

(c) The form DFS-xx-xxx shall be filed by the homeowner with the Department by mailing same to the Department at: MSFH, Grant Application Review, P. O. Box 7300, Tallahassee, FL 32314-7300.

(d) The Department will review the form DFS-xx-xxx and within 30-45 days of receipt advise the applicant of the status of the application.

1. If the application for medical condition exception is denied, the applicant will be advised by the Department in writing sent to the mailing address provided by the applicant.

2. If the application for medical condition exception is approved by the Department, the Department will notify the applicant in writing; no approval will be deemed to have been given unless such a writing is issued by the Department. Any grant issued under the approved medical exception will be subject to the "Grant Award Letter," "Grant Agreement, Terms and Conditions" document, and a "Reimbursement Request Packet," as those forms are adopted under Department Rule 69J-7.005, F.A.C. Grants awarded by the Department are conditioned on all the terms, conditions, and other provisions set forth by the Department in the three Department forms identified in the preceding sentence. By accepting the grant the applicant agrees to all the said terms, conditions, and provisions. No change to the terms, conditions, and provisions of a grant shall be effective against the Department unless agreed to in writing signed by My Safe Florida Home program management.

(6) Grants under this rule are subject to all the requirements, restrictions, and limitations otherwise applicable to grants under Section 215.5586, Florida Statutes, and rules implementing that section.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History—New _____.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing (Formerly 1C)

RULE NO.:	RULE TITLE:
5N-1.140	Security Officer, Recovery Agent and Private Investigative Intern School Curriculum; Examinations; Retention of Records

PURPOSE AND EFFECT: The purpose is to amend Rule 5N-1.140, F.A.C., to require Class "CC" private investigative interns to become trained before being licensed; to incorporate by reference a private investigative intern course curriculum developed by the Division; and to set in place procedures for

how training and examinations will be conducted and by whom. The effect is to implement 2007 Laws of Florida, s. 1, ch. 2007-232.

SUMMARY: Adds a requirement that applicants for licenses to become private investigative interns take 40 hours of training (two training courses) and two examinations and submit proof of completion of the training before becoming licensed; incorporates by reference a training guide; provides for the general content of the training, who will provide training, and examination criteria; and adds Form 16062(9/08), Certificate of Completion; amends the rule title.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 493.6203(6)(b) FS.

LAW IMPLEMENTED: 493.6203(6)(b) 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:

DATE AND TIME: June 6, 2008, 10:00 a.m.

PLACE: Conference Room, 2520 North Monroe Street, Tallahassee, Florida 32303

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John V. McCarthy, Assistant General Counsel, Department of Agriculture and Consumer Services, Division of Licensing, 2520 North Monroe Street, Tallahassee, FL 32303

THE FULL TEXT OF THE PROPOSED RULE IS:

5N-1.140 Security Officer, ~~and~~ Recovery Agent and Private Investigative Intern School Curriculum; Examinations; Retention of Records.

(1) through (3) No change.

(3) Private Investigator Examination. Beginning January 1, 2008 applicants for "Class M," "MA," and "C" licenses must submit proof, completed by the provider on Form 16060 (1/08), Certificate of Completion (incorporated by reference and available at <http://mylicensesite.com/forms/index.html>), of having successfully passed an examination that covers the provisions of Chapter 493, F.S. The examination, consisting of 100 questions, will be administered by a provider approved by the Division, after the examination fee of \$100 is paid to the Division and the applicant's identity is verified by the provider. A passing score shall be 75 correct answers. The examination provider shall retain an examination file on each applicant for 2 years.

(4)(a) Beginning September 1, 2008, an applicant for a Class "CC" license must have completed at least 24 hours (Course A) of a 40-hour course pertaining generally to private investigative techniques and Chapter 493, F.S. at a state university, school, community college, college or university (hereafter "institution") under the purview of the Florida Department of Education and must successfully pass an examination on Course A.

