

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, 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: Robin Delaney, (850)413-1775 or Robin.Delaney@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: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1775 or Robin.Delaney@myfloridacfo.com

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.: RULE TITLES:
73C-49.001 Purpose and Effect
73C-49.002 Schedule

PURPOSE AND EFFECT: The purpose and effect is to adopt by rule a phased schedule for local governments to submit an evaluation and appraisal notification letter.

SUBJECT AREA TO BE ADDRESSED: The adoption of Chapter 73C-49, F.A.C., will establish a phased schedule for the local government evaluation and appraisal notification letter pursuant to subsection 163.3191(5), Florida Statutes.

RULEMAKING AUTHORITY: 163.3191(5) FS.

LAW IMPLEMENTED: 163.3191 FS.

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

DATE AND TIME: March 19, 2012, 8:45 a.m.

PLACE: Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, Room 132, Tallahassee, Florida 32399-6545

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ray Eubanks, Community Program Administrator, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 160, Tallahassee, Florida 32399-4120, (850)717-8483. 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: Ray Eubanks, Community Program Administrator, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 160, Tallahassee, Florida 32399-4120, Tallahassee, Florida 32399-6545, (850)717-8483

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 CORRECTIONS

RULE NO.: RULE TITLE:
33-302.110 Reporting Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to change reporting requirements for individuals on community supervision.

SUMMARY: The proposed rule is amended to change the way in which individuals on community supervision must report their monthly circumstances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Based on information provided by the Bureau of Finance and Accounting indicating the changes only affect where the trust monies are directed within the Department and therefore have no effect on small business, as well as information indicating that the changes would not require any additional training or have any other regulatory cost, the rule is not expected to require legislative ratification.

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: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.110 Reporting Requirements Written Monthly Reports.

(1) The offender shall ~~submit a full and truthful report to the officer as directed on a monthly basis, unless otherwise specified by the supervision order.~~

(2) The offender shall obtain prior approval from the probation officer before making planned changes in residence, employment, and student status and shall immediately report any contact with law enforcement or any problems, questions, or concerns with supervision requirements.

(3) When the offender reports as instructed by the probation officer, he/she shall provide information relating to activities for the previous month, including phone or email changes, vehicle changes, progress made on special conditions, and actions taken to address personal goals:

- (a) ~~The offender's place of residence;~~
- (b) ~~The offender's place of employment;~~
- (c) ~~The offender's gross income earned monthly;~~
- (d) ~~The offender's effective date of unemployment (if unemployed), reason for unemployment, and source of income during the unemployed period;~~
- (e) ~~The offender's number of dependents;~~
- (f) ~~Information regarding any additional jobs held by offender;~~
- (g) ~~Payments made by the offender including restitution, court costs, cost of supervision, or other monetary obligations imposed by the court or releasing authority;~~
- (h) ~~If monthly monetary obligation payment was not met, reason monetary obligation was not paid;~~
- (i) ~~Problems experienced by the offender; and~~
- (j) ~~Other information that needs to be discussed with the correctional probation officer during the required office visit.~~

~~(2) Upon receipt, the correctional probation officer shall review the report, discuss changes or concerns, and document receipt of the report in case notes.~~

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 8-1-01, Amended 11-4-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jenny Nimer, Assistant Secretary Office of Community Corrections

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 20, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 28, 2011

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-9.1381
 RULE TITLE: Prohibited Activities

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to revise this Land Management Rule to conform with recently enacted legislation, Chapter 2011-109, Laws of Florida (HB 45), which has expressly preempted the regulation of firearms and ammunition in Florida. District staff proposes amendments to the rule to eliminate any reference to firearms within this rule.

SUMMARY: Land Management Rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has determined no SERC is required because no regulatory cost is associated with this proprietary rule or its repeal. The rule governs access to District property and is not regulatory in nature. There are no permits, licenses, or fees associated with this rule. There is neither a cost nor an exemption from cost associated with this rule. The repeal of this rule is therefore not expected to require legislative ratification pursuant to subsection 120.541(3), Florida Statutes. The repeal of this rule is, however, subject to legislative review pursuant to subsection 373.1391(6), Florida Statutes.

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: 373.044, 373.083, 373.1391 FS.

LAW IMPLEMENTED: 373.056, 373.096, 373.099, 373.1391, 373.1401 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: Linda Welch, GB Coordinator-Paralegal, SRWMD, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

THE FULL TEXT OF THE PROPOSED RULE IS:

40B-9.1381 Prohibited Activities.

(1) through (12) No change.

(13) The use of firearms, archery equipment, animal traps, or other similar devices on District lands is prohibited unless specifically authorized for:

(a) Hunting activities as authorized under paragraph 40B-9.131(3)(j), F.A.C., above;

(b) District initiated land management activities; or

(c) A use specifically authorized by the District through a Special Use Authorization issued under Rule 40B-9.1411, F.A.C.

~~The possession of firearms or other similar devices on District lands must comply with Chapter 790, F.S.~~

(14) through (19) No change.

Rulemaking Authority 373.044, 373.083, 373.1391 FS. Law Implemented 373.056, 373.096, 373.099, 373.1391, 373.1401 FS. History—New 5-31-09, Amended 7-21-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Department Director, SRWMD, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only)

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 9, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-35.004 RULE TITLE: Athlete Agent Departmental Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new application forms.

SUMMARY: Within the first paragraph the Department proposes to add language to provide the contact information for individuals/organizations who want to obtain an Athlete Agent application form. The following subsections provide information for a person/organization desiring licensure and the necessary application to submit. A subsection is provided for each type of licensure and application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 455.2035, 468.457 FS.

LAW IMPLEMENTED: 455.213, 468.453 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.004 Athlete Agent Departmental Forms.

The following Athlete Agent forms can be obtained at www.myfloridalicense.com/dbpr/ or by contacting the Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0790, (850)487-1395:

(1) Any person desiring licensure as an Athlete Agent shall submit a completed Form DBPR AA-4101, Application for Licensure as an Athlete Agent, effective _____, adopted and incorporated by reference.

(2) Any person requesting an address or name change or duplicate of his or her Athlete Agent license shall submit a completed Form DBPR AA-4102, Request for Address/Name Change or Duplicate, effective _____, adopted and incorporated by reference.

(3) Any person desiring to change the status of his or her Athlete Agent license shall submit a completed Form DBPR AA-4103, Change of Status Application effective _____, adopted and incorporated by reference.

Rulemaking Authority 455.2035, 468.457 FS. Law Implemented 455.213, 468.453 FS History—New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Morrison, Executive Director, Division of Professions,
Department of Business and Professional Regulation
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Ken Lawson, Secretary, Department of
Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 10, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 16, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-35.006
RULE TITLE: Florida Barbers' Departmental Forms
PURPOSE AND EFFECT: The purpose and effect of the
proposed rule is to adopt new application forms.

SUMMARY: Within the first paragraph the Department
proposes to add language to provide the contact information
for individuals/organizations who want to obtain a Florida
Barbers' application form. The following subsections provide
information for a person/organization desiring licensure and
the necessary application to submit. A subsection is provided
for each type of licensure and application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse
impact on small business or likely increase directly or
indirectly regulatory costs in excess of \$200,000 in the
aggregate within one year after the implementation of the rule.
A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not
expected to require legislative ratification based on the
statement of estimated regulatory costs or if no SERC is
required, the information expressly relied upon and described
herein: the economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 455.213 FS.

LAW IMPLEMENTED: 455.203(5), 455.213(1), 455.213(2),
455.217(2), 455.217(6), 455.2179, 455.219(1), 455.2281,
455.2228, 455.271(6), 455.271(2), 559.79, 476.114(1),
476.114(2), 476.114(3), 476.144(7), 476.144(5), 476.144(6),
476.192, 476.184(1), 476.184(3), 476.184(7) FS.

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

Pursuant to the provisions of the Americans with Disabilities
Act, any person requiring special accommodations to
participate in this workshop/meeting is asked to advise the

agency at least 7 days before the workshop/meeting by
contacting: Sheri Snyder, (850)717-1496. If you are hearing or
speech impaired, please contact the agency using the Florida
Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770
(Voice).

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Sheri Snyder, Division of Professions,
1940 North Monroe St., Tallahassee, FL 32399-0783,
(850)717-1496, Sheri.Snyder@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.006 Florida Barbers' Departmental Forms.

The following Florida Barber forms can be obtained at
www.myfloridalicense.com/dbpr/ or by contacting the
Department of Business and Professional Regulation,
Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL
32399-0790, (850)487-1395:

(1) Any person desiring licensure as a Barber by
examination based on Florida Education, shall submit a
completed Form DBPR BAR 1, Application for Initial License
by Examination Based on Florida Education, effective
_____, adopted and incorporated by reference.

