

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NO.: RULE TITLE:
 5C-13.004 Schedule of Fees

PURPOSE AND EFFECT: The purpose and effect of this rule is to add new diagnostic tests that have been developed and are now the standard testing protocol for animal disease diagnostics, delete obsolete tests and add charges for existing tests.

SUBJECT AREA TO BE ADDRESSED: This rule proposes the following: Delete obsolete tests, add new diagnostic tests and revise test charges.

RULEMAKING AUTHORITY: 570.07(23), 585.002(4) FS.

LAW IMPLEMENTED: 585.61(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Leigh Humphreys, Assistant Division Director, Division of Animal Industry, 407 South Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; Fax: (850)410-0957

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.: RULE TITLES:
 5M-14.001 Purpose
 5M-14.002 Approved Best Management Practices
 5M-14.003 Presumption of Compliance
 5M-14.004 Notice of Intent to Implement
 5M-14.005 BMP Record Keeping

PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt the “Water Quality/Quantity Best Management Practices for Florida Equine” manual by rule and associated regulations.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will address the development of practices that protect water resources, the procedures for filing a Notice of Intent, and associated recordkeeping requirements necessary for producers

to receive a presumption of compliance with state water quality standards. The draft manual can be reviewed at: <http://www.floridaagwaterpolicy.com/BestManagementPractices.html>

RULEMAKING AUTHORITY: 403.067(7)(c)2., 570.07(10), (23) FS.

LAW IMPLEMENTED: 403.067(7)(c)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: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-2.0010 Educational Facilities

PURPOSE AND EFFECT: Due to changes in rulemaking and implementing authority, the requirements relating to school sanitation formerly found in Department of Health rules must now be included in the State Board of Education rules. Additionally, discussion will be held relating to changes that may be recommended by educational facilities experts to the Florida Building Code. The effect of this development is to recommend the amendment to Rule 6A-2.0010, F.A.C., relating to school sanitation and to provide input to staff on changes that could be made to the Florida Building Code.

SUBJECT AREA TO BE ADDRESSED: State Requirements for Educational Facilities.

RULEMAKING AUTHORITY: 1(a) Article IX, State Constitution., 1001.02(1), 10013.02(2), 1013.37 FS.

LAW IMPLEMENTED: 1(a) Article IX, State Constitution., 381.006(16), 1001.02, 1013.03, 1013.12, 1013.37, 1013.371, 1013.372, 1013.38, 1031.01 FS.

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

DATE AND TIME: November 22, 2010, 9:00 a.m.

PLACE: Osceola District Schools Transportation Department, 401 Simpson Road, International Room, Kissimmee, Florida 34744

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jon Hamrick, Construction Planning & Design Manager, Office of Educational Facilities, 325 W. Gaines Street, Suite 1054, Tallahassee, FL 32399, (850)245-9230. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF EDUCATION

State Board of Education

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

PURPOSE AND EFFECT: The purpose of this rule development is to review and update the competencies and skills for the FTCE Health K-12 and Physical Education K-12 examinations, to specify the effective dates for implementation of the new competencies and skills, update processes related to the test delivery format, as well as other obsolete terminology present within the rule. The effect will be the proposed adoption of the revised competencies and skills.

SUBJECT AREA TO BE ADDRESSED: Florida Teacher Certification Examinations.

RULEMAKING AUTHORITY: 1012.56(9) FS.