(b) The applicant must submit proof of completion of Course A on Form 16062(9/08), Certificate of Completion (incorporated by reference and available at <http://mylicensesite.com/forms/index.html>), with his or her application for licensure. The applicant must complete the remaining 16 hours (Course B), take an examination on Course B and submit proof of successfully passing the Course B examination, also on Form 16062, to the Division within 180 days of the date of submittal of his or her application. Applicants may complete both Course A and Course B before they apply for licensure. Certificates of Completions shall be issued by the institution.

(c) Institutions providing private investigative intern courses shall teach, at a minimum, the subject areas set forth in the Private Investigative Intern Training Curriculum Guide (LC1E188, eff. 9/08), incorporated by reference and available at <http://mylicensesite.com/forms/index.html>. Private investigative intern courses may be provided by face-to-face presentation, on-line technology, or home study. Whatever the mode of instruction, students shall attend or participate in sessions or classes in accordance with statutes, rules and procedures of the Florida Department of Education.

(d) Providers of private investigative intern courses shall verify the identity of an intern following procedures of the Florida Department of Education before examinations for Course A and B are taken. The examination for Course A shall consist of 100 questions, and 75 correct answers shall be a passing score. The examination for course B shall consist of 70 questions, and 53 correct answers shall be a passing score. For both examinations, no more than 50% of the questions may be true or false questions.

(5)(4) Retention of records. Each school, facility or provider of training shall maintain for 2 years and make available for inspection upon request of the department the following records:

(a) through (e) No change.

~~Specific Authority 493.6203(5), 493.6203(6) 2007, 2007 Laws of Florida, s.1, ch. 2007-232, 493.6303(4), 493.6304(3), 493.6403(2), 493.6406(3), FS. Law Implemented 493.6203(5) 2007, 493.6203(6), 493.6303(4), 493.6304(3), 493.6403(2), 493.6406(3), FS. History—New 10-1-91, Amended 2-18-93, 7-6-93, 10-6-93, 12-5-94, 7-31-96, 1-1-05, 1-2-08, Formerly 1C-3.140, Amended _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: John V. McCarthy, Assistant General Counsel, Department of Agriculture and Consumer Services, Division of Licensing, 2520 North Monroe Street, Tallahassee, FL 32303, telephone: (850)245-5506; Fax: (850)245-5505

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: W. H. "Buddy" Bevis, Division Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 12, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.:	RULE TITLE:
61G19-7.0015	Board Approved Comprehensive Initial Training Programs as Alternative Eligibility Requirements for Examination for Building Inspector or Plans Examiner Certification

PURPOSE AND EFFECT: The proposed rule amendment establishes the number of hours required to satisfactory complete a comprehensive initial training program which will be an alternative eligibility requirement for examination for building inspector or plans examiner certification.

SUMMARY: The proposed rule amendment establishes the number of 120 hours core curriculum required to satisfactory complete a comprehensive initial training program which will be an alternative eligibility requirement for examination for building inspector or plans examiner certification.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 468.606, 468.609 FS.

LAW IMPLEMENTED: 468.609, 468.627 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-7.0015 Board Approved Comprehensive Initial Training Programs as Alternative Eligibility Requirements for Examination for Building Code Inspector or Plans Examiner Certification.

Applicants seeking initial Inspector or Plans Examiner certification having a minimum of 3 years verifiable experience in construction, as defined in subsection 61G19-1.009(8), F.A.C. shall satisfactorily complete a comprehensive initial training program comprised of a 120 hour core curriculum common to all categories and not less than the following number of hours in the certification category sought:

- (1) Building – 450 hours
- (2) Electrical – 400 hours
- (3) Plumbing – 270 hours
- (4) Mechanical – 270 hours

Specific Authority 468.606, 468.609 FS. Law Implemented 455.279, 468.609(2) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-7.002 RULE TITLE: Training Program Providers
 PURPOSE AND EFFECT: The proposed rule amendment provides the approval process for establishing an initial training program and a cross training program.

SUMMARY: The proposed rule amendment provides the approval process for establishing an initial training program and a cross training program for building inspectors or plans examiners.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 468.606, 468.609 FS.

LAW IMPLEMENTED: 455.2179, 468.609 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: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-7.002 Training Program Providers.

