

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09412	Course Requirements – Grades 6-12 Basic and Adult Secondary Programs

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate the course descriptions of new courses into the “Course Code Directory and Instructional Personnel Assignments” for 2007-2008, as required in SBE subsection 6A-1.09441(5), F.A.C. Courses in art, social sciences, and foreign languages are added to the Course Code Directory to allow districts to receive funding. Certification areas for courses in reading have been amended to align with teacher certification requirements. Revisions to the narrative section were made to align course requirements with state law and federal regulations.

SUBJECT AREA TO BE ADDRESSED: New courses and course descriptions to be adopted in the “Course Code Directory and Instructional Personnel Assignments.”

SPECIFIC AUTHORITY: 1011.62 FS.

LAW IMPLEMENTED: 1011.62(1)(r), 1001.03(1) 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mary Jo Butler, Chief, Bureau of Public School Options, K-12 Public Schools, 325 West Gaines Street, Tallahassee, Florida
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-1.09441	Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation

PURPOSE AND EFFECT: The purpose of this amendment is to obtain approval of the “Course Code Directory and Instructional Personnel Assignments” for 2007-2008, as required in subsection 6A-1.09441(5), F.A.C. This rule provides specific conditions for which students may earn credit toward high school graduation and for which the courses are funded through the Florida Education Finance Program (FEFP). Courses in art, social sciences, and foreign language are added to the Course Code Directory to allow districts to receive funding. Certification areas for courses in reading have been amended to align with teacher certification requirements. Revisions to the narrative section were made to align course requirements with state law and federal regulations.

SUBJECT AREA TO BE ADDRESSED: Revisions to the “Course Code Directory and Instructional Personnel Assignments.”

SPECIFIC AUTHORITY: 1011.62 FS.

LAW IMPLEMENTED: 1011.62 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.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mary Jo Butler, Chief, Bureau of Public School Options, K-12 Public Schools, 325 West Gaines Street, Tallahassee, Florida
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.030151	Exceptional Student Education Eligibility for Students Who are Physically Impaired with Orthopedic Impairment
6A-6.030152	Exceptional Student Education Eligibility for Students Who are Physically Impaired with Other Health Impairment
6A-6.03015	Exceptional Student Education Eligibility for Students Who are Physically Impaired with Traumatic Brain Injury

PURPOSE AND EFFECT: The purpose of these proposed new rules is to incorporate into rule amendments to the federal law, the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Chapter 33, and its implementing. The effect of

adopting the amended Federal requirements will be consistency between federal law and State Board rule.

SUBJECT AREA TO BE ADDRESSED: Federal and state requirements for programs for students with disabilities who are identified as physically impaired with orthopedic impairment, other health impairment or traumatic brain injury. Definition, activities prior to referral, evaluation, and criteria for eligibility.

SPECIFIC AUTHORITY: 1001.02(1), 1003.57(e) FS.

LAW IMPLEMENTED: 1001.03, 1003.57(e), 1003.01(3), 1003.21(1), 1011.62 FS., Individuals with Disabilities Education Act 20 U.S.C. Chapter 33

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A DATE, TIME AND PLACE TO BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINSTRATIVE WEELY.

Requests for the rule development workshop should be addressed to: Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 W. Gaines Street, Room 614, Tallahassee, FL 32399-0400

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

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."

PUBLIC SERVICE COMMISSION

DOCKET NO. 060554-TL

RULE NO.: 25-4.084 **RULE TITLE:** Carrier-of-Last-Resort; Multitenant Business and Residential Property

PURPOSE AND EFFECT: To codify the requirements for a local exchange company to petition the Commission for relief of its Carrier-of-Last-Resort (COLR) obligations to a multitenant business or residential property.

SUBJECT AREA TO BE ADDRESSED: Implementation of Section 364.025(6)(d), F.S.

SPECIFIC AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.025 FS.

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

DATE AND TIME: September 14, 2006, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Christiana T. Moore, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6098

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

Board of Architecture and Interior Design

RULE NO.: 61G1-12.005 **RULE TITLE:** Citations

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 455.224, 455.225, 481.306 FS.

LAW IMPLEMENTED: 455.224 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-16.002 **RULE TITLE:** Description of Seal

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Description of Seal.

SPECIFIC AUTHORITY: 481.221 FS.

LAW IMPLEMENTED: 481.221 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, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-17.002
 RULE TITLE: Professional Fees and Penalties for Interior Designers

PURPOSE AND EFFECT: The Board proposes the rule amendment to specify an application fee to reinstate a void license.

SUBJECT AREA TO BE ADDRESSED: An application fee to reinstate a void license will be added to the rule.

SPECIFIC AUTHORITY: 455.213(2), 455.217(2), 455.219(3), 455.2281, 481.207, 481.2130, 481.229(5)(b) FS.

LAW IMPLEMENTED: 455.219(3), 455.2281, 481.207, 481.219 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G1-17.002 Professional Fees and Penalties for Interior Designers.

(1) through (15) No change.

(16) The application fee to reinstate a void license shall be \$500.00.

Specific Authority 455.213(2), 455.217(2), 455.219(3), 455.2281, 481.207, 481.2130, 481.229(5)(b) FS. Law Implemented 455.219(3), 455.2281, 481.207, 481.219 FS. History--New 12-21-88, Amended 5-10-89, 7-2-89, 12-24-89, 12-3-90, 2-28-91, 5-31-92, 11-11-92, Formerly 21B-17.002, Amended 9-27-93, 11-15-93, 11-21-94, 1-31-96, 10-20-96, 1-10-99, 3-15-99, 9-7-04,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-21.003
 RULE TITLE: Continuing Education – Approval of Subjects and Providers

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing Education – Approval of Subjects and Providers.

SPECIFIC AUTHORITY: 481.215(5) FS.

LAW IMPLEMENTED: 481.215(5) 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-24.002
 RULE TITLE: Continuing Education – Approval of Subjects and Providers

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Approval of Subjects and Providers.

SPECIFIC AUTHORITY: 481.215 FS.

LAW IMPLEMENTED: 481.215 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: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-20.004 RULE TITLE: Display of Documents

PURPOSE AND EFFECT: To require lamination of the license and photo on display.

SUBJECT AREA TO BE ADDRESSED: Display of Documents.

SPECIFIC AUTHORITY: 477.016, 477.025(2) FS.

LAW IMPLEMENTED: 477.025 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G5-20.004 Display of Documents.

(1) All holders of a cosmetology or specialty salon license shall display within their salons in a conspicuous place which is clearly visible to the general public upon entering the salon the following documents:

- (a) The current salon license,
- (b) A legible copy of the most recent inspection sheet for the salon.

(2) All holders of a cosmetology or specialty salon license shall require and ensure that all individuals engaged in the practice of cosmetology, any specialty, hair braiding, hair wrapping, or body wrapping display at the individual's work station their current license or registration at all times when the individual is performing cosmetology, specialty, hair braiding, hair wrapping, or body wrapping services. The license or registration on display shall be the original certificate or a duplicate issued by the Department and shall have attached a 2" by 2" photograph taken within the previous two years of the individual whose name appears on the certificate. The

certificate with photograph attached shall be permanently laminated as of July 1, 2007. A photograph of the individual whose name appears on the displayed license or registration certificate, which is approximately 2" by 2" and less than two years old, shall be permanently attached or affixed to all displayed licenses and registration.

Specific Authority 477.016, 477.025(2) FS. Law Implemented 477.025 FS. History--New 11-2-80, Amended 10-10-82, 6-28-84, 10-6-85, Formerly 21F-20.04, 21F-20.004, Amended 3-22-00,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-32.001 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: To increase time for Continuing Education Providers to submit information.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

SPECIFIC AUTHORITY: 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS.

LAW IMPLEMENTED: 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G5-32.001 Continuing Education.

(1)(a) through (d) No change.

(e) Beginning November 1, 2001, continuing education providers shall electronically provide to the Department the list of attendees at each of its offered courses within 30 5 business days of the completion of the course, or prior to the end of the renewal cycle, whichever occurs first. For home study courses, the provider shall electronically supply the list of those individuals successfully completing the course by the 5th of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the individual. This list shall include the provider's name and provider number, the name and license or registration number of the attendee, the date the course was completed, and the course number. All documents from the provider shall be submitted electronically

to the Department and must be in a form as agreed to by the Department with the provider. Failure to comply with the time and form requirements will result in disciplinary action taken against the provider and the course approval. Each continuing education provider shall maintain records of attendance or completion for all continuing education courses offered or taught by the provider for a period of not less than four years following the offering of each course or the receipt of documentation of completion of a home study course. Upon request, these records shall be made available for inspection by the Department or its agent, or the private entity contracted with by the Department to administer the continuing education program at such reasonable time and location as determined by the Department or its agent, or the private entity. The list of attendees submitted electronically to the Department shall not include the names of applicants taking the course for initial licensure pursuant to Rule 61G5-18.011, F.A.C.

(f) through (8) No change.

Specific Authority 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS. Law Implemented 455.2178, 455.2179, 455.21993, 455.2228, 477.019(7) FS. History—New 3-25-99, Amended 2-28-00, 7-27-00, 7-29-01, 7-1-02,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-204.800	Federal Regulations Adopted by Reference

PURPOSE AND EFFECT: The proposed rule development involves amendments to rule Chapter 62-204, F.A.C., to update the Department's adoption by reference of U.S. Environmental Protection Agency (EPA) regional haze regulations at 40 CFR Part 51. The update includes recent revisions to EPA's regulations related to Best Available Retrofit Technology (BART). Pursuant to the federal Clean Air Act, the Department is required to ensure that certain sources of visibility-impairing pollutants in Florida use BART to reduce the impact of their emissions on regional haze. The proposed amendments are part of the Department's overall rulemaking project to implement the BART requirement.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments update the Department's adoption by reference of EPA regional haze regulations at 40 CFR Part 51 to include recent revisions related to BART requirements.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

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

DATE AND TIME: Wednesday, September 13, 2006, 9:00 a.m.

