

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.012, 39.202, 383.402, 409.165 FS. History–New _____.

See Former Rule 65C-30.021.

65C-36.008 Region Child Fatality Prevention Specialist Responsibilities.

In addition to the requirements in Section 383.402(18), F.S., the Region Child Fatality Prevention Specialists shall:

(1) Complete a Comprehensive Review, within 30 days after the child protective investigation is closed, when the investigation is closed with a determination that the child's death was caused by abuse, neglect or abandonment by a caregiver.

(2) Complete a Limited Review, within 30 days after the protective investigation is closed, when the investigation is closed with a determination that the child's death was not caused by abuse, neglect or abandonment by a caregiver.

(3) Provide electronic copies of Limited and Comprehensive reviews to the following individuals within 5 working days of completion:

(a) Region Director; and

(b) State Child Fatality Prevention Specialist.

(4) Implement and oversee of the Department's regional child death review process and activities related to the internal review of child abuse deaths. This includes coordinating child death review activities with Department staff, community based care providers and sheriff's offices involved in the provision of child protection services;

(5) Establish professional working relationships with medical examiners, state attorneys and law enforcement agencies serving the counties included in the specialist's service area;

(6) Utilize the Department's statewide child death review database for tracking child deaths during the child abuse death review process;

(7) Work with the Family Safety Quality Assurance office to keep the statewide child death review database complete, accurate and current;

(8) Participate in local child abuse death review committee staffings as the Department's representative to the local child death review committee, where these teams exist;

(9) Provide all appropriate documents to the State Child Abuse Death Review Committee when an investigation is closed with a determination that the child's death was caused by abuse, neglect or abandonment by a caregiver.

(10) Review the protective investigation and inform the child protective investigation supervisor if the protective investigation has been approved for closure within 2 working days of being notified that the protective investigation is ready to be closed; and

(11) Bring critical issues and recommendations resulting from child death reviews to the attention of the:

(a) Region Director;

(b) Region Family Safety Program Administrator;

(c) Region Quality Assurance Director; and

(d) State Child Fatality Prevention Specialist;

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.012, 39.202, 383.402, 409.165 FS. History–New _____.

See Former Rule 65C-30.021.

65C-36.009 Dispute Resolution.

The Region Director, in consultation with the State Director for Family Safety, shall make the final determination regarding maltreatment findings or other items pertinent to the protective investigation when there is disagreement between the Region Child Fatality Prevention Specialist and the Child Protective Investigations Supervisor.

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.012, 39.201, 383.402, 409.165 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Alan Abramowitz, Office of Family Safety

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Don Winstead, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 20, 2010, Vol. 36, No. 33

Section III

Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NOS.:

RULE TITLES:

15C-17.001

Requirements

15C-17.002

Exemptions and Restrictions

15C-17.003

Record Retention

NOTICE OF PUBLIC HEARING

The Department of Highway Safety and Motor Vehicles announces a hearing regarding the above rule, as noticed in Vol. 36, No. 33, August 20, 2010 Florida Administrative Weekly.

DATE AND TIME: October 22, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Department of Highway Safety and Motor Vehicles, Neil Kirkman Building Auditorium, 2900 Apalachee Parkway, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any comments from the public on the proposed rule revisions to Rules 15C-17.001 through 15C-17.003, F.A.C., as published in the August 20, 2010 Florida Administrative Weekly.

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 2 days before the workshop/meeting by contacting: Julie Baker by email: juliebaker@flhsmv.gov or by telephone (850)617-3001. 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).

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 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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NOS.:	RULE TITLES:
64B4-3.008	Supervision Required Until Licensure
64B4-3.0085	Intern Registration

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 34, August 27, 2010 issue of the Florida Administrative Weekly.

The correction is as follows:

The Rule Development publication date listed in the Notice of Proposed Rulemaking should read: DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: August 6, 2010.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.:	RULE TITLE:
64B10-11.001	Application for Examination

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 38, September 25, 2009 issue of the Florida Administrative Weekly.

The correction amends the "DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW" to read correctly as August 7, 2009.

The person to be contacted regarding the above change Bruce Deterding, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.:	RULE TITLE:
64B10-16.005	Domains of Practice, Objectives, Reports

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. 38, September 25, 2009 issue of the Florida Administrative Weekly.

The change is in response to concerns stated by the Joint Administrative Procedures Committee in a letter dated October 8, 2009.

The changes are as follows:

64B10-16.005(1)(d) shall read as:

(d) The preceptor and Administrator-in-Training must file a reports with the Board every 90 days. The report shall be made on the State of Florida AIT Domains of Practice Quarterly Checklist, Form DH-MQA 1209 (revised 07/10, hereby adopted and incorporated by reference) which can be obtained from the Board of Nursing Home Administrators' website at: <http://www.doh.state.fl.us/mqa/nurshome/index.html>. Each report shall be co-signed by the preceptor and Administrator-in-Training and shall be filed within two weeks after the completion of each reporting period of the program. Failure to file the report on the correct form or within the stated time period may result in non-acceptance of the report. The reports shall contain a synopsis of the areas covered in the program and a narrative describing relevant learning experiences. The reports shall show how the Administrator-in-Training used the following methods to further his or her training:

1. through 7. No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.:	RULE TITLE:
64B14-4.005	Documentation of Eligibility for Registration

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, F.S., published in Vol. 35, No. 36, of the September 10, 2009, issue of the Florida Administrative Weekly. The change updates the revision date and the title of the form incorporated by reference. This will also correct the rule number from Rule 64B14-4.004 as originally published to Rule 64B14-4.005, F.A.C. The changes are as follows:

64B14-4.005 Documentation of Eligibility for Registration.