LAW IMPLEMENTED: 1012.56 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: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE NO.:	RULE TITLE:
12E-1.0051	Undistributable Collections

PURPOSE AND EFFECT: Section 409.2558(3), F.S., requires the Department to establish by rule a method to determine a collection or refund to be undistributable to the final intended recipient. The law provides that before determining a collection or refund undistributable, the Department must make reasonable efforts to locate individuals to whom collections or refunds are owed. The law also directs the Department to process, as program income, payments the Department disburses that are less than \$1.00 by paper check and the check is not cashed after 180 days, or if less than \$1.00 is owed on a closed Title IV-D case. The purpose of creating proposed Rule 12E-1.0051, F.A.C., is to provide guidance to the public about the Department's procedures for locating individuals to whom collections or refunds are owed, processing undistributable collections, how an individual can reclaim an undistributable collection, and processing payments that are less than \$1.00 as program income. The effect is to provide the public with information on how the Department will: (1) try to locate individuals to whom collections or refunds are owed; (2) determine a collection or refund to be undistributable; (3) process undistributable collections; (4) allow an individual to reclaim a collection applied as program income; and (5) process payments that are less than \$1.00 as program income.

SUBJECT AREA TO BE ADDRESSED: The subject of this workshop is to develop procedures for locating individuals to whom collections or refunds are owed, processing undistributable collections, reclaiming collections applied as program income, processing payment refund requests, and processing payments that are less than \$1.00 as program income.

RULEMAKING AUTHORITY: 409.2557(3)(j), 409.2558(3), 409.2558(9) FS.

LAW IMPLEMENTED: 409.2558(3), 409.2558(5) 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: November 22, 2010, 11:00 a.m.

PLACE: Building 2, Room 2-4103, 2450 Shumard Oak Blvd., 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: Sarah Wachman at (850)717-7532. 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: Phil

Scruggs, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, telephone (850)617-8035, e-mail address scruggsp@dor.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: myflorida.com/dor/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."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-23.001 RULE TITLE: Confidential Client Information

PURPOSE AND EFFECT: The Board proposes the rule amendment to correct rule citations.

SUBJECT AREA TO BE ADDRESSED: Confidential Client Information.

RULEMAKING AUTHORITY: 473.304, 473.315, 473.316 FS.

LAW IMPLEMENTED: 473.315, 473.316 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61H1-23.001 Confidential Client Information.

A certified public accountant shall not disclose any confidential information obtained in the course of a professional engagement except with the consent of the client. This rule shall not be construed to relieve a certified public accountant of his or her obligation under Rules 61H1-20.008 ~~64H1-22.002~~ and 61H1-20.007 ~~22.003~~, F.A.C. or to contravene or contradict any of the provisions of Chapter 473, F.S. Furthermore, this rule shall not prohibit a confidential review of a certified public accountant's professional practice as a part of a quality review program.

Rulemaking Specific Authority 473.304, 473.315, 473.316 FS. Law Implemented 473.315, 473.316 FS. History--New 12-4-79, Formerly 21A-23.01, 21A-23.001, Amended _____.

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 Nursing

RULE NO.: 64B9-7.001 RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose of this amendment is to include renewal fees for persons who are licensed as CNS and ARNP's.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 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: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) through (9) No change.

(10) For renewal of an RN/CNS/ARNP license certificate, two hundred five dollars (\$205.00).

(10) through (11) renumbered (11) through (12) No change.

~~(13)(12)~~ No change.

(a) through (c) No change.

(d) For renewal of an RN/CNS/ARNP license certificate, one hundred thirty (\$130.00).

~~(14)(13)~~ No change.

(a) through (c) No change.

(d) For an RN/CNS/ARNP license certificate, ninety-five dollars (\$95.00).

(14) through (18) renumbered (15) through (19) No change.

Rulemaking Specific Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS. History—New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06, 5-20-07, 12-21-08,_____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.001
 RULE TITLE: Examination Requirements
 PURPOSE AND EFFECT: The purpose of this amendment is to correct the title of the examination necessary for certification by Florida licensed optometrists. The NBEO no longer gives the TMOD exam standing on its own, but has incorporated it into part II of the examination.
 SUBJECT AREA TO BE ADDRESSED: Examination Requirements.
 RULEMAKING AUTHORITY: 456.017(1), 463.005, 463.006(2) FS.

LAW IMPLEMENTED: 456.017(1), 463.006(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 IS: Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B13-4.001 Examination Requirements.
- (1) through (3) No change.
- (4) Certification Examination. A licensee applying for certification must obtain a passing score on ~~the TMOD~~ part II of the NBEO or must have obtained a passing score on the state certification examination.

