



either a psychologist or psychiatrist and ~~of mental health staff~~ shall be limited to description of the role, if any, that mental impairment may have played in the behavior in question. Written input by either a psychologist or psychiatrist shall be provided for inmates who are patients in isolation management, transitional care, crisis stabilization care, or in a corrections mental health treatment facility. The input shall be limited to whether the patient's mental illness, mental retardation or cognitive impairment may have contributed to the alleged disciplinary offense and, if so, a recommendation for disposition or sanction options or alternative actions.

(2) ~~Inmates who are patients in isolation management, transitional care, crisis stabilization care, or acute mental health hospital care shall not be subjected to administrative confinement, disciplinary confinement, or close management unless the inmate has been assessed by clinical staff as mentally competent and responsible and accountable for his or her behavior.~~ The results of the clinical assessment shall be communicated to classification and documented in the health record by a psychologist or psychiatrist mental health staff professional. ~~If the inmate is found to be competent and responsible,~~ The disciplinary team shall determine the appropriate discipline, including confinement, in accordance with Rules 33-601.301-.314, F.A.C. Any such confinement shall be performed within the inpatient setting, in accord with unit operating procedures and the individualized services plan. Documentation of all such incidents shall also be considered as part of the ongoing assessment of risk for violence by the risk assessment team as described in subsection (4) of this rule.

(3) When inmates are admitted to; transitional care, crisis stabilization care, or a corrections mental health treatment facility ~~acute hospital care~~, any prior confinement; or close management status shall be suspended until the inmate is discharged from the specialized care setting. Security restraints shall be applied when inmates admitted to transitional care, crisis stabilization care, or a corrections mental health facility from maximum management or close management status I and II are out of their cells or other secure areas such as exercise yards, shower areas or holding cells.

(4) Within 72 hours of an inmate's admission to transitional care, crisis stabilization care, or a corrections mental health treatment facility ~~When an inmate in confinement or close management status is determined to be in need of inpatient mental health care~~, an assessment of risk for violence shall be completed by a risk assessment team. The risk assessment team shall consist of a psychologist or psychiatrist and a staff member from ~~mental health~~, security and classification. This risk assessment shall be the basis for recommendations for restrictions on the inmate's movement, housing program participation and clinical activities while the inmate is in an inpatient unit. The assessment of risk for violent behavior shall include a review of the health and institutional record, the inmate's adjustment to incarceration, and the

inmate's disciplinary or confinement status at the time of the referral for inpatient treatment. Restrictions shall be determined based on staff and inmate safety, and institutional security, and shall be documented in the health record.

(5) ~~Once the inmate is admitted to the inpatient unit,~~ The risk assessment shall be reviewed by a risk assessment team within 14 working days of the initial risk assessment and clinical, classification and security staff at the time of admission, ~~and at least every 90 60 days thereafter,~~ to determine the appropriateness of restrictions on housing, movement, and activities. Modifications shall be documented in the inmate's health record. Disagreement among the risk assessment team related to the level of risk presented by the inmate, or the determination of restrictions to be recommended for inclusion in the individualized service plan shall be referred to the warden for resolution. The warden is authorized to contact the regional mental health consultant and director of mental health services or his/her designee in ~~and~~ central office for recommendations when needed.

(6) An inmate transferred to an inpatient setting from protective management may still need protection while in a crisis stabilization, or transitional care unit, or a corrections mental health treatment facility. Protective management status or requests shall be evaluated with written or verbal input from the clinical staff, in accordance with Rule 33-602.220 and Rule 33-602.221, F.A.C., as applicable.

Rulemaking Specific Authority 944.09, 945.49 FS. Law Implemented 944.09, 945.49 FS. History—New 5-27-97, Amended 7-9-98, Formerly 33-40.008, Amended \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NOS.:	RULE TITLES:
40D-1.6105	Limiting Conditions
40D-1.659	Forms and Instructions

PURPOSE AND EFFECT: The purpose and effect of the rulemaking is to correct the legal descriptions and maps and figures of the boundaries of the Southern Water Use Caution Area (SWUCA), the most impacted area of the SWUCA and the Northern Tampa Bay Water Use Caution Area.