(2) Any person desiring licensure as a Barber by
examination based on current licensure in another state or
country, shall submit a completed Form DBPR BAR 2,
Application for Initial License by Exam Based on Current
Licensure in Another State or Country, effective
_____, adopted and incorporated by reference.

(3) Any person desiring reexamination of his or her Barber
exam, shall submit a completed Form DBPR BAR 3,
Application for Reexamination, effective
_____, adopted and incorporated by reference.

(4) Any person desiring licensure as a Barber by
Endorsement, shall submit a completed Form DBPR BAR 4,
Application for License by Endorsement, effective
_____, adopted and incorporated by reference.

(5) Any person or organization desiring a Barbershop
license, shall submit a completed Form DBPR BAR 5,
Application for Barbershop Licensure, effective
_____, adopted and incorporated by reference.

(6) Any person desiring licensure as a Barber from null
and void, shall submit a completed Form DBPR 6, Application
for License from Null and Void (Expired License), effective
_____, adopted and incorporated by reference.

(7) Any person or organization desiring approval of an
initial and continuing Barber continuing education course,
shall submit a completed Form DBPR 7, Application for Initial
and Continuing Education Course Approval and Renewal,
effective _____, adopted and incorporated by reference.

(8) Any person or organization desiring approval as an initial and continuing Barber education course provider, shall submit a completed Form DBPR 8, Application for Initial and Continuing Education Provider Approval, effective _____, adopted and incorporated by reference.

(9) Any person desiring to change their name or address, request a duplicate license, or to change the status of his or her Barber license, shall submit a completed Form DBPR 9, Individual Change of Status Transactions, effective _____, adopted and incorporated by reference.

(10) Any person or entity desiring to change their mailing address, to request a duplicate license, or to close his or her Barbershop, shall submit a completed Form DBPR 10, Barbershop Change of Status Transactions, effective _____, adopted and incorporated by reference.

Rulemaking Authority 455.213 FS. Law Implemented 455.203(5), 455.213(1), 455.213(2), 455.217(2), 455.217(6), 455.2179, 455.219(1), 455.2281, 455.2228, 455.271(6), 455.271(2), 559.79, 476.114(1), 476.114(2), 476.114(3), 476.144(7), 476.144(5), 476.144(6), 476.192, 476.184(1), 476.184(3), 476.184(7) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robyn Barineau, Executive Director, Division of Professions, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 16, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: 61-35.010
RULE TITLE: Construction Industry Departmental Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new application forms.

SUMMARY: Within the first paragraph the Department proposes to add language to provide the contact information for individuals/organizations who want to obtain a Construction Industry application form. The following subsections provide information for a person/organization desiring licensure and the necessary application to submit. A subsection is provided for each type of licensure and application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.213(1), 489.109, 489.111, 489.113, 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119 FS

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.010 Construction Industry Departmental Forms.

The following Construction Industry Departmental forms can be obtained at www.myfloridalicense.com/dbpr/ or by mail from the Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0790, (850)487-1395:

(1) REGISTERED CONTRACTOR. – Persons applying to become licensed as a Registered Contractor shall use the following forms:

(a) Form DBPR CILB 2 – Application for Registered Contractor as an Individual, effective _____, is adopted and incorporated by reference.

(b) Form DBPR CILB 3 – Application for Registered Contractor Qualifying a Business, effective _____, is adopted and incorporated by reference.

(c) Form DBPR CILB 4 – Application for Registered Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(2) CERTIFIED CONTRACTOR. –

(a) Persons applying to become licensed as a General Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified General Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified General Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified General Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(b) Persons applying to become licensed as a Building Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Building Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Building Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7-Application for Certified Building Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(c) Persons applying to become licensed as a Residential Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Residential Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Residential Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Residential Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(d) Persons applying to become licensed as a Sheet Metal Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Sheet Metal Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Sheet Metal Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Sheet Metal Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(e) Persons applying to become licensed as a Specialty Structure Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Specialty Structure Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Specialty Structure Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Specialty Structure Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(f) Persons applying to become licensed as a Mechanical Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Mechanical Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Mechanical Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Mechanical Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(g) Persons applying to become licensed as a Class-A Air Conditioning Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Class-A Air Conditioning Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Class-A Air Conditioning Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Class-A Air Conditioning Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(h) Persons applying to become licensed as a Class-B Air Conditioning Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Class-B Air Conditioning Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Class-B Air Conditioning Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Class-B Air Conditioning Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(i) Persons applying to become licensed as a Roofing Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Roofing Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Roofing Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Roofing Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(j) Persons applying to become licensed as a Commercial Pool Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Commercial Pool Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Commercial Pool Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Commercial Pool Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(k) Persons applying to become licensed as a Residential Pool Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Residential Pool Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Residential Pool Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Residential Pool Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(l) Persons applying to become licensed as a Pool Servicing Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Pool Servicing Contractor as an Individual effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Pool Servicing Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Pool Servicing Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(m) Persons applying to become licensed as a Plumbing Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Plumbing Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Plumbing Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7- – Application for Certified Plumbing Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(n) Persons applying to become licensed as a Underground Utility and Excavation Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Underground Utility and Excavation Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Underground Utility and Excavation Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Underground Utility and Excavation Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(o) Persons applying to become licensed as a Solar Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Solar Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Solar Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Solar Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(p) Persons applying to become licensed as a Pollutant Storage Systems Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Pollutant Storage Systems Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Pollutant Storage Systems Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Pollutant Storage Systems Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(q) Persons applying to become licensed as a Drywall Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Drywall Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Drywall Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Drywall Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(r) Persons applying to become licensed as a Gas Line Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Gas Line Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Gas Line Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Gas Line Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(s) Persons applying to become licensed as a Glass and Glazing Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Glass and Glazing Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Glass and Glazing Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Glass and Glazing Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(t) Persons applying to become licensed as a Marine Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Marine Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Marine Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Marine Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(3) CERTIFIED SWIMMING POOL SPECIALTY CONTRACTOR.–

(a) Persons applying to become licensed as a Swimming Pool Layout Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Swimming Pool/Spa Layout Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Swimming Pool/Spa Layout Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Swimming Pool/Spa Layout Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(b) Persons applying to become licensed as a Swimming Pool Structural Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Swimming Pool/Spa Structural Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Swimming Pool/Spa Structural Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Swimming Pool/Spa Structural Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(c) Persons applying to become licensed as a Swimming Pool Excavation Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Swimming Pool/Spa Excavation Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Swimming Pool/Spa Excavation Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Swimming Pool/Spa Excavation Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(d) Persons applying to become licensed as a Swimming Pool Trim Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Swimming Pool/Spa Trim Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Swimming Pool/Spa Trim Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Swimming Pool/Spa Trim Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(e) Persons applying to become licensed as a Swimming Pool Decking Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Swimming Pool/Spa Decking Specialty Contractor as an Individual, effective _____, adopted herein by reference.

2. Form DBPR CILB 6 – Application for Certified Swimming Pool/Spa Decking Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Swimming Pool/Spa Decking Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(f) Persons applying to become licensed as a Swimming Pool Piping Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Swimming Pool/Spa Piping Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Swimming Pool/Spa Piping Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Swimming Pool/Spa Piping Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(g) Persons applying to become licensed as a Swimming Pool Finishes Specialty Contractor shall use the following forms:

1. Form DBPR CILB 5 – Application for Certified Swimming Pool/Spa Finishes Specialty Contractor as an Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 6 – Application for Certified Swimming Pool/Spa Finishes Specialty Contractor Who is Qualifying a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 7 – Application for Certified Swimming Pool/Spa Finishes Specialty Contractor Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(4) MAINTAIN AN EXISTING LICENSE.–

(a) Persons applying to change license status to active or inactive shall use the following forms:

1. Form DBPR CILB 11 – Application for Change of Status-Inactive to Active Individual, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 12 – Application for Change of Status-Inactive to Active and Qualify a Business, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 13 – Application for Change of Status-Inactive to Active and Qualify an Additional Business Entity, effective _____, is adopted and incorporated by reference.

4. Form DBPR CILB 14 – Application for Change of Status-Active to Inactive, effective _____, is adopted and incorporated by reference.

(b) Persons/Entities applying to change license status, Individual – Business – Qualifying Business, shall use the following forms:

1. Form DBPR CILB 15 – Application for Change of Status-Individual to Qualifying Business, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 16 – Application for Change of Status-Individual to Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

3. Form DBPR CILB 17 – Application for Change of Status-From Qualifying a Business to Individual License, effective _____, is adopted and incorporated by reference.

4. Form DBPR CILB 18 – Application for Change of Status-One Qualified Business to Another Qualified Business, effective _____, is adopted and incorporated by reference.

5. Form DBPR CILB 19 – Application for Change of Status-One Qualified Business to Another-Qualifying an Additional Business Entity, effective _____, is adopted and incorporated by reference.