PLACE: Department of Environmental Protection, Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Lynn Scarce at Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or lynn.scarce@dep.state.fl.us, phone (850)921-9551. The preliminary text of the proposed rule development is expected to be available by September 1, 2006, at no charge from the contact person listed above or at the following internet site: www.dep.state.fl.us/air.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-296.340	Best Available Retrofit Technology

PURPOSE AND EFFECT: The proposed rule development involves amendments to rule Chapter 62-296, F.A.C., to implement the Best Available Retrofit Technology (BART) portion of the U.S. Environmental Protection Agency's regional haze rules. Pursuant to the federal Clean Air Act, the Department is required to ensure that certain sources of visibility-impairing pollutants in Florida use BART to reduce the impact of their emissions on regional haze. New rule Rule 62-296.340, F.A.C., is created to set forth procedural requirements by which individual BART determinations will be made.

SUBJECT AREA TO BE ADDRESSED: The proposed new rule section addresses air permitting requirements for sources subject to BART and visibility analysis requirements for sources claiming exemption from BART.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

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

DATE AND TIME: Wednesday, September 13, 2006, 9:00 a.m.

PLACE: Department of Environmental Protection, Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lynn Scarce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Lynn Scarce at Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or lynn.scarce@dep.state.fl.us, phone (850)921-9551. The preliminary text of the proposed rule development is expected to be available by September 1, 2006, at no charge from the contact person listed above or at the following internet site: www.dep.state.fl.us/air.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62-788	Voluntary Cleanup Tax Credit Rule
RULE NOS.:	RULE TITLES:
62-788.100	Applicability and Limitations
62-788.150	Referenced Guidelines
62-788.200	Definitions
62-788.300	Application Process
62-788.310	Affordable Housing VCTC Application Process
62-788.320	Solid Waste VCTC Application Process
62-788.400	Eligibility Determination
62-788.900	Forms

PURPOSE AND EFFECT: The Voluntary Cleanup Tax Credit Program has been expanded and clarified by statute, and the department proposes to clarify some existing requirements based on experience in implementing the program since the rule was initially adopted. The changes included in Chapter 62-788, F.A.C., will describe how the Voluntary Cleanup Tax Credit program has been expanded to include additional types of credits, how the applications will be reviewed, and how the tax credit awards will be calculated.

SUBJECT AREA TO BE ADDRESSED: The changes to Chapter 62-788, F.A.C., will incorporate or introduce the following at eligible sites: an increase in the per-site tax credit award amount and percentage for site rehabilitation; requirements for issuance of a one-time tax credit award when

use of the brownfield site is limited to affordable housing; requirements for issuance of a one-time tax credit when solid waste is removed, transported and disposed of in accordance with department rules; extension of the application deadline from December 31 to January 15; extension of the site rehabilitation certificate issuance deadline from March 1 to March 31; updates in terminology and definitions for consistency and clarity; clarification of the useful life of issued tax credit certificates; clarification that applications must be complete by the submittal deadline and that placeholder applications are not accepted; allowance of tax credits for site rehabilitation conducted prior to brownfield area designation or the execution of the applicable voluntary cleanup agreement or brownfield site rehabilitation agreement.

SPECIFIC AUTHORITY: 376.30781 FS.

LAW IMPLEMENTED: 376.30781 FS.

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

DATE AND TIME: September 8, 2006, 9:00 a.m.

PLACE: The Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida, (Conference Room 609)

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: Beth Walker at (850)245-8933. 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: Elizabeth E. Walker, Department of Environmental Protection, Bureau of Waste Cleanup, M.S. 4505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8933 or Beth.Walker@dep.state.fl.us. Copies of directions to the meeting room, the proposed rule, or the agenda are available via the internet at: <http://www.dep.state.fl.us/waste/categories/wc/pages/WCRuleDevelopment.htm>.

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.:	RULE TITLE:
64B7-25.004	Endorsements

PURPOSE AND EFFECT: To specify requirements for endorsement licensure.

SUBJECT AREA TO BE ADDRESSED: Endorsements.

SPECIFIC AUTHORITY: 456.013(2), 480.035(7), 480.041(4)(c) FS.

LAW IMPLEMENTED: 456.013(2), 480.041(4)(c) 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: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B7-25.004 Endorsements.

(1) The Department shall issue a license by endorsement to a person who:

(a) Pays to the Department the initial licensure fee set forth in subsection 64B7-27.0087(2), F.A.C.; and

(b) Is currently licensed and has practiced massage under the laws of education or apprenticeship training substantially similar to, equivalent to, or more stringent than those required for licensure by Florida law and these rules; and

(c) Demonstrates that his out-of-state license was issued upon the satisfactory completion of an examination comparable to the examination approved by the Board given by the Department; and

(d) Has no outstanding or unresolved complaints filed against him or her in the jurisdiction of licensure.

(e) Completes a current curriculum course from a Board approved school covering the Florida Statutes and rules related to massage therapy.

(f) Completes the HIV/AIDS course requirement in Rule 64B7-25.0012, F.A.C.

(g) Completes a course relating to the prevention of medical errors as required by subsection 456.013(7), F.S.

(2) The Department may interview an applicant for licensure by endorsement to determine whether he qualifies for such endorsement.

Specific Authority 456.013(2), 480.035(7), 480.041(4)(c) FS. Law Implemented 456.013(2), 480.041(4)(c) FS. History--New 11-27-79, Amended 7-9-80, 8-29-83, 10-9-85, Formerly 21L-25.04, Amended 6-12-88, 8-15-89, 2-11-93, Formerly 21L-25.004, Amended 9-15-94, 1-9-95, 8-18-96, 1-29-97, Formerly 61G11-25.004, Amended 6-22-99, _____.

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-28.0095
RULE TITLE: Continuing Education for Pro Bono Services

PURPOSE AND EFFECT: To designate which requirements are satisfied by Pro Bono services.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Pro Bono Services.

SPECIFIC AUTHORITY: 456.013, 480.0415 FS.

LAW IMPLEMENTED: 456.013, 480.0415 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: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B7-28.0095 Continuing Education for Pro Bono Services.

(1) Up to 6 hours of continuing education per biennium in satisfaction of paragraph 64B7-28.009(3)(a), F.A.C., may be awarded for the performance of pro bono services to the indigent, underserved populations or in areas of critical need within the state where the licensee practices. The standard for determining indigence shall be that recognized by the Federal Poverty income guidelines produced by the United States Department of Health and Human Services.

(2) In order to receive credit under this rule, the licensee must receive prior approval from the Board by submitting a formal request for approval, which must include the following information:

- (a) The type, nature and extent of services to be rendered;
- (b) The location where the services will be rendered;
- (c) The number of patients expected to be served; and
- (d) A statement indicating that the patients to be served are indigent underserved or in an area of critical need.

(3) Credit shall be given on an hour per hour basis.

(4) Approval for pro bono services is only granted for the biennium for which it is sought. The licensee must request approval for each biennium they wish to receive credit for pro bono services.

Specific Authority 456.013, 480.0415 FS. Law Implemented 456.013, 480.0415 FS. History--New 5-5-04, Amended.

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-28.010
RULE TITLE: Requirements for Board Approval of Continuing Education Programs

PURPOSE AND EFFECT: To address Approved Continuing Education.

SUBJECT AREA TO BE ADDRESSED: Requirements for Board Approval of Continuing Education Programs.

SPECIFIC AUTHORITY: 455.213(6), 480.035(7), 480.0415, 480.0425 FS.

LAW IMPLEMENTED: 455.213(6), 480.0415, 480.0425 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: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program Office

RULE NOS.:	RULE TITLES:
65E-5.100	Definitions
65E-5.115	Mental Health Personnel
65E-5.260	Transportation
65E-5.280	Involuntary Examination
65E-5.285	Involuntary Outpatient Placement
65E-5.290	Involuntary Inpatient Placement
65E-5.300	Continued Involuntary Inpatient Placement at Treatment Facilities
65E-5.400	Baker Act Funded Services Standards

PURPOSE AND EFFECT: Chapter 65E-5, Florida Administrative Code, is being amended to comply with the new Chapter 2006-171, Laws of Florida, (amends Chapter 394, Part I, the Baker Act) which adds mental health counselors, and marriage and family therapists to certain sections of the Act.

SUBJECT AREA TO BE ADDRESSED:

1. Revision of eight rule sections to add mental health counselors, and marriage and family therapists.
2. Revision of five Baker Act forms to include mental health counselors, and marriage and family therapists, as well as technical changes.

SPECIFIC AUTHORITY: Chapter 2006-171, L.O.F., 394.457, 394.46715 FS.

LAW IMPLEMENTED: 316, 394.455, 394.457, 394.4573, 394.459, 394.4599, 394.4615, 394.462, 394.4625, 394.463, 394.4655, 394.467, 395, 397.675, 400, 491, 765 FS.

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

DATE AND TIME: Thursday, September 28, 2006, 9:00 a.m.

PLACE: Building 6, Conference Room A, Winewood Office Complex, 1317 Winewood Blvd., Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, AVAILABLE AT NO CHARGE IS: Ron Kizirian, Medical/Healthcare Program Analyst, Mental Health Program Office, 1317 Winewood Blvd., Building 6, Room 211, Tallahassee, Florida 32399-0700. Telephone: (850)413-0928

ANY PERSON MAY SUBMIT INFORMATION REGARDING THE PROPOSED RULE DEVELOPMENT TO THE ABOVE NAME AND ADDRESS.