SUBJECT AREA TO BE ADDRESSED: Procedural.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.079(4)(a), 373.083, 373.083(5), 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.4135, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702, TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Martinez, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637, (813)985-7481, extension 4660 (OGC#2011042)

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application
40D-2.351	Transfer of Permits
40D-2.801	Water Use Caution Areas

PURPOSE AND EFFECT: The purpose and effect of the rulemaking is to correct the legal descriptions and maps and figures of the boundaries of the Southern Water Use Caution Area (SWUCA), the most impacted area of the SWUCA and the Northern Tampa Bay Water Use Caution Area.

SUBJECT AREA TO BE ADDRESSED: Water Use Permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715, 403.0877 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

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agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702, TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
61C-4.0161	Mobile Food Dispensing Vehicles and Theme Park Food Carts

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to exempt self-sufficient mobile food dispensing vehicles from the requirements to operate from and report to a commissary, and to notify the division of the commissary used.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will address commissary requirements for self-sufficient mobile food dispensing vehicles.

RULEMAKING AUTHORITY: 509.032, 509.221 FS.

LAW IMPLEMENTED: 509.032, 509.101, 509.211, 509.215, 509.221 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, Michelle.Comingore@dbpr.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) No change.

(2) Mobile food dispensing vehicles shall meet the following additional requirements:

(a) through (b) No change.

(c) Mobile food dispensing vehicles shall operate from an approved commissary that meets all applicable requirements of this rule. The commissary must be provided with potable water and adequate facilities for disposal of liquid and solid waste. The mobile food unit must report to the commissary to store or replenish supplies, clean utensils and equipment, or dispose of liquid and solid waste. ~~Mobile food dispensing vehicles which are self-sufficient for equipment, storage, and utilities must report to the commissary as often as needed, but not less than once weekly, to replenish supplies, clean the interior of the unit, or dispose of liquid or solid wastes. For the purpose of this rule, a mobile food dispensing vehicle which is self-sufficient includes a three compartment sink for washing, rinsing, and sanitizing of equipment and utensils; a separate handwash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP gas, or a portable power generation unit; a potable water holding tank; and a liquid waste disposal system in accordance with Subparts 5-3 and 5-4 of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. Mobile food dispensing vehicles which are not self-sufficient must report to their commissary at least once daily. The exterior of the vehicle may be washed in any location, provided the waste water does not create a sanitary nuisance.~~

(d) No change.

(e) The owner of each mobile food dispensing vehicle shall notify the division of each commissary they intend to utilize for support services before using the commissary by submitting DBPR HR-7022, COMMISSARY NOTIFICATION, incorporated herein by reference and effective 2009 January 1. Instructions for filling in DBPR HR-7022 are provided in DBPR HR-7022i, INSTRUCTIONS FOR COMPLETING COMMISSARY NOTIFICATION, incorporated herein by reference and effective 2009 January 1.

(f) Self-sufficient mobile food dispensing vehicles are exempt from paragraphs (2)(c) and (2)(e) of this rule.

(3) through (9) No change.

Rulemaking Authority 509.032, 509.221 FS. Law Implemented 509.032, 509.101, 509.211, 509.215, 509.221 FS. History—New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, 2-12-08, 8-12-08, 6-13-10\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.: 61C-5.001  
 RULE TITLE: Safety Standards

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to remove “Handbook on” from the title for ASME A17.1-2007 to identify the correct name of the elevator safety code adopted by the division.

SUBJECT AREA TO BE ADDRESSED: The rule amendment will address the title of ASME A17.1-2007, as adopted and incorporated by reference.

RULEMAKING AUTHORITY: 399.02, 399.10 FS.