Rulemaking Authority 456.017(1), 463.005, 463.006(2) FS. Law Implemented 456.017(1), 463.006(2) FS. History—New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended 7-27-99, 7-15-02, 3-8-04, 4-22-10, 10-13-10,_____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-5.002
 RULE TITLE: Criteria for Approval
 PURPOSE AND EFFECT: The purpose of this amendment is to update references to other rules.
 SUBJECT AREA TO BE ADDRESSED: Criteria for Approval.
 RULEMAKING AUTHORITY: 463.005(1) FS.
 LAW IMPLEMENTED: 463.007(4) 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: Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B13-5.002 Criteria for Approval.
- (1) In determining whether to approve a program of continuing professional education, the Board shall consider whether the program contributes to the improvement, advancement, and extension of one’s professional skill and knowledge to the benefit of the patient he or she serves. Continuing education courses in Florida jurisprudence as stated in paragraphs 64B13-5.001(1)(e) ~~and (f)~~, F.A.C., shall be provided by an individual or organization with demonstrated competence in Florida Law pertaining to optometric practice as evidenced by the individual or organization’s credentials, education and experience.

- (2) Approval of non-transcript quality continuing education programs.
 - (a) No change.
 - (b) A non-transcript quality continuing education program shall be approved upon presentation of the following information by the program or course provider or by a licensed practitioner who attended the course:
 - 1. through 3. No change.
 - 4. Evidence that the fees specified in subsections 64B13-6.001(14) and (15) ~~and (16)~~, F.A.C., have ~~has~~ been paid; provided however, should the provider not seek approval of the course, the licensed practitioner seeking approval of the course shall pay the fee.
 - 5. No change.
- (3) Approval of transcript quality continuing education programs.

- (a) No change.
- (b) A transcript quality continuing education program shall be approved upon presentation of the following:
 - 1. through 6. No change.
 - 7. Evidence that the fees specified in subsections 64B13-6.001(14) and (15) and ~~(16)~~, F.A.C., have ~~has~~ been paid.
- (c) No change.
- (4) No change.

Rulemaking Authority 463.005(1) FS. Law Implemented 463.007(4) FS. History—New 11-13-79, Formerly 21Q-5.02, Amended 12-16-86, 12-11-88, 7-10-91, 10-28-92, Formerly 21Q-5.002, 61F8-5.002, Amended 11-29-94, 7-5-95, 8-18-96, Formerly 59V-5.002, Amended 3-21-00, 5-8-02, 8-19-03, 12-26-05, 12-25-06, 4-21-10, _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-7.005 RULE TITLE: Terms of Probation

PURPOSE AND EFFECT: The purpose of this amendment is to delete language not supported by statutory authority in paragraph (1)(b), clarify and limit the authority of the probation committee, and update the name of the consultant approved by the Department for the impaired practitioners program.

SUBJECT AREA TO BE ADDRESSED: Terms of Probation.

RULEMAKING AUTHORITY: 463.005 FS.

LAW IMPLEMENTED: 456.072(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 IS: Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 64B13-7.005 Terms of Probation.
- (1) Any licensee ordered to serve probation by final order of the Board, shall be subject to the following:
 - (a) No change.
 - (b) Any deviation from the requirements of the probation without prior written consent of the Board shall constitute a violation of this probation. ~~Upon recommendation of the Probation Committee or the Probable Cause Committee that a violation of this probation has occurred, the Board may suspend or take other lesser action against the Respondent's~~

~~license. The Respondent will be given notice of the possible action and an opportunity to show why the Board should not take action against the respondent's license.~~

- (c) No change.
- (d) Respondent shall appear before the Board ~~or Probation Committee~~ at the first meeting of the Board ~~or Probation Committee~~ after said probation commences, at the last meeting of the Board ~~or Probation Committee~~ preceding termination of probation, and at such other times as requested by the Board ~~or Probation Committee~~.
- (e) No change.
- (f) Respondent shall submit reports to the Probation ~~committee~~ at intervals specified by the Board ~~or the Probation Committee~~. The Reports shall include:

- 1. through 6. No change.
- 7. Notarized copies of a number specified by the Board ~~or Probation Committee~~ of patient records of patients examined or treated by the respondent within the previous 60 days. To protect patient confidentiality the patients' names should be suitably covered on the copies.
- 8. Other information as may be specified by the Board ~~or the Probation Committee~~.