Persons with disabilities requiring accommodations contact: Linda Henshaw, Department of Children and Families, Mental Health Program Office, 1317 Winewood Blvd., Bldg. 6, Room 239, Tallahassee, Florida 32399, (850)921-5724 (voice) or (850)921-5724 (TDD), no later than five full working days prior to the workshop.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65E-5.100 Definitions.

As used in this chapter the following words and phrases have the following definitions:

(1) through (9) No change.

~~(10) Mental Health Counselor means an individual who is licensed as a mental health counselor under Chapter 491, F.S.~~

~~(10)(11) Person means an individual of any age, unless statutorily restricted, with a mental illness served in or by a mental health facility or service provider.~~

~~(11)(12) PRN means an individualized order for the care of an individual person which is written after the person has been seen by the practitioner, which order sets parameters for attending staff to implement according to the circumstances set out in the order.~~

~~(12)(13) Protective medical devices mean a specific category of restraint that includes devices, or combinations of devices, to restrict movement for purposes of protection from falls or complications of physical care, such as geri-chairs, posey vests, mittens, belted wheelchairs, sheeting, and bed rails. The requirements for the use and documentation of use of these devices are for specific medical purposes rather than for behavioral control.~~

~~(13)(14) Restraint means the immobilization of a person's body in order to restrict free movement or range of motion, whether by physical holding or by use of a mechanical device. For purposes of this chapter, restraint includes all applications of such procedures, specifically including emergency treatment orders and emergency medical procedures which includes protective medical devices for ambulating safety, or furniture used to protect mobility-impaired persons from falls and injury.~~

The use of walking restraints when used during transportation under the supervision of trained staff is not considered restraint.

~~(14)~~(15) Seclusion means an emergency response in which, as a means of controlling a person's immediate symptoms or behavior, the person's ability to move about freely has been limited by staff or in which a person has been physically segregated in any fashion from other persons. Seclusion requires a written emergency treatment order by a physician except as described and authorized in Rule 65E-5.1602, F.A.C., of this rule chapter.

~~(15)~~(16) Standing order means a broad protocol or delegation of medical authority that is generally applicable to a group of persons, hence not individualized. As limited by this chapter, it prohibits improper delegations of authority to staff that are not authorized by the facility, or not permitted by practice licensing laws, to independently make such medical decisions; such as decisions involving determination of need, medication, routes, dosages for psychotropic medication, or use of restraints or seclusion upon a person.

Specific Authority 394.457(5), 494.46715 FS. Law Implemented 394.455(1), 394.457, 394.4573(1)(b), 394.459(2), 394.4625, 394.4655, 394.467, 491, 765.101, 765.401 FS. History--New 11-29-98, Amended 4-4-05, _____.

65E-5.115 Mental Health Personnel.

Whenever the term physician, psychiatrist, clinical psychologist, clinical social worker, psychiatric nurse, marriage and family therapist, or mental health counselor is used in these rules, the term is as defined in Section 394.455, F.S., ~~or this rule chapter.~~

Specific Authority 394.457(5), 394.46715 FS. Law Implemented 394.455, 394.457(5)(a) FS. History--New 4-4-05, Amended _____.

65E-5.260 Transportation.

(1) Each law enforcement officer who takes a person into custody upon the entry of recommended form CF-MH 3001, Feb. 05, "Ex Parte Order for Involuntary Examination," which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter, or other form provided by the court, or the execution of mandatory form CF-MH 3052b, Sept. 06 Feb. 05, "Certificate of Professional Initiating Involuntary Examination," which is hereby incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter or completion of mandatory form CF-MH 3052a, Sept. 06 Feb. 05, "Report of a Law Enforcement Officer Initiating Involuntary Examination," which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter shall ensure that such forms accompany the person to the receiving facility for inclusion in the person's clinical record.

(2) No change.

Specific Authority 394.457(5) FS. Law Implemented 394.462, 394.462(1) FS. History--New 11-29-98, Amended 4-4-05, _____.

65E-5.280 Involuntary Examination.

(1) No change.

(2) Law Enforcement.

(a) If a law enforcement officer, in the course of his or her official duties, initiates an involuntary examination, the officer shall complete the mandatory form CF-MH 3052a, ~~Feb. 05~~, "Report of Law Enforcement Officer Initiating Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C.

(b) No change.

(3) through (4) No change.

(5) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, designated receiving facilities shall forward copies of each recommended form CF-MH 3001, "Ex Parte Order for Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C., or other order provided by the court, mandatory form CF-MH 3052a, "Report of Law Enforcement Officer Initiating Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C., mandatory form CF-MH 3052b, "Certificate of Professional Initiating Involuntary Examination," as referenced in subsection 65E-5.260(1), F.A.C., accompanied by mandatory form CF-MH 3118, Sept. 06 Feb. 05, "Cover Sheet to Agency for Health Care Administration," which is hereby incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter to: BA Reporting Center, FMHI-MHC 2737, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

(6) through (8) No change.

Specific Authority 394.457(5) FS. Law Implemented 394.463, 394.463(2)(e), (h), 400 FS. History--New 11-29-98, Amended 4-4-05, _____.

65E-5.285 Involuntary Outpatient Placement.

(1) Petition for Involuntary Outpatient Placement.

(a) No change.

(b) Petition Filed by Receiving Facility Administrator.

1. through 2. No change.

3. The administrator of the receiving facility or a designated department representative shall identify the service provider that will have the responsibility of developing a treatment plan and primary responsibility for service provision under an order for involuntary outpatient placement, unless the person is otherwise participating in outpatient psychiatric treatment and is not in need of public financing for that treatment. Recommended form CF-MH 3140, Sept. 06 Feb. 05, "Designation of Service Provider for Involuntary

Outpatient Placement,” which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter may be used for this purpose.

4. A treatment plan, complying with the requirements of Section 394.4655, F.S., and this rule, shall be attached to the petition, along with a certification from the service provider that:

- a. The proposed services are available in the person’s local community;
- b. There is space available in the program or service for the person;
- c. Funding is available for the program or service;
- d. The service provider agrees to provide those services; and
- e. Proposed services have been deemed to be clinically appropriate by a physician, clinical psychologist, clinical social worker, mental health counselor, marriage and family therapist, or psychiatric nurse, as defined in Section ~~394.455~~ 394.459, F.S., who consults with, is employed by, or has a contract with the service provider.

5. Recommended form CF-MH 3145, ~~Sept. 06~~ Feb. 05, “Proposed Individualized Treatment Plan for Involuntary Outpatient Placement and Continued Involuntary Outpatient Placement”, which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter may be used for the development of a treatment plan.

6. through 7. No change.

(c) Petition Filed by Treatment Facility Administrator

1. through 3. No change.

4. The petition shall have attached an individualized treatment or service plan that addresses the needs identified in the discharge plan developed by the treatment facility as represented by form CF-MH 3145, ~~Feb. 05~~, “Proposed Individualized Treatment Plan for Involuntary Outpatient Placement and Continued Involuntary Outpatient Placement,” as referenced in subparagraph 65E-5.285(1)(b)~~5.4.~~, F.A.C. The plan must have been deemed to be clinically appropriate by a physician, clinical psychologist, psychiatric nurse, mental health counselor, marriage and family therapist, or clinical social worker, as defined in Section 394.455, F.S.

5. No change.

(2) No change.

(3) Court Order.

(a) No Change.

(b) Upon receipt of the court order for Involuntary outpatient placement, the administrator of a treatment facility will provide a copy of the court order and adequate documentation of a person’s mental illness to the service provider, including any advance directives, a psychiatric evaluation of the person, and any evaluations of the person performed by a clinical psychologist, mental health counselor, marriage and family therapist, or clinical social worker.

(c) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, service providers shall forward copies of each recommended form CF-MH 3155, “Order for Involuntary Outpatient Placement or Continued Involuntary Outpatient Placement,” as referenced in paragraph 65E-5.285(3)(a), F.A.C., or other order provided by the court, accompanied by mandatory form CF-MH 3118, ~~Feb. 05~~, “Cover Sheet to Agency for Health Care Administration,” as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

(d) No change.

(e) If a physician has determined the person who is subject to a court order for involuntary outpatient placement has failed or has refused to comply with the treatment ordered by the court, and in his or her clinical judgment, efforts were made to solicit compliance and the person meets the criteria for involuntary examination, the person may be brought to a receiving facility pursuant to Section 394.463, F.S. Mandatory form CF-MH 3052b, ~~Feb. 05~~, “Certificate of a Professional Initiating Involuntary Examination,” as referenced in subsection 65E-5.260(1), F.A.C., shall be used.

(4) Continued Involuntary Outpatient Placement.

(a) through (h) No change.

(i) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, service providers shall forward copies of each recommended form CF-MH 3155, “Order for Involuntary Outpatient Placement or Continued Involuntary Outpatient Placement,” as referenced in paragraph 65E-5.285(3)(a), F.A.C., or other order provided by the court, accompanied by mandatory form CF-MH 3118, ~~Feb. 05~~, “Cover Sheet to Agency for Health Care Administration,” as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

(j) No change.

(k) If a physician has determined the person who is subject to a court order for involuntary outpatient placement has failed or has refused to comply with the treatment ordered by the court, and in his or her clinical judgment, efforts were made to solicit compliance and the person meets the criteria for involuntary examination, the person may be brought to a receiving facility pursuant to Section 394.463, F.S. Mandatory form CF-MH 3052b, ~~Feb. 05~~, “Certificate of a Professional Initiating Involuntary Examination,” as referenced in subsection 65E-5.260(1), F.A.C., shall be used.

(5) No change.

Specific Authority 394.46715 FS. Law Implemented 394.455, 394.455(18), 394.4599, 394.463, 394.4655, 394.4655(2)(a), 397.675 FS. History--New 4-4-05, Amended_____.

65E-5.290 Involuntary Inpatient Placement.

(1) through (9) No change.

