquency Fee

PURPOSE AND EFFECT: The purpose of this notice is to amend Rule 64B3-9.011, F.A.C., so that the fee for a delinquent licensee applying for active or inactive status shall be equal to the applicable renewal set forth in Rule 64B3-9.004, F.A.C.

SUMMARY: The amended rule will establish that the fee for a delinquent licensee applying for active or inactive status shall be equal to the applicable renewal fee set forth in Rule 64B3-9.004, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 456.025, 456.036, 483.807(1) FS.

LAW IMPLEMENTED: 456.025, 456.036, 483.807 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-9.011 Delinquency Fee.
The fee for a delinquent licensee applying for active or inactive status shall be equal to the renewal fee set forth in Rule 64B3-9.004, F.A.C. \$100.

Rulemaking Specific Authority 456.025, 456.036, 483.807(1) FS. Law Implemented 456.025, 456.036, 483.807 FS. History—New 12-26-94, Formerly 59O-9.011, Amended 5-26-98, 9-6-00, 2-24-04,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-11.001
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The purpose of this amendment is to change the type of documentation that must be submitted by licensees when the Department is conducting an audit to verify compliance with the continuing education requirement.

SUMMARY: Rule 64B3-11.001, F.A.C., sets forth provisions governing the continuing education requirement that must be satisfied by Clinical Laboratory Personnel.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Costs was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 456.013, 483.821 FS.

LAW IMPLEMENTED: 456.013, 483.821 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-11.001 Continuing Education.

(1) through (6)(d) No change.

(7) A random sample of licensees shall be audited by the Department to determine compliance with the continuing education requirement. Within 30 calendar days of notification of selection, licensees selected for audit shall submit to the Department ~~a~~ an original or certified copy of each certificate of attendance provided to the licensee under subsection 64B3-11.003(5), F.A.C., since the date of the last license renewal.

(8) through (9) No change.

Rulemaking Specific Authority 483.805(4) FS. Law Implemented 483.815, 483.823 FS. History—New 1-9-94, Amended 7-13-94, Formerly 61F3-6.002, Amended 12-28-94, 5-29-95, Formerly 59O-6.002, Amended 8-27-97, 10-14-02, 4-13-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-25.001
 RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: The proposed rule amendment is to adopt and incorporate by reference a new Application for Licensure.

SUMMARY: The rule amendment adopts and incorporates a new application for licensure which reflects changes to the application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared. The proposed changes do not impose additional costs on applicants or small business.

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: 456.013(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1)(c), 456.034, 480.041, 480.042 FS.

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

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: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256. 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: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.001 Examination Requirements.

(1) The Department shall issue a license to a person who:

(a) No change.

(b) Submits a completed application on form DH-MQA 1115, "Application For Licensure," (Rev. 7/08 ~~4/07~~). The form and the attached instructions are incorporated herein by reference and may be obtained from the Board Office at 4052

Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399 or from the website located at <http://www.doh.state.fl.us/mqa/massage/>.

- (c) through (f) No change.
- (2) No change.

Rulemaking Specific Authority 456.013(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.042(1) FS. Law Implemented 456.013(7), 456.017(1)(c), 456.034, 480.041, 480.042 FS. History—New 11-27-79, Amended 9-2-80, 10-9-85, Formerly 21L-25.01, Amended 12-22-92, 3-24-93, 5-20-93, Formerly 21L-25.001, Amended 8-12-93, 6-28-94, 8-18-96, Formerly 61G11-25.001, Amended 5-20-98, 7-30-02, 3-31-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2009

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-25.004
RULE TITLE: Endorsements

PURPOSE AND EFFECT: The proposed rule amendment is to adopt and incorporate by reference a new Application for Licensure.

SUMMARY: The rule amendment adopts and incorporates a new application for licensure which reflects changes to the application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared. The proposed changes do not impose additional costs on applicants or small business.