(c) Persons applying to change names or addresses shall use the following forms:

1. Form DBPR CILB 22 – Request for Address or Name Change, effective _____, is adopted and incorporated by reference.

2. Form DBPR CILB 23 – Request for Name Change for Construction Business Entities, effective _____, is adopted and incorporated by reference.

(5) ADDITIONAL FORMS. –

(a) To add, change or remove a financially responsible officer: Form DBPR CILB 8 – Application for Financially Responsible Officer, effective _____, is adopted and incorporated by reference.

(b) To qualify an additional business entity with an existing license: Form DBPR CILB 9 – Application for Qualifying an Additional Business Entity Under the Same License Category, effective _____, is adopted and incorporated by reference.

(c) To obtain certification as a general contractor by endorsement: Form DBPR CILB 10-Application for Endorsement as Individual Certified General Contractor, effective _____, is adopted and incorporated by reference.

(d) To obtain limited non-renewable registration: Form DBPR CILB 20-Application for Limited Non-Renewable Registration, effective _____, is adopted and incorporated by reference.

(e) To obtain registration as a swimming pool specialty contractor practical examiner: Form DBPR CILB 21-Application for Registration as a Swimming Pool Specialty Contractor Practical Examiner, effective _____, is adopted and incorporated by reference.

(f) For a qualifying agent to change their status: Form DBPR CILB 24-Request for Change of Status for Qualifying Agent(s), effective _____, is adopted and incorporated by reference.

(g) To obtain a duplicate license: Form DBPR CILB 25-Request for Duplicate License, effective _____, is adopted and incorporated by reference.

(h) To reinstate null and void certification or registration: Form DBPR CILB 26-Application to Reinstate Null and Void Certification or Registration, effective _____, is adopted and incorporated by reference.

(i) To obtain continuing education provider approval: Form DBPR CILB 27-Continuing Education Provider Approval Application, effective _____, is adopted and incorporated by reference.

(j) To obtain approval or renewal of a continuing education course: Form DBPR CILB 28-Continuing Education Course Approval Application, effective _____, is adopted and incorporated by reference.

Rulemaking Authority 455.203, 455.213 FS. Law Implemented 455.213(1), 489.109, 489.111, 489.113, 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Winters, Executive Director, Division of Professions,
Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Ken Lawson, Secretary, Department of
Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 10, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 28, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

RULE NO.: 61-35.011 RULE TITLE: Cosmetology Departmental Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt new application forms.

SUMMARY: Within the first paragraph the Department proposes to add language to provide the contact information for individuals/organizations who want to obtain a Cosmetology application form. The following subsections provide information for a person/organization desiring licensure and the necessary application to submit. A subsection is provided for each type of licensure and application.

**SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS AND LEGISLATIVE
RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 455.203, 455.213, 455.2179 FS.

LAW IMPLEMENTED: 455.213, 455.217, 455.2179, 455.219, 455.2228, 455.271, 477.0132, 477.014, 477.019, 477.0201, 477.0212, 477.022, 477.025, 477.026, 477.0263, 559.79 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61-35.011 Cosmetology Departmental Forms.

The following Cosmetology forms can be obtained at www.myfloridalicense.com/dbpr/ or by contacting the Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, FL 32399-0790, (850)487-1395.

(1) Any person desiring a cosmetology license based on Florida education shall submit to a completed Form DBPR COSMO 1, Application for Initial License Based on Florida Education, effective _____, adopted and incorporated by reference.

(2) Any person desiring a cosmetology license by exam based on current licensure in another state shall submit a completed Form DBPR COSMO 2, Application for Initial License by Exam based on Current Licensure in Another State or Country, effective _____, adopted and incorporated by reference.

(3) Any person desiring to retake the cosmetology licensure examination shall submit a completed Form DBPR COSMO 3, Application for Reexamination, effective _____, adopted and incorporated by reference.

(4) Any person desiring a cosmetology license or registration by endorsement shall submit a completed Form DBPR COSMO 4, Application for Initial License or Registration by Endorsement, effective _____, adopted and incorporated by reference.

(5) Any person desiring a hair braiding, hair wrapping or body wrapping registration shall submit a completed Form DBPR COSMO 5, Application for Hair Braiding, Hair Wrapping and Body Wrapping Registration, effective _____, adopted and incorporated by reference.

(6) Any person or organization desiring a salon license shall submit a completed Form COSMO 6, Application for Salon Licensure, effective _____, adopted and incorporated by reference.

(7) Any person desiring a cosmetology license or registration from null and void shall submit a completed Form COSMO 7, Application for License/Registration from Null and Void (Expired License/Registration), effective _____, adopted and incorporated by reference.

(8) Any person or organization desiring to register a hair wrapper, hair braider, body wrapper or initial HIV/AIDS course shall submit a completed Form COSMO 8, Application for Initial Course Registration of Hair Wrapper, Hair Braider, Body Wrapper and Initial HIV/AIDS, effective _____, adopted and incorporated by reference.

(9) Any person or organization desiring renewal or approval of a cosmetology continuing education course shall submit a completed Form COSMO 9, Application for Continuing Education Course Approval or Renewal, effective _____, adopted and incorporated by reference.

(10) Any person or organization desiring to be a cosmetology continuing education provider shall submit to the Department a completed Form COSMO 10, Application for Continuing Education Provider Approval, effective _____, adopted and incorporated by reference.

(11) Any person desiring to change the status of his or her cosmetology license shall submit a completed Form DBPR COSMO 11, Individual Change of Status Transactions, effective _____, adopted and incorporated by reference.

(12) Any person or organization desiring to change the status of their cosmetology salon license shall submit a completed Form DBPR COSMO 12, Salon Change of Status Transactions, effective _____, adopted and incorporated by reference.

Rulemaking Authority 455.203, 455.213, 455.2179 FS. Law Implemented 455.213, 455.217, 455.2179, 455.219, 455.2228, 455.271, 477.0132, 477.014, 477.019, 477.0201, 477.0212, 477.022, 477.025, 477.026, 477.0263, 559.79 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Robyn Barineau, Executive Director, Division of Professions,
 Department of Business and Professional Regulation
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Ken Lawson, Secretary, Department of
 Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 10, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: December 16, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.032
 RULE TITLE: Certification of Swimming Pool Specialty Contractors

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify language to clarify certification procedures.

SUMMARY: The rule amendment will modify language to clarify certification procedures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 455.217, 489.108, 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 455.217, 489.108, 489.113(6), 489.115(4) 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: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.032 Certification of Swimming Pool Specialty Contractors.

- (1) through (2) No change.
- (3) Certification Procedures.
 - (a) Qualifications.

1. No change.

2. A person shall be certified as a swimming pool specialty contractor if said person:

- a. through c. No change.
- d.I. No change.

II. ~~Until January 1, 2009, an~~ applicant who completes three (3) hours of board-approved continuing education, consisting of one hour of workplace safety, one hour of business practices, and one hour of workers' compensation, may qualify, if the applicant successfully passes a practical examination for certification in the category of swimming pool specialty contractor applied for in lieu of a written examination for licensure.

- (b) No change.

~~Rulemaking Specific~~ Authority 455.217, 489.113(6), 489.108, 489.115(4) FS. Law Implemented 455.217, 489.113(6), 489.108, 489.115(4) FS. History--New 1-4-06, Amended 2-11-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 3, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-16.0021
 RULE TITLE: Written Examination for Swimming Pool Specialty Contractors

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete language to clarify examination for licensure for any category of swimming pool specialty contractor.

SUMMARY: The rule amendment will delete language to clarify examination for licensure for any category of swimming pool specialty contractor.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 455.217(1), 489.113(6), 489.115(5) FS.

LAW IMPLEMENTED: 455.217(1), 489.113(6), 489.115(5) 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: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-16.0021 Written Examination for Swimming Pool Specialty Contractors.

(1) The examination for licensure for any category of swimming pool specialty contractor as specified in Rule 61G4-15.032, F.A.C., shall consist of a written examination or ~~until January 1, 2012~~, a practical examination. The written examination shall test the applicant's ability to perform the scope of work for the category of swimming pool specialty contractor for which the applicant applied.

(2) through (4) No change.

Rulemaking Specific Authority 455.217(1), 489.113(6), 489.115(5) FS. Law Implemented 455.217(1), 489.113(6), 489.115(5) FS. History--New 3-21-06, Amended 9-10-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-16.002
RULE TITLE: Continuing Education Requirements for Active Status License Renewal

PURPOSE AND EFFECT: Upon reflection and review of the current continuing education requirements the Board has determined that certain modifications are required to more appropriately address those areas of critical concern which have a direct impact upon the consumers of veterinary services. Consequently, the number of hours required for the topic of dispensing legend drugs has been reduced while the number of hours required for the topic of laws and rules has been expanded. The Board has also proposed that a limited number of credit hours in the topic area of laws and rules may be obtained once every two years by attending one full day of a Board of Veterinary Medicine meeting.