- (g) through (h) No change.
- (2) If specified in the Final Order, the respondent shall be subject to the following probationary terms:
 - (a) through (c) No change.
 - (d) Respondent shall see a psychiatrist or psychologist approved by the Board ~~or Probation Committee~~ at intervals specified by the Board ~~or the Probation Committee~~ for evaluations and treatment.
 - (e) No change.
 - (f) Respondent shall comply with all of the conditions of his/her after care contract with the Florida Professionals Resource Physician's Recovery Network.
 - (g) through (k) No change.

Rulemaking Specific Authority 463.005 FS. Law Implemented 456.072(2) FS. History—New 7-18-90, Formerly 21Q-7.005, 61F8-7.005, Amended 11-29-94, 5-29-95, Formerly 59V-7.005, Amended _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-10.001 RULE TITLE: Application for Certification

PURPOSE AND EFFECT: The purpose of this amendment is to identify the Board-approved examination for certification.

SUBJECT AREA TO BE ADDRESSED: Application for Certification.

RULEMAKING AUTHORITY: 463.005(1), 463.0055 FS.

LAW IMPLEMENTED: 463.0055 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: Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-10.001 Application for Certification.

To be certified to administer and prescribe topical ocular pharmaceutical agents a licensed practitioner must submit a completed application, DPR/OPT/006(A), revised 1/89, hereby incorporated by reference, provided by the Board; remit the application fee for certification specified in subsection 64B13-6.001(9), F.A.C.; and demonstrate compliance with the following requirements:

(1) through (2) No change.

(3) Successful completion of ~~part II of the NBEO a Board approved examination testing knowledge of general and ocular pharmacology with particular emphasis on the topical application and side effects of pharmaceutical agents.~~

Rulemaking Specific Authority 463.005(1), 463.0055 FS. Law Implemented 463.0055 FS. History–New 11-20-86, Amended 7-6-88, 3-16-89, Formerly 21Q-10.001, 61F8-10.001, Amended 10-4-94, Formerly 59V-10.001, Amended _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-18.002
 RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The purpose of this rule amendment is to permit the prescription of a higher concentration of the medication.

SUBJECT AREA TO BE ADDRESSED: Addition of a topical ocular pharmaceutical agent.

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 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: Bruce Deterding, Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration that is commercially available:

(1) through (3) No change.

(4) ANTIBACTERIAL

(a) through (k) No change

(l) Gatifloxacin – 0.5% ~~0.3%~~

(m) through (p) No change.

(5) through (9) No change.

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, 3-23-09, 6-28-09, 10-18-09, 4-21-10, _____.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NO.: 64J-1.004
 RULE TITLE: Medical Direction

PURPOSE AND EFFECT: To amend those rules identified as not being authorized by statute. These revisions will bring Chapter 64J-1, F.A.C. into compliance with the provisions of Chapter 120.536, F.S. Amending paragraphs 64J-1.004(2)(b), (3)(c), (d), F.A.C.

SUBJECT AREA TO BE ADDRESSED: Medical Director qualifications and responsibilities.

RULEMAKING AUTHORITY: 381.0011, 395.405, 401.265, 401.272, 401.35, 499.05 FS.

LAW IMPLEMENTED: 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.2915, 401.30, 401.34, 401.35, 401.41, 401.411, 499.005 FS.

