

records of participants served, and any other information necessary for evaluation of compliance with this rule chapter and Section 39.905, F.S.

(b) The evaluation shall occur annually, on-site or desktop, as determined by the Department. However, an evaluation may occur at any time there is a complaint to the Department.

(c) Within 60 days after the evaluation, the provider will receive a written report from the Department whether or not standards have been met. If any deficiencies were cited, the provider will be given ten business days from the date of the written report to submit a corrective action plan. The corrective action plan is subject to approval by the Department. The severity of the noncompliance may affect the period of time allowed for correction, but in no event shall the corrective action period exceed 90 days. Follow up visits or a desk review will be made by the Department to determine if the plan of correction is acceptable, has been implemented, or completed.

(d) Failure to successfully complete the corrective action plan will result in suspension of a center’s certification, unless the circumstances are beyond the provider’s reasonable control, such as manmade or natural disasters, local zoning ordinances, or permitting processes. However, the Department will suspend a center’s certification immediately without allowing a corrective action in cases of recurring violations or if the violation poses a serious risk of imminent harm to the health or safety of participants or staff members.

(e) A suspension will continue until the provider completes a corrective action plan, but will not exceed six months. If the provider does not successfully complete the corrective action plan within six months, the center’s certification will be revoked.

Rulemaking Authority 39.903 FS. Law Implemented 39, 903, 39.905 FS. History–New _____.

Editorial Note: Formerly 65H-1.005

65H-1.018 Funding Procedures.

(1) For each funding cycle, the Florida Coalition Against Domestic Violence will provide all eligible certified domestic violence centers with an application for funding with instructions for completion.

(2) Newly certified centers without previous funding from the Coalition must request an application for funding by July 1 for the following state fiscal year. Certification does not guarantee funding.

(3) In accordance with Section 39.905(7)(a), F.S., all funds collected and appropriated for certified domestic violence centers will annually be distributed by the Coalition through an allocation formula developed by the Coalition. The Department will review the allocation formula and any revisions to ensure that it includes the factors required by Sections 39.903 and 39.905, F.S.

(4) The Coalition shall provide final approval of applications for and shall award funds appropriated for certified domestic violence centers as provided in Section 39.903(7), F.S. The Coalition shall contract with successful applicants for the operation of certified domestic violence centers.

(5) The Coalition will conduct evaluations of certified domestic violence centers to ensure quality services are being provided to center participants.

(6) Funding is contingent upon completion of any corrective action required by the Coalition, unless the failure to complete the corrective action is attributable to circumstances that are beyond the provider’s reasonable control.

Rulemaking Authority 39.903 FS. Law Implemented 39.903, 39.905 FS. History–New _____.

Editorial Note: Formerly 65H-1.002

NAME OF PERSON ORIGINATING PROPOSED RULE:
Trula E. Motta, Director, Office of Domestic Violence Program
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Don Winstead, Deputy Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 24, 2009

**Section III
Notices of Changes, Corrections and
Withdrawals**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0012
RULE TITLE: Application Information

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. 32, August 14, 2009 issue of the Florida Administrative Weekly.

Paragraph (1)(a) and (b) are amended to reflect the correct effective year.

(a) A completed Form CG-10 and a nonrefundable application fee. Form CG-10, Application for Florida Educator’s Certificate, effective October ~~2009~~ 2008, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or

may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is prescribed below:

(b) A completed Form CG-10R and a nonrefundable application fee. Form CG-10R, Application for Renewal or Reinstatement of a Professional Florida Educator’s Certificate effective October ~~2008~~ 2009, is hereby incorporated by reference and made a part of this rule. The form may be obtained without cost from the Florida Department of Education, Bureau of Educator Certification, 325 West Gaines Street, Tallahassee, Florida 32399-0400 or may be submitted online via the Department of Education, Educator Certification website. The nonrefundable application fee is \$75.00. An application for renewal of a professional certificate that is received by the Bureau of Educator Certification or by a district school board office after the expiration of the professional certificate as specified in Rule 6A-4.0051, F.A.C., shall be submitted with a \$30.00 late fee in addition to the nonrefundable application fee.

