

Editorial Note: see Rule 62-780.700, F.A.C.

62-785.750 Post Active Remediation Monitoring.

Rulemaking Specific Authority 376.81 FS. Law Implemented 376.81 FS. History—New 7-6-98, Amended 8-5-99, 4-17-05, Repealed.

Editorial Note: see Rule 62-780.750, F.A.C.

62-785.900 Forms.

Rulemaking Specific Authority 376.30702, 376.81 FS. Law Implemented 376.30702, 376.81 FS. History—New 7-6-98, Amended 8-5-99, 4-17-05, 12-27-07, Repealed.

Editorial Note: see Rule 62-780.900, F.A.C.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jorge R. Caspary, Director, Division of Waste Management
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Department of Environmental Protection
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF LEGAL AFFAIRS
Division of Victim Services and Criminal Justice Programs

RULE NO.: 2A-5.011
 RULE TITLE: Enforcement
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 32, August 10, 2012 issue of the Florida Administrative Weekly.

(1) Before the Department may take action to enforce a provision of the “Convenience Business Security Act,” Sections 812.1701-.175, F.S., an inspection of a convenience business or businesses must be performed and properly documented on the form entitled “Convenience Business Security Inspection Form,” CBS-2 (Revised 4/09), effective 8-4-09, which is incorporated by reference in these rules.

(2) The owner or principal operator of a convenience business must respond to a notice of violation and provide proof of compliance by submitting to the Office of the Attorney General a completed form entitled “Voluntary Compliance Agreement,” CBS-3 (Revised 4/09), effective 8-4-09, which is incorporated by reference in these rules.

(3) Upon a showing that the owner or principal operator of a convenience business has a good faith intention to correct a violation and there is no evidence of unnecessary delay, the Office of the Attorney General shall may grant a 90 30-day extension of time for correcting violations. However, if a violation is not timely corrected, civil fines shall may be imposed in the following amounts:

(a) \$1,000 for violation of any of the security requirements of Section 812.173(1) and (2), F.S.;

(b) \$2,000 for violation of the silent alarm requirements in Section 812.173(3), F.S.; or the employee training requirement in Section 812.174, F.S.;

(c) \$5,000 for violation of any of the security requirements in Section 812.173(4), F.S.;

(d) \$5,000 for any violation of the requirements indicated in paragraphs (a)-(c) above if the violation is found during the investigation of any of the crimes specified in subsection 812.173(4), F.S.

(4) When a civil fine is imposed, the Office of the Attorney General shall issue a certified, return receipt requested letter to the owner or principal operator demanding payment to the State of Florida within 21 days of receipt.

(5) The allegations contained in a notice of civil fine will become binding and final, and the right to an administrative hearing will be deemed waived, unless a request for administrative hearing under Sections 120.569 and 120.57, F.S., is filed with the Office of the Attorney General within 21 days after receipt of the notice of civil fine.

Rulemaking Authority 812.176 FS. Law Implemented 120.57, 812.175 FS. History—New 4-20-93, Amended 6-25-96, 4-28-98, 8-4-09, .

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NOS.:	RULE TITLES:
15C-20.001	Secondary Metals Recyclers or Salvage Motor Vehicle Dealers
15C-20.002	Secondary Metals Recycler and Salvage Motor Vehicle Dealer Participation Requirements
15C-20.003	Electronic Notification System Vendors; Certification; Requirements
15C-20.004	Electronic System Procedure Requirements
15C-20.005	Derelict Motor Vehicles
15C-20.006	Derelict Motor Vehicle Certificates
15C-20.007	Electronic Application for Derelict Motor Vehicle Certificates
15C-20.008	Enforcement/Compliance

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 18, May 4, 2012 issue of the Florida Administrative Weekly.

These changes are in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated June 13, 2012. The corrections are as follows:

15C-20.001 Secondary Metals Recyclers or Salvage Motor Vehicle Dealers.

(1) No change.

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

(d) "National Motor Vehicle ~~Title Titling~~ Information System" (NMVTIS) means the nationwide electronic system that provides information about a vehicle's condition and history to include a vehicle's title, most recent odometer reading, brand history and historical theft data.

(3) through (5) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

15C-20.002 Secondary Metals Recycler and Salvage Motor Vehicle Dealer Participation Requirements.

(1) through (4) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

15C-20.003 Electronic Notification System Vendors; Certification; Requirements.

(1) through (4) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

15C-20.004 Electronic System Procedure Requirements.

(1) through (6) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

15C-20.005 Derelict Motor Vehicles.

(1) through (2) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

15C-20.006 Derelict Motor Vehicle Certificates.