(10) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, designated receiving facilities and treatment facilities shall forward copies of each recommended form CF-MH 3008, "Order for involuntary Inpatient Placement," as referenced in paragraph 65E-5.1302(1)(b), F.A.C., or other order provided by the court, accompanied by mandatory form CF-MH 3118, ~~Feb-05~~, "Cover Sheet to Agency for Health Care Administration," as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

Specific Authority 394.457(5), 394.46715 FS. Law Implemented 3994.463(2)(e), 394.467, 397.675 FS. History--New 11-29-98, Amended 4-4-05,_____.

65E-5.300 Continued Involuntary Inpatient Placement at Treatment Facilities.

(1) through (5) No change.

(6) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, designated receiving facilities and treatment facilities shall forward copies of each recommended form CF-MH 3031, "Order for Continued Involuntary Inpatient Placement or Release," as referenced in subsection 65E-5.300(5), F.A.C., accompanied by mandatory form CF-MH 3118, ~~Feb-05~~, "Cover Sheet to Agency for Health Care Administration," as referenced in subsection 65E-5.280(5), F.A.C., to: BA Reporting Center, FMHI-MHC 2637, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

Specific Authority 394.457(5), 394.46715 FS. Law Implemented 394.463(2)(e), 394.467(6),(7) FS. History--New 11-29-98, Amended 4-4-05,_____.

65E-5.400 Baker Act Funded Services Standards.

(1) through (5) No change.

(6) Mobile Crisis Response Service and Mental Health Overlay Program Requirements.

(a) through (b) No change.

(c) Procedures must require employee's clinical activities and performance, as opposed to primarily administrative functions, are supervised by one of the following: a psychiatrist, physician, clinical psychologist, clinical social worker, mental health counselor, marriage and family therapist, or psychiatric nurse, as defined in Section 394.455, F.S.

(d) through (e) No change.

(7) No change.

Specific Authority 394.457(3), (5)(c), (6)(a) FS. Law Implemented 316, 394, Part I, 394.455(2), (4), (17), (19), (21), (23), (25), ~~(34), (35)~~, 394.4615, 394.462, 394.4625, 394.463, 395 FS. History--New 11-29-98, Amended 4-4-05,_____.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.002	Definitions
67-21.003	Application and Selection Process for Developments
67-21.004	Federal Set-Aside Requirements
67-21.006	Development Requirements
67-21.007	Fees
67-21.008	Terms and Conditions of MMRB Loans
67-21.009	Interest Rate on Mortgage Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
67-21.014	Credit Underwriting Procedures
67-21.015	Use of Bonds with Other Affordable Housing Finance Programs
67-21.017	Transfer of Ownership
67-21.018	Refundings and Troubled Development Review
67-21.019	Issuance of Bonds for Section 501(c)(3) Entities
67-21.0035	Applicant Administrative Appeal Procedures
67-21.0045	Determination of Method of Bond Sale

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2007 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.509 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: September 8, 2006 following the Board Meeting at a time to be announced at the conclusion of the Board Meeting

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

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: Valerie Turner at (850)488-4197. 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: Wayne Conner, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON Florida Housing's web site www.floridahousing.org.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.009	SAIL General Program Procedures and Restrictions
67-48.010	Terms and Conditions of SAIL Loans
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.022	HOME Disbursements Procedures and Loan Servicing

67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.0205	Sale or Transfer of a HOME Development

PURPOSE AND EFFECT: The Purpose and effect is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2007 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation's 2006 Qualified Allocation Plan (QAP).

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 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: September 8, 2006, following the Board Meeting at a time to be announced at the conclusion of the Board Meeting

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

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: Valerie Turner at (850)488-4197. 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: Vicki Robinson, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON Florida Housing’s web site www.floridahousing.org

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:	RULE TITLES:
69K-6.0015	Definition of Established Adult Grave Space

69K-6.0016	Definition of Developed Area
------------	------------------------------

PURPOSE AND EFFECT: Section 497.274, F.S., requires that a standard adult grave space be 42 inches in width and 96 inches in length. However, adult grave spaces established prior to October 1, 2005 are not required to meet this standard. Section 497.274, F.S., also requires cemetery companies to prepare maps and establish internal survey reference markers in areas planned for development. The proposed rules define the terms established adult grave space and developed area to provide clarification.

SUBJECT AREA TO BE ADDRESSED: Defining the terms established adult grave spaces and developed areas as used in Section 497.274, F.S.

SPECIFIC AUTHORITY: 497.103(5)(a), 497.161(1)(a) FS.

LAW IMPLEMENTED: 497.161(1)(a), 497.274 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: Tuesday, September 12, 2006, 2:00 p.m.

PLACE: Alexander Building, 2020 S.E. Capital Circle, 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: Diana Evans, (850)413-3039. 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 DEVELOPMENTS AND A COPY OF THE PRELIMINARY DRAFT IS: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 S.E. Capital Circle, Tallahassee, Florida 32399-0361 (850)413-3039

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENTS IS:

69K-6.0015 Definition of Established Adult Grave Space.

An established adult grave space is one that was established in a garden designated for ground burials clearly shown in a Plan of Development provided to the Department prior to October 1, 2005 and which was surveyed and pinned with appropriate markers placed prior to October 1, 2005. If no Plan of Development was provided to the Department prior to October 1, 2005, than an established adult grave space is one that is in a section or garden in which a sale or sales were made and specific grave spaces were assigned and shown on a map prior to October 1, 2005.

Specific Authority 497.103(5)(a), 497.161(1)(a) FS. Law Implemented 497.161(1)(a), 497.274 FS. History–New _____.

69K-6.0016 Definition of Developed Area.

(1) A developed area in a cemetery is a garden or other specifically defined area in which there is an established adult grave space as defined in Rule 69K-6.0015, F.A.C., or established after October 1, 2005.

(2) For the purposes of this rule, the following will not be considered an “undeveloped area”:

(a) The addition of an area consisting of not more than 10 adult grave spaces that are created within 50 feet of an adjacent section or garden that contains grave spaces developed prior to or after October 1, 2005 and which is mapped and has internal reference markers.

(b) The addition of 4 or less spaces at any one time within or contiguous to a section or garden which is mapped and which has internal reference markers.

(3) Grave spaces developed pursuant to this rule must meet all the requirements of Section 497.274, F.S., with the exception of having a licensed survey of the area.

Specific Authority 497.103(5)(a), 497.161(1)(a) FS. Law Implemented 497.161(1)(a), 497.274 FS. History–New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.:	RULE TITLE:
69K-6.009	Identification Tags – Acceptable Materials, Locations, and Methods of Affixing

PURPOSE AND EFFECT: The proposed rule implements Section 497.171, F.S., which authorizes the Board to adopt rules specifying acceptable materials, locations, and methods

of affixing tags to caskets, alternative containers, cremation containers, outer burial containers, and cremation internment containers.

SUBJECT AREA TO BE ADDRESSED: Acceptable materials, locations, and methods of affixing identification tags to caskets, alternative containers, cremation containers, outer burial containers, and cremation internment containers.

SPECIFIC AUTHORITY: 497.103, 497.171 FS.

LAW IMPLEMENTED: 497.171 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: Tuesday, September 12, 2006, 2:00 p.m.

PLACE: Alexander Building, 2020 S.E. Capital Circle, 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: Diana Evans, (850)413-3039. 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 IS: Diana Evans, Executive Director, Board of Funeral, Cemetery, and Consumer Services, Alexander Building, 2020 Capital Circle, S.E., Tallahassee, Florida 32399-0361, (850)413-3039

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69K-6.009 Identification Tags – Acceptable Materials, Locations, and Methods of Affixing.

(1) Caskets.

(a) Acceptable materials for an identification tag for a casket shall include only the following:

1. Plastic.

2. Non-corrosive metal.

3. Encased in plastic.

4. Plasticized paper used with laser printer or permanent marker pen.

5. Weatherproof adhesive labels used with laser printer or permanent marker pen.

(b) Acceptable locations for an identification tag for a casket shall include:

1. Tag affixed on top, side, end, or handle.

2. Tag placed in seam between lid and base of casket when it does not have handles.

(c) Acceptable methods to affix the identification tag on a casket shall include:

1. Tag taped, glued or epoxied to casket with durable and long-lasting adhesive.

2. Tag attached by metal, plastic, or wire on handle of casket.

3. Plastic strap.

4. Non-corrosive metal strap.

5. Non-corrosive wire twisters.

(2) Alternative Containers.

(a) Acceptable materials for an identification tag for an alternative container shall include only the following:

1. Plastic.

2. Metal.

3. Encased in plastic.

4. Plasticized paper used with laser printer or permanent marker pen.

5. Weatherproof adhesive labels used with laser printer or permanent marker pen.

(b) Acceptable locations for an identification tag for an alternative container shall include:

Tag affixed on top, side, end, or handle of alternative container.

(c) Acceptable methods to affix an identification tag on an alternative container shall include:

1. Tag taped, glued or epoxied to alternative container with durable and long-lasting adhesive.

2. Tag attached by metal, plastic, or wire on handle of alternative container.

3. Plastic strap.

4. Non-corrosive metal strap.

5. Non-corrosive wire twisters.

(3) Cremation Containers.

(a) Acceptable materials for an identification tag for a cremation container shall include only the following:

1. Plastic.

2. Metal.

3. Encased in plastic.

4. Plasticized paper used with laser printer or permanent marker pen.

5. Weatherproof adhesive labels used with laser printer or permanent marker pen.

(b) Acceptable locations for an identification tag for a cremation container shall include:

Tag affixed on top, side, end, or handle of alternative container.