(1) Prospective training program providers shall register with the Board on Board-approved registration form BPR/BCAI/15, effective 8-20-01, with instructions, which is hereby incorporated by reference, copies of which may be obtained from the Board office.

(2) The Board shall maintain a list of all registered training program providers.

(3) Training program providers shall notify the Board in writing within thirty (30) days of the effective date of any changes in information required to be listed on the initial registration.

(4) Registered training program providers seeking approval of a cross training program for building inspectors or plans examiners who meet the eligibility requirements described in Rule 61G19-7.001, F.A.C., shall apply for cross training program approval pursuant to the requirements described in Rule 61G19-7.004, F.A.C.

(5) Registered training program providers seeking approval of an initial training program for building inspectors or plans examiners who meet the eligibility requirements described in Rule 61G19-7.0015, F.A.C., shall apply for initial training program approval pursuant to the requirements described in Rule 61G19-7.005, F.A.C.

Specific Authority 468.606, 468.609 FS. Law Implemented 455.2179, 468.609(2)(c), ~~468.606~~, 468.609 FS. History–New 8-20-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: **RULE TITLES:**
 62-210.370 Emissions Computation and Reporting

62-210.900 Forms and Instructions

PURPOSE AND EFFECT: The proposed rule amendments update the Annual Operating Report (AOR) form and instructions (DEP Form No. 62-210.900(5)) to include the emissions computation and reporting requirements of Rule 62-210.370, F.A.C., and to modify other air emissions reporting procedures on the form. The proposed amendments to Rule 62-210.370, F.A.C., extend the AOR submittal deadline.

SUMMARY: The proposed rule amendments revise requirements for the annual reporting of air pollutant emissions from permitted facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061 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:

DATE AND TIME: Thursday, June 12, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Director's Conference Room, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lynn Scarce at (850)921-9551. 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 RULES IS: Mr. Larry George at (850)921-9555 or larry.george@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-210.370 Emissions Computation and Reporting.

(1) through (2) No change.

(3) Annual Operating Report for Air Pollutant Emitting Facility.

(a) through (b) No change.

(c) The annual operating report shall be submitted to the appropriate Department of Environmental Protection (DEP) division, district or DEP-approved local air pollution control program office by ~~April March~~ 1 of the following year, except that the annual operating report for year 2008 shall be submitted by May 1, 2009. If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to any DEP or local air program office.

(d) ~~Beginning with 2007 annual emissions,~~ Emissions shall be computed in accordance with the provisions of subsection 62-210.370(2), F.A.C., for purposes of the annual operating report.

(4) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History--New 2-9-93, Formerly 17-210.370, Amended 11-23-94, 3-21-96, 2-11-99, 6-21-01, 2-2-06,_____.

62-210.900 Forms and Instructions.

The forms used by the Department in the stationary source control program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, with the subject, title and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by accessing the Division's website at www.dep.state.fl.us/air. The requirement of subsection 62-4.050(2), F.A.C., to file application forms in quadruplicate is waived if an air permit application is submitted using the Department's electronic application form.

(1) through (4) No change.

(5) Annual Operating Report for Air Pollutant Emitting Facility, Form and Instructions (DEP Form No. 62-210.900(5), Effective _____ 2-11-99).

(6) through (7) No change.

Specific Authority 403.061 FS. Law Implemented 403.061, 403.087 FS. History--New 2-9-93, Amended 7-20-94, Formerly 17-210.900, Amended 11-23-94, 7-6-95, 3-21-96, 1-6-98, 2-11-99, 4-16-01, 6-21-01, 6-16-03, 2-2-06, 3-16-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Joseph Kahn, Director, Division of Air Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ms. Mimi Drew, Deputy Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: November 2, 2007

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-1.705	Family-Related Medicaid General Eligibility Criteria
65A-1.711	SSI-Related Medicaid Non-Financial Eligibility Criteria

PURPOSE AND EFFECT: The proposed amendments to the rules clarify residency policy to provide Medicaid for citizen children born to noncitizen parents. Technical and non-substantive changes in the rule are included.

SUMMARY: The proposed amendments clarify residency requirements for Medicaid.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 409.818, 409.919 FS.