SUMMARY: Based upon several years of prosecutorial experience related to violation of the veterinary practice act, an adjustment of continuing education requirements related to the dispensing of legend drugs and the laws and rules of the practice has been made related to hours required and the means by which credit may be obtained.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

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

RULEMAKING AUTHORITY: 474.206, 474.211, 474.212 FS.

LAW IMPLEMENTED: 474.211 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: Juanita Chastain, Executive Director, Board of Veterinary Medicine, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-16.002 Continuing Education Requirements for Active Status License Renewal.

(1) No change.

(2) Licensed veterinarians shall complete a minimum of thirty (30) hours of continuing professional education in veterinary medicine every biennium. Beginning on June 1, 2012, no less than one (1) hour ~~two~~ of continuing education which shall be in the area of dispensing legend drugs and no less than two (2) hours of continuing education shall be in the area of the laws and rules governing the practice of veterinary medicine. For the purposes of this rule, the laws and rules

governing the practice of veterinary medicine are Chapter 455 and 474, Florida Statutes and Rule Chapter 61G18, Florida Administrative Code.

(a) through (b) No change.

(c) Five (5) hours of continuing education in laws and rules may be obtained once per biennium by attending one full day or eight (8) hours of a Board meeting (whichever is shorter) at which disciplinary hearings are conducted by the Board of Veterinary Medicine by complying with the following:

1. The licensee must sign in with the Executive Director of the Board or designee before the meeting day begins.

2. The licensee must remain in continuous attendance.

3. The licensee must sign out with the Executive Director of the Board or designee at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive continuing education credit for attending the Board meeting only if he or she is attending on the date solely for the purpose of obtaining continuing education; he or she may not receive credit if appearing at the Board meeting for another purpose.

(3) through (6) No change.

Rulemaking Specific Authority 474.206, 474.211, 474.212 FS. Law Implemented 474.211 FS. History--New 11-14-79, Amended 11-1-81, Formerly 21X-16.02, Amended 4-20-88, 11-2-88, 3-26-90, Formerly 21X-16.002, Amended 8-18-94, 2-6-95, 3-20-95, 9-24-96, 11-28-96, 12-30-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 27, 2012

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-25.0025
RULE TITLE: Security and Monitoring Procedures for Licensure Examination

PURPOSE AND EFFECT: The Board proposes the repeal of Rule 64B7-25.0025, F.A.C., because there is no examination developed or administered by the Department of Health. Security and monitoring procedures are the responsibility of the vendor/Administrator of the national examination(s) certified by the Department.

SUMMARY: The rule is being repealed because there is no examination developed or administered by the Department of Health. Security and monitoring procedures are the responsibility of the vendor/Administrator of the national examination(s) certified by the Department.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.017(1)(d) FS.

LAW IMPLEMENTED: 456.017(1)(d) 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-25.0025 Security and Monitoring Procedures for Licensure Examination.

Rulemaking Specific Authority 456.017(1)(d) FS. Law 456.017(1)(d) FS History--New 2-8-82, Formerly 21L-24.18, 21L-24.018, 64B7-24.018, 61G11-25.0025, Amended 2-4-99, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2012

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-28.003
 RULE TITLE: Biennial Period, Year Defined
 PURPOSE AND EFFECT: The Board proposes the repeal of Rule 64B7-28.003, F.A.C., because the Department of Health determines the biennial renewal period in Rule 64B-9.001, F.A.C. The rule is duplicative and unnecessary.

SUMMARY: The rule is being repealed because the Department of Health determines the biennial renewal period in Rule 64B-9.001, F.A.C. The rule is duplicative and unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 480.035(7), 480.0415, 480.043(8) FS.

LAW IMPLEMENTED: 480.0415, 480.043(8) 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: Anthony Jusevitch., Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.003 Biennial Period, Year Defined.

Rulemaking Specific Authority 480.035(7), 480.0415, 480.043(8) FS. Law Implemented 480.0415, 480.043(8) FS History—New 11-27-79, Formerly 21L-28.03, Amended 1-7-86, 1-3-91, Formerly 21L-28.003, 61G11-28.003, Amended 7-30-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2012

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-32.004
 RULE TITLE: Standards for Transfer of Credit
 PURPOSE AND EFFECT: The Board proposes the repeal of Rule 64B7-32.004, F.A.C., because the rule prescribes a procedure no longer required of applicants educated in other jurisdictions.

SUMMARY: The rule is being repealed because the rule prescribes a procedure no longer required of applicants educated in other jurisdictions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-32.004 Standards for Transfer of Credit.

Rulemaking Specific Authority 480.035(7) FS. Law Implemented 480.033(9), 480.041(1)(b) FS History–New 3-25-86, Formerly 21L-32.004, Amended 9-30-93, Formerly 61G11-32.004, Amended 2-27-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Massage Therapy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2012

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-51.006
RULE TITLE: Rule Governing Licensure and Inspection of Electrology Facilities

PURPOSE AND EFFECT: To bring the rule into compliance with current standards for Electrology facilities to clarify existing language for a clear understanding of facility requirements, and to update the application.

SUMMARY: This proposed rule change incorporates recommendations made by the Florida Department of Health, Division of Environmental Health, which previously performed inspections of electrolysis facilities. Inspections are now conducted by the Division of Medical Quality Assurance Investigative Services Unit. Application history questions are clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of this rule at its Council meeting, the Council, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Council has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature. Any person who wishes to provide information

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

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

RULEMAKING AUTHORITY: 456.037, 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 456.037(2), (3), (5), 478.49, 478.51 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

- (1) No change.
- (2) Electrology Facility Licensure.
 - (a) No change.

(b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-MQA 1213, 11/10 ~~4/09~~, entitled “Application for Electrolysis Facility Licensure,” effective 11/10 ~~4/09~~, which can be obtained from the Council at The Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256, and available on the web at: <http://www.doh.state.fl.us/mqa>. The applicant must pay a \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed activity fee.

- (3) Electrology Facility Safety and Sanitary Requirements.
 - (a) through (b) No change.

(c) Electrology facilities shall comply with Section 381.0098, F.S. and Chapter 64E-16, F.A.C.

(d)(e) Restroom Toilet and Lavatory Requirements. Each electrology facility shall provide, on the premises or in the same building, a separate room containing toilet and lavatory facilities which shall have at least one toilet and one sink with running water, and shall be equipped with toilet tissue, soap dispenser with soap or other hand cleaning material, disposable towels or wall-mounted electric blow dryer and a waste receptacle. The toilet and lavatory facilities and all fixtures and components shall be clean, in good repair, and well-lighted and free from adequately ventilated to remove objectionable odors.

~~(e)(d)~~ No animals shall be allowed to enter or be in the room wherein electrolysis is performed except those trained to assist the hearing impaired, visually impaired, or the physically impaired as provided by Section 413.08, F.S.

~~(f)(e)~~ The electrolylogy facility shall have the following equipment:

1. An FDA registered needle-type epilation device in working order;
2. Clean and sterile needles/probes and forceps/tweezers;
3. Needle holder tips;
4. A treatment table or treatment chair with a non-porous surface capable of being disinfected;
5. Disposable paper drapes or sanitary cloth drapes stored in a closed container or compartment;
6. Sanitary waste receptacles for the disposal of used gloves, paper supplies, cotton balls, and other noninfectious items;
7. Single use, disposable towels;
8. A sharps container, as defined in Chapter 64E-16, F.A.C., for disposal of used needles/probes;
9. A treatment lamp or magnifier lamp capable of being cleaned with disinfectant;
10. A magnifying device which shall be a magnifier lamp, optical loupe or microscope capable of being cleaned and disinfected;
11. Tuberculocidal hospital grade disinfectant registered by the Environmental Protection Agency, household bleach or wiping cloths pre-saturated with disinfectant for wiping non-porous surfaces;
12. If eye shields are used, eye shields capable of being cleaned with disinfectant;
13. Covered containers for sterile needles/probes and forceps/tweezers, ~~which containers are capable of being cleaned and sterilized;~~
14. Betadine, 3% U.S. Pharmaceutical grade hydrogen peroxide, or 70% isopropyl alcohol, or wrapped single use wipes saturated with 70% isopropyl alcohol;
15. ~~Clean, non-sterile materials such as Ceotton balls, cotton strips, cotton swabs, gauze pads, or and gauze strips;~~
16. ~~If Celoth towels which have been are used, they shall be laundered, and sanitized, and which are stored in a closed container or compartment, and there shall be a covered sanitary container for holding used cloth towels;~~
17. A clean covered container for holding used cloth towels.
18. ~~A sterilizer which shall be either A an autoclave or a dry heat sterilizer, and color change indicators for use with either sterilizer. The endodontic dry heat "glass bead sterilizer" shall not be used for instrument sterilization;~~