(c) Acceptable methods to affix an identification tag on a cremation container shall include:

1. Tag taped, glued or epoxied to cremation container with durable and long-lasting adhesive.

2. Tag attached by metal, plastic, or wire on handle of cremation container.

3. Plastic strap.

4. Metal strap.

5. Wire twisters.

<p><u>(4) Outer Burial Containers.</u> <u>(a) Acceptable materials for a tag or permanent marker for outer burial containers shall include only the following:</u> <u>1. Non-corrosive metal.</u> <u>2. Plastic.</u> <u>3. Written directly on container by paint, indelible ink, etching, or engraving.</u> <u>(b) Acceptable locations for a tag or permanent marker for outer burial containers shall include:</u> <u>1. Tag affixed on top, side, end, handle, or hook.</u> <u>2. Inside niche or crypt.</u> <u>(5) Cremation Interment Containers.</u> <u>(a) Acceptable materials for a tag or permanent marker for cremation interment containers shall include only the following:</u> <u>1. Non-corrosive metal.</u> <u>2. Plastic.</u> <u>3. Written directly on container by paint, indelible ink, etching, or engraving.</u> <u>(b) Acceptable locations for a tag or permanent marker for cremation interment containers shall include:</u> <u>Exterior of cremation interment container.</u> <u>(6) Any materials or methods of affixing an identification tag which are not listed above shall not be used without the prior approval of the Board.</u></p>	<p>69L-56.304 69L-56.3045 69L-56.307 69L-56.310 69L-56.320 69L-56.330 69L-56.500</p>	<p>Electronic Notice of Action or Change, Including Change in Claims Administration, Required by the Insurer's Primary Implementation Schedule Electronic Notice of Action or Change, Suspensions, and Reinstatement of Indemnity Benefits Required by the Insurer's Secondary Implementation Schedule Electronic Cancellation Technical Requirements for Claims EDI Transmissions Claims EDI Test to Production Status Requirements Electronic Formats for Reporting the Employee's 8th Day of Disability and the Claim Administrator's Knowledge of 8th Day of Disability Insurer Responsibilities Where Third Party Services Are Utilized</p>
---	---	--

Specific Authority 497.103(5)(a), 497.171 FS. Law Implemented 497.103(1)(n), 497.171 FS. History--New

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

<p>RULE CHAPTER NO.: 69L-56</p> <p>RULE NOS.: 69L-56.001 69L-56.002 69L-56.100 69L-56.110 69L-56.200 69L-56.210 69L-56.300 69L-56.301 69L-56.3012 69L-56.3013</p>	<p>RULE CHAPTER TITLE: Electronic Data Interchange (EDI) Technical Requirements</p> <p>RULE TITLES: Forms and Instructions Definitions Proof of Coverage (POC) Electronic Filing Requirements Technical Requirements for POC EDI Transmissions Policy Cancellation or Non-Renewal Requirements Time Periods for Filing Electronic Policy Information Claims EDI Reporting Requirements and Implementation Schedules Electronic First Report of Injury or Illness Electronic Notice of Denial Electronic Periodic Claim Cost Report</p>
---	--

PURPOSE AND EFFECT: Rule Chapter 69L-56, F.A.C., is being amended to incorporate by reference the revised Florida Division of Workers' Compensation Proof of Coverage (POC) Electronic Data Interchange (EDI) Implementation Manual and the International Association of Industrial Accident Boards and Commission (IAIABC) EDI Implementation Guide for Proof of Coverage using the revised Release 2.1 national standard, and to modify transmission filing requirements to allow for daily receipt/processing of electronic POC files by the Division. Rule Chapter 69L-56, F.A.C., also creates filing requirements of insurers to electronically submit by specified time periods, claims information otherwise reported on Forms DFS-F2-DWC-1, DFS-F2-DWC-12, DFS-F2-DWC-13, DFS-F2-DWC-4, and DFS-F2-DWC-49 adopted in Rule Chapter 69L-3, F.A.C., plus certain electronic changes and cancellation notices for which there are no form equivalents promulgated by rule. The rule also incorporates by reference the Florida Division of Workers' Compensation Claims EDI Release 3 Implementation Manual, and the IAIABC Claims EDI Implementation Guides for Release 3.

SUBJECT AREA TO BE ADDRESSED: Electronic filing requirements and implementation schedules for Claims EDI (non-medical) filings.

SPECIFIC AUTHORITY: 440.185(7), 440.42(3), 440.591, 440.593 FS.

LAW IMPLEMENTED: 440.185(7), 440.42(3), 440.591, 440.593, 627.4133(4) FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: Wednesday, September 13, 2006, 9:00 a.m.

PLACE: Homewood Suites, Capitol Ballroom, 2987
Apalachee Parkway, Tallahassee, FL 32301

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: Linda Yon at (850)413-1702 or Linda.yon@fldfs.com 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 IS: Linda Yon, EDI Coordinator, Office of Data Quality and Collection, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, phone (850)413-1702 or Linda.yon@fldfs.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-56.001 Forms and Instructions.

(1) The following forms are incorporated herein by reference and adopted for use in filing Proof of Coverage (POC) and Claims (non-medical) Electronic Data Interchange (EDI) ~~transactions transmissions~~ to the Division. All of the forms may be obtained from the Division of Workers' Compensation at its website, <http://www.fldfs.com/wc/edi.html>, or by sending a request to the Division of Workers' Compensation, Office of Data Quality & Collection, 200 East Gaines Street, Tallahassee, Florida 32399-4226.

(a)(1) DFS-F5-DWC-EDI-1, "EDI Trading Partner Profile" (xx/xx/2006 01/01/2005).

(b)(2) DFS-F5-DWC-EDI-2, "EDI Trading Partner Insurer/Claim Administrator ID List" (xx/xx/2006 01/01/2005).

(c)(3) DFS-F5-DWC-EDI-3, "EDI Transmission Profile-Sender's Specifications" (xx/xx/2006 01/01/2005).

(d)(4) DFS-F5-DWC-EDI-4, Secure Socket Layer (SSL)/File Transfer Protocol (FTP) Instructions (xx/xx/2006 01/01/2005).

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History--New 3-5-02, Formerly 38F-56.001, 4L-56.001, Amended 5-29-05, _____.

69L-56.002 Definitions.

Unless otherwise defined in this section, definitions of data elements and terms used in this rule are defined in the Data Dictionary located in Section 6 of the "IAIABC Implementation Guide for Claims: First, Subsequent, Header, Trailer & Acknowledgement Detail Records, Release 3, June 1, 2006 Edition", and in the Data Dictionary located in Section 6 of the "IAIABC Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer &

Acknowledgement Records, Release 2.1, 04/01/06 Edition", and in the IAIABC "Glossary", and in the IAIABC "Supplement" for both POC and Claims, all of which are incorporated herein by reference. Copies of the IAIABC guides and glossary may be obtained from the IAIABC's website at www.iaiaabc.org/edi/implementation.htm.

When used in this chapter, the following terms have the following meanings:

(1) "Acknowledgement" or "acknowledgement" means a response provided by the Division to communicate the acceptance or rejection of an electronic transaction sent to the Division. An acknowledgement returned by the Division will reflect the assignment of an Application Acknowledgment Code of "TA" (Transaction Accepted) (~~FA~~) if the transaction was accepted by the Division, or "TR" (Transaction Rejected) (~~FR~~) if the transaction was rejected by the Division. If a transaction was assigned an Application Acknowledgment Code of "TA" (Transaction Accepted) (~~FA~~), the date the transaction was received by the Division will be used in determining whether an electronic form ~~equivalent~~ was timely filed with the Division.

(2) "Award/Order Date" means the date an order was signed by a Judge of Compensation Claims.

(3) "Average Wage" means the employee's average weekly wage as determined in Section 440.14, F.S.

(4)(2) "Batch" means a set of records containing one header record, one or more detailed transactions, and one trailer record.

(5) "Benefit Payment Issue Date" reported for MTC "IP" (Initial Payment), "AP" (Acquired Payment), "PY" (Payment), and "RB" (Reinstatement of Benefits) means the date payment of a benefit left the control of the claim administrator (or the claim administrator's legal representative if delivery is made by the legal representative) for delivery to the employee or the employee's representative, whether by U.S. Postal Service or other delivery service, hand delivery, or deposit by electronic funds transfer. "Benefit Payment Issue Date" for MTC "S1-8" (Suspension reasons) means the date the last indemnity check prior to suspension of benefits left the control of the claim administrator (or the claim administrator's legal representative if delivery is made by the legal representative) for the delivery to the employee or the employee's representative, whether by U.S. Postal Service or other delivery service, hand delivery, or deposit by electronic funds transfer. The Benefit Payment Issue Date shall not be sent as the date the check is requested, created, or issued in the claim administrator's system unless the check leaves the control of the claim administrator the same day it is requested, created, or issued for delivery to the employee or the employee's representative.

(6) "Business day" means a day on which normal business is conducted by the State of Florida and excludes observed holidays as set out in Section 110.117, F.S. (see also www.myflorida.com/myflorida/government/policies/holidays).

(7) “Calculated Weekly Compensation Amount” means 66 2/3% of the employee’s average weekly wage pursuant to Section 440.14, F.S., subject to the minimum and maximum amounts set out in Section 440.12, F.S., (a/k/a/ the statutory compensation rate).

(8) “Catastrophic Event” means the occurrence of an event outside the control of an insurer, claim administrator, or third party vendor, such as a telecommunications failure due to a natural disaster or act of terrorism (including but not limited to cyber terrorism), in which recovery time will prevent an insurer, claim administrator, or third party vendor from meeting the filing requirements of Chapter 440, F.S., and this rule. Programming errors, systems malfunctions, or electronic data interchange failures that are not the direct result of a catastrophic event are not considered to be a catastrophic event as defined in this rule.

(9)(3) “Claim Administrator” means any insurer, service company/third party administrator, self-serviced self-insured employer or fund, or managing general agent, responsible for adjusting workers’ compensation claims, a “Claims Handling Entity” as defined in Rule 69L-3, F.A.C., that is electronically sending its data directly to the Division.