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
14-10.025 Wall Murals

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 31, August 7, 2009 issue of the Florida Administrative Weekly.

The Notice of Withdrawal of Rule 14-10.025, F.A.C., is being corrected to reflect the date of publication of the Notice of Proposed Rule. The Notice of Withdrawal stated the publication as being July 18, 2008, in Vol. 34, No. 29. The correct publication date for the Notice of Proposed Rule was February 22, 2008, in Vol. 34, No. 8.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: RULE TITLES:
40C-4.021 Definitions
40C-4.091 Publications Incorporated by Reference

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. 24, June 19, 2009 issue of the Florida Administrative Weekly.

APPLICANT’S HANDBOOK SECTIONS

12.2.7. Secondary Impacts

- (b) 1. No change.
 - 2. wildlife corridors, except for those limited areas of uplands necessary for ingress and egress to the nest or den site from the wetland or other surface water.
- Table 12.2.7-1 identifies those aquatic or wetland dependent listed species that use upland habitats for nesting and denning.
- For those aquatic or wetland dependent listed animal species for which habitat management guidelines have been developed by the U.S. Fish and Wildlife Service (USFWS) or the Florida Fish and Wildlife Conservation Commission (FWC) compliance with these guidelines will provide reasonable assurance that the proposed system will not adversely impact upland habitat functions described in paragraph (b). For those aquatic or wetland dependent listed animal species for which habitat management guidelines have not been developed or in cases where an applicant does not propose to use USFWS or FWC habitat management guidelines, the applicant may propose measures to mitigate adverse impacts to upland habitat functions described in paragraph (b) provided to aquatic or wetland dependent listed animal species.

Secondary impacts to the functions of wetlands or uplands for nesting of bald eagles (*Haliaeetus leucocephalus*) will not be considered adverse if the applicant holds a valid permit ~~has been issued to the applicant~~ pursuant to subsection 68A-16.002(1)(a), F.A.C. (May 15, 2008) or a valid authorization as described in subsection 68A-16.002(1)(c), F.A.C. (May 15, 2008) for the same activities proposed by the applicant under part IV of Chapter 373, F.S., or if the applicant demonstrates compliance with the FWC Eagle Management Guidelines incorporated by reference in Rule 68A-16.002, F.A.C. (May 15, 2008).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-22.003 Education Requirements for Interior Designers

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. 20, May 22, 2009 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (2) shall now read as follows:

(2) An applicant must meet the requirements of Section 481.209(2)(c), F.S., or must have obtained a degree from a board approved program of study according to the diversity of programs as required in Section 481.209(2), F.S. Board approved educational standards are based on the Professional Standards established by the CIDA. Course work involving practical applications such as studio, technical and graphic skills shall be completed in residence or delivered through alternate methods such as distance education. The Professional Standards, effective July 1, 2009, are hereby incorporated by reference and can be obtained at <http://www.accredit-id.org/profstandards.php>.

(a) The First-Professional Degree program of study available at a 3 year professional certificate or degree program, a 4 or 5 year professional degree program or a first-professional master’s degree program in interior design, which meets the requirements of Section 481.209(2)(a), (b), (c), F.S., based on an accumulation of not less than 120 semester, or equivalent, credit hours including a minimum of 30 semester, or equivalent, credit hours of diverse university-level liberal arts, sciences and humanities obtained at an institution which has been recognized by the appropriate regional or national institutional crediting body. The first-professional degree program curriculum shall conform to the Professional Standards with a minimum of 60 semester, or equivalent, credit hours in first-professional degree, or related coursework. Where applicable, those programs requiring in excess of these requirements shall, after fulfilling the minimum requirements, determine the type of additional studies to promote their individualized mission.

