

**PURPOSE AND EFFECT:** The purpose of the proposed rule is to establish an application form to be used by all applicants requesting assistance from the Family Readiness Program, with the effect of ensuring that all applications for assistance are processed using one standardized format. This will facilitate rapid review of the application, and minimize processing delays caused by incomplete information being provided by the applicant.

**SUMMARY:** Section 250.5206, Florida Statutes (Family Readiness Program), establishes a need-based assistance program for the purpose of providing financial assistance to the families of eligible Servicemembers of the Florida National Guard, United States Reserves Forces, and Coast Guard Reserves. Families are eligible to request assistance while Servicemembers are federally deployed and serving in the Global War on Terrorism, or participating in state operations for homeland defense, and for 120 days after the Servicemember is released from qualifying service. The proposed rule provides a uniform application form that clearly delineates all information needed to process the request for assistance to completion.

**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:** 250.5206(8) FS.

**LAW IMPLEMENTED:** 250.5206 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:** Lieutenant Colonel Elizabeth C. Masters, (904)823-0131

**THE FULL TEXT OF THE PROPOSED RULE IS:**

70-1.001 Florida Armed Forces Reserve Family Readiness Program Application Fund.

Application process for the Florida Armed Forces Reserve Family Readiness Program Application Fund (FLARF FRPAF). All persons applying for assistance from the FLARF FRPAF shall include all information required by Section 250.5206, Florida Statutes, and any other information determined to be needed by the federal Family Center Support Specialist accepting the application for review. Persons applying for assistance shall utilize the FLARF FRPAF Application for Assistance Forms (dated November 2007), which are incorporated by reference, and available on the Department of Military Affairs' (DMA's) web site at [www.dma.state.fl.us](http://www.dma.state.fl.us).

Specific Authority 250.5206(8) FS. Law Implemented 250.5206 FS. History--New \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Lieutenant Colonel Elizabeth C. Masters

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Major General Douglas Burnett, The Adjutant General, Department of Military Affairs

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 10, 2007

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 19, 2007

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-22.001	Definitions
6A-22.002	Rehabilitation Provider Qualifications
6A-22.003	Reemployment Status Review
6A-22.004	Notice Requirements
6A-22.006	Screening Process
6A-22.008	Reemployment Services and Programs
6A-22.009	Employee Responsibilities
6A-22.010	Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities
6A-22.011	List of Forms
6A-22.012	Expenditures from the Workers' Compensation Administrative Trust Fund

**NOTICE OF CONTINUATION**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 24, June 13, 2008 Florida Administrative Weekly has been continued from August 19, 2008 to October 21, 2008.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

RULE NO.:	RULE TITLE:
9B-13.0041	Thermal Efficiency Standards Adopted

**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. 34, No. 23, June 6, 2008 issue of the Florida Administrative Weekly.

The Commission voted to modify the proposed reference document to require more energy efficient construction in Florida effective December 31, 2008, by amending the 2007 Florida Energy Efficiency Code for Building Construction (Energy Code).

Specifically, as applied to residential construction, the performance method of compliance, "Method A: Whole Building Performance Method" is amended to require a score of 85 rather than 100. The prescriptive means of compliance for residential construction, "Method B" is amended to require a U – Factor (Thermal Transmittance) of .65 and SHGC (Solar Heat Gain Coefficient) of .35 for windows; and programmable thermostat. Method C "Limited Applications Prescriptive Method" is deleted.

As applied to commercial construction, the performance method of compliance, "Method A: Whole Building Performance Method" is amended to require 85 percent energy use relative to the 2007 Energy Code. Method B "Building Envelope Trade-off-Method" is amended to require more stringent prescriptive envelope measures and to limit its applications to shell buildings. Build-out of shell buildings is required to comply with Method A. Method C "Building Prescriptive Envelope" is deleted.

9B-13.0041 Thermal Efficiency Standards Adopted.

Proposed Effective Date December 31, 2008.

(1) The Florida Energy Efficiency Code for Building Construction, ~~2007~~ 2008 Edition (the Code), is hereby adopted by reference. The Florida Building Commission shall revise, update and maintain the Code.

(2) A copy of the above referenced Code as amended has been filed with these rules with the Secretary of State. The Code is also available for reference and inspection at the Department offices in Tallahassee, Division of Housing and Community Development, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

Specific Authority 553.901 FS. Law Implemented 553.901, 553.903 FS. History–New 12-10-96, Amended 10-19-97, 1-19-98, 12-27-98, 9-12-00, 12-31-08.

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER NO.: 14-86  
 RULE CHAPTER TITLE: Drainage Connection Permit

**NOTICE OF ADDITIONAL HEARING**

The Department of Transportation announces additional rule hearings.

DATE AND TIME: September 9, 2008, 2:00 p.m.  
 PLACE: Department of Transportation, District 4 Office, Administrative Conference Room, 3400 W. Commercial Blvd., Ft. Lauderdale, Florida 33309  
 DATE AND TIME: September 10, 2008, 2:00 p.m.  
 PLACE: Orlando Urban Office, Lake Apopka B Conference Room, 133 S. Semoran Blvd., Orlando, Florida 32807

GENERAL SUBJECT MATTER TO BE DISCUSSED: These are follow up hearings to discuss the proposed amendments to Rule Chapter 14-86, F.A.C. The notice of rulemaking was published in Florida Administrative Weekly, Vol. 34, No. 18, dated May 2, 2008. The previous rulemaking hearing was held on May 27, 2008, at the date, time, and place listed in the notice of rulemaking.