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

DATE AND TIME: Thursday, December 9, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Florida Department of Health, Bureau of Emergency Medical Service, Capital Circle Office Complex, 4025 Esplanade Way, 3rd Floor, Room 301, Tallahassee, Florida 32311, (850)245-4440, extension *2773. A conference call line

will be available to those participants not able to attend the workshop. The conference number is: (888)808-6959, conference code: 1454440.

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 24 hours before the workshop/meeting by contacting: Melia Jenkins at (850)245-4440, ext. 2773. 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 IS: Melia Jenkins at (850)245-4440, ext. 2773

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64J-1.004 Medical Direction.

(1) Each ALS, BLS or air ambulance provider shall maintain on file for inspection and copying by the department its current contract for a medical director by which it employs or independently contracts with a physician qualified pursuant to this section to be its medical director.

(2) There is no standard format for a medical director's contract, however, in drafting such an instrument, the following provisions may be addressed:

(a) Name and relationship of the contracting parties.

(b) A list of contracted services inclusive of medical direction, ~~administrative responsibilities~~, professional membership, basic and advanced life support review responsibilities, and reporting requirements.

(c) Monetary consideration inclusive of fees, expenses, reimbursement, fringe benefits, clerical assistance and office space.

(d) Termination clause.

(e) Renewal clause.

(f) Provision for liability coverage.

(g) Effective dates of the contract.

(3) Qualifications:

(a) A medical director shall be a Florida licensed M.D. or D.O.

(b) In addition to all other provisions applicable to medical directors in this rule, an air ambulance medical director shall be knowledgeable of the aeromedical requirements of patients and shall evaluate each patient in person or by written protocol prior to each interfacility transfer flight for the purpose of determining that the aircraft, flight and medical crew, and equipment meet the patient's needs.

~~(c) A medical director shall be board certified and active in a broad-based clinical medical specialty with demonstrated experience in prehospital care and hold an ACLS certificate or equivalent as determined in Rule 64J-1.022, F.A.C. Prehospital care experience shall be documented by the provider.~~

~~(c)(d)~~ A medical director shall demonstrate and have available for review by the department documentation of active participation in a regional or statewide physician group involved in prehospital care.

(4) Duties and Responsibilities of the Medical Director.

(a) Develop medically correct standing orders or protocols which permit specified ALS and BLS procedures when communication cannot be established with a supervising physician or when any delay in patient care would potentially threaten the life or health of the patient. The medical director shall issue standing orders and protocols to the provider to ensure that the provider transports each of its patients to facilities that offer a type and level of care appropriate to the patient's medical condition if available within the service region. The medical director or his appointee shall provide continuous 24-hour-per-day, 7-day-per-week medical direction which shall include in addition to the development of protocols and standing orders, direction to personnel of the provider as to availability of medical direction "off-line" service to resolve problems, system conflicts, and provide services in an emergency as that term is defined by Section 252.34(3), F.S.

(b) Develop and implement a patient care quality assurance system to assess the medical performance of paramedics and EMTs. The medical director shall audit the performance of system personnel by use of a quality assurance program to include but not be limited to a prompt review of patient care records, direct observation, and comparison of performance standards for drugs, equipment, system protocols and procedures. The medical director shall be responsible for participating in quality assurance programs developed by the department.

(c) With the exception of BLS medical directors each ALS or air ambulance service medical director shall possess proof of current registration as a medical director, either individually or through a hospital, with the U.S. Department of Justice, DEA, to provide controlled substances to an EMS provider. DEA registration shall include each address at which controlled substances are stored. Proof of such registration shall be maintained on file with each ALS or air ambulance provider and shall be readily available for inspection.

(d) Ensure and certify that security procedures of the EMS provider for medications, fluids and controlled substances are in compliance with Chapters 499 and 893, F.S., and Chapter 64F-12, F.A.C.

(e) Create, authorize and ensure adherence to, detailed written operating procedures regarding all aspects of the handling of medications, fluids and controlled substances by the provider.

(f) Notify the department in writing of each substitution by the EMS provider of equipment or medication.