LAW IMPLEMENTED: 399.02 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, Michelle.Comingore@dbpr.state.fl.us, Telephone: (850)488-1133

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-5.001 Safety Standards.

(1) Safety Standards. The installation and maintenance of elevators, dumbwaiters, escalators, moving walks, inclined and vertical wheelchair lifts, and inclined stairway chairlifts must comply with chapter 399, Florida Statutes (F.S.), and the following standards, which are hereby adopted and incorporated by reference.

(a) ASME A17.1-2007, ~~Handbook on~~ Safety Code for Elevators and Escalators, including ASME A17.1a-2008, Addenda to ASME A17.1-2007, and A17.1b-2009, Addenda to ASME A17.1-2007, effective March 15, 2012;

(b) ASME A17.3-1996, Safety Code for Existing Elevators and Escalators, effective March 15, 2012; and

(c) ASME A18.1-2008, Safety Standard for Platform Lifts and Stairway Chairlifts, effective March 15, 2012.

(2) Copies of ASME A17.1, ASME A17.3, and ASME A18.1 are available for purchase from the ASME, P. O. Box 2300, Fairfield, NJ 07007-2300 or through the ASME website at www.asme.org. The division maintains a copy of each of the adopted codes available for review upon request.

Rulemaking Authority 399.02, 399.10 FS. Law Implemented 399.02 FS. History—Amended 10-20-63, 4-20-64, 11-17-73, 12-20-73, Revised 3-22-74, Amended 12-18-74, 8-21-79, 8-1-82, 9-19-84, Formerly 7C-5.01, Amended 11-1-87, 10-31-88, 6-12-89, 9-10-89, 10-3-90, 5-12-91, 6-23-91, 8-9-91, 8-27-92, Formerly 7C-5.001, Amended 2-2-94, 8-1-96, 1-1-98, 10-4-00, 4-2-08, 3-15-12\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-10.002  
 RULE TITLE: Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the process and fee due when an employee leasing company experiences a change in ownership that creates a material change in information required for board review, either for original licensure or pursuant to Section 468.5245, F.S.

SUBJECT AREA TO BE ADDRESSED: Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name.

RULEMAKING AUTHORITY: 455.201(2), 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531, 455.201(2) FS.

LAW IMPLEMENTED: 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

RULE NO.: 61G20-2.002  
 RULE TITLE: Statewide Amendments to the Florida Building Code

PURPOSE AND EFFECT: To implement, as part of the electronic code modification form, a statutory amendment adopted in 2011. Ch. 2011-222, Laws of Florida, amended Section 553.73(7)(g), F.S. that requires three additional pieces of information to be collected from people proposing amendment to the Florida Building Code and other improvements necessary to enhance the user's interface with the code modification module. The modifications thereto are available via the Commissions website, www.floridabuilding.org.

SUBJECT AREA TO BE ADDRESSED: Statewide Amendments to the Florida Building Code and the Building Code Information System/Code Modification Module.

RULEMAKING AUTHORITY: 553.73(3), (6), (7), (8) FS.

LAW IMPLEMENTED: 553.73(3), (6), (7), (8) FS.

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

DATE AND TIME: May 18, 2012, 10:00 a.m., or as soon thereafter as the matter is brought before the Commission in accordance with its agenda.

PLACE: Workshop to be conducted using communication media technology, specifically conference call: Telephone Number: 1(888)808-6959; Code: 2059360213.

Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mo Madani, Planning Manager, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

RULE NO.: 61G20-3.015  
 RULE TITLE: Equivalence of Standards

PURPOSE AND EFFECT: To review standards for equivalence to those referenced in the Florida Building Code and, if appropriate, authorize the use of analysis performed in accordance with the alternative standards for Florida Product Approval.

SUBJECT AREA TO BE ADDRESSED: Standards for the approval of products by the Florida Building Commission.

RULEMAKING AUTHORITY: 553.77(1)(i), 553.842(1) FS.