(1) If applying for a derelict motor vehicle certificate at a tax collector's office or license plate agency, application must be made on Application for an Original/Duplicate Derelict Motor Vehicle Certificate and Request to Cancel Title, Form HSMV 82137 S (Rev 04/12), incorporated herein by reference and available at tax collector offices, license plate agencies and via the Department website at www.flhsmv.gov. The secondary metals recycler or salvage motor vehicle dealer must

apply within 24 hours of receiving the derelict motor vehicle. If application is made at a tax collector's office or license plate agency, the 24 hour notice excludes weekends and holidays. The derelict motor vehicle certificate application must be completed by the seller or owner, transporter and purchaser prior to the purchaser taking possession of the derelict motor vehicle.

(2) The derelict motor vehicle certificate application must be accompanied by:

(a) A legible copy of the seller's or owner's valid Florida driver license or Florida identification card, or a valid driver license or identification card issued by another state.

(b) No change.

(3) through (7) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

15C-20.007 Electronic Application for Derelict Motor Vehicle Certificates.

(1) through (2) No change.

(3) The secondary metals recycler or salvage motor vehicle dealer must complete an Application for an Original/Duplicate Derelict Motor Vehicle Certificate and Request to Cancel Title, Form HSMV 82137 S (Rev. 04/12), incorporated herein by reference and available at tax collector offices, license plate agencies and via the Department website at www.flhsmv.gov, obtaining the signatures of the seller or owner, transporter and purchaser and meeting all other derelict motor vehicle certificate application criteria. The secondary metals recycler or salvage motor vehicle dealer shall then enter the information required via the vendor's Electronic Notification System.

(4) through (9) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

15C-20.008 Enforcement/Compliance.

(1) The Department shall enforce compliance with the requirements of the Electronic Notification System. The following are prohibited and ~~shall may~~ result in the termination of certification as an electronic notification vendor:

(a) Providing access to the Electronic Notification System to a client or person not authorized by the Department.

(b) Willful misrepresentation of electronic notification policies, procedures, contractual terms or other titling procedures.

(c) Using Department information for reasons other than authorized electronic notification services.

(d) Failure to correct errors as required by the Department.

(2) No change.

Rulemaking Authority 319.30(8)(a), (h) FS. Law Implemented 319.30(8)(a) FS. History--New_____.

THE PERSON TO BE CONTACTED REGARDING THE CHANGE IS: Selma Sauls, Government Operations Consultant I, 2900 Apalachee Parkway, Tallahassee Florida 32399, selmasauls@flhsmv.gov, (850)617-3001

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.002
 RULE TITLE: Medicaid Provider Reimbursement Schedule

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 22, June 1, 2012 issue of the Florida Administrative Weekly.

The following changes have been made to the proposed rule.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.002 Medicaid Provider Reimbursement Schedule.

(1) Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule for the following services: advanced registered nurse practitioner, birth center, chiropractic, general dental, hearing, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, registered nurse first assistant, and visual. ~~Rule 59G-4.002 incorporates by reference changes to the Florida Medicaid Provider Reimbursement Schedule for the following services: practitioner procedure codes and fees, effective January 1, 2011, practitioner procedure codes and fees, effective January 1, 2012, fees for general dental services, effective July 1, 2011, physician immunization fees, effective April 1, 2011, and physician immunization fees, effective October 1, 2011.~~

(2) The following fee schedules are incorporated by reference: Advanced Registered Nurse Practitioner Fee Schedule, Effective January 1, 2011 and January 1, 2012; Birthing Center Fee Schedule, Effective January 1, 2011 and January 1, 2012; Chiropractic Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Dental General Fee Schedule, Effective January 1, 2011, July 1, 2011, and January 1, 2012; Dental Oral/Maxillofacial Surgery Fee Schedule, Effective January 1, 2011 and January 1, 2012; Dental Injectables Fee Schedule, Effective January 1, 2011 and January 1, 2012; Hearing Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Licensed Midwife Fee Schedule, Effective January 1, 2011 and January 1, 2012; Optometry Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Outpatient Hospital Laboratory Services Fee Schedule, Effective January 1, 2010; Physician Anesthesia Fee Schedule, Effective January 1, 2011 and January 1, 2012; Physician Assistant Fee Schedule, Effective January 1, 2011

and January 1, 2012; Physician Evaluation and Management Fee Schedule, Effective January 1, 2011 and January 1, 2012; Physician Immunization Fee Schedule, Effective January 1, 2011, April 1, 2011, October 1, 2011, and January 1, 2012; Physician Laboratory Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Physician Medical Fee Schedule, Effective January 1, 2011 and January 1, 2012; Physician Pediatric Fee Schedule, Effective January 1, 2011 and January 1, 2012; Physician Radiology Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Physician Surgical Fee Schedule, Effective January 1, 2011 and January 1, 2012; Podiatry Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Regional Perinatal Care Centers (RPICC) Neonatal Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Regional Perinatal Care Centers (RPICC) Obstetrical Services Fee Schedule, Effective January 1, 2011 and January 1, 2012; Registered Nurse First Assistant Fee Schedule, Effective January 1, 2011 and January 1, 2012; and Visual Services Fee Schedule, Effective January 1, 2011 and January 1, 2012.