LAW IMPLEMENTED: 409.818, 409.902, 409.903, 409.904, 409.906, 409.919 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:

DATE AND TIME: June 9, 2008, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pat Whitford, Economic Self-Sufficiency Services, Telephone (850)410-3479

THE FULL TEXT OF THE PROPOSED RULES IS:

65A-1.705 Family-Related Medicaid General Eligibility Criteria.

(1) Technical eligibility criteria of living in the home of a specified relative, age, residence, citizenship and deprivation apply to coverage groups as follows.

(2) through (4) No change.

(5) The individual must be a resident of Florida as provided by s. 1902(b) of the Social Security Act (2007), incorporated by reference. Individuals who are in the United States with certain temporary visas may be considered residents of the state if they indicate their intent to remain in Florida and can verify residency. The temporary visa must be in one of the following classifications: treaty traders and investors and their families; foreign students; international

organization representatives and individuals and their families and servants; temporary workers including agricultural contract workers; or members of foreign press, radio, film or other information media and their families.

(6) The individual must be a citizen of the United States or a qualified alien as defined in 8 USC s. 1641(b) (2000 Ed., Sup. IV), incorporated by reference.

(7) (a) through (j) No change.

(k) The needs, income and assets of individuals who receive only SSI-related Medicaid under Sections 1619(a) and (b) of the Social Security Act (2007), incorporated by reference, are excluded when determining the eligibility of the assistance group if the SSI recipient otherwise would be included in the filing unit. These recipients of SSI-related Medicaid only are SSI individuals who have become employed and whose income exceeds the SSI income standard.

(l) through (m) No change.

(8) through (9) No change.

Specific Authority ~~409.818~~ ~~409.918~~, 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.818, 409.919 FS. History—New 10-8-97, Amended 9-28-98, 4-5-99, 11-23-99, 2-15-01, 9-24-01, 4-1-03,_____.

65A-1.711 SSI-Related Medicaid Non-Financial Eligibility Criteria.

To qualify for Medicaid an individual must meet the general and categorical requirements in 42 C.F.R. Part 435, subparts E and F (2007) (incorporated by reference), with the exception that individuals who are neither aged nor disabled may qualify for breast and cervical cancer treatment, and the following program specific requirements as appropriate: Individuals who are in the United States with certain temporary visas may be considered residents of the state if they indicate their intent to remain in Florida and can verify residency. The temporary visa must be in one of the following classifications: treaty traders and investors and their families; foreign students; international organization representatives and individuals and their families and servants; temporary workers including agricultural contract workers; or members of foreign press, radio, film or other information media and their families.

(1) For MEDS-AD Demonstration Waiver, the individual must be age 65 or older, or disabled as defined in 20 C.F.R. §416.905 (2007) (incorporated by reference).

(2) For ICP benefits, an individual must be:

(a) No change.

(b) Determined to be in medical need of institutional care services according to Rules 59G-4.180 and 59G-4.290, F.A.C., for nursing facility, hospital swing bed placements and placements in a hospital-based skilled nursing facility bed according to Chapter 65B-38, F.A.C., for ICF/DD facilities or according to Rule ~~59G-4.300~~ ~~59G-4.165~~, F.A.C., for state mental hospitals.

(c) If the individual is in a hospital swing bed or in a hospital-based skilled nursing facility bed, meet the requirements for length of stay prescribed in Rule subsection 59G-4.200 59G-4.200(13), F.A.C.

(3) No change.

(4) To be eligible for a Home and Community Based Services Waiver program, an individual must meet the requirements of Rule 59G-13.080 59G-8.200, F.A.C. An individual cannot receive waiver coverage and institutional care program coverage at the same time. An individual residing in a nursing home may apply for the waiver, but the individual's approval must be subject to their discharge and move into a community living arrangement. AHCA, in coordination with the program responsible for the daily operations of the waiver, requests the number of individuals to be served by the waiver as part of each waiver submission. The Centers for Medicare and Medicaid Services approve the request based on information provided by the state. Additionally, an individual must meet the criteria for one of the following waivers:

(a) No change.