(b) The 2 year degree program which meets the requirements of Section 481.209(2)(d), F.S., shall include an accumulation of not less than 60 semester, or equivalent, credit hours including a minimum of 15 semester, or equivalent, credit hours of diverse post-secondary level liberal arts, sciences and humanities obtained at an institution which has been recognized by the appropriate regional or national accrediting body. The 2 year degree program shall conform to the Professional Standards with a minimum of 45 semester, or equivalent, credit hours in interior design, or related course work. Where applicable, those programs requiring in excess of these requirements shall, after fulfilling the minimum requirements, determine the type of additional studies to promote their individualized mission.

2. Section 481.2055, F.S., will be removed from the Law Implemented.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-6.001
 RULE TITLE: Experience Requirement

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 17, May 1, 2009 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (5)(b)1. shall now read as follows:

(b) Mass appraisals:

1. Mass appraisals must be as set forth in Standard 6 of the 2008-2009 Edition of the Uniform Standards of Professional Appraisal Practice, hereby incorporated by reference, available at <http://commerce.appraisalfoundation.org> as defined in Section 475.611(1)(q), F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas W. O’Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-6.001
 RULE TITLE: Experience Requirement

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 17, May 1, 2009 issue of the Florida Administrative Weekly.

Although the Notice of Proposed Rulemaking stated that a Statement of Estimated Regulatory Costs (SERC) had been prepared and was available, the Notice did not summarize the SERC. The following is a Summary of the Statement of Estimated Regulatory Costs:

- The estimate of the number of individuals likely to be required to comply with this rule amendment is approximately 134.
- The type of individuals likely to be affected by the rule are employees of any of Florida’s county property appraiser offices who wish to apply for credentials to perform federally related financial transaction and do not currently hold

real property appraiser credentials.

- The department implementing the proposed rule will incur no additional costs because the department intends to enforce the proposed rule within its current workload with existing staff.
- There will be minimal costs to the impacted employees of county appraiser offices who apply on a voluntary basis.
- There is no small county or small city that will be impacted by the proposed rule.

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

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CORRECTION IS: Thomas W. O'Bryant, Jr., Deputy Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite #N801, Orlando, Florida 32801

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

Office of Statewide Research

RULE NO.: 64H-2.002 RULE TITLE: Institutional Review Board Applications

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. 25, June 26, 2009 issue of the Florida Administrative Weekly.

Section (1) now reads: Requests for Institutional Review Board review shall be submitted electronically using the Department's electronic system. Payment shall be remitted to the Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Bin #A-24, Tallahassee, Florida 32399, (850)245-4585

Section (9) now reads: Fees are nonrefundable, except if a fee is paid when none is due.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-12.001 RULE TITLE: Installation of Monuments

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. 28, July 17, 2009 issue of the Florida Administrative Weekly.

The changes are as follows:

(3) Pursuant to subsection 497.273(3) and Section 497.555, F.S., all cemeteries shall permit during normal business hours licensed monument establishments to install, inscribe or repair a monument, marker or private mausoleum. Cemeteries may adopt bylaws to establish minimum standards for access. These minimum standards shall not unreasonably restrict access to the cemetery grounds, the method of transporting burial merchandise to the burial space, or increase the cost to the owner of interment or burial rights. In all cases, monument establishments and cemeteries shall comply with these minimum standards.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: ~~February 13, 2009~~ January 30, 2009

THE PERSON TO BE CONTACTED REGARDING THESE CHANGES IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-137.001 RULE TITLE: Annual and Quarterly Reporting Requirements

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. 32, August 14, 2009 issue of the Florida Administrative Weekly.

(a) Annual statements shall be prepared in accordance with the following manuals, which are hereby adopted and incorporated by reference:

1. The NAIC's Annual Statement Instructions, Property and Casualty, ~~2009 2008~~;
2. The NAIC's Annual Statement Instructions, Life, Accident and Health, ~~2009 2008~~;
3. The NAIC's Annual Statement Instructions, Health, ~~2009 2008~~; and
4. The NAIC's Quarterly and Annual Statement Instructions, Title, ~~2009 2008~~.
5. The NAIC's Accounting Practices and Procedures Manual, as of March ~~2009 2008~~.

The remainder of the rule reads as previously published.

**Section IV
Emergency 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."