~~19. Monthly records of spore destruction test, sterilizer biological test monitoring which shall be made available to the Agency or Department upon request;~~

~~20. A holding container for soaking and cleaning contaminated instruments, and~~

~~21. Non-sterile disposable examination gloves.~~

~~(g)(f)~~ An appointment record, which lists the name of each person who has received electrolysis treatment, ~~book~~ shall be maintained ~~and kept~~ on the electrolylogy facility premises ~~which lists the name of each person who has received electrolysis treatment.~~

~~(h)(g)~~ In electrolylogy facilities wherein laser equipment is used for hair removal, the following shall be provided:

~~1. All requirements stated in Rule 64B8-51.006, F.A.C.~~

~~2. Proof of certification for of 30 hours of continuing education in laser hair removal for all electrologists using laser equipment in the facility.~~

~~3. Proof of certification as Certified Medical Electrologist for all electrologists using laser equipment in the facility.~~

~~4. Proof of registration for each of laser device located within the electrolylogy facility as required by Section 501.122, F.S.~~

~~5. Written designation of laser safety officer.~~

~~6. Appropriate sign on door of laser room.~~

~~7. Lock on door of laser room.~~

~~8. Protective eyewear for all persons in laser room during operation of laser.~~

~~9. Fire extinguisher in vicinity of laser room.~~

~~10. Cold water and ice.~~

~~11. At least one piece of properly registered laser equipment located within the electrolylogy facility.~~

(4) Inspections. The Department shall inspect all electrolylogy facilities in the following manner:

(a) All licensed facilities shall be inspected once every two years per biennium.

(b) All facilities applying for initial licensure shall be inspected prior to licensure.

(5) Transfer of Ownership or Location of the Electrology Facility.

(a) No license for an electrolylogy facility may be transferred from the name of the original licensee to another.

(b) The department may approve the transfer of a license from one facility to another. An electrolylogy facility license may be transferred from one location to another only upon approval by the Department which approval shall be granted upon compliance with all requirements set out below in subparagraphs 1. through 3. Only the licenses for electrolylogy facilities which have passed the most recent inspection at the original location are eligible for transfer to another location. In order to begin practice at the new location, the electrolylogy facility license holder must first perform all of the following procedures:

1. File a completed application for transfer prior to the date of the transfer on forms prescribed by the Department, as referenced in paragraph (2)(b) of this rule, ~~which application must be processed by the Council office;~~

2. Surrender the current license with the application; and \$100 inspection fee.

3. ~~Obtain Pay \$100 to have the new location inspected~~ to determine compliance with Rule 64B8-51.006, F.A.C. The electrology facility ~~may license holder transferring the license shall be permitted to perform electrolysis in the new facility; only after the application has been processed by the Council office and notification provided to the licensee,~~ prior to inspection for a period of 60 days commencing with the first day electrolysis is performed in the new facility, providing the applicant has received notification from the Electrolysis Council that the application has been processed. The required inspection must be performed within the 60 day period or electrolysis services must cease until the inspection is performed.

(6) Renewal of Facility Licensure. Facility licensure shall be renewed every two years at the end of each biennium prescribed by the Department. The licensee shall receive ninety (90) days notice of the need to renew the facility license. The notice shall be sent to the licensee at the last known address of the facility. Failure to receive the notice will not excuse the licensee from the requirement to renew the facility license, and failure to renew shall result in the license becoming delinquent. If the delinquent licensee does not apply for renewal of the license within six months of the license becoming delinquent, the license shall become null and any subsequent licensure shall be as a result of applying and meeting all requirements for new licensure. A facility may not operate without a license. To timely renew the facility license, including the six month "grace period" provided for, the licensee must pay the renewal fee of \$100 and the inspection fee of \$100.

(7) No change.

Rulemaking Authority 456.037, 478.43(1), (4), 478.51(3) FS. Law Implemented 456.037(2), (3), (5), 478.49, 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00, 3-25-01, 4-8-02, 6-16-03, 7-29-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 15, 2010

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.001
RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: The purpose of this amendment will extend the time period with which all portions of the licensure exam must be passed and amend the title of part IV of the examination and the subject areas and associated weights for the clinical portion of the examination.

SUMMARY: The rule amendment will extend the time period with which all portions of the licensure exam must be passed and amend the title of part IV of the examination and the subject areas and associated weights for the clinical portion of the examination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.017(1), 463.005, 463.006(2) FS.

LAW IMPLEMENTED: 456.017(1), 463.006(2) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-4.001 Examination Requirements.

(1) The Florida licensure examination authorized in Section 463.006(2), F.S., shall consist of the following parts:

(a) through (c) No change.

(d) Part IV – the Patient Assessment and Management Clinical Science portion of the examination developed by the NBEO.

(2) An applicant must achieve a passing grade on all four parts of the Florida licensure examination. A score of 84 percent or better must be obtained in order to achieve a passing score on Part I of the Florida licensure examination. A score of 80 percent or better must be obtained on each section of Part II in order to achieve a passing score on Part II of the Florida licensure examination. Passing scores for Part III and Part IV of the Florida licensure examination are established by the NBEO. Given constant advances in research and developing knowledge in the area of basic and clinical science as applied to the diagnosis, correction, remedy, and relief of insufficiencies or abnormal conditions of the human eyes and their appendages, passing scores on Part III and Part IV of the Florida licensure examination must be obtained within the 7 5 year period immediately preceding June October 1 of the year that the applicant takes Parts I and II of the Florida licensure examination. Provided, however, an applicant must submit qualifying passing scores on Part III and Part IV no later than July 1 of the year the applicant applies to take Parts I and II of the Florida licensure examination.

(3) Part II of the Florida licensure examination shall consist of a clinical portion and a pharmacology/ocular disease portion. Each subject area will be tested on every exam but not every topic in that subject area will be tested on every exam.

(a) The subject areas and associated weights for the clinical portion of Part II shall be as follows:

<u>1. Ocular Metrics-Ocular Coherence Tomography, Retinal Photography, Corneal Topography, Ultrasound (B scan/A scan), Electro Diagnostic Testing (ERG, VEP, EOG) Recognition, Location, and Disease Process</u>	<u>7-12%</u>
<u>2. Neuro-Optometric Testing-Muscle Balance and Motility/Pupillary Examination/Visual Field Testing for Neurologic Deficit-(Finger Counting Visual Field)</u>	<u>10-20%</u>
<u>3. Refractive Testing-Objective Examination (Retinoscopy)/Subjective Refraction</u>	<u>2-12%</u>
<u>4. Internal Anatomical Ocular Examination by Means of Direct and Binocular Indirect Ophthalmoscopy/Posterior (Fundus Lens)</u>	<u>15-20%</u>
<u>5. External Anatomical Ocular Examination-(Biomicroscopy Anterior)</u>	<u>33-43%</u>
<u>6. Internal Ocular Fluid Dynamics-Goldmann Tonometry, Gonioscopy, Pachemetry, Ocular Blood Flow</u>	<u>15-25%</u>

(b) The grading criteria for each subject area and the points associated with each criterion shall be as follows:

<u>1. Ocular Metrics-Conducts specified tests in a manner consistent with obtaining accurate findings. Accurately identify name, location, and disease process.</u>	<u>6-11</u>
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2. Neuro-Optometric Testing-Muscle Balance and Motility Testing-Conducts examinations in a manner that will allow for evaluation of any phoric and/or tropic posture, deficiencies in extra ocular muscles, or cranial nerve paresis.

Pupillary Examination-Conducts pupillary tests in a manner consistent with obtaining accurate findings.

3. Refractive Testing-Objective Examination (Retinoscopy)-Conducts Retinoscopy in a manner capable of obtaining a visual acuity of 20/30.

Subjective Refraction-Conducts refraction in a manner capable of obtaining a visual acuity of 20/20.

4. Internal Anatomical Ocular Examination by Means of Direct and Binocular Indirect Ophthalmoscopy Accurately views and evaluates/Biomicroscopy Posterior (Fundus lens)-Accurately views and evaluates posterior landmarks as requested.

5. External Anatomical Ocular Examination-Biomicroscopy (Anterior)-Uses proper technique to demonstrate requested views of anterior structures of eye.

6. External Anatomical Ocular Examination-Tonometry-Demonstrates accurate technique for the measurement of intra-ocular pressure.

Gonioscopy-Demonstrates accurate technique for identifying angle structures.