In order to establish eligibility for registration as an orthotic, or prosthetic, resident or intern under Section 468.803(3)(a) or (b), F.S., the applicant must submit a completed Application Form for Orthotic or Prosthetic Internship/Residency Program, form number DH-MQA 1126, 07/09, hereby adopted and incorporated by reference, which is available from the Board office or at the Board's website: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>, and provide:

(1) An official transcript from the regionally accredited institution at which the applicant's Baccalaureate or post-graduate degree was awarded, indicating the degree awarded.

(2) If the applicant's degree was not awarded in orthotics and prosthetics, documentation from the CAAHEP approved program certifying completion of an orthotics or prosthetics program, as applicable.

(3) For registration as a resident the applicant must provide documentation of enrollment in an NCOPE approved residency program.

(4) For registration as an intern the applicant must provide documentation of a proposed internship meeting the requirement of Rule 64B14-4.100, F.A.C.

(5) Documentation of completion of the mandatory courses.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

School Psychology

RULE NO.: 64B21-504.001 RULE TITLE: Disciplinary Guidelines

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 34, August 27, 2010 issue of the Florida Administrative Weekly.

The correct date on which the notice of rule development was published in the FAW was March 12, 2010.

The person to be contacted regarding the above notice is Allen Hall, Executive Director, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3205

DEPARTMENT OF HEALTH

Dental Laboratories

RULE NO.: 64B27-2.001 RULE TITLE: Disciplinary Guidelines

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 34, August 27, 2010 issue of the Florida Administrative Weekly.

The correct date on which the notice of rule development was published in the Florida Administrative Weekly was March 12, 2010.

The person to be contacted regarding the above notice is Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: 69O-204.030 69O-204.040 RULE TITLES: Forms Incorporated By Reference Prohibited Practices

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 39, September 26, 2008 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

Securities

RULE NO.: 69W-301.002 RULE TITLE: Processing of 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. 36, No. 33, August 20, 2010 issue of the Florida Administrative Weekly.

The rule has been changed to address comments from the staff of the Joint Administrative Procedures Committee. The changes include the following:

1) Paragraph 69W-301.002(2)(c) has been amended to strike the word "may".

2) Form OFR-S-1-91 has been revised to correct cross references, clarify the information that is requested under Exhibit 11, and replace general references to Commission rules with specific citations.

3) Form OFR-S-7-91 has been revised to replace general references to Commission rules with specific citations.

4) Form OFR-S-3-91 has been revised to remove the requirement that the applicant must sign the form before a notary. This requirement has been replaced with a general statement indicating that the applicant has read the application and represents that the facts stated in it are true.

5) Form OFR-S-12-97 has been revised to correct a cross reference.

6) Form CUBA has been revised to remove the sentence that provides that failure to timely provide information may result in a civil action against the issuer.

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."

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."

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on September 8, 2010, the Suwannee River Water Management District (SRWMD), has issued an order.

This Order (10-0011) grants variance under Section 120.542, F.S., to Michael Streicher, 3101 US Hwy. 90 West, Suite 201, Lake City, FL 32055, to remodel boat garage, in Gilchrist County, in Township 7 South, Range 14 East, Section 13. The petition for variance was received by SRWMD on May 24, 2010. Notice of receipt of petition requesting variance was published in F.A.W., Vol. 36, No. 22, June 4, 2010. No public comment has been received. This Order provides a variance

from SRWMD criteria for subsection 40B-4.3030(4), F.A.C., as to the building elevations without the use of fill, and subsection 40B-4.3030(9), F.A.C., as to the zero-rise certification requirement. SRWMD granted the petition because the petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that a substantial hardship would be created if the petitioner was required to comply with this rule.

A copy of the Order may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida.

NOTICE IS HEREBY GIVEN THAT on August 16, 2010, the St. Johns River Water Management District's Governing Board has issued an order.

The District granted a variance under Section 120.542, F.S., (SJRWMD FOR #2010-20), to DG Palm Bay Malabar, LLC (Petitioner). The Petition for Variance was received by SJRWMD on April 16, 2010. Notice of receipt of the petition requesting the variance was published in the Florida Administrative Weekly, Vol. 36, No. 21 on May 28, 2010. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1. of the Florida Administrative Code and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship, and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373 of the Florida Statutes to prevent harm to the water resources, by facilitating the project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne-Tillman Water Control District canal system to drain once again to the St. Johns River.

A copy of the Order may be obtained by contacting: Gail Hankinson, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4391.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on September 3, 2010, the Agency for Health Care Administration, received a petition for Petition for Variance or Waiver from of subsection 59A-1.005(35), Florida Administrative Code, from INTERNATIONAL SIGHT RESTORATION, INC. The