

## Section I

Notices of Development of Proposed Rules  
and Negotiated Rulemaking**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."

**PUBLIC SERVICE COMMISSION**

RULE NOS.:	RULE TITLES:
25-12.004	Definitions
25-12.005	Codes and Standards Adopted
25-12.008	New, Reconstructed or Converted Facilities
25-12.022	Requirements for Distribution System Valves
25-12.027	Welder Qualification
25-12.040	Leak Surveys, Procedures and Classification
25-12.041	Receiving of Gas Reports
25-12.080	General
25-12.084	Notice of Accidents and Outages
25-12.085	Written Annual Reports Required

**PURPOSE AND EFFECT:** The amendment to Rule 25-12.004, F.A.C., corrects zip code address for the Commission and updates the Pipeline Inspection, Protection, Enforcement, and Safety Act legal cite; Rule 25-12.005, F.A.C., adopts the most current three parts of the Code of Federal Regulations 191, 192 and 199 that cover natural gas pipeline safety and corrects agency name reference; Rule 25-12.008, F.A.C., deletes references to filed plans required by repealed Rules 25-12.039; 25-12.022, F.A.C., clarifies the requirements for sectionalizing valves only, not all valves, and gives a distance exception for location of valves if they are physically impractical to install in areas like river crossing and closed interstate highways; Rule 25-12.027, F.A.C., updates the references to the current standard and code for welding on pipelines; Rule 25-12.040, F.A.C., clarifies intent of rule that cleared gas leaks are repaired; Rule 25-12.041, F.A.C., adds clarifying language to title and rule language, and deletes references to filed plans required by a repealed Rules 25-12.039; 25-12.080, F.A.C., corrects agency name reference; Rule 25-12.084, F.A.C., increases the dollar amount threshold requiring the notification of the Commission of natural gas related accidents; Rule 25-12.085, F.A.C., eliminates the requirement to file forms in triplicate, updates the agency and identification reference to the required form, changes the submittal date to match federal requirements and eliminates an unnecessary report.

Undocketed

**SUBJECT AREA TO BE ADDRESSED:** Safety of Gas Transportation by Pipeline.

**RULEMAKING AUTHORITY:** 350.127(2), 368.05(2) FS.

**LAW IMPLEMENTED:** 368.03, 368.05(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G. W. Cowdery, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oaks Blvd., Tallahassee, FL 32399-0850, (850)413-6216

**DEPARTMENT OF CORRECTIONS**

RULE NO.:	RULE TITLE:
33-108.101	Inmate Substance Abuse Testing

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to limit to two hours the amount of time inmates with medical conditions or a claimed inability to urinate in front of others may spend in a dry cell in order to produce a urine sample and to limit to one hour the amount of time inmates who have produced an adulterated sample may spend in a dry cell in order to produce an unadulterated sample.

**SUBJECT AREA TO BE ADDRESSED:** Inmate Substance Abuse Testing.

**RULEMAKING AUTHORITY:** 944.09, 944.472, 944.473 FS.

**LAW IMPLEMENTED:** 944.09, 944.472, 944.473 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-108.101 Inmate Substance Abuse Testing.

(1) through (2) No change.

(3) Procedures.

(a) No change.

(b) Specimen Collection Procedures.

1. through 9. No change.

10. Inmates who have adulterated their urine specimen by ingesting substances, as established by the on-site testing device, shall be detained in the presence of the tester or placed

in a “dry cell” for a period not to exceed one two (2) hours. During that time, the inmate shall not be allowed to consume any water or other beverage. If, after the one two hour period, an inmate still fails to submit an unadulterated valid urine specimen, the inmate shall be considered to have refused to provide a urine specimen, and a disciplinary report shall be prepared in accordance with Rules 33-601.301-.314, F.A.C.

11. through 12. No change.

(c) Upon notification from an inmate that he is unable to urinate due to a medical condition, the officer shall verify with medical staff that the inmate possesses a specific medical condition or is taking medication which inhibits the inmate from urinating within the designated time frame. Upon receiving such verification, the inmate shall be given the opportunity to provide a urine specimen under the following conditions:

1. The inmate shall be informed that he or she will be placed in a dry cell until he or she can provide a valid urine specimen, not to exceed two hours. The inmate shall be issued a hospital or other type privacy gown during the time that he or she is housed in the dry cell.