Pachimetry-Demonstrates accurate technique for identifying corneal thickness.

Ocular Blood Flow-Demonstrates ability to read results or accurate technique for identifying blood flow.

11-21

1. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting Visual Field Recognition, Location, and Disease Process)

2. Muscle Balance and Motility

3. Pupillary Examination

4. Objective Examination (Retinoscopy)

5. Subjective Refraction

6. Internal Examination by Means of Binocular Indirect Ophthalmoscopy

7. Biomicroscopy Anterior

8. Biomicroscopy Posterior (Fundus Lens)

9. Goldmann Tonometry

10. Gonioscopy

(b) The grading criteria for each subject area and the points associated with each criterion shall be as follows:

1. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting and Visual Field Defect

Recognition, Location, and Disease Process) — Conducts specified visual field test in a manner consistent

with obtaining accurate findings. Accurately identify visual field defect name, location, and disease process. 6-11

2. Muscle Balance and Motility Testing—Conducts examinations in a manner that will allow for evaluation of any phoric and or tropic posture, deficiencies in extra ocular muscles, or cranial nerve paresis. 3-8

3. Pupillary Examination—Conducts pupillary tests in a manner consistent with obtaining accurate findings. 5-10

4. Objective Examination (Retinoscopy) — Conducts Retinoscopy in a manner capable of obtaining a visual acuity of 20/30. 2-7

5. Subjective Refraction—Conducts refraction in a manner capable of obtaining a visual acuity of 20/20. 2-7

6. Internal Examination by Means of Binocular Indirect Ophthalmoscopy—Accurately views and evaluates retinal landmark as requested. 16-21

7. Biomicroscopy (Anterior)—Uses proper technique to demonstrate requested views of anterior structures of eye. 20-25

8. Biomicroscopy Posterior (Fundus lens)—Accurately views and evaluates posterior landmarks as requested. 16-21

9. Tonometry—Demonstrates accurate technique for the measurement of intra ocular pressure. 7-12

10. Gonioscopy—Demonstrates accurate technique for identifying angle structures. 4-9

(c) through (d) No change.

(e) Items on the pharmacology/pathology portion of the practical examination are distributed according to the following content emphasis: Each subject area will be tested on every exam but not every topic in that subject area will be tested on every exam.

1. Group A:

Number of items: 7/28 Questions

Eye Structure: Adnexa (lids, lashes, lacrimal, apparatus), Conjunctiva (bulbar and palpebral), Sclera/episclera, Cornea, Iris/ciliary body.

Disease Type: Toxic, Inflammatory, Infectious.

2. Group B:

Number of Items: 4/16 Questions

Eye Structures: Lens, Vitreous, Retina/choroid, Macular disease

Disease Type: Congenital, Degenerative, Dystrophic Vascular, Traumatic

3. Group C:

Number of Items: 2/9 Questions

Eye Structure: Lens, Vitreous, Retina/choroid, Macular disease

Disease Type: Toxic, Inflammatory, Infectious

4. Group D:

Number of Items: 2/9 Questions

Eye Structures: Cornea, Iris/ciliary body, Lens, Vitreous, Retina/choroid, Macular disease

Disease Type: Surgical Complications

5. Group E:

Number of Items: 2/9 Questions

Eye Structures: Cornea, Iris/ciliary body

Disease Type: Congenital, Degenerative, Dystrophic Vascular, Traumatic

6. Group F:

Number of Items: 3/12 Questions

Disease Type: Primary and Secondary Open and Closed

Angle Glaucoma

7. Group G:

Number of Items: 3/10 Questions

Eye Structures: Neurological Disease (optic nerve, Visual pathway, orbit, motility)

8. Group H:

Number of Items: 2/10 Questions

Eye Structures: Adnexa (lids, lashes, lacrimal, apparatus), Conjunctiva (bulbar and palpebral), Sclera/Episclera, Cornea, Iris/Ciliary body, Lens, Vitreous, Retina/choroid, Muscular disease, Glaucoma, Neurological Disease (optic nerve, Visual pathway, orbit)

Disease Type: Tumors

(f) An applicant must attain a score of 80 percent or better in order to secure a passing grade on the pharmacology/pathology portion of the practical examination.

1. Group A:

Number of Case History Items: 7 cases

Eye Structure: Adnexa (lids, lashes, lacrimal, apparatus); Conjunctiva (bulbar and palpebral), Sclera/episclera, Cornea, Iris/ciliary body

Disease Type: Toxic, Inflammatory, Infectious.

2. Group B:

Number of Case History Items: 4 cases

Eye Structures: Lens, Vitreous, Retina/choroid, Macular disease

Disease Type: Congenital, Degenerative, Dystrophic Vascular, Traumatic

3. Group C:

Number of Case History Items: 2 cases

Eye Structure: Lens, Vitreous, Retina/choroid, Macular disease

Disease Type: Toxic, Inflammatory, Infectious

4. Group D:

Number of Case History Items: 2 cases

Eye Structures: Cornea, Iris/ciliary body, Lens, Vitreous, Retina/choroid, Macular disease

Disease Type: Surgical Complications

5. Group E:

Number of Case History Items: 2 cases

Eye Structures: Cornea, Iris/ciliary body

Disease Type: ~~Congenital, Degenerative, Dystrophic Vascular, Traumatic~~

6. Group F:

Number of Case History Items: 3 cases

Disease Type: ~~Primary and Secondary Open and Closed Angle Glaucoma~~

7. Group G:

Number of Case History Items: 3 cases

Eye Structures: ~~Neurological Disease (optic nerve, Visual pathway, orbit, motility)~~

8. Group H:

Number of Case History Items: 2 cases

Eye Structures: ~~Adnexa (lids, lashes, lacrimal, apparatus), Conjunctiva (bulbar and palpebral), Sclera/episclera, Cornea, Iris/ciliary body, Lens, Vitreous, Retina/choroid, Macular disease, Glaucoma, Neurological Disease (optic nerve, Visual pathway, orbit)~~

Disease Type: Tumors

(f) An applicant must attain a score of 80 percent or better in order to secure a passing grade on the pharmacology/pathology portion of the practical examination.

(4) Certification Examination. A licensee applying for certification must obtain a passing score on the TMOD part of the Patient Assessment and Management portion score on part H 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 88-94, 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,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 20, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 13 and February 3, 2012

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.003
RULE TITLE: Documentation of Eligibility for Licensure

PURPOSE AND EFFECT: The Board proposes to amend rule language to recognize post-baccalaureate education in establishing eligibility for licensure, correct statutory references, include ABC certification for pedorthists and to update the licensure form.

SUMMARY: The rule is being amended to recognize post-baccalaureate education in establishing eligibility for licensure, correct statutory references, include ABC certification for pedorthists and to update the licensure form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.802 FS.

LAW IMPLEMENTED: 456.013(1), (7), 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) In order to establish eligibility for licensure as an orthotist or prosthetist under Section 468.803(5)(3)(a) or (b), F.S., the applicant must submit an Application for Licensure, form DH-MQA 1132, _____, herein 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:

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

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

(c) through (e) No change.

(2) In order to establish eligibility for licensure as an orthotic fitter under Section 468.803(5)(3)(c), F.S., the applicant must provide at a minimum:

(a) through (e) No change.

(3) In order to establish eligibility for licensure as an orthotic fitter assistant under Section 468.803(5)(3)(d), F.S., the applicant must provide at a minimum:

(a) through (d) No change.

(4) In order to establish eligibility for licensure as a pedorthist under Section 468.803(5)(3)(e), F.S., the applicant must provide at a minimum:

(a) No change.

(b) An original letter from the head of a training program(s) approved by the Board for Certification in Pedorthics (BCP), or the American Board for Certification (ABC), attesting to the inclusion of training as provided in paragraph 64B14-4.110(3)(a), F.A.C.

(c) through (d) No change.

Rulemaking Authority 468.802 FS. Law Implemented 456.013(1), (7), 468.803 FS. History—New 12-10-98, Amended 11-11-02, 11-1-05, 9-21-06, 4-19-09, 4-12-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2012

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

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

PURPOSE AND EFFECT: The Board proposes this rule amendment to establish necessary documentation of eligibility for registration, delete unnecessary language and update the registration form.