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: 456.013(2), 480.035(7), 480.041(4)(c) FS.

LAW IMPLEMENTED: 456.013(2), 480.041(4)(c) FS.

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

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: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06,

Tallahassee, Florida 32399-3256. 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: Kay Howerton, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.004 Endorsements.

(1) The Department shall issue a license by endorsement to a person who:

(a) Pays to the Department the initial licensure fee set forth in subsection 64B7-27.008(2), F.A.C.; and

(b) Submits a completed application on form DH-MQA 1115, "Application For Licensure," (~~Rev 7/08~~ ~~4/07~~). The form and the attached instructions are incorporated herein by reference and may be obtained from the Board Office at 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399 or from the website located at <http://www.doh.state.fl.us/mqa/massage/>; and

(c) Is currently licensed and has practiced massage under the laws of another state, and was required, in order to be so licensed to meet standards of education or apprenticeship training substantially similar to, equivalent to, or more stringent than those required for licensure by Florida law and these rules; and

(d) Demonstrates that his out-of-state license was issued upon the satisfactory completion of an examination comparable to the examination approved by the Board; and

(e) Has no outstanding or unresolved complaints filed against him or her in the jurisdiction of licensure.

(f) Completes a current curriculum course from a Board approved school covering the Florida Statutes and rules related to massage therapy.

(g) Completes the HIV/AIDS course requirement in Rule 64B7-25.0012, F.A.C.

(h) Completes a course relating to the prevention of medical errors as required by Section 456.013(7), F.S.

(2) The Department may interview an applicant for licensure by endorsement to determine whether he qualifies for such endorsement.

Rulemaking Specific Authority 456.013(2), 480.035(7), 480.041(4)(c) FS. Law Implemented 456.013(2), 480.041(4)(c) FS. History—New 11-27-79, Amended 7-9-80, 8-29-83, 10-9-85, Formerly 21L-25.04, Amended 6-12-88, 8-15-89, 2-11-93, Formerly 21L-25.004, Amended 9-15-94, 1-9-95, 8-18-96, 1-29-97, Formerly 61G11-25.004, Amended 6-22-99, 12-6-06, 3-31-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 24, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 16, 2009.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-9.002 RULE TITLE: Re-Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to adopt the Re-Examination Application and to provide the form number and the website address where the form can be downloaded.

SUMMARY: The rule amendment will adopt the Re-Examination Application and to provide the form number and the website address where the form can be downloaded.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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: 456.017(2), 484.005 FS.

LAW IMPLEMENTED: 456.017(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-9.002 Re-Examination

An applicant who fails any portion of the state examination for licensure shall be required to pay the re-examination fee as set forth in Rule ~~64B-1.016~~ ~~64B12-11.004~~, F.A.C., and to retake only that portion of the examination on which the applicant has not yet achieved a passing grade. However, an applicant may only retake any portion twice and must complete the allowed retakes within 2 years of the original failed examination date. An applicant who has not achieved a passing score on all portions of the original examination within 2 years of the original examination date must apply for and take the entire current licensure examination excluding ABO and NCLE, provided current certification is maintained. An applicant seeking to retake any portion of the state examination for licensure as described above shall submit to the Board a completed application on Form DH-MQA 1190, Re-Examination Application (revised 03/09), hereby adopted

and incorporated by reference, which can be obtained from the Board of Opticianry's website at www.doh.state.fl.us/mqa/opticianry.

Rulemaking Specific Authority 456.017(2), 484.005 FS. Law Implemented 456.017(2) FS. History--New 12-6-79, Amended 8-29-85, Formerly 21P-9.02, Amended 3-10-86, 3-5-87, Formerly 21P-9.002, Amended 5-2-94, Formerly 61G13-9.002, 59U-9.002, Amended 8-28-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 27, 2009

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-6.001 RULE TITLE: Continuing Education Requirement

PURPOSE AND EFFECT: The Board proposes the rule amendment to disallow Basic Life Support (BLS) classes as continuing education as it is too basic to constitute continuing education for respiratory care professional.