LAW IMPLEMENTED: 553.842(1), (2) FS.

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

DATE AND TIME: May 18, 2012, 10:00 a.m., or as soon thereafter as the matter is brought before the Commission in accordance with its agenda.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

RULE NO.:	RULE TITLE:
61G20-6.002	Commission Approval and Accreditation of Advanced Building Code Training Courses

PURPOSE AND EFFECT: The purpose and effect of the rule development is to review the criteria for approval of course providers, course accreditors, and advance course accreditation by the Commission.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the criteria for approval of course providers, course accreditors, and advance course accreditation by the Commission.

RULEMAKING AUTHORITY: 553.841(2) FS.

LAW IMPLEMENTED: 553.841 FS.

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

DATE AND TIME: May 18, 2012, 10:00 a.m., or as soon thereafter as the matter is brought before the Commission in accordance with its agenda.

PLACE: Workshop to be conducted using communication media technology, specifically conference call: Telephone Number: 1(888)808-6959; Code: 2059360213.

Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-4.050	Procedures to Obtain Permits and Other Authorizations; Applications
62-4.242	Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters; Equitable Abatement
62-4.244	Mixing Zones: Surface Waters

PURPOSE AND EFFECT: The Department of Environmental Protection (Department) proposes to initiate the state's Triennial Review of surface water quality standards. The Department is considering revisions to a limited number of rule sections at this time; however, all surface water quality standards in Chapter 62-4, Chapter 62-302 and Chapter 62-303, F.A.C., are under review and may be revised as part of Triennial Review.

SUBJECT AREA TO BE ADDRESSED: The Department will consider amendments to all surface water quality standards, including those within Chapter 62-4, F.A.C. (there are separate notices for Chapters 62-302 and 62-303, F.A.C.).

RULEMAKING AUTHORITY: 373.016, 373.026, 373.043, 373.109, 373.171, 373.414, 373.418, 373.421, 403.051, 403.061, 403.062, 403.087, 403.088, 403.0882, 403.504, 403.704, 403.704(30), 403.804, 403.805 FS.

LAW IMPLEMENTED: 373.016, 373.109, 373.171, 373.309, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.021(11), 403.051, 403.061, 403.087, 403.0877, 403.088, 403.0882, 403.0885, 403.101, 403.111, 403.121, 403.141, 403.161, 403.182, 403.201, 403.502, 403.702, 403.708, 403.722, 403.861(7) FS.

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

DATE AND TIME: Tuesday, May 15, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida

DATE AND TIME: Wednesday, May 16, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Rooms A/B/C, Orlando, Florida

DATE AND TIME: Thursday, May 17, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Standards and Assessments Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400, telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-302.200	Definitions
62-302.300	Findings, Intent, and Antidegradation Policy for Surface Water Quality
62-302.400	Classification of Surface Waters, Usage, Reclassification, Classified Waters

62-302.500	Surface Waters: Minimum Criteria, General Criteria
62-302.520	Thermal Surface Water Criteria
62-302.530	Table: Surface Water Quality Criteria
62-302.540	Water Quality Standards for Phosphorus Within the Everglades Protection Area
62-302.700	Special Protection, Outstanding Florida Waters, Outstanding National Resource Waters
62-302.800	Site Specific Alternative Criteria

PURPOSE AND EFFECT: The Department of Environmental Protection (Department) proposes to initiate the Triennial Review of state surface water quality standards. The Department is considering revisions to a limited number of rule sections at this time; however, all surface water quality standards in Chapter 62-4, Chapter 62-302 and Chapter 62-303, F.A.C., are under review and may be revised as part of Triennial Review. The Department intends to develop changes to human health-based surface water quality criteria based on updated science including fish consumption rate information. In addition, the Department is considering revisions to the criteria for dissolved oxygen in both fresh and marine waters statewide using Florida specific data, science and information. The current criteria for dissolved oxygen have been in existence since the 1970's.