2. through 6. No change.

7. If after the two hour period an inmate fails to submit a valid urine specimen, the inmate shall be considered to have refused to provide a urine specimen and a disciplinary report shall be prepared in accordance with Rules 33-601.301-.314, F.A.C.

(d) through (h) No change.

Rulemaking Specific Authority 944.09, 944.472, 944.473 FS. Law Implemented 944.09, 944.472, 944.473 FS. History—New 2-8-00, Amended 2-5-01, Formerly 33-602.2045, Amended 7-2-02, 2-19-07, 7-29-08,\_\_\_\_\_.

## WATER MANAGEMENT DISTRICTS

### Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference

40D-2.101	Content of Application
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PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt and incorporate by reference a new Water Use Permit Application Form – Mining and Dewatering, Form No. LEG-R.032.01 (5/09). The effect will be that applicants will submit only one detailed water use permit application form for mining and dewatering uses instead of submitting an application form for an Individual or General water use permit and a supplemental form for providing more specific information on activities relating to mining or dewatering water uses.

SUBJECT AREA TO BE ADDRESSED: Water Use Permit Application Forms.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Martinez, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NO.:	RULE TITLE:
61B-80.124	Department Fee

PURPOSE AND EFFECT: This rule provides for the recovery of division fees and costs incurred in the implementation of the homeowners’ association arbitration program.

SUBJECT AREA TO BE ADDRESSED: This rule addresses the alternative dispute resolution program administered by the Division of Florida Condominiums, Timeshares, and Mobile Homes for homeowner association election and recall disputes.

RULEMAKING AUTHORITY: 720.311 FS.

LAW IMPLEMENTED: 720.311 FS.

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

DATE AND TIME: June 30, 2009, 10:30 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The preliminary text of the proposed rule development is also available on line at <http://www.myflorida.com/dbpr/lsc/LSCMHRulePromulgation.html>.

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

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

## DEPARTMENT OF HEALTH

### Division of Emergency Medical Operations

RULE NO.: RULE TITLE:

64J-1.001 Definitions

PURPOSE AND EFFECT: On October 1, 2008, the Chapter 64E-2, Division of Environment Health was transferred to the new Title 64J Division of Emergency Medical Operations. The definitions section of Rule 64E-2.001, F.A.C., which includes trauma-related definitions, was transferred to the definitions section in Chapter 64J-1, Emergency Medical Services. This notice is to inform the public that the Office of Trauma and the Bureau of Emergency Medical Operations is proposing the deletion of trauma-related definitions from Rule 64J-1.001, Definitions, F.A.C. and replacing the trauma-related definitions with cross references to the trauma definitions in proposed Rule 64J-2.001, Definitions, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Trauma-related terms included in both Chapters 64J-1 and 64J-2, F.A.C.

RULEMAKING AUTHORITY: 381.0011(13), 395.401(2), 395.4025(13), 395.4036, 395.4045, 395.405(8), 401.45(5) FS.

LAW IMPLEMENTED: 381.0205, 395.1031, 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.4036, 395.404, 395.4045, 395.405, 401.30, 401.35, 401.45, 765.401 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan McDevitt, Office of

Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: [susan\\_mcdevitt@doh.state.fl.us](mailto:susan_mcdevitt@doh.state.fl.us); Fax: (850)488-2512

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

### 64J-1.001 Definitions.

In addition to the definitions provided in Sections 395.401, 395.4001, 401.107, and 401.23, F.S., the following definitions apply to these rules:

(1) Abbreviated Injury Score (AIS-90) – as defined in Rule 64J-2.001, F.A.C. ~~means a consensus derived, anatomically based system that classifies individual injuries by body region on a 6-point ordinal severity scale ranging from 1 to 6. The methodology for determining AIS-90 Code is found in the "Abbreviated Injury Scale 1990 – Update 98," which is incorporated by reference and is available from the Association for the Advancement of Automotive Medicine, P. O. Box 4176, Barrington, IL 60011-4176.~~

(2) through (10) No change.