SUMMARY: The rule amendment will disallow Basic Life Support (BLS) classes as continuing education as it is too basic to constitute continuing education for respiratory care professional.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Allen Hall, Executive Director, at the address below.

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: 456.013(8), 468.361(2) FS.

LAW IMPLEMENTED: 468.361 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Respiratory Care Specialists/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-6.001 Continuing Education Requirement.
 (1) through (5) No change.

(6) A licensee needs twenty-four (24) hours of Continuing Education each biennium in order to renew a Respiratory Care License. None of these hours can be obtained by taking Basic Life Support (BLS) training.

Rulemaking Specific Authority 456.013(8), 468.361(2) FS. Law Implemented 468.361 FS. History--New 4-29-85, Formerly 21M-38.01, Amended 9-29-86, Formerly 21M-38.001, Amended 1-2-94, Formerly 61F6-38.001, Amended 11-1-94, Formerly 59R-75.001, Amended 6-9-99, Formerly 64B8-75.001, Amended 5-15-05, 10-28-07, 5-15-08.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Respiratory Care Specialists
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care Specialists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 20, 2009

**DEPARTMENT OF FINANCIAL SERVICES
Division of Consumer Services**

RULE NO.: 69J-7.003
RULE TITLE: Free Wind Inspection
PURPOSE AND EFFECT: Section 215.5586, F.S., created the My Safe Florida Home Program to provide free home inspections and grants to certain homeowners to undertake hurricane mitigation work on their homes.

SUMMARY: The proposed rule implements Section 215.5586, F.S., by setting forth the procedure for applying for a free wind inspection, the criteria for eligible homeowners, and the information required to be in the inspection report provided to the homeowner.

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

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

RULEMAKING AUTHORITY: 215.5586(6) FS.
LAW IMPLEMENTED: 215.5586 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 18, 2009, 2:00 p.m.
PLACE: Room 142, Larson Building, 200 E. 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; (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 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 FULL TEXT OF THE PROPOSED RULE IS:

69J-7.003 Free Wind Inspections.

(1) The process to apply for a free wind inspection is for a homeowner to apply on-line at <http://www.mysafefloridahome.com/NewApplicant.asp> or by telephone at 1(866)513-6734.

(2) The application for a free wind inspection will be approved if the homeowner lives in a single-family, site-built, detached home. Properties that are ineligible for a free wind inspection include mobile homes, manufactured homes, apartments, condominiums, multi-family dwellings and businesses.

(3) An application number will be assigned to each applicant. The application number will be utilized for identification purposes for all services in the My Safe Florida Home Program.

(4) If approved, the homeowner will be contacted by an approved inspection firm or inspector by telephone within three weeks to schedule the free inspection.

(5) As part of the inspection, the inspector will review any documents the homeowner has on their opening protections (such as shutters, impact resistant windows or garage door). The inspector will also review any documents in regards to roofs under five years old. If the inspector is unable to determine the wind protection rating or building code approval number of the existing shutters or roof shingles, and the homeowner is unable to provide documentation to substantiate this information, then the inspector will not be able to confirm that the homeowner has hurricane-rated opening protection or roof covering.

(6) The inspector will take photos of the applicant's home during the inspection if the inspector believes that the photos will facilitate the preparation of the inspection report.

(7) At the end of the inspection, the homeowner will be asked to sign a form verifying an inspection was conducted. After the inspection, the inspector shall send the homeowner a free inspection report within 45 days. The report shall include the following information:

(a) An outline of improvements that could be made to the home to increase resistance to hurricane wind damage;

(b) An estimate of how much each improvement would cost to complete;

(c) An estimate of insurance discounts that may be available, if insurance information was provided when applying for the inspection; and

(d) A hurricane resistance rating that shows the home's current ability, and future ability with improvements, to withstand hurricanes.