(g) Assume direct responsibility for: the use of an automatic or semi-automatic defibrillator; the use of a glucometer; the administration of aspirin; the use of any medicated auto injector; the performance of airway patency techniques including airway adjuncts, not to include endotracheal intubation; and on routine interfacility transports, the monitoring and maintenance of non-medicated I.V.s by an EMT. The medical director shall ensure that the EMT is trained to perform these procedures; shall establish written protocols for the performance of these procedures; and shall provide written evidence to the department documenting compliance with provisions of this paragraph.

(h) An EMT employed by a licensed ALS provider is authorized to start a non-medicated IV under the following conditions:

1. A non-medicated IV is initiated only in accordance with department approved protocols of the licensed ALS provider's medical director. These protocols must include a requirement that the non-medicated IV be initiated in the presence of a Florida certified paramedic (of the same licensed provider) who directs the EMT to initiate the IV.

2. If the licensed ALS provider elects to utilize EMTs in this capacity, the licensed EMS provider shall ensure that the medical director provides training at least equivalent to that required by the 1999 U.S. D.O.T. EMT-Intermediate National Standard Curriculum relating to IV therapy which is incorporated by reference and available from the Superintendent of Documents, Post Office Box 371954, Pittsburgh, PA 15250-7954. The licensed EMS provider shall document successful completion of such training in each EMTs training file and make documentation available to the department upon request.

(i) Ensure that all EMTs and paramedics are trained in the use of the trauma scorecard methodologies as provided in Rule 64J-2.004, F.A.C., for adult trauma patients and Rule 64J-2.005, F.A.C., for pediatric trauma patients.

(j) Develop and revise when necessary TTPs for submission to the department for approval.

(k) Participate in direct contact time with EMS field level providers for a minimum of 10 hours per year. Notwithstanding the number of EMS providers served by the medical director, direct contact time shall be a minimum of 10 hours per year per medical director, not per provider.

(l) Medical Directors of a training program shall:

1. Be responsible for the instruction of the Department of Transportation (DOT) approved training program for EMTs and paramedics.

2. Have substantial knowledge of the qualifications, training, protocols, and quality assurance programs for the training facility.

3. Maintain current instructor level training in Advanced Cardiac Life Support (ACLS), or equivalent, or Advanced Trauma Life Support (ATLS), maintain provider or instructor level training in International Trauma Life Support (ITLS), Prehospital Trauma Life Support (PHTLS), or Advanced Trauma Life Support (ATLS); and Advanced Pediatric Life Support (APLS), Pediatric Advanced Life Support (PALS), Pediatric Education for Prehospital Professionals (PEPP), or Emergency Pediatric Care (EPC).

4. Act as a liaison between training centers, local EMS providers and hospitals.

5. Participate in state and local quality assurance and data collections programs.

6. The EMS training center shall by contract, require such medical director to be available 4 hours per month for classroom teaching or review of student performance, and participate in direct contact time with EMS field level providers for a minimum of 10 hours per year. Notwithstanding the number of training centers or EMS providers served by the medical director, direct contact time shall be a minimum of 10 hours per year per medical director, not per training center.

7. The training program shall provide written documentation to the Department that confirms the Medical Director has reviewed and approved all policies, procedures, and methods used for the orientation of instructors and preceptors.

8. The training program shall provide written documentation to the Department that confirms the Medical Director has reviewed and approved all student testing procedures, evaluators and assessment tools used for each comprehensive final written (cognitive) and practical examination (psychomotor skills) for EMT and paramedic students. The Medical Director shall review each student's performance on the comprehensive final written (cognitive) and practical examination (psychomotor skills) before certifying a student has successfully completed all phase of the educational program and EMTs are proficient in basic life support techniques and paramedics are proficient in advanced life support techniques.