(11) Glasgow Coma Scale Score – as defined in Rule 64J-2.001, F.A.C. ~~means the neurological assessment developed by G. Teasdale and B. Jennette in "Assessment of Coma and Impaired Consciousness: A Practical Scale" Lancet, 1974; 2: 81-84, which is incorporated by reference and available from the department.~~

(12) ICD-9-CM – as defined in Rule 64J-2.001, F.A.C. ~~means the "International Classification of Disease, 9th Revision, Clinical Modification," March, 1989, U.S. Department of Health and Human Services Publication No. (PHS) 89-1260; an internationally applied method by which diseases or groups of medical conditions or injuries are coded for the purpose of statistical analyses. This book is incorporated by reference and available for purchase from the American Hospital Association, Central Office on ICD-9-DM, 1(800)242-2626, AHA, Post Office Box 92683, Chicago, IL 60675-2683.~~

(13) Injury Severity Score (ISS) – as defined in Rule 64J-2.001, F.A.C. ~~means the sum of the squares of the highest AIS-90 code in each of the three most severely injured body regions. The method for computing ISS is found in the "Abbreviated Injury Scale 1990 – Update 98."~~

(14) through (18) No change.

(19) Pediatric Trauma Patient – as defined in Rule 64J-2.001, F.A.C. ~~means a trauma patient with anatomical and physical characteristics of a person 15 years of age or younger.~~

(20) through (21) No change.

(22) Trauma – as defined in Rule 64J-2.001, F.A.C. ~~means a blunt, penetrating or burn injury caused by external force or violence.~~

(23) Trauma Alert – as defined in Rule 64J-2.001, F.A.C. ~~means a notification initiated by EMS informing a hospital that they are en route with a patient meeting the trauma alert criteria.~~

(24) Trauma Alert Patient – as defined in Rule 64J-2.001, F.A.C. ~~means a person whose primary physical injury is a blunt, penetrating or burn injury, and who meets one or more of the adult trauma scorecard criteria in Rule 64J-2.004, F.A.C., or the pediatric trauma scorecard criteria in Rule 64J-2.005, F.A.C.~~

(25) Trauma Patient – as defined in Rule 64J-2.001, F.A.C. ~~means any person who has incurred a physical injury or wound caused by trauma and who has accessed an emergency medical services system.~~

(26) Trauma Registry – as defined in Rule 64J-2.001, F.A.C. ~~means a statewide database which integrates medical and system information related to trauma patient diagnosis and the provision of trauma care by prehospital, hospital, and medical examiners.~~

(27) Trauma Transport Protocols (TTPs) – as defined in Rule 64J-2.001, F.A.C. ~~means a document which describes the policies, processes and procedures governing the dispatch of vehicles, and the triage and transport of trauma patients.~~

Specific Authority 381.0011(13), 395.401, 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.4001, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 4-26-84, Amended 3-11-85, Formerly 10D-66.485, Amended 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, 7-14-99, 2-20-00, 11-3-02, 6-9-05, 10-24-05, 4-22-07, Formerly 64E-2.001, Amended.

## DEPARTMENT OF HEALTH

### Division of Emergency Medical Operations

RULE NOS.:	RULE TITLES:
64J-2.001	Definitions
64J-2.004	Adult Trauma Scorecard
	Methodology
64J-2.006	Trauma Registry
64J-2.011	Trauma Center Requirements
64J-2.012	Process for the Approval of Trauma Centers
64J-2.013	Extension of Application Period.
64J-2.014	Certificate of Approval.
64J-2.015	Process for Renewal of Trauma Centers
64J-2.016	Site Visits and Approval
64J-2.017	Application by Hospitals Denied Approval

PURPOSE AND EFFECT: On October 1, 2008, the Chapter 64E-2, Division of Environment Health was transferred to the new rule Title 64J Division of Emergency Medical Operations. The definitions section of Rule 64E-2.001, F.A.C., which

includes trauma-related definitions, was transferred to the definitions section in Chapter 64J-1, F.A.C., Emergency Medical Services.

This notice is to alert the public that the Office of Trauma is proposing the creation of a definitions section in Chapter 64J-2, F.A.C., Trauma with cross references to emergency medical services definitions in Rule 64J-1.001, F.A.C., that relate to both Chapters 64J-1 and 64J-2, F.A.C. The only definition change is the definition of “department.” The definition of department in the proposed Chapter 64J-2, F.A.C., references the Office of Trauma. The notice also includes technical revisions in other sections of Chapter 64J-2, F.A.C., where the definition of “department” is referenced, to change this definition reference from subsections 64J-1.001(4) to 64J-2.001(4), F.A.C. A technical revision is included to correct the table number “IV” to table number “I” in Rule 64J-2.012, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Trauma and EMS related terms.