SUMMARY: This rule amendment is being proposed to establish necessary documentation of eligibility for registration and incorporates by reference the registration form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

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 Registration Program~~, form number DH-MQA 1126, 01/2012 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)(a) An official transcript from the regionally accredited institution at which the applicant's Baccalaureate or post-graduate degree was awarded, indicating the degree awarded; or-

(b) Applicants for initial registration only, having completed their degree requirements at a recognized prosthetics and orthotics degree program within forty-five (45)

days of their registration application, and whose transcript is not yet available, may instead of an official transcript, submit both of the following:

1. A letter sent directly to the Board on school letterhead signed by the orthotics and prosthetics degree program's director, documenting the applicant has completed the prosthetic and orthotic's degree curriculum and is eligible and due to graduate, and specifying the degree to be awarded; and

2. A copy of the applicant's request for a certified transcript addressed to be sent directly to the Board.

(2) through (5) No change.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New 12-9-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.100
RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: The Board is revising and incorporating by reference the Registration Supervisor Update form required.

SUMMARY: The Board is revising and incorporating by reference the Registration Supervisor Update form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) through (7) No change.

(8) If a change in supervisor is required, the applicant must submit a completed Registration Supervisor Update Form, form number DH-MQA 1133, 01/12 ~~4/10~~, hereby adopted and incorporated by reference, which is available from the Board office or the Board's web site: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New 11-1-99, Amended 7-2-07, 5-28-09, 4-11-10, 11-9-10, .

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists
DATES PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2011 and January 23, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2012

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-5.002
RULE TITLE: Continuing Education Requirement

PURPOSE AND EFFECT: The Board proposes to amend rule language to revise the continuing education requirements.

SUMMARY: The rule is being amended to revise the continuing education requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.802, 468.806(2), (3) FS.
LAW IMPLEMENTED: 456.013(9), 456.024, 468.806(2), (3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-5.002 Continuing Education Requirement.

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

(2) At least 50 ~~90~~% of the continuing education hours used to meet the requirements of these rules ~~shall~~ consist of one or more of the following:

(a) through (b) No change.

(3) The remaining ~~Up to 10%~~ of the continuing education requirement of these rules may be satisfied by courses in business and practice management including courses covering the following topics:

(a) through (e) No change.

(4) through (8) No change.

(9) For the first renewal period after licensure, except for the hours mandated for the prevention of medical errors, the licensee is exempt from continuing education requirements of subsection (1).

Rulemaking Authority 468.802, 468.806(2), (3) FS. Law Implemented 456.013(9), 456.024, 468.806(2), (3) FS. History—New 7-1-98, Amended 5-18-00, 7-18-02, 11-11-02, 2-15-05, 11-1-05, 3-2-08, 7-13-09, 3-30-10, 12-27-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2012

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-5.005
RULE TITLE: Mandatory Courses

PURPOSE AND EFFECT: The Board proposes to amend the rule to add language to be certain that mandatory course approval may not be delegated by the Board and that the prevention of medical errors course shall cover the substance of proper record keeping in the prevention of medical errors.

SUMMARY: The rule is being amended to revise the continuing education requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.802, 468.806(3) FS.
LAW IMPLEMENTED: 468.802, 468.803, 468.806(3) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-5.005 Mandatory Courses.

(1) Mandatory courses consist of the following:

(a) No change.

(b) Two hours relating to the prevention of medical errors, which shall include a study of root cause analysis, error reduction and prevention, ~~and~~ patient safety and medical records training; and

(c) through (d) No change.

(2) through (3) No change.

(4) Mandatory courses set forth in paragraphs (1)(a), (b) and (c) must be individually approved by the Board and such approval shall not be delegated.

(5) through (6) No change.

Rulemaking Authority 468.802, ~~468.806(3)~~ FS. Law Implemented 468.802, 468.803, ~~468.806(3)~~ ~~468.808~~, ~~468.809~~ FS. History--New 4-12-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 6, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-14.0035	Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper
68B-14.00355	Size Limits for Importation and Sale
68B-14.0039	Recreational Grouper Seasons

PURPOSE, EFFECT AND SUMMARY: The purpose of this draft rule amendment is to achieve consistency between the Commission's Reef Fish Rule on gag grouper harvest in the Gulf of Mexico and rules that were implemented by NOAA Fisheries Service on February 10, 2012 and will be effective on March 12, 2012. Gag grouper is considered to be overfished (low stock abundance) and undergoing overfishing (excessive harvesting pressure). The Gulf of Mexico Fishery Management Council developed long-term management measures to rebuild the Gulf gag grouper stock.

These management measures are intended to help end overfishing of gag grouper. The effect of this rule amendment is to reduce the commercial minimum size limit for Gulf gag grouper from 24 to 22 inches total length, reduce the size limit for sale of gag grouper to 22 inches statewide, and set the recreational harvest season for Gulf of Mexico gag grouper

from July 1 through October 31 each year. With this rule amendment federal and state regulations will be consistently applied. This minimizes public confusion, aids enforceability, reduces commercial bycatch mortality, and maximizes recreational fishing opportunities for gag grouper in the Gulf of Mexico. These management measures are intended to help end overfishing and rebuild the gag grouper stock while still allowing fishing opportunities.

Rule 68B-14.0035, F.A.C., (Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper) would be amended to specify that the minimum size limit for commercially harvested gag grouper from the Gulf of Mexico, excluding Monroe County is 22 inches total length and the minimum size limit for commercially harvested gag grouper from the Atlantic Ocean, including Monroe County will remain at 24 inches total length. Rule 68B-14.00355, F.A.C., (Size Limits for Importation and Sale) would be modified to reduce the minimum size limit for gag grouper for purposes of sale to 22 inches total length statewide. Rule 68B-14.0039, F.A.C., (Recreational Grouper Seasons) would be modified to establish an annual recreational harvest season for gag grouper from July 1 through October 31 each year in state waters of the Gulf of Mexico, excluding Monroe County. RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0035 Size Limits: Amberjacks, Black Sea Bass, Gray Triggerfish, Grouper, Hogfish, Red Porgy, Snapper.

No person shall land, possess, unnecessarily destroy, purchase, exchange, sell or offer for sale any of the following species harvested in or from state waters, of a length less than set forth as follows:

(1) through (3) No change.

(4) Grouper (measured in terms of total length).

(a) through (c) No change.

(d) 1. Gag harvested commercially from the Atlantic Ocean and all waters of Monroe County 24 inches.

2. Gag harvested commercially from the Gulf of Mexico except from all waters of Monroe County 22 inches.

(e) through (h) No change.

(5) through (7) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0035, Amended 1-1-00, 1-1-01, 1-1-01, 1-1-03, 9-16-05, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, _____.

68B-14.00355 Size Limits for Importation and Sale.

(1) No person shall possess for purposes of sale, purchase, sell, or exchange any of the following species of a length less than set forth as follows:

(a) through (c) No change.

(d) Grouper (measured in terms of total length).

1. No change.

2. Gag 22 ~~24~~ inches.

3. through 5. No change.

(e) through (f) No change.

(2) through (4) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-03, Amended 9-16-05, 7-1-06, 7-1-07, 4-1-08, 8-27-09, _____.

68B-14.0039 Recreational Grouper Seasons.

(1) In all state waters of the Gulf of Mexico, except in all waters of Monroe County, the closed season for the recreational harvest and possession of ~~gag grouper~~, red grouper, black grouper, yellowfin grouper, yellowmouth grouper, rock hind, red hind or scamp shall be from February 1 through March 31, each year.

(2) ~~GAG GROUPER CLOSURE FOR 2011.~~ In all state waters of the Gulf of Mexico, except in all waters of Monroe County, the season for the recreational harvest and possession of gag grouper shall be prohibited during the following closed periods: from July 1 through October 31 each year (consistent with the Federal Standard established in vol. 77 of the Fed. Reg. page 6988). Except for persons harvesting gag grouper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from November 1 through June 30, no person shall harvest in or from state waters of the Gulf of Mexico, except in all waters of Monroe County, nor possess while in or on state waters of the Gulf of Mexico, except in all waters of Monroe County, any gag grouper.

~~(a) June 1 through September 15, 2011.~~

~~(b) November 16 through December 31, 2011.~~

(3) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-6-09, Amended 8-27-09, 1-19-10, 6-17-11, _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:

69A-51.060 Requirements for New Installations

PURPOSE AND EFFECT: The proposed rule deletes language that mandates the application of specified ladders and runways be provided for purposes of affording safe access to boilers. New language is added that provides for greater flexibility in the choice, design or installation of the equipment that is used to afford access to boilers. The proposed amendment acknowledges that the choice of equipment used to afford access to boilers is site specific.

SUMMARY: The proposed rule is amended to allow greater flexibility in the choice of site-appropriate equipment that is used for accessing boilers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: a preliminary economic analysis conducted by the Department indicates that the proposed rule will provide boiler-owners with greater flexibility in the selection of boiler access equipment. The majority of subject boilers are modest in size and scale. The existing rule nonetheless requires boiler-owners to install access equipment best suited to those boilers found in an industrial setting. The proposed rule will no longer require installation of industrial-style access equipment. This change is expected to result in cost savings to owners of modest-sized boilers by allowing them to install access equipment that is most appropriate to their particular application.

