

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Richard Koon, Property and Casualty Product Review, Office of Insurance Regulation, e-mail: richard.koon@fldfs.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE TITLE: Application and Examination Fees
 RULE NO.: 61G10-12.001

PURPOSE AND EFFECT: The Board proposes to amend the fee criteria and schedules for licensure applicants according to the Department's new requirements.

SUMMARY: The application and examination fees.

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

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

SPECIFIC AUTHORITY: 481.306, 481.307 FS.

LAW IMPLEMENTED: 481.307 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0754

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-12.001 Application and Examination Fees.

(1) The examination application fee shall be one hundred dollars (\$100.00), payable to the Department.

(2) The following is the examination fee schedule for the Landscape Architectural Registration Examination and the Florida Section:

~~(a) If you are a first time candidate and elect to take all sections of the examination, your examination fee will be \$900.00.~~

~~If you are a retake candidate or a first time candidate and elect to only take certain sections, your fee schedule is as follows:~~

Section A	\$65.00,	<u>payable to the Council of Landscape Architectural Registration Boards.</u>
Section B	\$115.00,	<u>payable to the Council of Landscape Architectural Registration Boards.</u>
Section C	\$230.00,	<u>payable to the Department.</u>
Section D	\$180.00,	<u>payable to the Council of Landscape Architectural Registration Boards.</u>
Section E	\$225.00,	<u>payable to the Department.</u>
Florida Section	\$300.00,	<u>of which, \$282.00 is payable to the department and is due at the time of application, \$18.00 is to payable to the Department's contracted testing service, and is due at the time of the testing.</u>

~~The total fee for the Florida Section is \$300.00, of which \$274.00 is payable to the Department and \$26.00 is payable to the approved testing service. The \$274.00 fee payable to the Department is due at the time of the application. The \$26.00 fee payable to the approved testing service is due at the time of the testing.~~

(3) A retake candidate may elect to take only certain sections, and is responsible only for the fee for the sections elected.

Specific Authority 481.306, 481.307 FS. Law Implemented 481.307 FS. History—New 2-4-80, Amended 3-9-84, 7-26-84, Formerly 21K-12.01, Amended 10-7-87, 11-12-89, 3-11-91, Formerly 21K-12.001, Amended 8-7-95, 1-13-99, 8-16-99, 8-27-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juanita Chastain, Executive Director, Board of Landscape Architecture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 15, 2004

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Technologist
 RULE NO.: 64B3-5.003

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUMMARY: The proposed rule amendment updates the number of hours in the sciences area required for all associate degrees used to qualify.

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

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

SPECIFIC AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 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: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B3-5.003 Technologist.

(1) Technologist Qualifications. Degrees or semester hours of academic credit required in this section shall be obtained at a regionally accredited college or university or, if foreign education, equated pursuant to subsection 64B3-6.002(6), F.A.C. All associate degrees used to qualify shall ~~have include~~, at a minimum, at least 60 semester hours that include 24 semester hours of science courses that include (i) six semester hours of chemistry; (ii) six semester hours of biology; and (iii) twelve semester hours of chemistry, biology, or medical laboratory technology in any combination of academic credit including a total of 16 semester hours of academic biological and/or chemical science. Applicants for technologist licensure in the categories of microbiology, serology/immunology, chemistry, hematology, immunoematology, radioassay, histocompatibility, blood banking and blood gas analysis, cytology, cytogenetics, molecular genetics, histology, andrology and embryology shall have one hour of Board approved HIV/AIDS continuing education, a Board approved 2-hour course relating to the prevention of medical errors, which shall include root-cause analysis, error reduction and prevention, and patient safety and at a minimum have one of the following:

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

Specific Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.811(2), 483.815, 483.823 FS. History—New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 590-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, 10-29-02, 8-16-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Laboratory Personnel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Clinical Laboratory Personnel

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2005

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE TITLE: Fees
 RULE NO.: 64B32-4.001

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUMMARY: The proposed rule amendment removes inappropriate language and replaces this with updated language.

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

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

SPECIFIC AUTHORITY: 456.025(1), 456.036(7),(8), 456.065, 468.353(1), 468.364 FS.

LAW IMPLEMENTED: 456.025(1),(6), 456.036, 456.065, 468.364 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: Kaye Howerton, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-4.001 Fees.

(1) No change.

(2) The reactivation fee for activating an inactive license ~~certification or registration~~ shall be \$50.

(3) The renewal fee for renewing the inactive status of a license ~~certification or registration~~ shall be \$50.

(4) through (7) No change.

Specific Authority 456.025(1), 456.036(7),(8), 456.065, 468.353(1), 468.364 FS. Law Implemented 456.025(1),(6), 456.036, 456.065, 468.364 FS. History--New 4-29-85, Formerly 21M-36.04, Amended 5-10-92, Formerly 21M-36.004, Amended 9-21-93, 1-3-94, Formerly 61F6-36.004, Amended 7-18-95, Formerly 59R-73.004, 64B8-73.004, Amended 4-27-00, 8-13-02,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2005

**DEPARTMENT OF HEALTH
Board of Respiratory Care**

RULE TITLE: Disciplinary Guidelines
RULE NO.: 64B32-5.001

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUMMARY: The proposed rule amendment removes inappropriate language and replaces this with updated language.