(10) “Claim Administrator Primary Address”, “Claim Administrator Secondary Address”, “Claim Administrator City”, “Claim Administrator State Code”, and “Claim Administrator Postal Code” comprise the address associated with the physical location of the claims office at which the workers’ compensation claim is being adjusted.

(11) “Claim Administrator Alternate Postal Code” means the zip code associated with the Claim Administrator’s mailing address established for receiving mail on behalf of the claims office at which the claim is being adjusted.

(12) “Claim Type Code” means a code representing the current classification of the claim as either a “Lost Time /Indemnity Case” (Claim Type Code “I”), or “Medical Only to Lost Time Case” (Claim Type Code “L”).

(13) “Date of Maximum Medical Improvement” (MMI) means the date on which maximum medical improvement has been achieved with respect to all compensable medical or psychiatric conditions caused by a compensable injury or disease (i.e., overall MMI).

(14) “Date Claim Administrator Had Knowledge of Lost Time” means the date the claim administrator was notified or became aware that the employee was disabled or claimed disability for eight (8) or more days and was entitled to or claimed entitlement to indemnity benefits. If the claim administrator acquired the claim from another claim administrator and is filing the Electronic First Report of Injury or Illness with the Division, the “Date Claim Administrator Had Knowledge of Lost Time” shall be the date the acquiring claim administrator had knowledge of the employee’s 8th day of disability or claimed 8th day of disability.

(15)(4) “Days” means calendar days, unless otherwise noted.

(16) “Denied Case” means a “Full Denial” or “Partial Denial” case for which all indemnity benefits are initially denied by the claim administrator.

(17)(5) “Department” means the Department of Financial Services.

(18)(6) “Division” means the Division of Workers’ Compensation.

(19)(7) “Electronic Data Interchange” (EDI) means a computer-to-computer exchange of business transactions in a standardized electronic format.

(20)(8) “Electronic Form Equivalent” means information sent in Division-approved electronic formats as specified in this rule, instead of otherwise required paper documents. Electronic form equivalents may require additional information not required in Rule Chapter 69L-3, F.A.C., for paper form filings. Electronic form equivalents do not include information sent by facsimile, file data attached to electronic mail, or computer-generated paper forms.

(21) “Employer Paid Salary in Lieu of Compensation” means the employer paid the employee salary, wages, or other remuneration for a period of disability for which the insurer would have otherwise been obligated to pay indemnity benefits. This does not include the waiting week if the employee was not disabled for 22 or more days.

(22)(9) “File” or “Filed” means a transaction has been received by the Division and passes quality and structural edits and is assigned an Application Acknowledgement Ceode of “TA” (Transaction Accepted) (TA)."

(23)(40) “FROI” means the First Report of Injury Record Layout adopted by the IAIABC as a Claims EDI Release 3 standard, “IAIABC Release 1 First Report of Injury (148) format adopted by the IAIABC, and is comprised of the First Report of Injury Record identified by Transaction Set ID “148” paired with the First Report of Injury Companion Record identified by Transaction Set ID “R21”. The “FROI” record layout (148/R21) is located in the Technical Documentation, Section 2, on Pages “4-13” and “4-14” in the IAIABC EDI Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 3+, June 1, 2006 February 15, 2002, which is incorporated herein by reference. A copy of the guide may be obtained from the IAIABC’s website found at <http://iaiaabc.org/edi/implementation.htm>, www.iaiaabc.org/EDI/implementation_guide_index.htm.

(24) “Full Denial” means any case for which the claim administrator has denied liability for all workers’ compensation benefits (i.e., both indemnity and medical benefits). A “Full Denial” is represented by a FROI or SROI Maintenance Type Code 04 (Denial).

(25) “Gross Weekly Amount” means the weekly amount payable for a specific Benefit Type. The Gross Weekly Amount is usually equal to the Calculated Weekly Compensation Amount (a/k/a/ statutory compensation rate) except when the weekly rate for a Benefit Type is paid as a percentage of either the Calculated Weekly Compensation Amount (Comp Rate), Average Wage, or average temporary total disability benefits, such as for Permanent Total Supplemental Benefits, Death Benefits, and Impairment Income Benefits.

(26)(11) “Header Record” means the first record of a batch. The header record shall uniquely identify a sender, as well as the date and time a batch is prepared, and the transaction set within the batch.

(27)(12) “IAIABC” means the International Association of Industrial Accident Boards and Commissions (www.iaiaabc.org), which is a professional trade association comprised of state workers’ compensation regulators and insurance representatives.

(28) “Industry Code” means the code that represents the nature of the employer’s business as published in the North American Industry Classification System (NAICS) 2002 Edition, hereby incorporated by reference. NAICS code information may be obtained by contacting the NAICS Association, 341 East James Circle, Sandy, Utah, 84070, or from the NAICS website at www.naics.com.

(29) “Initial Date of Lost Time” means the employee’s eighth (8th) day of disability, i.e., the first day on which the employee sustains disability as defined in Section 440.02, F.S., after fulfilling the seven (7) day waiting week requirement in Section 440.12, F.S.

(30) “Insurer” means an insurer as defined in Section 440.02, F.S.

(31)(13) “Insurer Code #” means the Division-assigned number for the insurer bearing the financial risk of the claim as defined in Chapter 69L-3, F.A.C.

(32)(14) “Jurisdiction Designee Received Date” means the date on which a third party vendor received Proof of Coverage data from an insurer that is not submitting their electronic Proof of Coverage data directly with the Division. This date shall be used in place of the date the Division received electronic Proof of Coverage data for purposes of calculating the effective date of the cancellation or non-renewal, and timely filings of electronic Proof of Coverage data.

(33) “Knowledge” or “Notification” means an entity’s earliest receipt of information, including by mail, telephone, facsimile, direct personal contact, or electronic submission.

(34) “Lost Time/Indemnity Case” means a work-related injury or illness which causes the employee to be disabled for more than 7 calendar days, or for which indemnity benefits have been paid. A Lost Time/Indemnity Case shall also include: A case involving a compensable volunteer as defined in Section 440.02, F.S., where no indemnity benefits will be

paid, but where the employee is disabled for more than 7 calendar days; a compensable death case pursuant to Section 440.16, F.S., for which there are no known or confirmed dependents; and a case where a compensable injury results in disability of more than 7 calendar days where the “Employer Paid Salary in Lieu of Compensation” as defined in this section. The first 7 calendar days of disability do not have to occur consecutively, but are determined on a cumulative basis and can occur over a period of time. A “Lost Time/Indemnity Case” is represented by Claim Type Code “I” (Indemnity).

(35)(45) “Maintenance Type Code” (MTC) is an IAIABC code that defines the specific purpose of individual claims transactions within the batch being sent, i.e., a code that represents the type of filing being sent electronically (For example: IP = initial payment, 04 = Total or Full Denial). MTC’s and data elements required by this rule may not exactly match paper claim forms and associated data reporting requirements set out in Rule Chapter 69L-3, F.A.C.

(36) “Manual Classification Code” means the 4-digit code assigned by the National Council on Compensation Insurance (NCCI) for the particular occupation of the injured employee as documented in the NCCI Scopes™ Manual 2004 Edition, which is hereby incorporated by reference. A listing of Manual Classification Codes may be obtained by contacting NCCI’s Customer Service Center at (800)622-4123.

(37) “Medical Only Case” means a work-related injury or illness which requires medical treatment for which charges will be incurred, but which does not cause the employee to be disabled for more than 7 calendar days.

(38) “Medical Only to Lost Time Case” means a work-related injury or illness which initially does not result in disability of more than 7 calendar days, but later results in actual or claimed disability of more than 7 days, i.e., where disability is delayed and does not immediately follow the accident, or where one or more broken periods of disability occur within the first 7 days after disability has commenced and combined disability periods eventually total more than 7 days. A “Medical Only to Lost Time Case” includes a case for which Impairment Income Benefits are paid based on the assignment of the “Date of Maximum Medical Improvement” with a “Permanent Impairment Percentage” greater than zero (0) percent, or for which the initial payment of indemnity benefits is made in a lump sum for an award, advance, stipulated agreement or settlement, or for which indemnity benefits are claimed more than 14 days after the claim administrator’s knowledge of the injury and are subsequently denied. A “Medical Only to Lost Time Case” is represented by Claim Type Code “L” (Became Lost Time).

(39) “Net Weekly Amount” means the weekly amount paid for a Benefit Type Code (i.e., Temporary Total, Impairment Income Benefits, etc.), minus any Benefit

Adjustments or Benefit Credits being applied to the benefit type. The Net Weekly Amount equals the "Gross Weekly Amount" where no adjustments or credits are applied.

(40) "Partial Denial" means a case where compensability is accepted but the claim administrator is initially denied all indemnity benefits and only medical benefits will be paid; also means a case where a specific indemnity benefit(s) was previously paid but subsequently denied, either in whole or in part. A "Partial Denial" is represented by a SROI Maintenance Type Code "PD".

(41) "Payment Issue Date" for MTC "IP" (Initial Payment), "AP" (Acquired Payment), "PY" (Payment), and "RB" (Reinstatement of Benefits) means the date payment of a specific benefit left the control of the claim administrator (or the claim administrator's legal representative if delivery is made by the legal representative) for delivery to the employee or the employee's representative, whether by U.S. Postal Service or other delivery service, hand delivery, or deposit by electronic funds transfer. The Payment Issue Date shall not be sent as the date the check is requested, created, or issued in the claim administrator's system unless the check leaves the control of the claim administrator the same day it is requested, created, or issued for delivery to the employee or the employee's representative.

(42) "Permanent Impairment Percentage" means "Permanent Impairment" as defined in Section 440.02, F.S.