For further information or a copy of the agenda, contact: Michael Shepard by e-mail at michael.shepard@dot.state.fl.us or review the rule draft and comments at the Roadway Design-Drainage website: <http://www.dot.state.fl.us/rddesign/dr/Rule14-86.htm>.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Motor Vehicles**

RULE NOS.:	RULE TITLES:
15C-16.001	Scope and Authority
15C-16.002	Data Security
15C-16.003	Exemptions
15C-16.004	Record Retention

**NOTICE OF PUBLIC HEARING**

The Florida Department of Highway Safety and Motor Vehicles announces a change of hearing regarding the above rule, as noticed in Vol. 34, No. 18, May 2, 2008 Florida Administrative Weekly.

DATE AND TIME: Tuesday, September 30, 2008, 9:00 a.m.  
 PLACE: The Capitol, Lower Level, The Cabinet Meeting Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of Change: Proposed adoption of Administrative Rule Chapter 15C-16, F.A.C., will be considered by the Governor and Cabinet. A notice of Proposed Rule Making regarding the above rule was published in the May 2, 2008 issue of the F.A.W., Vol. 34, No. 18.

**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 ELDER AFFAIRS**

**Federal Aging Programs**

RULE NOS.:	RULE TITLES:
58A-1.007	Area Agency on Aging Functions and Responsibilities
58A-1.010	Program Forms

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. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58A-1.007 Area Agency on Aging Functions and Responsibilities.

(1) through (2) No change.

(3) The Area Agency on Aging is authorized to plan and administer the programs listed in this subsection as established by the provisions of its contract with the department:

(a) Older Americans Act of 1965, as amended in 2006:

Title III B – Supportive Services and Senior Centers Program;

Title III C – Nutrition Programs;

Title III D – Disease Prevention and Health Promotion Services Program; and

Title III E – National Family Caregiver Support Program;

and

Title VII – Elder Abuse, Neglect, Exploitation.

The department shall directly administer programs from Title VII, Older Americans Act, Programs for Prevention of Elder Abuse, Neglect, and Exploitation; and the Outreach, Counseling, and Assistance Program.

(b) through (e) No change.

Specific Authority 430.08 FS. Law Implemented 20.41, 430.04 FS. History–New 12-23-81, Formerly 10A-11.07, 10A-11.007, Amended 3-28-95,\_\_\_\_\_.

58A-1.010 Program Forms:

Changes have been made to DOEA Form 701D, Department of Elder Affairs Assessment Instructions 701A, 701B, 701C, \_\_\_\_\_2008, incorporated by reference in this rule. The changes involve the requirement that clients, who voluntarily provide their social security numbers on DOEA Forms 701A, 701B, and 701C, must be provided with written documentation, which explains the reason the information is being requested. DOEA Form 701D has been revised to include Attachment A, which explains the reason for requesting the social security number. The change also clarifies instructions for indicating the consumer type on the assessment forms. The form may be found on the department’s website at: <http://elderaffairs.state.fl.us> under the heading “DOEA Rulemaking” and included under “Rule Chapter 58A-1, Administration of the Older Americans Act.

Specific Authority 430.08, 430.101 FS. Law Implemented 20.41, 430.101 FS. History–New 8-20-00, Amended 8-6-01,\_\_\_\_\_.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.:	RULE TITLE:
58A-1.009	Confidentiality and Disclosure of Information

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ELDER AFFAIRS

Community Care for the Elderly

RULE NOS.:	RULE TITLES:
58C-1.003	Administration
58C-1.007	Co-payments and Contributions

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. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58C-1.003 Administration.

(1) No change.

(2) The AAA, under contract with the department, shall designate lead agencies and administer the Community care for the Elderly program in accordance with its contract with the department.

~~(a) Comply with State of Florida procedures regarding solicitation and execution of contracts with service providers; and~~

~~(b) Designate lead agencies and Administer the Community Care for the Elderly Program in accordance with its contract with the department.~~

(3) No change.

Specific Authority 430.08 FS. Law Implemented 430.03, 430.04, 430.202, 430.203, 430.204, 430.205 FS. History–New 3-11-81, Formerly 10A-10.03, 10A-10.003, Amended 3-28-95,\_\_\_\_\_.

58C-1.007 Co-payments and Contributions.

(1) through (2) No change.

(3) Pursuant to Section 430.204(8), F.S., The dollar amount must be calculated by applying the current federal poverty guidelines published annually by the U.S. Department of Health and Human Services ~~eo-payments must be determined using the fee schedule established in DOEA Form CoPay, Co Pay Schedule, July 2008. The form is hereby incorporated by reference and available from the Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.~~

Specific Authority 430.08 FS. Law Implemented 430.03, 430.04, 430.204(8) FS. History–New 3-11-81, Formerly 10A-10.07, 10A-10.007, Amended 3-28-95,\_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Community Care for the Elderly**

RULE NOS.:	RULE TITLES:
58C-1.004	Application Procedures
58C-1.009	Confidentiality and Disclosure of Information and Retention of Records

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ELDER AFFAIRS**

**Alzheimer’s Disease Initiative**

RULE NOS.:	RULE TITLES:
58D-1.002	Definitions
58D-1.003	Eligibility
58D-1.004	Program Components
58D-1.006	Service Provider Responsibilities

**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. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58D-1.002 Definitions.