SUBJECT AREA TO BE ADDRESSED: The Department will consider amendments to all surface water quality standards, including those within Chapter 62-302, F.A.C. (there are separate notices for Chapters 62-4 and 62-303, F.A.C.).

RULEMAKING AUTHORITY: 373.043, 373.4592, 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 373.016, 373.026, 373.414, 373.4592, 403.021(11), 403.031, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088, 403.101, 403.141, 403.161, 403.182, 403.201, 403.502, 403.504, 403.702, 403.708, 403.802 FS.

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PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Standards and Assessments Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400, telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-303.100	Scope and Intent
62-303.150	Relationship Between Planning and Verified Lists
62-303.200	Definitions
62-303.300	Methodology to Develop the Planning List
62-303.310	Evaluation of Aquatic Life Use Support
62-303.320	Exceedances of Aquatic Life-Based Water Quality Criteria
62-303.330	Biological Assessment
62-303.350	Interpretation of Narrative Nutrient Criteria
62-303.351	Nutrients in Streams
62-303.352	Nutrients in Lakes
62-303.353	Nutrients in Estuaries and Open Coastal Waters
62-303.360	Primary Contact and Recreation Use Support
62-303.370	Fish and Shellfish Consumption Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health
62-303.400	Methodology to Develop the Verified List
62-303.410	Determination of Aquatic Life Use Support

62-303.420	Aquatic Life-Based Water Quality Criteria Assessment
62-303.430	Biological Impairment
62-303.450	Interpretation of Narrative Nutrient Criteria
62-303.460	Primary Contact and Recreation Use Support
62-303.470	Fish and Shellfish Consumption Use Support
62-303.480	Drinking Water Use Support and Protection of Human Health
62-303.500	Prioritization
62-303.600	Evaluation of Pollution Control Mechanisms
62-303.700	Listing Cycle
62-303.710	Format of Verified List and Verified List Approval
62-303.720	Delisting Procedure

**PURPOSE AND EFFECT:** The Department of Environmental Protection (Department) proposes to initiate the Triennial Review of surface water quality standards. The Department is considering revisions to a limited number of rule sections at this time; however, all surface water quality standards in Chapter 62-4, Chapter 62-302 and Chapter 62-303, F.A.C., are under review and may be revised as part of Triennial Review.

**SUBJECT AREA TO BE ADDRESSED:** The Department will consider amendments to all surface water quality standards, including those within Chapter 62-303, F.A.C. (there are separate notices for Chapters 62-4 and 62-302, F.A.C.).

**RULEMAKING AUTHORITY:** 403.061, 403.067 FS.

**LAW IMPLEMENTED:** 403.021(11), 403.062, 403.067 FS.

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

**DATE AND TIME:** Tuesday, May 15, 2012, 9:00 a.m.

**PLACE:** Florida Department of Environmental Protection, Southeast District Office, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida

**DATE AND TIME:** Wednesday, May 16, 2012, 9:00 a.m.

**PLACE:** Florida Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Conference Rooms A/B/C, Orlando, Florida

**DATE AND TIME:** Thursday, May 17, 2012, 9:00 a.m.

**PLACE:** Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Standards and Assessments Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400, telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:                   RULE TITLE:  
62-304.900                 Statewide Mercury TMDL

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish a statewide mercury Total Maximum Daily Load (TMDL). Pursuant to Section 403.067(6), F.S., TMDLs must be adopted in rule by the Secretary of the Department. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside.

SUBJECT AREA TO BE ADDRESSED: A statewide mercury TMDL and its allocations will be established.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.067 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jan Mandrup-Poulsen, Administrator, Watershed Evaluation and TMDL Section, 2600 Blair Stone Road, Mail Station 3555, Tallahassee, FL 32399-2400, Telephone (850)245-8449

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

#### DEPARTMENT OF HEALTH

##### Board of Nursing

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

PURPOSE AND EFFECT: The Board proposes this amendment to approve another certification body for acute care nurse practitioners.