(43)(16) "Sender" means one of the following entities sending electronic filings to the Division:

- (a) Claim Administrator,
- (b) Insurer, or

(c) Third Party Vendor (Proof of Coverage only) For Claims EDI filing purposes, "sender" does not include an entity acting as an intermediary for sending transmissions to the Division on behalf of an insurer or claim administrator where the sender is not the insurer or claim administrator handling the claim.

(44)(17) "SROI" means the Subsequent Report of Injury Record Layout adopted by the IAIABC as a Claims EDI Release 3 standard "IAIABC Release 1 Subsequent Report of Injury (A49)" format adopted by the IAIABC, and includes the Subsequent Report Record identified by Transaction Set "A49" paired with the Subsequent Report Companion Record identified with Transaction Set ID "R22". The "SROI" record layout (A49/R22) is located in the Technical Documentation, Section 2, on Pages "4-15" and "4-16" in the IAIABC EDI Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 3.1, June 1, 2006 February 15, 2002, and Supplement, which is incorporated herein by reference. A copy of the guide may be obtained from the IAIABC's website at <http://iaiaabc.org/edi/implementation.htm>.

(45)(18) "Third Party Vendor" means an entity acting as a submission agent or vendor on behalf of an insurer, service company or third party administrator, which that has been authorized to electronically send required data to the Division.

(46)(19) "Trading Partner" means an entity approved by the Division to exchange exchanging data electronically with the Division.

(47)(20) "Trailer Record" means the last record that designates the end of a batch of transactions. It shall provide a count of transactions contained within the batch, not including the header and trailer transactions.

(48)(21) "Transaction" is one or more records within a batch which communicates information representing about an particular electronic form equivalent.

(49)(22) "Transaction Accepted Code "{TA}" means an Application Acknowledgement Code assigned by the Division to represent that a transaction was sent to the Division and passed required edits.

(50)(23) "Transaction Rejected Code "{TR}" means an Application Acknowledgement Code assigned by the Division to represent that a transaction was sent to the Division and did not pass required edits.

(51)(24) "Transmission" consists of one or more batches sent to or received by the Division or a trading partner.

(52)(25) "Triplicate Code" is a series of three two-digit numeric codes that define the specific purpose of individual records in a Proof of Coverage transmission, i.e., new policy, renewal, endorsement, cancellation or non-renewal. It is a combination of the Transaction Set Purpose Code, Transaction Set Type Code and Transaction Set Reason Code as defined in the Data Dictionary, Section 6 7 of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition May 1, 2002, which is incorporated herein by reference. A copy of the guide may be found at <http://iaiaabc.org/edi/implementation.htm> ~~www.iaiaabc.org/EDI/implementation_guide_index.htm~~.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History--New 3-5-02, Formerly 38F-56.002, 4L-56.002, Amended 5-29-05,_____.

69L-56.100 Proof of Coverage (POC) Electronic Filing Requirements.

(1) Effective March 1, 2002, every insurer authorized to insure employers in the State of Florida, except for individual self-insurers approved under Section 440.38, F.S., shall file policy information electronically to the Division rather than by filing on paper forms previously required.

(a) Every insurer shall send to the ~~Division department~~ by electronic data interchange electronic policy information for Certificates of Insurance, Endorsements, Reinstatements, Cancellations and Non-Renewals pursuant to the filing time periods in Rule 69L-56.210, F.A.C., ~~of this chapter~~. Such

policy information shall be sent in accordance with the "EDI Trading Partner Requirements" set forth in Section 2 through 6 of the Florida Division of Workers' Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, July 2006 January 2005, which is incorporated herein by reference. A copy of the manual may be obtained from the Division of Workers' Compensation at its website, <http://www.fldfs.com/wc/edi.html>, ~~or by sending a request to the Division of Workers' Compensation, Office of Data Quality & Collection, 200 East Gaines Street, Tallahassee, Florida 32399-4226.~~ The Division will not accept an electronic transaction that fails to comply with the "EDI Trading Partner Requirements" in Section 2 through 6 in this manual. The insurer shall send electronic transmissions either directly to the Division or through a third party vendor.

(2) On or before April 2, 2007, all eElectronic form equivalents of Proof of Coverage data shall be sent in the Proof of Coverage formats adopted by the IAIABC and located in Section 2 on Pages "5-7" and "5-8" of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition May 1, 2002.

(3)(a) At least one (1) business day before the insurer or third party vendor sends its first transmission to the Division, the insurer or third party vendor shall send to the Division in an email addressed to poc.edi@fldfs.com, their profile information using the following forms adopted in Rule 69L-56.001, F.A.C.:

1. "EDI Trading Partner Profile," DFS-F5-DWC-EDI-1 (10/01/2006 01/01/2005), and
2. "EDI Trading Partner Insurer/Claim Administrator ID List", DFS-F5-DWC-EDI-2 (10/01/2006 01/01/2005), and
3. "EDI Transmission Profile – Sender's Specifications," DFS-F5-DWC-EDI-3 (10/01/2006 01/01/2005).

(b) The insurer or third party vendor shall report changes to its profile information to the Division at least one (1) business day before sending transactions containing new profile-related information. The insurer or third party vendor shall report the new profile information by emailing a revised "EDI Trading Partner Profile", DFS-F5-DWC-EDI-1 (10/01/2006 01/01/2005), and if applicable, the "EDI Trading Partner Insurer/Claim Administrator ID List", DFS-F5-DWC-EDI-2 (10/01/2006 01/01/2005), and if applicable, the "EDI Transmission Profile – Sender's Specifications", DFS-F5-DWC-EDI-3 (10/01/2006 01/01/2005) to the Division at poc.edi@fldfs.com.

(c) If the insurer suspends the use of a third party vendor and begins sending its electronic Proof of Coverage data directly to the Division, the insurer shall, at least one(1) business day prior to the effective date of this change, email a revised "EDI Transmission Profile – Sender's Specifications," DFS-F5-DWC-EDI-3 (10/01/2006 01/01/2005), to the Division at poc.edi@fldfs.com.

(d) If the insurer changes third party vendors, the insurer shall, at least one (1) business day prior to the effective date of the change, send an email to the Division at poc.edi@fldfs.com to report the name of the new vendor and effective date on which POC transactions will be sent by the new vendor.

(e) Insurers or third party vendors, that experience a catastrophic event resulting in the insurer's failure to meet the filing requirements of this rule, shall submit a written or electronic request to the Division for approval to submit required electronic form equivalents in an alternative filing timeline. The request shall be sent to the Division within 15 business days after the catastrophic event. The request shall contain a detailed explanation of the nature of the event, date of occurrence, and measures being taken to resume electronic submission. The insurer or third party vendor shall also provide an estimated date by which electronic submission of affected EDI filings will be resumed. Approval to submit in an alternative filing timeline shall be granted by the Division if a catastrophic event prevents electronic submission. The approval must be obtained from the Division's Office of Data Quality and Collection, 200 E. Gaines Street, Tallahassee, Florida 32399-4226, or via email at poc.edi@fldfs.com.

Specific Authority 440.591, 440.593(5), 440.185(7) FS. Law Implemented 440.593, 440.185(7) FS. History—New 3-5-02, Formerly 38F-56.100, 4L-56.100, Amended 5-29-05, _____.

69L-56.110 Technical Requirements for POC EDI Transmissions ~~Transactions~~.

(1) In order to send Proof of Coverage data electronically to the Division, the insurer or third party vendor shall complete the testing requirements set forth in Section 1 of the Florida Division of Workers' Compensation Proof of Coverage Electronic Data Interchange (EDI) Implementation Manual, July 2006 January 2005. Each transmission for Test, ~~Pilot~~ or Production purposes shall be in the PC1-Insured Record format and PC2-Employer Record format located in Section 2 on Pages "5-7" and "5-8" of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition and Supplement May 1, 2002.

(2) Each transmission shall contain the following as set forth in Section 2 on Pages "5-6" and "5-8" of ~~in~~ the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition May 1, 2002:

- (a) Header Record.
- (b) One or more records – PC1, PC2 (See "Transaction Overview, Sub Type Code Carrier-Insurer Submits" column located in Section 4 on Pages "6-7" through "6-12" of the guide).
- (c) Trailer Record.
- (3) Header records shall include the following information:

(a) Receiver FEIN for the State of Florida: 59-6001874.

(b) "Receiver Postal Code" for the State of Florida: 323994226 effective June 1, 2005. ~~(Receiver Postal Code may be sent as 323990685 through May 31, 2005).~~

(c) Sender Identifier. The Sender Identifier (Sender ID) shall consist of the insurer's or third party vendor's FEIN and Postal Code as reported on Form DFS-F5-DWC-EDI-3 (10/01/2006 ~~01/01/2005~~), EDI Transmission Profile – Sender's Specifications.

(d) "Sender Postal Code" is indicated in DWC Form EDI-3 "EDI Transmission Profile- Sender's Specifications."

(4) POC EDI transmissions may be sent on a daily basis, and shall be sent via secured File Transfer Protocol (FTP). Effective June 1, 2005, electronic transmissions of Proof of Coverage data required pursuant to this rule, shall be sent to the Division using Secure Socket Layer/File Transfer Protocol (SSL/FTP) with a client software program to accomplish ~~SSL/FTP uploads and downloads~~ in accordance with instructions on Form DFS-F5-DWC-EDI-4 (10/01/2006 ~~01/01/2005~~).

(5) Transmissions received on or before 9:00 p.m., Eastern Standard Time, shall be processed by the Division the same day the transmission was sent to the Division and acknowledged by the Division the next business day. Transmissions received after 9:00 p.m. through 11:59 p.m., Eastern Standard Time, shall be processed by the Division the following day and acknowledged by the Division the next business day after the transmission is processed.