The following terms are defined in this rule:

(1) Alzheimer’s Disease Advisory Committee: The committee created pursuant to Section 430.501~~2~~(2), (3), F.S., to advise the department in the performance of its duties pursuant to the ADI.

(2) Alzheimer’s Disease and Related Disorders (ADRD) Research Brain Bank: The entity designated by the department to collect post mortem normal control brains and brains of individuals who were clinically diagnosed as having Alzheimer’s disease for the purpose of conducting comparative research aimed at learning about, finding a cause, and developing a treatment or cure for the disease.

(3) Client: The person with ADRD Alzheimer’s disease; however, the client’s caregiver will receive benefits through the provision of education, training, respite, and support services, as needed.

(4) through (5) No change.

(6) Related Memory Disorders: Other forms of progressive cognitive memory disorders that result in diminished memory, language, other cognitive functions, and the inability to perform activities of daily living.

(7) Research: Investigations undertaken to determine the cause, resulting behavioral changes, treatment, cure, and impact of ADRD Alzheimer’s disease.

(8) Training: The provision of educational activities and instruction to assist health care professionals, social service providers, and caregivers in understanding ADRD Alzheimer’s disease and to increase their knowledge and caregiving skills.

Specific Authority 430.08 FS. Law Implemented 430.501, 430.502 FS. History–New 3-28-95, Amended \_\_\_\_\_.

58D-1.003 Eligibility.

(1) To be eligible for model day care services, an individual must be at least 18 of years of age and have a diagnosis of Alzheimer’s disease or a related memory disorder.

(2) No change.

(3) The caregivers of individuals receiving services under the Alzheimer’s Disease Initiative are eligible to receive training and related support services to assist them in caring for the person with ADRD Alzheimer’s disease.

Specific Authority 430.08 FS. Law Implemented 430.501, 430.502 FS. History–New 3-28-95, Amended \_\_\_\_\_.

58D-1.004 Program Components.

(1) through (2) No change.

(3) The Alzheimer’s Disease Advisory Committee may enlist services, assistance, and direction from a broad representation of health care professionals, service providers, individuals affiliated with the Alzheimer’s Association and the provision of Alzheimer’s community care, dementia specific service providers, caregivers, and other interested or knowledgeable parties.

Specific Authority 430.08 FS. Law Implemented 430.501, 430.502 FS. History–New 3-28-95, Amended \_\_\_\_\_.

58D-1.006 Service Provider Responsibilities.

Each service provider must:

(1) through (8) No change.

(9) Collect co-payments for services pursuant to Section 430.503(2), F.S. Co-payments must be determined pursuant to using the fee schedule established in Rule 58C-1.007, F.A.C.

(10) through (13) No change.

(14) Establish goals and objectives for the Alzheimer’s Disease Initiative research component and submit reports as specified by the dDepartment on research activities.

Specific Authority 430.08 FS. Law Implemented 430.502, 430.503 FS. History–New 3-28-95, Amended \_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Alzheimer’s Disease Initiative**

RULE NO.:	RULE TITLE:
58D-1.009	Confidentiality and Disclosure of Information

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ELDER AFFAIRS**

**Home Care for the Elderly**

RULE NO.:                   RULE TITLE:  
58H-1.009                   Program Forms

**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. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly.

58H-1.009 Program Forms.

The forms used for programs regulated by this chapter are incorporated by reference in Rule 58A-1.010, F.A.C. In addition, the development of a care plan must meet the criteria established in subsection (3) of that rule ~~and are available.~~

Specific Authority 430.08, 430.603 FS. Law Implemented 430.603, 430.606 FS. History–New 8-20-00, Amended 8-6-01,\_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Home Care for the Elderly**

RULE NO.:                   RULE TITLE:  
58H-1.010                   Confidentiality and Disclosure  
  Information

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 21, May 23, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

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

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., Notice of Rulemaking published in Vol. 34, No. 22, of the May 30, 2008, issue of the Florida Administrative Weekly. The correction will revise the publication date of the Rule Development Notice from May 2, 2008 to the correct date of May 9, 2008 in the history portion of the rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Mobile Home Relocation Corporation**

RULE NOS.:	RULE TITLES:
61M-1.001	Procedures for Operation
61M-1.002	Claims Procedures
61M-1.005	Determination of Mobile Home Park Status
61M-1.007	Timeframe to Apply for Assistance
61M-1.008	Grievance Procedure

**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. 34, No. 20, May 16, 2008 issue of the Florida Administrative Weekly.

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rules and rule amendments are to make language changes to clarify and organize existing rules and forms and to address operational concerns arising out of the current versions of existing rules and forms. Changes to existing rules will also be made to address possible concerns arising out of the incorporation of forms into a separate rule. New rules have been proposed relating to late fees to implement changes to Sections 723.06116(1)(a)-(d), F.S., and relating to rental agreement status, timeframes to apply for assistance to implement changes to Section 723.0612(12), F.S., and a grievance procedure.