(b) Be determined disabled in accordance with SSI disability criteria set forth in 42 C.F.R. §§ 435.540 (2007) and 435.541 (2007) (both incorporated by reference) and meet the requirements of subsection 65A-1.701(24), F.A.C., to participate in the Project AIDS Care waiver; or

(c) Be age 65 or older, or be 18 years of age through 64 years of age and disabled in accordance with SSI disability criteria set forth in 42 C.F.R. §§ 435.540 (2007) and 435.541 (2007) (both incorporated by reference), and meet the requirements of subsection 65A-1.701(1), F.A.C., to participate in the ADA/Home and Community Based Services waiver program; or

(d) Be disabled in accordance with SSI disability criteria set forth in 42 C.F.R. §§ 435.540 (2007) and 435.541 (2007) (both incorporated by reference) and meet the requirements of subsection 65A-1.701(10), F.A.C., to participate in the Developmental Services waiver program; or

(e) No change.

(f) Be age 18 through 64 and disabled in accordance with SSI disability criteria set forth in 42 CFR §§ 435.540 (2007) and 435.541 (2007) (both incorporated by reference) with a medical condition of traumatic brain injury or spinal cord injury in accordance with the Centers for Medicare and Medicaid Services approved Medicaid waiver.

(5) No change.

(6) To be eligible for WD the individual must be entitled to enroll for Medicare Part A in accordance with Title XVIII, Section 1818A of the Social Security Act (42 U.S.C. § 1395i-2a, 2000 Ed., Sup. IV, incorporated by reference).

(7) In addition, optional coverage is provided in accordance with Secs. 1920B and 1902(aa) of the Social Security Act (2007), incorporated by reference, as it pertains to

breast and cervical cancer treatment. This coverage is provided only for the duration of the individual's treatment. Applicants are referred by the Department of Health. A face to face interview is not required as a result of this referral. The application form for this coverage is CF-ES 2099, Medicaid Application for Breast and Cervical Cancer Treatment, July 2002 (incorporated by reference). Additional rights and responsibilities are explained to applicants on form CF-ES 2064, Your Rights and Responsibilities (incorporated by reference in Rule 65A-1.204, F.A.C.); this form is provided to each applicant. A form requesting verification of the length of treatment, CF-ES 2701, Request for Length of Treatment Information, Dec. 2001 (incorporated by reference), along with a return envelope are given to the applicant to obtain the required verification from the provider. Alternatively, this information may be obtained by the department through telephone contact with the provider, when known.

(8) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History--New 10-8-97, Amended 4-1-03, 8-10-06 (1), 8-10-06 (8), (9),_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nathan Lewis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Lange

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.208
RULE TITLE: Need

PURPOSE AND EFFECT: The proposed amendments to the rule clarify residency policy to provide Temporary Cash Assistance (TCA) for citizen children born to noncitizen parents. Technical and non-substantive changes in the rule are included.

SUMMARY: The proposed amendments clarify residency requirements for TCA.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: 414.095(18), 414.45 FS.

LAW IMPLEMENTED: 414.095(2)(a), (b), (5), (14) 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: June 9, 2008, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, Telephone (850)410-3291

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.208 Need.

(1) ~~The Department determines~~ Financial eligibility is determined by a comparison of the income, assets and needs of standard filing unit members to the eligibility/payment standard applicable to the assistance group as in Section 414.095(12)(11), F.S., that is applicable to the assistance group. Assistance group members are always members of the standard filing unit and their income, assets and needs are counted. The income and assets of standard filing unit members who are not part of the assistance group are counted, but their needs are not.