(5) The medical director of a licensed EMS provider may authorize paramedics under his or her supervision to perform immunizations pursuant to a written agreement with a County Health Department in the county in which the immunizations are to be performed. Should the medical director elect to utilize paramedics in this capacity, he or she shall verify on DH Form 1256, Certification of Training, December 2008, which is incorporated by reference and available from the department, that each paramedic authorized to administer immunizations has completed training consistent with that of other staff giving immunizations in the County Health Department as required by the Director of that County Health Department.

Rulemaking Authority 381.0011, 395.405, 401.265, 401.272, 401.35, 499.05 FS. Law Implemented 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.2915, 401.30, 401.34, 401.35, 401.41, 401.411, 499.005 FS. History—New 8-7-89, Amended 6-6-90, 12-10-92, 1-26-97, Formerly 10D-66.0505, Amended 8-4-98, 1-3-99, 2-20-00, 4-15-01, 11-19-01, 10-24-05, 12-18-06, Formerly 64E-2.004, Amended 5-27-10,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health and Safety Related Requirements
65C-20.012	Enforcement
65C-20.013	Large Family Child Care Homes (LFCCCH)

PURPOSE AND EFFECT: The rule modifications are being made based on the passage of Senate Bill 7069 changing the requirements for background screening for child care personnel. Additional rule modifications are being made due to the redesign of mandated child care training courses, clarification for fire safety with regards to monthly fire or emergency drills, reunification provisions for parents and children and provisions for children with special needs are to be included in the emergency preparedness plan.

SUBJECT AREA TO BE ADDRESSED: Family Day Care and Large Family Child Care Standards.

RULEMAKING AUTHORITY: 402.313 FS.

LAW IMPLEMENTED: Chapters 2010-114 and 2010-224, Laws of Florida.

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

DATE AND TIME: November 19, 2010, 10:00 a.m.

PLACE: Public Workshop will be held via teleconference: To join the teleconference go to: https://www.livemeeting.com/cc/1317_winewood_blvd/join?id=C397FW&role=attend&pw=58%23%267GStc and call 1-888-808-6959, enter conference code 4884900.

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: Dinah Gallon, Child Care Program, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Rm 388, Tallahassee, Florida 32399-0700. 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: Dinah Gallon (850)488-4900

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.006	Record Keeping

PURPOSE AND EFFECT: The rule modifications are being made based on the passage of Senate Bill 7069 changing the requirements for background screening for child care personnel. Additional rule modifications are being made due to the redesign of mandated child care training courses, clarification for fire safety with regards to monthly fire or emergency drills, reunification provisions for parents and children and provisions for children with special needs are included in the emergency preparedness plan.

SUBJECT AREA TO BE ADDRESSED: Child Care Standards.

RULEMAKING AUTHORITY: 402.305 FS.

LAW IMPLEMENTED: Chapters 2010-114 and 2010-224, Laws of Florida.

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

DATE AND TIME: November 19, 2010, 10:00 a.m.

PLACE: Public workshop will be held via teleconference: To join the teleconference go to: https://www.livemeeting.com/cc/1317_winewood_blvd/join?id=C397FW&role=attend&pw=58%23%267GStc and call 1-888-808-6959, enter conference code 4884900.

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: Dinah Gallon, Child Care Program, 1317 Winewood Blvd., Bldg. 6, 3rd Floor, Room 388, Tallahassee, Florida 32399-0700 or call (850)488-4900. 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: Dinah Gallon (850)488-4900

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-1.003	Definitions
66B-1.004	Policy
66B-1.005	Funds Allocation
66B-1.006	Application Process
66B-1.008	Project Eligibility
66B-1.009	Project Administration
66B-1.011	Reimbursement
66B-1.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-1.015	Small-Scale Derelict Vessel Removal Projects
66B-1.016	Waterways Cleanup Events

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Ensure consistency within the rule and Florida Statutes 374 and add maritime management plans as eligible projects; clarify the rule provisions for project application, funding, eligibility and administration; and include a section on Waterway Cleanup Events.