RULEMAKING AUTHORITY: 381.0011(13), 395.401(2), 395.4025(13), 395.4036, 395.4045, 395.405(8), 401.45(5) FS.

LAW IMPLEMENTED: 381.0205, 395.1031, 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.4036, 395.404, 395.4045, 395.405, 401.30, 401.35, 401.45, 765.401 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: susan\_mcdevitt@doh.state.fl.us; Fax: (850)488-2512

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

#### 64J-2.001 Definitions.

In addition to the definitions provided in Sections 395.401, 395.4001, 401.107, and 401.23, F.S., the following definitions apply to rules under Chapter 64J-2, F.A.C.:

(1) Abbreviated Injury Score (AIS-90) – means a consensus derived, anatomically based system that classifies individual injuries by body region on a 6-point ordinal severity scale ranging from 1 to 6. The methodology for determining AIS-90 Code is found in the “Abbreviated Injury Scale 1990 – Update 98,” which is incorporated by reference and is available from the Association for the Advancement of Automotive Medicine, P. O. Box 4176, Barrington, IL 60011-4176.

(2) Application – means a completed application form, as specified by the department and is incorporated by reference in subparagraph 64J-2.012(1)(c)1., F.A.C., together with all documentation required by these rules.

(3) Burn – as defined in Rule 64J-1.001, F.A.C.

(4) Department – means the Florida Department of Health (DH), Office of Trauma, 4052 Bald Cypress Way, Bin C#18, Tallahassee, Florida 32399-1738, as referenced in Chapter 64J-2, F.A.C.

(5) Emergency Medical Services (EMS) Provider – as defined in Rule 64J-1.001, F.A.C.

(6) Glasgow Coma Scale Score – means the neurological assessment developed by G. Teasdale and B. Jennitte in “Assessment of Coma and Impaired Consciousness: A Practical Scale” *Lancet*, 1974; 2: 81-84, which is incorporated by reference and available from the department.

(7) ICD-9-CM – means the “International Classification of Disease, 9th Revision, Clinical Modification,” March, 1989, U.S. Department of Health and Human Services Publication No. (PHS) 89-1260; an internationally applied method by which diseases or groups of medical conditions or injuries are coded for the purpose of statistical analyses. This book is incorporated by reference and available for purchase from the American Hospital Association, Central Office on ICD-9-DM, 1(800)242-2626, AHA, Post Office Box 92683, Chicago, IL 60675-2683.

(8) Injury Severity Score (ISS) – means the sum of the squares of the highest AIS-90 code in each of the three most severely injured body regions. The method for computing ISS is found in the “Abbreviated Injury Scale 1990 – Update 98.”

(9) Patient Care Record – as defined in Rule 64J-1.001, F.A.C.

(10) Pediatric Trauma Patient – means a trauma patient with anatomical and physical characteristics of a person 15 years of age or younger.

(11) Transfer or transport – as defined in Rule 64J-1.001, F.A.C.

(12) Trauma – means a blunt, penetrating or burn injury caused by external force or violence.

(13) Trauma Alert – means a notification initiated by EMS informing a hospital that they are en route with a patient meeting the trauma alert criteria.

(14) Trauma Alert Patient – means a person whose primary physical injury is a blunt, penetrating or burn injury, and who meets one or more of the adult trauma scorecard criteria in Rule 64J-2.004, F.A.C., or the pediatric trauma scorecard criteria in Rule 64J-2.005, F.A.C.

(15) Trauma Patient – means any person who has incurred a physical injury or wound caused by trauma and who has accessed an emergency medical services system.

(16) Trauma Registry – means a statewide database which integrates medical and system information related to trauma patient diagnosis and the provision of trauma care by prehospital, hospital, and medical examiners.

(17) Trauma Transport Protocols (TTPs) – means a document which describes the policies, processes and procedures governing the dispatch of vehicles, and the triage and transport of trauma patients, which is incorporated by reference in Rule 64J-2.003, F.A.C., and is available from the department, as defined by subsection 64J-2.001(4), F.A.C.