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: 554.103 FS.

LAW IMPLEMENTED: 554.103, 554.104, 554.105, 554.106, 554.107, 554.108 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, March, 27, 2012, 10:00 a.m.

PLACE: Third Floor Conference Room, The Atrium Building, 325 John Knox Road, 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: Michael Burns, (850)413-3614 or Mike.Burns@MyfloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Burns, Chief Boiler Inspector, Bureau of Fire Prevention, Division of Fire Marshal, Department of Financial Services, (850)413-3614 or Mike.Burns@MyfloridaCFO.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-51.060 Requirements for New Installations.

The provisions of this part shall apply to new installations of power boilers, high pressure high temperature hot water boilers, low pressure heating and hot water supply boilers located in places of public assembly.

(1) Requirements for new installations:

(a) through (b) No change.

(c) A boiler shall include or accommodate any equipment that is necessary to allow for the close, physical inspection of manways, pressure relieving devices, and boiler appurtenances. Such equipment may either be permanently installed or be of a design intended for temporary use. Temporary equipment shall be positioned by the boiler owner or user at the time of the inspections required under Section 554.108, F.S.

(2) Electrically heated boilers.

(a) No change.

(b) Electrically heated boilers shall be permanently grounded in accordance with NFPA 70-1984 ~~edition~~, the National Electrical Code, as adopted in Rule 69A-3.012, F.A.C.

(c) No change.

(3) Power boilers.

~~(a) Ladders and runways. A steel runway or platform at least twenty-four inches (24") wide and provided with standard handrails and toe boards on either side and having at least 7' 6" head room shall be installed across the tops of adjacent boilers or at some other convenient level, for the purpose of affording safe access to the boilers. All runways shall have at least two (2) means of exit, each exit to be remotely located from the other and connected to a permanent stairway or inclined ladder leading to the floor level.~~

(a)(b) Exit from the boiler rooms. All boiler rooms exceeding five hundred (500) square feet of floor area and containing one or more boilers having a fuel-burning capacity

of 1,000,000 BTU's shall have at least two (2) means of exit. Each exit shall have at least two (2) means of egress, each remotely located from the other.

(b)(e) Inspection space. All boilers shall be located so that adequate space shall be provided for the proper operation of the boiler and its appurtenances; for the inspection of all surfaces, drums, tubes, waterwalls, economizers, piping, valves, and other equipment; and for necessary maintenance and repair.

(c)(d) Explosion doors. Explosion doors, if used and if located in the setting walls within seven (7) feet of the firing floor or operating platform, shall be provided with substantial deflectors to divert the blast.

(d)(e) Clearance. When new power boilers are installed in new buildings, a minimum height of at least seven (7) feet shall be provided between the top of the boiler proper and the ceiling, except in the single installations of self-contained boilers where a minimum height of at least three (3) feet shall be provided between the highest point of any valve stem or fitting and the ceiling. It is recommended that these requirements be followed as nearly as possible when replacing boilers in existing buildings.

(e)(f) Blow-off tanks.

1. through 2. No change.

(f)(g) The discharge of safety valves shall vent to the atmosphere and the outlets shall be located so as to prevent injury to personnel. Blow-off pipes and other outlets shall also be located so as to prevent injury to personnel.

(g)(h) The stamping of the boiler and safety valves shall not be concealed by lagging or paint and shall be exposed at all times unless a suitable record is kept of the location of the boiler stamping so it may be readily uncovered at any time.

(h)(i) Safety valves.

1. through 7. No change.

(i)(j) Boiler feeding.

1. through 2. No change.

(j)(k) Water level indicators.

1. through 2. No change.

(k)(l) Pressure gages. Boiler pressure gages shall conform to the requirements of the A.S.M.E. Boiler and Pressure Vessel Code and to the National Board Inspection Code, adopted herein.

(l)(m) Pressure reducing valves.

1. through 3. No change.

(m)(n) Supports. Each boiler shall be supported by masonry or structural supports of sufficient strength and rigidity to safely support the boiler and its contents. There shall be no excessive vibration in either the boiler or its connecting piping.

(n)(o) Air and ventilation requirements – Combustion air supply and ventilation of boiler room.

1. through 3. No change.

(4) No change.

Rulemaking Authority 554.103 FS. Law Implemented 554.103, 554.104, 554.105, 554.106, 554.107, ~~554.108~~ FS. History--New 2-27-89, Amended 10-23-00, Formerly 4A-51.060, Amended 9-30-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mike Burns, Chief Boiler Inspector, Division of State Fire Marshal

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 21, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 29, 2011

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-64.005 RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: The proposed amendment adjusts the statutory amount of firefighter line of duty death benefits to reflect price level changes that are based on the March 2011 Consumer Price Index, as directed by statute.

SUMMARY: In accordance with the provisions of Section 112.191, F.S., the proposed amendment provides an adjustment to firefighter line of duty death benefits. Adjustments to firefighter line of duty death benefits are made on an annual basis. The amount of the adjustment is determined by price level changes as indicated by the Consumer Price Index.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: a preliminary economic analysis conducted by the Department, based on historical information used to determine the average annual number of firefighters who lost their lives in line-of duty actions, indicated that the corresponding annual payments of survivor benefits would not exceed an amount that would required the preparation of a SERC.

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

RULEMAKING AUTHORITY: 112.191(2) (i) FS.

LAW IMPLEMENTED: 112.191 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, March 27, 2012, 11:00 a.m.

PLACE: Third Floor Conference Room, the Atrium Building, 325 John Knox Road, 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: Jason Fryar, (850)413-3647, Jason.Fryar@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jason Fryar, Government Analyst II, Division of State Fire Marshal, Department of Financial Services, (850)413-3647, Jason.Fryar@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-64.005 Adjustments to Reflect Consumer Price Index.

(1) No change.

(2) The amounts payable for the period from July 1, ~~2011~~ 2012 through June 30, ~~2011~~ 2012, using the Consumer Price Index for all urban consumers published by the United States Department of Labor for March, ~~2011~~ 2012, which is the most recent month for which data is available as of the time of the adjustment, are:

(a) For those benefits paid or to be paid under paragraph (a) of subsection (2) of Section 112.191, F.S.: ~~\$61,256.22~~ \$62,910.14.

(b) For those benefits paid or to be paid under paragraph (b) of subsection (2) of Section 112.191, F.S.: ~~\$61,256.22~~ \$62,910.14.

(c) For those benefits paid or to be paid under paragraph (c) of subsection (2) of Section 112.191, F.S.: ~~\$170,615.19~~ \$175,221.80.

Rulemaking Authority 112.191(2)(i) FS. Law Implemented 112.191 FS. History--New 3-13-03, Amended 7-10-03, Formerly 4A-64.005, Amended 7-13-04, 6-30-05, 8-1-06, 4-7-08, 4-13-09, 11-22-09, 9-9-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jason Fryar, Government Analyst II, Division of State Fire Marshal, Department of Financial Services
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief of Financial Officer, Department of Financial Services
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 22, 2011

Section III
Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

Table with 2 columns: RULE NOS. and RULE TITLES. Rows include 18-14.001 Definitions, 18-14.002 Determination of Fines, 18-14.003 Violations, 18-14.004 Applicability, and 18-14.005 Imposition and Collection of Fines.

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly has been withdrawn.

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

Table with 2 columns: RULE NO. and RULE TITLE. Row: 40E-1.659 Forms and Instructions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 6, February 10, 2012 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

Table with 2 columns: RULE NOS. and RULE TITLES. Rows include 40E-4.021 Definitions, 40E-4.051 Exemptions From Permitting, 40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference, 40E-4.101 Content of Permit Applications, and 40E-4.321 Duration of Permits.

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 6, February 10, 2012 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

Table with 2 columns: RULE NOS. and RULE TITLES. Rows include 40E-400.021 Definitions and 40E-400.211 Processing Procedures for Noticed General Permits.

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 6, February 10, 2012 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION
Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals

Table with 2 columns: RULE NO. and RULE TITLE. Row: 59E-7.020 Purpose of Inpatient Data Reporting

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 4, January 27, 2012 issue of the Florida Administrative Weekly.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency rule reduction review has determined that no legislative ratification pursuant to subsection 120.541(3), F.S. is required in repealing the unnecessary rule preface.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

Table with 2 columns: RULE NO. and RULE TITLE. Row: 59G-6.010 Payment Methodology for Nursing Home Services

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 3, January 20, 2012 issue of the Florida Administrative Weekly. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: At the time of the analysis of the regulatory impact it was determined that this rule will not require ratification by the Legislature pursuant to Section 120.541(3), F.S.