Subsection 61M-1.001(1) is changed to correct a typographical error, changing the word “Conduct” to “conduct.”

Subsection 61M-1.002(1) is amended to change the word “how” to “when” and to clarify that the Corporation’s website contains additional information regarding the application process.

Form 1004 is amended to change the title of the Form from “Homeowner Voucher for Payment for Mobile Home Relocation” to “Applicant Voucher for Payment for Mobile Home Relocation”, which corresponds the Form with paragraphs 61M-1.002(4)(b) and 61M-1.002(9)(d), F.A.C.

Paragraph 61M-1.002(6)(a) was changed to incorporate the title of Form 1005 into the text of the Rule, “Certificate for Payment of Relocation Expenses When Funds Become Available.”

Paragraph 61M-1.002(6)(b) was changed to incorporate the title of Form 1006 into the text of the Rule, “Certificate for Payment for Abandoned Mobile Home When Funds Become Available.”

Rule 61M-1.005 has been withdrawn.

Rule 61M-1.007 has been changed by adding the phrase “and the claim is subsequently dismissed” in the second sentence of the Rule. The text of Rule now reads:

“Pursuant to Section 723.0612(12), Florida Statutes, an applicant shall have 1 year after the expiration of their notice of eviction due to change in the use of the land to apply for

assistance from the Corporation. If the applicant is a participant in a legal action based on the change in the use of the land against the mobile home park owner and the claim is subsequently dismissed, then the applicant shall have 2 years after the expiration of the notice of eviction due to a change in the use of the land within which to apply for assistance from the Corporation.”

Subsection 61M-1.008(3) has been changed to clarify the terminology used for the grievance committee. Following the change, the text of subsection (3) is as follows:

“(3) The grievance shall be submitted in writing to the Corporation. Upon receipt of the written grievance, the Corporation shall forward the grievance to the grievance committee.”

Subsection 61M-1.008(5) has been changed to clarify what will occur after the grievance committee makes its recommendation to the Corporation’s board of directors. Following the change, the text of subsection (5) is as follows:

“(5) The recommendation of the grievance committee will be reported to and duly considered by the Corporation’s board of directors, which will make a final decision regarding the grievance.”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Mobile Home Relocation Corporation**

RULE NO.:	RULE TITLE:
61M-1.005	Determination of Mobile Home Park Status

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 20, May 16, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**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 CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.:	RULE TITLE:
65A-1.205	Eligibility Determination Process

**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. 34, No. 20, May 16, 2008 issue of the Florida Administrative Weekly.

**65A-1.205 Eligibility Determination Process.**

(1)(d)1. Applicant delay is the time attributed to the applicant who fails to keep any scheduled appointment or to provide requested and required eligibility information or verification. Applicant delay begins the date the applicant does not keep a Department scheduled appointment with either the Department or health professionals and ends the date the applicant keeps that appointment as rescheduled; or, the date the applicant does not bring requested and required information to the initial interview and ends the date the applicant provides the information to the Department. The “Are You Disabled and Applying for Medicaid?” brochure, CF/PI 165-107, 06/2008 ~~Jan-08~~, incorporated by reference, describes requested and required information for eligibility determination.

Specific Authority 409.919, 414.45 FS. Law Implemented 409.903, 409.904, 409.919, 410.033, 414.045, 414.095, 414.31 FS. History–History–New 4-9-92, Amended 11-22-93, 8-3-94, Formerly 10C-1.205, Amended 11-30-98, 9-27-00, 7-29-01, 9-12-04, \_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
69O-157.301	Rate Increase Standards
69O-157.302	Facility Only Rates
69O-157.303	Home Health Care Only Rates
69O-157.304	Comprehensive Only Rates

**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. 34, No. 22, May 30, 2008 issue of the Florida Administrative Weekly.

**69O-157.301 Rate Increase Standards.**

(1) Rate increase filings for long term care insurance shall be filed in accordance with filing requirements and standards of Rule Chapters 69O-149 and 69O-157, F.A.C.

(2) The term “policies with similar coverage” has the same meaning as “similar policy forms” as defined in subsection 69O-157.103(17), F.A.C.

(3) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that “[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.”

(4) Pursuant to the provisions of Section 627.9407(7)(c), F.S., for insurers that are currently actively marketing and issuing similar coverage, the rates resulting after a rate increase filing shall not exceed the insurer’s new business rate.

(5)(a) Section 627.9407(7)(c), F.S., requires that the office annually determine and publish the currently available new business rates for similar coverage being sold in Florida. The published new business rates represent the maximum annual rate that may be charged after a rate increase for insurers not currently issuing new coverage.

(b) The published rates shall be determined by first identifying those carriers currently issuing policies with similar coverage. For each of the similar coverage categories, the Florida new business earned premium, defined as first year premium in Florida, is determined for the prior calendar year. Those insurers reporting at least the top 80% of that earned premium, cumulatively, starting with the largest, will be used to tabulate the new business rate. The new business rate shall be the weighted average of the insurers' rates, using the market share, as measured by first year premium in Florida, as the weight.

(c)1. The new business rates are for the standard underwriting class for the insurer. Standard underwriting class is the underwriting class with the most predominant sales, measured by number of policies, regardless of the name given to it by the insurer.