~~The standards and procedures for determination of eligibility for a free home inspection pursuant to Section 215.5586, F.S., are set forth in Florida Department of Financial Services Florida Comprehensive Hurricane Damage Mitigation Program My Safe Florida Home Program Homeowner's Guide to Free Home Inspections, Booklet 829-B, (Eff. 1/31/07), which is hereby incorporated by reference into this rule. The booklet may be obtained by contacting the Department's Division of Consumer Services at 1(800)342-2762 or it may be downloaded from the Department's website at <http://www.mysafefloridahome.com/>.~~

Rulemaking Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History--New 1-31-07, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ellen Simon, Chief Counsel, Division of Legal Services,
Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Alex Sink, Chief Financial Officer,
Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 8, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 13, 2009

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-6.009
RULE TITLE: Identification Tags-Acceptable
Materials, Locations, and Methods
of Affixing

PURPOSE AND EFFECT: Section 497.171, F.S., authorizes the Board to adopt rules specifying acceptable materials, locations, and methods to affix identification tags to caskets, alternative containers, cremation containers, outer burial containers, and cremation internment containers.

SUMMARY: The proposed rule amendment will add, as an acceptable material for an identification tag, the use of an electronic identification marker that uses a passive radio frequency signal to communicate between the marker and a hand held receiver to identify the deceased.

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

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

RULEMAKING AUTHORITY: 497.103(1)(n), (5)(a), 497.171 FS.

LAW IMPLEMENTED: 497.103(1)(n), 497.171 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 (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 18, 2009, 2:00 p.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 IS: Doug Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle S. E., Tallahassee, Florida 32399-0361; (850)413-3039

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-6.009 Identification Tags – Acceptable Materials, Locations, and Methods of Affixing.

(1) Caskets.

(a) Acceptable materials for an identification tag for a casket shall include only the following:

1. through 5. No change.

6. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) through (c) No change.

(2) Alternative Containers.

(a) Acceptable materials for an identification tag for an alternative container shall include only the following:

1. through 5. No change.

6. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) through (c) No change.

(3) Cremation Containers.

(a) Acceptable materials for an identification tag for a cremation container shall include only the following:

1. through 5. No change.

6. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) through (c) No change.

(4) Outer Burial Containers.

(a) Acceptable materials for a tag or permanent marker for outer burial containers shall include only the following:

1. through 3. No change.

4. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) No change.

(5) Cremation Interment Containers.

(a) Acceptable materials for a tag or permanent marker for cremation interment containers shall include only the following:

1. through 3. No change.

4. An electronic identification marker encased in plastic which uses a passive radio frequency signal to allow for communication between the marker and a hand held receiver, that will identify the deceased.

(b) No change.

Rulemaking Specific Authority 497.103(1)(n), (5)(a), 497.171 FS. Law Implemented 497.103(1)(n), 497.171 FS. History--New 2-6-07, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Doug Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Funeral, Cemetery, and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 8, 2009

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

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:
6A-6.0907

RULE TITLE:
Inservice Requirements for
Personnel of Limited English
Proficient Students

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. 5, February 6, 2009 issue of the Florida Administrative Weekly.

Paragraph (1)(a) is amended to read:

(1)(a) Any teacher using ESOL strategies to teach mathematics, science, social studies, or computer literacy assigned to instruct English Language Learners on September 15, 1990, or for the first time in any given school year thereafter shall complete at least sixty points of inservice training or three semester hours of college credit in methods of teaching English to speakers of other languages, ESOL curriculum and materials development, cross-cultural communications and understanding, and ~~or~~ testing and evaluation of ESOL by September 15 of the following year.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.:
33-501.401

RULE TITLE:
Admissible Reading Material

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.

33-501.401 Admissible Reading Material.

(1) through (16) No change.

(17) Bindings and covers.

(a) Bindings

1. through 2. No change.