Rulemaking Authority 381.001(13), 395.401(2), 395.4025(13), 395.4036, 395.4045, 395.405(8), 401.45(5) FS. Law Implemented 381.0205, 395.1031, 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.4036, 395.404, 395.4045, 395.405, 401.30, 401.35, 401.45, 765.401 FS. History–New \_\_\_\_\_.

64J-2.004 Adult Trauma Scorecard Methodology.

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

(b) In assessing the condition of each adult trauma patient, the EMT or paramedic shall evaluate the patient’s status for each of the following components: airway, circulation, best motor response (a component of the Glasgow Coma Scale which is defined and incorporated by reference in subsection 64J-2.001(6) ~~64J-1.001(6)~~, F.A.C.), cutaneous, longbone fracture, patient’s age, and mechanism of injury. The patient’s age and mechanism of injury shall only be assessment factors when used in conjunction with assessment criteria included in subsection (3) of this section.

(2) through (7) No change.

Rulemaking Specific Authority 395.4045, 395.405, 401.35 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.4045, 395.405, 401.30, 401.35 FS. History–New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.102, Amended 11-4-99, 2-20-00, Formerly 64E-2.01, Amended \_\_\_\_\_.

64J-2.006 Trauma Registry.

Instructions for completing and submitting data are defined in the Florida Trauma Registry Manual, February 2008, which is incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C.

Rulemaking Specific Authority 395.405 FS. Law Implemented 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405, 401.30, 401.35 FS. History–New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.103, Amended 7-14-99, 11-19-01, 6-3-02, 6-9-05, 4-25-06, 7-8-08, Formerly 64E-2.018, Amended \_\_\_\_\_.

64J-2.011 Trauma Center Requirements.

(1) The standards for Level I, Level II and Pediatric trauma centers are published in DH Pamphlet (DHP) 150-9, January 2008, which is incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C. Trauma centers must be in full compliance with these standards by January 1, 2009.

(2) through (5) No change.

Rulemaking Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.108, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.023, Amended \_\_\_\_\_.

64J-2.012 Process for the Approval of Trauma Centers.

(1) Beginning September 1, 1990, and annually thereafter, the department shall approve trauma centers in accordance with the schedule shown in Table I ~~VI~~ below; (Unless stated otherwise all dates given by calendar month and day refer to that date each year.)

Table I No change.

(a) The department shall accept a letter of intent, DH Form 1840, January 2008, "Trauma Center Letter of Intent", which is incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C., postmarked no earlier than September 1 and no later than midnight, October 1, from any acute care general or pediatric hospital. The letter of intent is non-binding, but preserves the hospital's right to submit an application by the required due date if an available position, as provided in Rule 64J-2.010, F.A.C., exists in the hospital's TSA. If the hospital does not submit an application by April 1 of the following year, the hospital's letter of intent is void;

(b) By October 15, the department shall send to those hospitals submitting a letter of intent an application package which will include, as a minimum, instructions for submitting information to the department for selection as a trauma center, DHP 150-9, January 2008, Trauma Center Standards, which is incorporated by reference in Rule 64J-2.011, F.A.C., and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C., and the requested application(s);

(c) No change.

1. To apply for approval as a Level I Trauma Center, applicants must submit all forms contained in the Level I Trauma Center Application Manual, January 2008. The manual and the forms contained therein are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C. The manual contains the following forms: DH Form 2032, January 2008, General Information for Level I Trauma Center Application; DH Form 2032-A, January 2008, Level I Trauma Center Approval Standards Summary Chart; DH Form 2032-B, January 2008, Application for Level I Trauma Center Approval Letter of Certification; DH Form 2032-C, January 2008, Level I Trauma Center Surgical Specialties Certifications; DH Form 2032-D, January 2008, Level I Trauma Center Non-Surgical Specialties Certifications; DH Form 2032-E, January 2008, Level I Trauma Center General Surgeons Commitment Statement; DH Form 2032-F, January 2008, Level I Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2032-G, January 2008, Level I Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 2032-H, January 2008, Level I Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2032-I, January 2008, Level I Trauma Center Surgical

Specialists On Call and Promptly Available; DH Form 2032-J, January 2008, Level I Trauma Center Emergency Department Physicians; DH Form 2032-K, January 2008, Level I Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2032-L, January 2008, Level I Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 2032-M, January 2008, Level I Trauma Center Non-Surgical Specialists On Call and Promptly Available.