2. The new business rates for other underwriting classes, as well as for more liberal or more restrictive standards for benefit triggers as defined by Section 627.94074, F.S., or area factors, shall bear the same relationship to the standard rate schedules that the insurer has filed and approved. For example, if an insurer's preferred rate is 85% of its standard rate, the premium limit applicable to the rate increase for business sold as preferred will be 85% of the standard rate schedule.

(d)1. The published new business rates represent the particular benefit configuration listed. If an insurer has policies in force that have benefits different from the benefit used to determine the published rates, including differences in benefit triggers, the insurer may contact the office for the new business rate that reflect the different benefits.

2. The office shall determine the new business rates for the requested benefit configuration in the same manner as it used for determining the published rates. The resulting rates shall be consistent with the published new business rates reflecting benefit differences only.

3. Insurers needing a different benefit configuration should make such request of the office in advance of a rate filing so as to give the office time to determine such rates and provide them to the insurer.

4. If the office is unable to determine the rates by a tabulation of the insurers currently selling similar coverage, the office shall use its best actuarial judgment in determining the new business rates using the information available from the insurers in the 80% market share. Alternatively in such cases, If the Office is unable to determine the new business rates based on the above procedures, at the option of the insurer, the insurer may, at its option, submit the results of a model used to

price new long term care products by an actuarial consulting firm currently pricing long term care for other clients, who is independent of the insurer, acceptable to the office, and contracted by the insurer. The assumptions used shall be available to the office for review and approval. The model will be used to develop the new business pricing for the insurer's policy benefit configuration, the new business pricing for the published benefit configuration, and to develop a factor which is the ratio of the insurer's policy benefits to the published benefits. It is noted that the provisions of Section 627.9407(7)(c), F.S., provide that the differences shall be benefit differences only; all other provisions of the two policies being modeled shall be identical. Such factor, representing benefit differences only, shall be used to adjust the published new business rates. Independent, as used in this section, shall mean that the actuarial consulting firm or the actuary to be involved in the project has no relationship currently or for the last three years with the insurers for pricing, valuation, or other reviews.

(e) If the application of this rule results in different increases being applied to different plans within the filing, the requirements of subparagraph 69O-149.003(1)(a)4., F.A.C. shall apply.

~~(f) The published rates apply to sales in Hillsborough County. For all other counties, the rate from the published table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.~~

~~(f)(g)~~ The premium for all additional benefits provided in the policy or by rider to the policy shall be the same proportion of the base rates after any rate change as they were before such change.

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History—New 11-1-07, Amended \_\_\_\_\_.

#### 69O-157.302 Facility Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that "[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy."

(2) The following maximum new business rates are effective for ~~2006 rate increase filings and for 20078 and later~~ rate filings until new rates are published: These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days;
- (d) Policies offering Restoration of Benefits; and

(e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.00.

(3)(a) Facility Only Rates:

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
30	\$284.03	\$350.92	\$459.40
31	\$287.49	\$356.69	\$468.20
32	\$291.06	\$362.46	\$477.10
33	\$294.63	\$368.43	\$486.30
34	\$298.31	\$374.41	\$495.60
35	\$301.98	\$380.48	\$505.10
36	\$305.97	\$386.97	\$514.70
37	\$310.07	\$393.46	\$524.50
38	\$314.16	\$400.05	\$534.50
39	\$318.36	\$406.75	\$544.70
40	\$322.67	\$413.65	\$555.00
41	\$326.97	\$420.55	\$565.60
42	\$331.28	\$427.66	\$576.40
43	\$335.69	\$434.87	\$587.40
44	\$340.20	\$442.18	\$598.60
45	\$344.72	\$449.60	\$610.00
46	\$350.81	\$458.76	\$623.20
47	\$357.00	\$468.14	\$636.70
48	\$363.30	\$477.71	\$650.50
49	\$369.71	\$487.50	\$664.60
50	\$376.22	\$497.49	\$679.00
51	\$382.83	\$507.69	\$693.80
52	\$389.55	\$518.09	\$708.80
53	\$396.38	\$528.70	\$724.20
54	\$403.41	\$539.51	\$739.90
55	\$410.55	\$550.54	\$755.90
56	\$440.48	\$588.75	\$809.80
57	\$472.61	\$629.64	\$867.50
58	\$507.05	\$673.31	\$929.30
59	\$543.90	\$720.07	\$995.50
60	\$583.59	\$770.03	\$1,066.40
61	\$626.12	\$823.49	\$1,142.40
62	\$671.79	\$880.65	\$1,223.80
63	\$733.74	\$962.95	\$1,339.80
64	\$801.47	\$1,052.97	\$1,466.80
65	\$865.58	\$1,126.68	\$1,569.48
66	\$934.83	\$1,216.81	\$1,679.34
67	\$1,009.62	\$1,314.16	\$1,796.89
68	\$1,090.38	\$1,419.29	\$1,930.23
69	\$1,211.81	\$1,547.81	\$2,150.64
70	\$1,340.75	\$1,729.87	\$2,396.25
71	\$1,540.77	\$1,933.44	\$2,669.85
72	\$1,735.55	\$2,160.93	\$2,974.77
73	\$1,924.97	\$2,433.75	\$3,335.67
74	\$2,109.14	\$2,740.95	\$3,740.31