~~(2) Application for Temporary Cash Assistance: A specific ACCESS Florida Application, CF-ES Form 2337, May 06, incorporated by reference; or an ACCESS Florida Web Application, CF-ES Form 2353, Mar 06, incorporated by reference, available on the Department's Internet site at www.myflorida.com/accessflorida. The CF-ES 2353 is only accepted electronically. An application must include at least the individual's name, address and signature to initiate the application process. Household members who are ineligible, or who are not applying for benefits, may be designated as non-applicants.~~

(2)(3) For Temporary Ceash Assistance (TCA), the following individuals are included in the assistance group:

(a) The minor child(ren) for whom assistance is requested, provided they must meet all non-financial state and federal Temporary Assistance to Needy Families (TANF)/TCA eligibility criteria pursuant to Public Law 104-193, Section 401(a)(1) and Section 408(a)(1)(A)(i), 45 C.F.R. §233.10, 45 C.F.R. §233.90(c)(v)(A), 45 C.F.R. §233.107, and Sections 414.095(2) and (14)(15), F.S. The term "in a setting approved by the Department" set forth in Section 414.095(2)(a)4., F.S., means a Department-approved adult-supervised supportive living arrangement for an unwed minor child and their dependent child(ren) pursuant to 45 C.F.R. §233.107 and Section 414.095(14)(15), F.S.

(b) The parent(s), provided the parent meets all non-financial TCA temporary cash assistance eligibility criteria.

(c) All minor siblings (including half-brothers and half-sisters) living with the child for whom assistance is requested or if not living with such child, all minor siblings who are determined to be temporarily absent from the home by the Department, provided the siblings meet all TCA temporary cash assistance non-financial eligibility criteria.

(3)(4) The following individuals are included in the standard filing unit. However, their needs are not counted, and they are not included in the assistance group.

(a) The parent(s) who is not eligible to be included in the assistance group due to non-financial reasons, but who is living in the home with the child, or if not living with such child, is deemed to be temporarily absent by the Department.

1. The individual must be a resident of Florida. Individuals who are in the United States with certain temporary visas may be considered residents of the state if they indicate their intent to remain in Florida and can verify residency. The temporary visa must be in one of the following classifications: treaty traders and investors and their families; foreign students; international organization representatives and individuals and their families and servants; temporary workers including agricultural workers; or members of foreign press, radio, film or other informational media and their families.

(b) A 16-18 year old who is not in school and who refuses to participate in the TCA employment and training program, unless good cause exists for non-participation in the employment and training program or school prescribed in Rule 65A-4.2131, F.A.C.

(4)(5) For TCA temporary cash assistance, the following individuals shall be included in the assistance group, at the option of the parent or specified relative:

(a) Stepbrothers, stepsisters or other children in the home who meet all TCA temporary cash assistance non-financial criteria.

(b) through (c) No change.

(5)(6) For TCA temporary cash assistance, the following individuals cannot be included in the assistance group or standard filing unit:

(a) Individuals receiving Supplemental Security Income (SSI) benefits;

(b) through (c) No change.

(d) Individuals who are receiving assistance under the Refugee Assistance Program (RAP) or the Cuban/Haitian Entrant Program (CHEP);

(e) through (f) No change.

(6)(7) When a parent or caretaker relative whose needs are counted is on strike, the entire assistance group is ineligible for TCA temporary cash assistance.

(7)(8) The needs of an unwed minor parent who resides with their parent, and the needs of the minor parent's child will be included in the same benefit grant, unless the minor parent also qualifies as an eligible dependent child in their parent's benefit grant. If a minor parent's child is included in the

grandparent's benefit grant then the needs of the minor parent must also be included in the same benefit grant. If a minor parent is included in the parent's benefit grant, the minor parent will not receive a separate benefit grant for the minor parent's child.

~~(8)~~⁽⁹⁾ The needs of an unwed minor parent and the unwed minor parent's child who reside with a specified relative (not the parent) must be included in the same benefit grant, unless the relative receives assistance for one or more siblings of the unwed minor parent. When the needs of the siblings of an unwed minor parent are included in the specified relative's benefit grant, the needs of the unwed minor parent must be included in the relative's benefit grant. If the needs of the minor parent are included in the specified caretaker relative's benefit grant, the minor parent will not receive a separate benefit grant for their child. Their child's needs will be included in the specified caretaker relative's benefit grant.

~~(9)~~⁽¹⁰⁾ No change.

~~(10)~~⁽¹¹⁾ A relative caregiver may self-refer, or be referred, ~~or self-refer,~~ to the Relative Caregiver Program (~~RCP~~) using CF-ES ~~Form~~ 2305, Relative Caregiver Program Request for Eligibility Consideration, Oct 05 Sep 02, incorporated by reference in Rule 65A-1.400, F.A.C., or by using ~~the~~ CF-ES 2353 or CF-ES 2337.