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

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

SPECIFIC AUTHORITY: 456.079, 468.365(4) FS.

LAW IMPLEMENTED: 456.072, 468.365 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: Kaye Howerton, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-5.001 Disciplinary Guidelines.

(1) The Board may impose disciplinary penalties upon a determination that an applicant or licensee certificate holder or registrant:

(a) through (d) No change.

(2) The range of disciplinary penalties which the Board may impose includes any and all set forth in Section 456.072, F.S. In determining the appropriate disciplinary action to be imposed in each case, the Board shall take into consideration the following factors:

(a) through (b) No change.

(c) The number of previous disciplinary cases filed against the applicant or licensee certificate holder or registrant;

(d) The length of time the applicant or licensee certificate holder or registrant has practiced;

(e) through (f) No change.

(g) The effect of the penalty upon the applicant or licensee's certificate holder's or registrant's livelihood;

(h) through (i) No change.

(3) No change.

(a) Attempting to obtain a license or certificate by bribery, fraud or through an error of the Department or the Board. (Sections 468.365(1)(a), 456.072(1)(h), F.S.)

(b) through (cc) No change.

(4) through (6) No change.

Specific Authority 456.079, 468.365(4) FS. Law Implemented 456.072, 468.365 FS. History--New 4-29-85, Formerly 21M-37.01, 21M-37.001, Amended 1-3-94, Formerly 61F6-37.001, 59R-74.001, 64B8-74.001, Amended 5-5-02, 12-5-04, _____

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2005
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2005

**DEPARTMENT OF HEALTH
Board of Respiratory Care**

RULE TITLES: Continuing Education Requirement
RULE NOS.: 64B32-6.001
Provider Approval and Renewal Procedures 64B32-6.005

PURPOSE AND EFFECT: The Board proposes to update the existing language in this rule.

SUMMARY: The proposed rule amendment removes inappropriate language and replaces this with updated language.

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

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

SPECIFIC AUTHORITY: 456.013(8), 456.025(4), 468.361(2),(3) FS.

LAW IMPLEMENTED: 456.025(7), 468.361 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 RULES IS: Kaye Howerton, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULES IS:

64B32-6.001 Continuing Education Requirement.

(1) The Legislature and the Board have determined that competency in delivery of respiratory care services is enhanced by continuous updating of knowledge and skills. To this end, continuing education is required as a condition for renewal of licensure certification and registration of all respiratory care personnel without regard to the avenue taken to licensure.

(2) Each licensee ~~licensed respiratory care therapist~~ shall submit proof satisfactory to the Board of participation in appropriate continuing education. During each biennium, as established by the Department, each licensee must earn 24 contact hours of continuing education except as provided in Rule 64B32-6.001, Florida Administrative Code.

(3) Those persons initially licensed ~~certified for licensure~~ during the second year of a biennium who do not currently hold a respiratory care license are exempt from the continuing education requirements for their first renewal. Continuing education requirements must be met for each biennium thereafter.

(4) A licensee ~~licensed respiratory care therapist~~ who also holds current license in another health care profession may satisfy the continuing education requirement for a renewal of this license with hours counted toward renewal of another license as long as the hours meet all the requirements of this rule chapter.

Specific Authority 456.013(8), 468.361(2) FS. Law Implemented 468.361 FS. History—New 4-29-85, Formerly 21M-38.01, Amended 9-29-86, Formerly 21M-38.001, Amended 1-2-94, Formerly 61F6-38.001, Amended 11-1-94, Formerly 59R-75.001, Amended 6-9-99, Formerly 64B8-75.001, Amended

64B32-6.005 Provider Approval and Renewal Procedures.

(1) through (8) No change.

(9) The provider seeking approval for home study courses also shall understand and agree:

(a) In addition to the credit exclusion for recertification, review, refresher or preparatory courses as provided in Rule 64B32-6.004 ~~64B8-75.004~~, Florida Administrative Code, a home study course submission shall not include reprints from textbooks.

(b) through (c) No change.

(c) 1. through 6. No change.

(10) No change.

Specific Authority 456.025(4), 468.361(3) FS. Law Implemented 456.025(7), 468.361(3) FS. History—New 4-24-96, Amended 5-7-97, Formerly 59R-75.0041, Amended 4-23-98, 6-9-99, Formerly 64B8-75.0041, Amended 7-4-02, 10-22-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 25, 2005

Section III
Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NOS.:	RULE TITLES:
61G17-6.002	Definitions
61G17-6.003	General Survey, Map, and Report Requirements
61G17-6.004	Specific Survey, Map, and Report Requirements

NOTICE OF PUBLIC RULE HEARING

The Board of Professional Surveyors and Mappers hereby gives notice of a public hearing on the above-referenced rules, pursuant to subparagraph 120.54(3)(d)1., F.S., to be held on April 13-14, 2005 at 8:30 a.m., at the Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida. The rules were originally published in Vol. 30, No. 52, of the January 23, 2005, Florida Administrative Weekly.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John Knap, Executive Director, Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767