75	\$2,346.15	\$3,087.00	\$4,194.18
76	\$2,642.60	\$3,476.81	\$4,702.95
77	\$2,976.56	\$3,915.74	\$5,273.55
78	\$3,282.46	\$4,316.20	\$5,783.13
79	\$3,619.73	\$4,757.64	\$6,342.03
80	\$3,991.68	\$5,244.13	\$6,954.93
81	\$4,401.81	\$5,867.91	\$7,804.10
82	\$4,854.18	\$6,530.20	\$8,685.00
83	\$5,343.31	\$7,198.98	\$9,574.40
84	\$5,881.77	\$7,874.25	\$10,472.40
85	\$6,474.57	\$8,556.00	\$11,379.10
86	\$7,127.00	\$9,704.97	\$12,907.30
87	\$7,845.30	\$10,842.09	\$14,419.60
88	\$8,524.85	\$11,967.26	\$15,916.00
89	\$9,263.27	\$13,080.28	\$17,396.40

Issue Age	3-Yr Benefit Period	5-Yr. Benefit Period	Unlimited Benefit Period
35	\$247.43	\$302.74	\$378.50
45	\$363.53	\$446.70	\$555.75
55	\$522.32	\$646.08	\$810.43
65	\$1,126.33	\$1,406.97	\$1,750.61
75	\$3,073.57	\$3,879.00	\$4,769.07

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
Metropolitan Life Insurance Company	25.5%
Bankers Life & Casualty Company	90.3%
Penn Treaty Network America Insurance Company	74.5% 9.7%

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History--New 11-1-07, Amended \_\_\_\_\_.

69O-157.303 Home Health Care Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, F.S., provides that "[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.9407, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy."

(2) The following maximum new business rates are effective for 2006 rate increase filings and for 2007 and later rate filings until new rates are published. These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days;
- (d) Policies offering Restoration of Benefits; and

(e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer's current area factor applicable in that county relative to the insurer's area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.30.

(3)(a) Home Health Care Only Rates:

Issue Age	3-Yr Benefit Period	5-Yr Benefit Period	Unlimited Benefit Period
30	\$269.87	\$312.28	\$349.95
31	\$269.87	\$312.28	\$349.95
32	\$269.87	\$312.28	\$349.95
33	\$269.87	\$312.28	\$349.95
34	\$269.87	\$312.28	\$349.95
35	\$289.72	\$338.50	\$387.94
36	\$289.72	\$338.50	\$387.94
37	\$289.72	\$338.50	\$387.94
38	\$289.72	\$338.50	\$387.94
39	\$289.72	\$338.50	\$387.94
40	\$322.79	\$378.01	\$432.23
41	\$322.79	\$378.01	\$432.23
42	\$322.79	\$378.01	\$432.23
43	\$322.79	\$378.01	\$432.23
44	\$322.79	\$378.01	\$432.23
45	\$369.28	\$443.74	\$508.03
46	\$369.28	\$443.74	\$508.03
47	\$369.28	\$443.74	\$508.03
48	\$369.28	\$443.74	\$508.03
49	\$369.28	\$443.74	\$508.03
50	\$419.54	\$503.66	\$578.79
51	\$432.77	\$523.33	\$597.70
52	\$452.62	\$536.43	\$623.00
53	\$465.85	\$562.65	\$648.29
54	\$485.87	\$582.50	\$673.50
55	\$529.97	\$636.44	\$726.61
56	\$556.75	\$663.03	\$768.52
57	\$590.32	\$699.83	\$810.60
58	\$630.64	\$749.93	\$865.74
59	\$670.96	\$796.74	\$921.05
60	\$708.00	\$853.39	\$976.28
61	\$754.93	\$903.67	\$1,034.35
62	\$802.05	\$956.95	\$1,095.97
63	\$865.99	\$1,040.67	\$1,184.05
64	\$933.27	\$1,124.47	\$1,281.90
65	\$1,010.63	\$1,214.83	\$1,376.28
66	\$1,087.98	\$1,301.72	\$1,476.97
67	\$1,165.25	\$1,398.64	\$1,583.96
68	\$1,262.76	\$1,515.59	\$1,707.65
69	\$1,366.99	\$1,642.56	\$1,844.12
70	\$1,477.73	\$1,772.81	\$1,986.80
71	\$1,595.09	\$1,912.89	\$2,135.79
72	\$1,712.46	\$2,056.24	\$2,297.47
73	\$1,840.71	\$2,204.01	\$2,445.41
74	\$1,968.78	\$2,355.32	\$2,599.83
75	\$2,106.93	\$2,516.29	\$2,763.85
76	\$2,248.33	\$2,680.72	\$2,930.87
77	\$2,389.72	\$2,848.23	\$3,104.12
78	\$2,571.75	\$3,056.67	\$3,308.54
79	\$2,753.77	\$3,268.58	\$3,519.36

80	\$2,949.12	\$3,483.48	\$3,726.71
81	\$3,151.09	\$3,715.14	\$3,950.13
82	\$3,359.66	\$3,949.80	\$4,179.86
83	\$3,571.71	\$4,188.29	\$4,410.21
84	\$3,793.92	\$4,433.35	\$4,656.64
85	\$4,025.90	\$4,688.13	\$4,899.59
86	\$4,267.96	\$4,952.94	\$5,158.79
87	\$4,513.17	\$5,224.30	\$5,420.66
88	\$4,885.73	\$5,633.61	\$5,792.96
89	\$5,261.44	\$6,049.38	\$6,171.47