2. To apply for approval as a Level II Trauma Center, applicants must submit all forms contained in the Level II Trauma Center Application Manual, January 2008. The manual and the forms contained therein are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C. The manual contains the following forms: DH Form 2043, January 2008, General Information for Level II Trauma Center Application; DH Form 2043-A, January 2008, Level II Trauma Center Approval Standards Summary Chart; DH Form 2043-B, January 2008, Application for Level II Trauma Center Approval Letter of Certification; DH Form 2043-C, January 2008, Level II Trauma Center Surgical Specialties Certifications; DH Form 2043-D, January 2008, Level II Trauma Center Non-Surgical Specialties Certifications; DH Form 2043-E, January 2008, Level II Trauma Center General Surgeons Commitment Statement; DH Form 2043-F, January 2008, Level II Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 2043-G, January 2008, Level II Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 2043-H, January 2008, Level II Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 2043-I, January 2008, Level II Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 2043-J, January 2008, Level II Trauma Center Emergency Department Physicians; DH Form 2043-K, January 2008, Level II Trauma Center Anesthesiologists Available for Trauma Call; DH Form 2043-L, January 2008, Level II Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 2043-M, January 2008, Level II Trauma Center Non-Surgical Specialists On Call and Promptly Available.

3. To apply for approval as a Pediatric Trauma Center, applicants must submit all forms contained in the Pediatric Trauma Center Application Manual, January 2008. The manual and the forms contained therein are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C. The manual contains the following forms: DH Form 1721, January 2008, General Information for Pediatric Trauma Center Application; DH Form 1721-A, January 2008, Pediatric Trauma Center Approval Standards Summary Chart; DH Form 1721-B, January 2008, Application for Pediatric Trauma Center Letter of Certification; DH Form 1721-C, January 2008, Pediatric Trauma Center Surgical Specialties Certifications; DH Form

1721-D, January 2008, Pediatric Trauma Center Non-Surgical Specialties Certifications; DH Form 1721-E, January 2008, Pediatric Center General Surgeons Commitment Statement; DH Form 1721-F, January 2008, Pediatric Trauma Center General Surgeons Available for Trauma Surgical Call; DH Form 1721-G, January 2008, Pediatric Trauma Center Neurosurgeons Available for Trauma Surgical Call; DH Form 1721-H, January 2008, Pediatric Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements; DH Form 1721-I, January 2008, Pediatric Trauma Center Surgical Specialists On Call and Promptly Available; DH Form 1721-J, January 2008, Pediatric Trauma Center Emergency Department Physicians; DH Form 1721-K, January 2008, Pediatric Trauma Center Anesthesiologists Available for Trauma Call; DH Form 1721-L, January 2008, Pediatric Trauma Center C.R.N.A.s Available for Trauma Call; and DH Form 1721-M, January 2008, Pediatric Trauma Center Non-Surgical Specialists On Call and Promptly Available.

(d) through (m) No change.

(2) through (4) No change.

Rulemaking Specific Authority 395.405 FS. Law Implemented 395.1031, 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.109, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.024, Amended.

#### 64J-2.013 Extension of Application Period.

(1) through (2)(a) No change.

(b) A reference to each standard, or specific part of a standard, in DHP 150-9, January 2008, Trauma Center Standards, which is incorporated by reference in Rule 64J-2.011, F.A.C., and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C., that the hospital is unable to meet;

(c) through (d) No change.

(3) through (14) No change.

Rulemaking Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 12-10-92, Amended 12-10-95, Formerly 10D-66.1095, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.025, Amended.

#### 64J-2.014 Certificate of Approval.

Each hospital approved as a trauma center shall be issued a DH Form 2032-Z, January 2008, Level I Trauma Center Certificate of Approval, DH Form 2043-Z, January 2008, Level II Trauma Center Certificate of Approval, or DH Form 1721-Z, January 2008, Pediatric Trauma Center Certificate of Approval, which are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C. The certificates shall include:

(1) through (3) No change.

Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, Formerly 10D-66.110, Amended 2-20-00, 4-15-01, 6-9-05, 3-5-08, Formerly 64E-2.026, Amended.

#### 64J-2.015 Process for Renewal of Trauma Centers.

(1) At least 14 months prior to the expiration of the trauma center's certification, the department shall send, to each trauma center that is eligible to renew, a blank DH Form 2032R, January 2008, Trauma Center Application to Renew, which is incorporated by reference and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C., in accordance with the provisions of this section. Within 15 calendar days after receipt, the trauma center choosing to renew its certification shall submit to the department the completed DH Form 2032R, January 2008.