SUBJECT AREA TO BE ADDRESSED: Requirements for Certification.

RULEMAKING AUTHORITY: 456.048, 464.006, 464.012 FS.

LAW IMPLEMENTED: 456.048, 456.072(1)(f), 464.012, 464.018(1)(b), (2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

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

#### DEPARTMENT OF HEALTH

##### Board of Nursing

RULE NO.:                   RULE TITLE:  
64B9-8.009                 Payment of Fines

PURPOSE AND EFFECT: The Board proposes this amendment to clarify the deadline for payment of fines and costs when a license is revoked.

SUBJECT AREA TO BE ADDRESSED: Payment of Fines.

RULEMAKING AUTHORITY: 456.072(4), 464.006 FS

LAW IMPLEMENTED: 456.072(4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

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

#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

RULE NO.:                   RULE TITLE:  
64B16-27.700               Definition of Compounding

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for compounding for office use.

SUBJECT AREA TO BE ADDRESSED: Definition of Compounding.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003(12), 465.0155, 465.0265 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Administration**

RULE NOS.:	RULE TITLES:
69E-121.007	Public Records and Availability of Forms: Procedures for Inspecting and Copying Public Records and for Obtaining Department Forms
69E-121.010	Indexing, Management, and Availability of Final Orders

PURPOSE AND EFFECT: The proposed rule amendments will update the rules to conform to the current statutory provisions in the Florida Public Records Law, Chapter 119, F.S., and the Florida Insurance Code, Chapters 624-632, 634, 635, 636, 641, 642, 648, and 651, F.S.

SUBJECT AREA TO BE ADDRESSED: Inspection and copying of public records and fees and special service charges.

RULEMAKING AUTHORITY: 17.29, 120.533, 624.308, 717.138 FS.

LAW IMPLEMENTED: 119.01, 119.011, 119.021, 119.07, 120.53, 624.23, 624.231, 624.307(1), 624.311, 624.501 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 17, 2012, 10:00 a.m.  
 PLACE: Room 142, Larson Building, 200 E. Gaines Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Stephanie Iliff, Director, Division of Administration, 200 E. Gaines Street, Tallahassee, FL 32399-0313, (850)413-2014 or Stephanie.Iliff@MyFloridaCFO.com. The text of the proposed rule is also available on the Department's website @ <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/> THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:	RULE TITLE:
69O-144.007	Credit for Reinsurance From Eligible Reinsurers

PURPOSE AND EFFECT: Amends Rule 69O-144.007, F.A.C. SUBJECT AREA TO BE ADDRESSED: Sections 624.610(3)(a)-(d), Florida Statutes, establishes the circumstances under which an insurer may normally receive credit, as either an asset or reduction from liability, for ceding liability to an assuming reinsurer. Section 624.610(3)(e), Florida Statutes, gives the Commissioner authority to allow credit for reinsurance that does not meet the criteria established in Sections 624.610(3)(a)-(d), Florida Statutes, if the assuming insurer holds surplus in excess of \$250 million and has a secure financial strength rating from at least two nationally recognized statistical rating organizations deemed acceptable by the Commissioner. Rule 69O-144.007, Florida Administrative Code, was adopted by the Office to implement the provisions of Section 624.610(3)(e), Florida Statutes. The Rule currently applies only to property and casualty insurance and it does not permit the Commissioner to allow credit for life insurers that obtain reinsurance from reinsurers that do not meet the criteria contained in Sections 624.610(3)(a)-(d), Florida Statutes. The Office of Insurance Regulation is seeking to amend Rule 69O-144.007, Florida Administrative Code, to apply to life insurance as well as property and casualty insurance.

RULEMAKING AUTHORITY: 624.308, 624.610(14) FS.

LAW IMPLEMENTED: 624.307(1), 624.610 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kerry Krantz, Office of Insurance Regulation, E-mail [Kerry.Krantz@flor.com](mailto:Kerry.Krantz@flor.com)

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