Issue Age	3-Yr Benefit Period	5-Yr Benefit Period	Unlimited Benefit Period
35	\$166.18	\$203.65	\$242.26
45	\$245.38	\$306.44	\$366.65
55	\$369.58	\$455.50	\$548.26
65	\$691.78	\$836.06	\$989.23
75	\$1,318.83	\$1,520.52	\$1,702.93

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
Bankers Life & Casualty Company	79.2% 97.2%
Colonial American Life Insurance Company	20.8% 2.3%
Penn Treaty Network America Insurance Company	0.5%

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History—New 11-1-07, Amended \_\_\_\_\_.

69O-157.304 Comprehensive Only Rates.

(1) The footnote following Section 627.9407, F.S., states that Section 11, Ch. 2006-254, L.O.F., provides that “[t]his act shall apply to long-term care insurance policies issued or renewed on or after July 1, 2006. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of [Section 627.94076, F.S.] shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.”

(2) The following maximum new business rates are effective for ~~2006 rate increase filings and for 20078 and later~~ rate filings until new rates are published. These annual rates are appropriate for:

- (a) Tax qualified policies;
- (b) A benefit of \$100/day;
- (c) An elimination period of 90 days;
- (d) Policies offering Restoration of Benefits; and
- (e) Sales in Hillsborough County. For all other counties, the rate from this table should be adjusted by the insurer’s current area factor applicable in that county relative to the insurer’s area factor in Hillsborough County.

(f) Insurers who did not use area factors in the closed blocks for which a rate change is being requested may calculate the new business rate as a weighted average of the

Hillsborough and the South Florida area factors, where the weights used are in-force premium by county. For the purposes of this calculation, the South Florida area factors are those that apply in Broward, Duval and Palm Beach county. The South Florida area factor is equal to 1.00.

(3)(a) Comprehensive Only Rates:

Issue Age	3-Yr Benefit Period	5-Yr Benefit Period	Unlimited Benefit Period
30	\$357.66	\$452.19	\$592.98
31	\$359.27	\$454.73	\$596.13
32	\$360.91	\$457.15	\$599.55
33	\$362.81	\$467.83	\$610.09
34	\$372.25	\$470.36	\$613.92
35	\$392.37	\$485.24	\$646.03
36	\$394.19	\$495.83	\$656.91
37	\$396.24	\$498.95	\$660.88
38	\$398.57	\$501.94	\$664.98
39	\$408.46	\$505.21	\$669.38
40	\$422.18	\$538.84	\$704.43
41	\$426.52	\$542.98	\$711.03
42	\$430.28	\$547.83	\$717.94
43	\$434.51	\$552.75	\$733.25
44	\$445.46	\$558.21	\$740.15
45	\$457.15	\$588.24	\$767.35
46	\$469.07	\$593.07	\$782.73
47	\$474.02	\$599.22	\$790.99
48	\$479.33	\$605.50	\$799.51
49	\$492.01	\$611.69	\$822.72
50	\$502.21	\$631.63	\$839.32
51	\$518.00	\$648.72	\$859.73
52	\$533.51	\$674.20	\$887.15
53	\$550.58	\$693.44	\$918.49
54	\$568.09	\$721.86	\$949.96
55	\$588.25	\$733.65	\$980.98
56	\$626.56	\$787.13	\$1,040.83
57	\$661.34	\$841.03	\$1,109.08
58	\$705.13	\$905.55	\$1,179.64
59	\$741.88	\$954.58	\$1,260.83
60	\$795.99	\$1,022.36	\$1,336.52
61	\$852.97	\$1,093.08	\$1,431.38
62	\$919.59	\$1,166.20	\$1,537.41
63	\$991.75	\$1,254.51	\$1,661.23
64	\$1,059.64	\$1,337.42	\$1,777.18
65	\$1,130.19	\$1,414.66	\$1,895.31
66	\$1,239.89	\$1,554.84	\$2,083.84
67	\$1,369.00	\$1,719.56	\$2,290.03
68	\$1,512.16	\$1,894.92	\$2,524.36
69	\$1,651.51	\$2,086.98	\$2,776.71
70	\$1,802.07	\$2,295.68	\$3,049.92
71	\$2,041.92	\$2,572.02	\$3,414.19

72	\$2,293.64	\$2,876.35	\$3,811.27
73	\$2,557.01	\$3,196.06	\$4,229.60
74	\$2,833.53	\$3,547.08	\$4,682.75
75	\$3,132.41	\$3,931.85	\$5,162.40
76	\$3,519.05	\$4,396.08	\$5,779.67
77	\$3,925.72	\$4,914.88	\$6,453.45
78	\$4,344.97	\$5,450.22	\$7,131.36
79	\$4,779.15	\$5,988.95	\$7,829.68
80	\$5,206.95	\$7,201.34	\$9,704.96
81	\$5,695.37	\$7,855.63	\$10,582.32
82	\$6,200.20	\$8,560.10	\$11,522.41
83	\$6,772.84	\$9,335.36	\$12,551.65
84	\$7,380.07	\$10,190.80	\$13,680.13
85	\$8,971.35	\$11,276.50	\$15,228.74
86	\$10,532.62	\$13,010.62	\$17,716.18
87	\$11,566.04	\$14,303.82	\$19,459.57
88	\$12,659.68	\$15,643.72	\$21,277.97
89	\$13,799.95	\$17,046.75	\$23,185.77