(11) Copies of the CF-ES 2305 are available from the ACCESS Florida Headquarters Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, or on the Department's web site at <http://www.dcf.state.fl.us/publications/>.

Specific Authority 414.095(18), 414.45 FS. Law Implemented 414.095(2)(a), (b), (5), ~~(14)~~⁽¹⁵⁾ FS. History--New 1-11-98, Amended 5-10-05, 6-29-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nathan Lewis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Lange

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: RULE TITLES:
68B-13.008 Gear, Trap Construction,
 Commercial Trap Marking
 Requirements, Trap Working
 Regulations, Trap Transfer
68B-13.010 Stone Crab Trap Limitation Program

PURPOSE AND EFFECT: The purpose of these rule amendments is to make the list of allowable materials for stone crab traps consistent with the list in rule for blue crab traps by

allowing the use of galvanized 16 gauge or thinner staples to secure the required degradable panel to the trap and to extend the Stone Crab Advisory Board for an additional three years. The effect of this amendment will be to simplify trap specifications across the stone and blue crab trap fisheries and aid enforcement and to continue collaboration of the Fish and Wildlife Conservation Commission and the stone crab industry on issues related to the fishery.

SUMMARY: Subsection (2) of Rule 68B-13.008, F.A.C., is amended to allow the use of galvanized staples 16 gauge or thinner to secure the required degradable panels to the traps. Subsection (7) of Rule 68B-13.010, F.A.C., is amended to extend the Stone Crab Advisory Board until July 1, 2011.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

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

A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, June 11-12, 2008, 8:30 a.m – 5:00 p.m., each day

PLACE: International Game Fish Association, Fishing Hall of Fame and Museum, 300 Gulf Stream Way, Dania Beach, Florida 33004

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: The ADA Coordinator, at (850)488-6411. 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 RULES IS: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)488-9542

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-13.008 Gear, Trap Construction, Commercial Trap Marking Requirements, Trap Working Regulations, Trap Transfer.

(1) No change.

(2) TRAP CONSTRUCTION. No person, firm, or corporation shall transport on the water, fish with, or cause to be fished with, set, or placed, in the harvest of stone crabs, any trap which does not meet the following requirements:

- (a) through (b) No change.
- (c) 1. through 3. No change.

4. Each plastic or wire trap used to harvest stone crabs shall have a degradable panel.

a. A plastic trap shall be considered to have a degradable panel if it contains at least one sidewall with a rectangular opening no smaller in either dimension than that of the throat. This opening must be obstructed with a cypress or untreated pine slat or slats no thicker than 3/4 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

b. A wire trap shall be considered to have a degradable panel if one of the following methods is used in construction of the trap:

(I) The trap lid tie-down strap is secured to the trap at one end by a single loop of untreated jute twine. The trap lid must be secured so that when the jute degrades, the lid will no longer be securely closed.

(II) The trap lid tie-down strap is secured to the trap at one end with a corrodible loop composed of non-coated steel wire measuring 24 gauge or thinner. The trap lid must be secured so that when the loop degrades, the lid will no longer be securely closed.

(III) The trap lid tie-down strap is secured to the trap at one end by an untreated pine dowel no larger than 2 inches in length by 3/8 inch in diameter. The trap lid must be secured so that when the dowel degrades, the lid will no longer be securely closed.

(IV) The trap contains at least one sidewall with a rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be laced, sewn, or otherwise obstructed by a single length of untreated jute twine knotted only at each end and not tied or looped more than once around a single mesh bar. When the jute degrades, the opening in the sidewall of the trap will no longer be obstructed.

(V) The trap contains at least one sidewall with a rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. This opening must be obstructed with an untreated pine slat or slats no thicker than 3/8 inch. When the slat degrades, the opening in the sidewall of the trap will no longer be obstructed.