The effect of the rule development is to implement changes in the administration of the District’s Assistance Programs that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Cooperative Assistance Program rule sections: Definitions, Policy, Funds Allocation, Application Process, Project Eligibility, Project Administration, Reimbursement, Small-Scale Spoil Island Restoration, Small-Scale Derelict Vessel Removal and Waterway Cleanup Events.

RULEMAKING AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: November 30, 2010, 11:00 a.m.

PLACE: The FIND district office, 1314 Marcinski Road, Jupiter, 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 3 days before the workshop/meeting by

contacting: Mark Crosley, Assistant Executive Director, (561)627-3386. 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: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-2.003	Definitions
66B-2.004	Policy
66B-2.005	Funds Allocation
66B-2.006	Application Process
66B-2.008	Project Eligibility
66B-2.009	Project Administration
66B-2.011	Reimbursement
66B-2.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-2.015	Small-Scale Derelict Vessel Removal Projects
66B-2.016	Waterways Cleanup Events

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: Ensure consistency within the rule and Florida Statutes 374 and add maritime management plans as eligible projects; clarify the rule provisions for project application, funding, eligibility and administration; and include a section on Waterway Cleanup Events.

The effect of the rule development is to implement changes in the administration of the District’s Assistance Programs that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

SUBJECT AREA TO BE ADDRESSED: Waterways Assistance Program rule sections: Definitions, Policy, Funds Allocation, Application Process, Project Eligibility, Project Administration, Reimbursement, Small-Scale Spoil Island Restoration, Small-Scale Derelict Vessel Removal and Waterway Cleanup Events.

RULEMAKING AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: November 30, 2010, 11:00 a.m.

PLACE: The FIND District Office, 1314 Marcinski Road, Jupiter, 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 3 days before the workshop/meeting by contacting: Mark Crosley, Assistant Executive Director, (561)627-3386. 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: Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, telephone number: (561)627-3386

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 EDUCATION

Education Practices Commission

RULE NO.: 6B-11.009 RULE TITLE: Documentation of Mitigation, Aggravation, and Legal Argument

PURPOSE AND EFFECT: The Commission proposes the promulgation and adoption of the new rule to set forth procedures for documentation of mitigation, aggravation and legal arguments.

SUMMARY: The new rule will set forth procedures for documentation of mitigation, aggravation and legal arguments.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Commission 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: 1012.79(7), 1012.796 FS.

LAW IMPLEMENTED: 1012.79(7), 1012.796 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: Kathleen Richards, Executive Director, Education Practices Commission, Turlington Building, Suite 224, 325 West Gaines Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

6B-11.009 Documentation of Mitigation, Aggravation, and Legal Argument.

(1) Any documents a party wishes the Education Practices Commission panel members to consider relating to mitigation, aggravation, and legal argument shall be submitted to the Education Practices Commission at least 21 days prior to the scheduled hearing in order to allow adequate time for review and incorporation into the electronic agenda materials.

(2) A party submitting documents to the Education Practices Commission shall serve the other parties with a copy of the documents.

(3) Late filed exhibits may be accepted by the panel for good cause.

Rulemaking Authority 1012.79(7), 1012.796 FS. Law Implemented 1012.79(7), 1012.796 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Education Practices Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Education Practices Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 6, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2010

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."

EXECUTIVE OFFICE OF THE GOVERNOR

Office of Tourism, Trade and Economic Development

RULE NOS.:	RULE TITLES:
27M-5.001	Definitions and Forms
27M-5.002	Application Process
27M-5.003	Qualification Process
27M-5.004	Certification Decision Process
27M-5.005	Verification of Actual Qualified Expenditures
27M-5.006	Withdrawal of Tax Credit Eligibility
27M-5.007	Award of Tax Credits
27M-5.008	Election of Tax Credits
27M-5.009	Transfer of Tax Credits

PURPOSE AND EFFECT: This new rule implements the Entertainment Industry Financial Incentive Program (the "Program") established in the Office of Tourism, Trade and Economic Development by Section 288.1254, F.S.