Issue Age	3-Yr Benefit Period	5-Yr Benefit Period	Unlimited Benefit Period
35	\$332.88	\$414.10	\$574.47
45	\$474.36	\$592.44	\$822.62
55	\$666.65	\$824.77	\$1,151.34
65	\$1,313.19	\$1,640.75	\$2,259.55
75	\$3,288.22	\$4,210.08	\$5,603.51

(b) The insurers used to tabulate the above rates are:

Insurer	Weighting Percentage
Allianz Life Insurance Company of North America	3.3%
Bankers Life & Casualty Insurance Company	4.1% 52.7%
Blue Cross Blue Shield of Florida	8.1% 5.1%
Genworth Life Insurance Company	23.3% 11.5%
Great American Life Insurance Company	9.8%
John Hancock Life Insurance Company	25.5% 14.2%
Metropolitan Life Insurance Company	20.5% 6.7%
New York Life Insurance Company	3.0%
Northwestern Long Term Care Insurance Company	3.6%
Provident Life & Accident Insurance Company	3.1%
Unum Life Insurance Company of America	5.5%

Specific Authority 627.9408(1) FS. Law Implemented 627.9407(7) FS. History--New 11-1-07, Amended \_\_\_\_\_.

**DEPARTMENT OF MILITARY AFFAIRS**

RULE NO.:                    RULE TITLE:  
 70-1.001                    Family Readiness Program  
    NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 5, February 1, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV  
 Emergency Rules**

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NOS.:	RULE TITLES:
12DER08-20	Scope of Emergency Rules 12DER08-21 Through 12DER08-26; How to Obtain Forms
12DER08-21	Transfer of Assessment Limitation Difference; "Portability;" Sworn Statement Required
12DER08-22	Tangible Personal Property Exemption
12DER08-23	Additional Homestead Exemption Pursuant to Section 196.031(1)(b), F.S.; 2008 Tax Year
12DER08-24	Repeal of Rule 12DER08-12, Assessment Increase Limitation Applicability Contained in SB 4D; Application Required by Section 193.1556, F.S., Is Not Required Until March 1, 2009
12DER08-25	Denials and Late Filed Applications for Transfer of Assessment Limitation Differential (Portability)
12DER08-26	Appeals to the Value Adjustment Board of Denials and of Amount of Transfer of Assessment Limitation Difference (Portability)

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Chapter 2007-339 (Senate Bill 4-D), Laws of Florida and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. These acts further provided that all conditions imposed by Chapter 120, Florida Statutes, were deemed to be met.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter

2007-339 (Senate Bill 4-D), Laws of Florida and Chapter 2008-173 (Senate Bill 1588), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The forms included here are based on the requirements of Chapter 2008-173 (Senate Bill 1588), Laws of Florida, as passed by the 2008 Legislature. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include property appraisers and the professional associations that represent them, counties, municipalities, and independent districts, their associations, and practitioners who have told the Department that they want to receive all information associated with property tax rulemaking. The actions that the Department has taken include: requesting the assistance of other state agencies and professional associations in ascertaining if the information in the relevant sections of Chapter 2007-339, Laws of Florida, have been understood; posting information, forms and procedures associated with implementation of this act on a special Internet website at <http://dor.myflorida.com/dor/property/sb4d.html> for issues regarding recent legislative changes to the laws governing property tax; emailing and/or mailing copies of the draft forms to property appraisers with requests for comments; and conducting a public workshop on January 22, 2008 to receive comments on the Department's proposed procedures and draft forms that are the basis of these emergency rules, as well as previously-adopted Emergency Rules 12DER08-01 through 12DER08-06, and 12DER08-07 through 12DER08-12.

**SUMMARY:** Rule 12DER08-20 (Scope of Emergency Rules 12DER08-21 Through 12DER08-26; How to Obtain Forms) describes in detail the scope and application of emergency rules when implementing the provisions of Chapter 2007-339 (Senate Bill 4-D), Laws of Florida, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida. Emergency Rules 12DER08-20 through 12DER08-26 supersede any other existing rules of the Department that deal with the same or similar issues and should be read in conjunction with those source documents that created the laws, and not rely solely on these rules. Rule 12DER08-21 (Transfer of Assessment Limitation Difference; "Portability;" Sworn Statement Required) shall replace Rule 12DER08-08. This rule sets forth the limitations and special rules to be observed and the forms to be used by applicant taxpayers and property appraisers for the transfer of assessment limitation difference, when a homestead is abandoned. 12DER08-22 (Tangible Personal Property Exemption) shall replace Rule 12DER08-09. This rule describes the procedure applicant taxpayers can use to apply for and receive this exemption, and the duties of the property appraiser when allocating exemptions and preparing the tax roll. Emergency Rule 12DER08-23 (Additional Homestead Exemption Pursuant to Section 196.031(1)(b), F.S.;