(VI) The trap contains at least one sidewall with a rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may either be laced, sewn, or otherwise obstructed by non-coated steel wire measuring 24 gauge or thinner or be obstructed with a panel of ferrous single-dipped galvanized wire mesh made of

24 gauge or thinner wire. When the wire or wire mesh degrades, the opening in the sidewall of the trap will no longer be obstructed.

(VII) The trap contains at least one sidewall with a rectangular opening no smaller in either dimension than 6 inches in height by 3 inches in width. The opening may be obstructed with a rectangular panel made of any material, fastened to the trap at each of the four corners of the rectangle by galvanized staples 16 gauge or thinner, rings made of non-coated 24 gauge or thinner wire or single strands of untreated jute twine. When the corner fasteners degrade, the panel will fall away and the opening in the sidewall of the trap will no longer be obstructed.

- (3) through (5) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 7-1-00, Amended 7-22-01, 7-15-04,_____.

68B-13.010 Stone Crab Trap Limitation Program.

- (1) through (6) No change.

(7) STONE CRAB ADVISORY BOARD. There is hereby established the Stone Crab Advisory Board. Such board shall consider and advise the Commission on the operation of the trap limitation program and any problems in the fishery.

- (a) through (f) No change.

(g) Dissolution. On July 1, 2011 ~~2008~~, the board shall be dissolved.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 7-1-00, Amended 7-22-01, 6-2-02, 7-1-03, 7-15-04,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)488-9542

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 2, 2008

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Marine Fisheries

RULE NO.: 68B-39.005
RULE TITLE: Commercial Harvest, Statewide Regulations

PURPOSE AND EFFECT: The purpose of this rule amendment is to rescind the July 1 through January 31 weekend closure on commercial harvest of striped mullet. The effect of this rule will be to provide additional opportunity for the commercial harvest of striped or black mullet, Mugil cephalus. The opening of the weekends for commercial harvest will allow for an increase in commercial landings while maintaining a healthy striped mullet population.

SUMMARY: Rule 68B-39.005, F.A.C., is amended to remove the weekend closure on the commercial harvest of striped mullet from July 1 each year through January 31 of the following year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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.

SPECIFIC AUTHORITY: Article IV, Section 9, Florida Constitution.

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

A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the regular meeting of the Commission, June 11-12, 2008, 8:30 a.m – 5:00 p.m., each day
PLACE: International Game Fish Association, Fishing Hall of Fame and Museum, 300 Gulf Stream Way, Dania Beach, Florida 33004

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: The ADA Coordinator, at (850)488-6411. 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: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)488-9542

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-39.005 Commercial Harvest, Statewide Regulations.
(1) through (2) No change.

(3)(a) Except as provided in paragraph (c) of this subsection, no person shall harvest, possess while in or on the waters of the state, or land in any one day ~~striped or~~ silver mullet in quantities greater than the bag limit specified in Rule 68B-39.004, F.A.C., on any weekend during the period beginning on July 1 of each year and ending on January 31 of the following year.

(b) No person shall purchase, sell, or exchange, or offer to purchase, sell, or exchange any ~~striped or~~ silver mullet harvested on any weekend during the period beginning on July 1 of each year and ending on January 31 of the following year.

(c) A person who has lawfully harvested ~~striped or~~ silver mullet for commercial purposes prior to the beginning of a weekend may possess, aboard a vessel, mullet in quantities greater than the bag limit after the weekend begins, if the vessel is tied up to the docking facilities of a licensed wholesale saltwater products dealer, the vessel was docked at the facility prior to the beginning of the weekend, and the person is in the process of landing the ~~striped or~~ silver mullet at the dealer's facility.

(d) No person shall harvest or possess silver mullet in or on waters of the east region in quantities greater than the bag limit specified in Rule 68B-39.004, F.A.C. during the period beginning February 1 and continuing through the last day of February each year. During this period, no person shall purchase, sell, or exchange, or offer to purchase, sell, or exchange any silver mullet harvested from waters of the east region.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 10-19-89, Amended 10-1-90, 9-1-91, 11-16-93, 3-3-97, 11-16-98, Formerly 46-39.005, Amended 7-1-03,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)488-9542

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 2, 2008