(2) through (4) No change.

Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 1-23-96, Formerly 10D-66.111, Amended 3-15-98, 2-20-00, 6-9-05, 3-5-08, Formerly 64E-2.027, Amended.

#### 64J-2.016 Site Visits and Approval.

(1) Each Provisional trauma center shall receive an on-site evaluation to determine whether the hospital is in substantial compliance with standards published in DHP 150-9, January 2008, Trauma Center Standards, which is incorporated by reference in Rule 64J-2.011, F.A.C., and available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C., and to determine the quality of trauma care provided by the hospital.

(2) through (12) No change.

Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 10-2-94, 12-10-95, Formerly 10D-66.112, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.028, Amended.

#### 64J-2.017 Application by Hospital Denied Approval.

Any hospital that was not approved as a trauma center based on the application of criteria in Rule 64J-2.016, F.A.C., may submit a completed Letter of Intent DH Form 1840, January 2008, which is available from the department, as defined by subsection 64J-2.001(4) ~~64J-1.001(4)~~, F.A.C., postmarked no earlier than September 1 and no later than midnight October 1 of the following year.

Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.113, Amended 2-20-00, 6-9-05, 3-5-08, Formerly 64E-2.029, Amended.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES****Agency for Persons with Disabilities**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65G-4.0021	Tier Waivers
65G-4.0022	Tier One Waiver
65G-4.0023	Tier Two Waiver
65G-4.0024	Tier Three Waiver
65G-4.0025	Tier Four Waiver

**PURPOSE AND EFFECT:** The purpose of the rule development is to clarify and review existing language of all five tier rules and determine whether to amend the rules. This clarification and review will include a determination of whether the word “intense” should be clarified, and a review of the “Operational Detail” document. The rule development will also clarify “intensive medical or adaptive needs” as well as “needs” “service needs.” A copy of the “Operational Detail” document is available upon request.

**SUBJECT AREA TO BE ADDRESSED:** Tier Waivers.

**RULEMAKING AUTHORITY:** 393.0661(3) FS.

**LAW IMPLEMENTED:** 393.0661(3) FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:**

**DATE AND TIME:** July 9, 2009, 1:00 p.m. – 4:00 p.m.

**PLACE:** Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Room 301, Tallahassee, Florida 32399

**DATE AND TIME:** July 16, 2009, 1:00 p.m. – 4:00 p.m.

**PLACE:** Agency for Persons with Disabilities, 401 N.W. 2nd Avenue, Room 1011, Miami, Florida 33128

**DATE AND TIME:** July 24, 2009, 1:00 p.m. – 4:00 p.m.

**PLACE:** Agency for Persons with Disabilities, 1313 N. Tampa Street, Suite 515, Tampa, Florida 33602

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mike Dunn, Deputy Director of Legislative Affairs, Office of the Chief of Staff, (850)414-5853

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

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

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
69J-123.002	Procedures

**PURPOSE AND EFFECT:** The proposed rule amendment resolves the problem of paper document processing by requiring all material filed with the Department relating to a Section 624.155, F.S. civil remedy action be filed electronically. The civil remedy notice is already required to be

filed electronically. This amendment requires the insurer’s report of disposition and other communications, which parties wish to submit, to likewise be filed electronically.

**SUBJECT AREA TO BE ADDRESSED:** The Department seeks input from those who will be affected by the rule as to how the rule can best meet their needs as well as the Department’s duties under Section 624.155, F.S.

**RULEMAKING AUTHORITY:** 624.308(1) FS.

**LAW IMPLEMENTED:** 624.307, 624.155(3)(b) FS.

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

**DATE AND TIME:** Tuesday, June 23, 2009, 9:30 a.m.

**PLACE:** Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Greg Thomas, (850)413-3130 or Greg.Thomas@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Greg Thomas, Chief of Education, Advocacy & Research, Division of Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0320; (850)413-3130

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

## Section II

### Proposed Rules

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**AGENCY FOR HEALTH CARE ADMINISTRATION****Health Facility and Agency Licensing**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
59A-4.103	Licensure, Administration and Fiscal Management
59A-4.106	Facility Policies