The ~~fee schedules~~ Florida Medicaid Provider Reimbursement Schedule ~~are is~~ available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies of the ~~fee schedules reimbursement schedule~~ may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, 7-25-07, 9-29-08, 4-28-09, 2-11-10, 1/31/11, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.003	Renewal of Slot Machine Licenses
61D-14.011	Occupational License and Fingerprint Fees
61D-14.017	Days and Hours of Operation
61D-14.019	Compulsive or Addictive Gambling Prevention Program
61D-14.031	Bill Acceptors
61D-14.059	Slot Machine Licensee Personnel Retention, Storage and Destruction of Books, Records, and Documents
61D-14.080	Annual Financial Report
61D-14.082	Annual Compliance Audit
61D-14.086	Prohibited Acts
61D-14.090	Educational or Training Facilities
61D-14.200	Certified Educational Facility License Application
61D-14.203	

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 42, October 22, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.002
 RULE TITLE: Requirements for Certification
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 29, July 20, 2012 issue of the Florida Administrative Weekly.

The change is due to concerns by the Joint Administrative Committee in their letters dated July 24, 2012 and August 24, 2012. The change is as follows:

Subsection (3)(i) shall now read as follows:

(i) American Association of Critical-Care Nurses (AACN Certification Corporation) Adult Acute Care Nurse Practitioner Certification (ACNPC).

**Section IV
 Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-58
 RULE TITLE: Fan-Tastic College Football Promotion

SUMMARY: The Department of the Lottery will conduct the Fan-Tastic College Football Promotion between August 29, 2012, and November 28, 2012, in which special college football prizes will be awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32301

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-58 Fan-Tastic College Football Promotion.

(1) Beginning Wednesday, August 29, 2012, through Wednesday, November 28, 2012, the Florida Lottery will conduct the Fan-Tastic College Football Promotion. Players who purchase a single \$10.00 or more FLORIDA LOTTO™ or FLORIDA LOTTO with XTRA ticket at a Florida Lottery (or “Lottery”) retailer location will receive an entry voucher with a unique number that can be entered in a team drawing in one (1) of eight (8) participating college team “Fan Experiences” on the Florida Lottery’s website for a chance to win college football prizes. The team experiences are: the Canes® Fan Experience; the Gators® Fan Experience; the Seminoles® Fan

Experience; the Bulls™ Fan Experience; the Knights™ Fan Experience; the Panthers™ Fan Experience; the Owls® Fan Experience; and the Rattlers™ Fan Experience.

(2) To enter a voucher number in a team drawing, players must enter on the Lottery’s website at www.flalottery.com. On the home page of the Lottery’s website, players can click on the Fan-Tastic College Football Promotion banner(s) and follow the directions. Players can also access the Lottery’s website to enter a voucher number via a link located on each of the following eight (8) colleges’ athletics websites:

College	Website	Fan Experience
University of Miami	www.hurricanesports.com	Canes Fan Experience
University of Florida	www.gatorzone.com	Gators Fan Experience
Florida State University	www.seminoles.com	Seminoles Fan Experience
University of Central Florida	www.ucfathletics.com	Knights Fan Experience
University of South Florida	www.gousfbulls.com	Bulls Fan Experience
Florida International University	www.fiusports.com	Panthers Fan Experience
Florida Atlantic University	www.fausports.com	Owls Fan Experience
Florida A&M University	www.famuathletics.com	Rattlers Fan Experience

(3) The entry voucher will be attached to the bottom of the FLORIDA LOTTO ticket. The voucher entry number is located at the bottom on the front of the voucher. Players are to enter the first 13-digits of the 19-digit voucher entry number. Qualifying FLORIDA LOTTO ticket purchases will produce entry vouchers from the beginning of the promotion period until close of game for FLORIDA LOTTO at 10:40 p.m. on November 28, 2012. A player will be able to enter his or her voucher entry numbers beginning at the top of the hour after the FLORIDA LOTTO ticket is purchased. A player entering a voucher entry number prior to the top of the hour after purchase will be directed to return at a later time to enter his or her voucher entry number into the drawing. FLORIDA LOTTO tickets cannot be used for entry into the drawings. The odds of winning are dependent upon the number of entries received. Entry vouchers should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Entry vouchers or tickets received in the mail by the Florida Lottery will not be entered into the drawing and will not be returned. Cancellation of a qualifying FLORIDA LOTTO ticket will also cancel the associated entry voucher and the voucher entry number will be ineligible for entry into a drawing. Voucher entry numbers associated with a cancelled FLORIDA LOTTO ticket that are entered into a drawing will be disqualified.