~~(5)(a) Transmissions sent Monday through Saturday: In order for a transmission sent Monday through Saturday to be processed as received by the Division and acknowledged the same day the transmission was sent, the insurer or third party vendor shall send the transmissions by 9:00 p.m., Eastern Standard Time, Monday through Saturday. Transmissions received after 9:00 p.m. Eastern Standard Time, Monday through Saturday shall be processed as received by the Division and acknowledged the day after the transmission was sent.~~

~~(b) Transmissions sent Sunday: In order for a transmission sent on Sunday to be processed as received by the Division on Sunday, the insurer or third party vendor shall send the transmission by 4:00 p.m., Eastern Standard Time, Sunday. Transmissions received by 4:00 p.m. Eastern Standard Time, Sunday, will be acknowledged on Monday. Transmissions received after 4:00 p.m. Eastern Standard Time, Sunday, shall be processed as received by the Division on Monday and acknowledged on Monday.~~

(6) Transmissions shall be sent using the flat file PC1 and PC2 formats located in Section 2 on Pages "5-7" and "5-8" of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition and Supplement May 1, 2002.

(7) ~~For During~~ test ~~and pilot~~ transmissions, the "Test-Production Indicator" in the Header record shall be set to "T." Beginning with authorized production transmissions, the "Test-Production Indicator" shall be set to "P."

(8) All insurers or third party vendors shall have the capability to receive and process the Division's POC EDI Acknowledgement Transaction (AKP), described in Section 2 on Page "5-8" of in the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition May 1, 2002 and Supplement. The Division will also send, when applicable, a re-acknowledgment transaction (ACR) to identify an EDI filing previously acknowledged with Application Acknowledgement Code "TR" but subsequently re-processed by the Division due to incorrect prior processing, and re-assigned an Application Acknowledgement Code of "TA" (Transaction Accepted). The claim administrator shall have the option of processing re-acknowledgment transactions.

(9) The definitions established in Section ~~6~~ 7 of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition May 1, 2002, and Supplement, shall be utilized when reporting data elements to the Division.

(10) The insurer or third party vendor shall send the PC1 and PC2 transactions required in Rule 69L-56.210, F.A.C., in accordance with the information appearing in the "Sub Type Code Carrier-Insurer Submits" column in the "Proof of Coverage Transaction Overview" document, located in Section 4 on Pages "6-7" through "6-12" of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition May 1, 2002. If the PC2 record is required and is rejected by the Division, both the PC1 and PC2 records shall be re-sent together in the same transmission. The Division will not "hold" a PC1 record in anticipation of the return of a corrected corresponding PC2 record.

(11) The insurer or third party vendor's business and technical contacts shall have e-mail system capabilities that support Word, Excel, or PDF attachments from the Division.

(12) The insurer or third party vendor shall utilize anti-virus software to screen out and clean any viruses on all electronic transmissions prior to sending transmissions to the Division. The insurer or third party vendor shall maintain the anti-virus software with the most recent anti-virus update files from the software provider. If the insurer or third party vendor sends a transmission that contains a virus which prevents the Division from processing the transmission, the transmission will not be considered as having been received by the Division.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History--New 3-5-02, Formerly 38F-56.110, 4L-56.110, Amended 5-29-05, _____.

69L-56.200 Policy Cancellation or Non-Renewal Requirements of Workers' Compensation Insurance.

(1) Except for cancellation for nonpayment of premium, or cancellation or non-renewal at the request of the insured, an insurer shall not cancel or non-renew any workers' compensation insurance policy, contract of insurance, or renewal until at least 30 days have elapsed after the insurer has electronically filed a cancellation or non-renewal with the Division, either directly or through a third party vendor. When an insurer files an electronic cancellation or non-renewal directly with the Division for any reason other than non-payment of premium or when cancellation or non-renewal is requested by the insured, the 30-day notice period shall be calculated from the first day following the date on which the electronic cancellation or non-renewal was filed with the Division. If the insurer files an electronic cancellation or non-renewal through a third party vendor for any reason other than non-payment of premium, or when cancellation or non-renewal is requested by the insured, the 30-day notice period shall be calculated from the first day following the "Jurisdiction Designee Received Date".

(2)(a) For any workers' compensation insurance policy, contract of insurance, or renewal with a policy effective date prior to October 1, 2003, an insurer shall not cancel or non-renew the policy for non-payment of premium until and unless 30 days have elapsed after the insurer has electronically filed a cancellation or non-renewal with the Division, either directly or through a third party vendor. When an insurer files an electronic cancellation or non-renewal directly with the Division, the 30-day notice period shall be calculated from the first day following the date on which the electronic cancellation or non-renewal was filed with the Division. If the insurer files an electronic cancellation or non-renewal through a third party vendor, the 30-day notice period shall be calculated from the first day following the "Jurisdiction Designee Received Date".

(b) For any workers' compensation insurance policy, contract of insurance, or renewal with a policy effective date on or after October 1, 2003, an insurer shall not cancel or non-renew the policy for non-payment of premium until and unless the insurer has mailed notification of the cancellation or non-renewal to the employer at least 10 days prior to the effective date of the cancellation or non-renewal. Notification to the Division is not required to cancel or non-renew a workers' compensation insurance policy, contract of insurance, or renewal for non-payment of premium. However, the insurer shall advise the Division of the cancellation or non-renewal due to non-payment of premium in accordance with the electronic filing time periods for policy information set out in subsections 69L-56.210(5) and (6), F.A.C., ~~of this rule.~~

(3) If an insured requests cancellation or non-renewal of any workers' compensation insurance policy, contract of insurance or renewal, the cancellation or non-renewal shall be

effective on the date the insurer sends the cancellation or non-renewal to the insured. Notification to the Division is not required to cancel or non-renew a workers' compensation insurance policy, contract of insurance, or renewal when cancellation or non-renewal is requested by the insured. However, the insurer shall advise the Division of the cancellation or non-renewal requested by the insured in accordance with the electronic filing time periods for policy information set out in subsection 69L-56.210(7), F.A.C., ~~of this rule.~~

(4) If a policy has been re-written by the same insurer for the same employer with the same effective date and has been electronically filed with the Division, the earlier policy may be cancelled by the insurer the same day the earlier policy became effective. The insurer shall electronically file a cancellation or non-renewal directly with the Division or through a third party vendor, and serve a copy of the notice of cancellation or non-renewal upon the employer in person or by mail, stating therein the reason for such cancellation or non-renewal.

Specific Authority 440.185(7), 440.42(3), 440.591, 440.593(5), 627.4133(4) FS. Law Implemented 440.185(7), 440.42(3), 440.593, 627.4133(4) FS. History—New 5-29-05, Amended.

69L-56.210 Electronic Filing Time Periods for Filing Electronic Policy Information.

Pursuant to subsection 440.593(1), F.S., the Division may establish different deadlines for filing required reports electronically than are otherwise required when reporting information by other means. Accordingly, notwithstanding the deadlines for filing policy information by other means as set forth in subsection 440.185(7), F.S., an insurer, other than an individual self-insurer approved under Section 440.38, F.S., must electronically file the following information in accordance with the provisions of this rule, and shall have received an Application Acknowledgement Code of "TA" (Transaction Accepted)—~~(TA)~~" by the Division within the following deadlines:

(1) No later than thirty days after the effective date of any workers' compensation insurance policy, contract of insurance, or renewal, every insurer shall send the electronic Certificate of Insurance.

(2) No later than thirty days after the issue date of each endorsement to any workers' compensation insurance policy, contract of insurance, or renewal, every insurer shall send the electronic Notice of Endorsement.

(3) No later than thirty days after the effective date of each reinstatement of a cancelled workers' compensation insurance policy, contract of insurance, or renewal, every insurer shall send the electronic Notice of Reinstatement.

(4) No later than thirty days prior to the cancellation or non-renewal of any workers' compensation insurance policy, contract of insurance, or renewal, other than a cancellation for

non-payment of premium or when cancellation or non-renewal is requested by the insured, every insurer shall send the electronic cancellation or non-renewal.

(5) No later than thirty days prior to the cancellation of any workers' compensation insurance policy, contract of insurance, or renewal with a policy effective date prior to October 1, 2003, that is being cancelled for non-payment of premium, every insurer shall send the electronic cancellation represented by Triplicate Code "00-41-59".

(6) No later than ten days prior to the cancellation of any workers' compensation insurance policy, contract of insurance, or renewal with a policy effective date on or after October 1, 2003, that is being cancelled for non-payment of premium, every insurer shall send the electronic cancellation represented by Triplicate Code "00-41-59".

(7) No later than ten days after the cancellation or non-renewal of any workers' compensation insurance policy, contract of insurance, or renewal for which an insured has requested cancellation or non-renewal, the insurer shall send the electronic cancellation or non-renewal to the Division. The electronic cancellation or non-renewal shall be represented by Triplicate Codes containing Transaction Set Type Codes "42" & "60", with the exception of Triplicate Code "00-60-64", pursuant to the "Transaction Overview" document, located in Section 4 on Pages "6-7" through "6-12" of the IAIABC EDI Implementation Guide for Proof of Coverage: Insured, Employer, Header, Trailer & Acknowledgement Records, Release 2.1, 04/01/06 Edition and Supplement May 1, 2002.

(8) An insurer shall not cancel or non-renew a workers' compensation insurance policy, contract of insurance, or renewal for underwriting reasons represented by Triplicate Code "00-60-64" until and unless 30 days have elapsed after the insurer has electronically sent a cancellation or non-renewal to the Division directly or through a third party vendor.

Specific Authority 440.185(7), (9), 440.42(3), 440.591, 440.593(5), 627.4133(4) FS. Law Implemented 440.185(7), (9), 440.42(3), 440.593, 627.4133(4) FS. History--New 5-29-05, Amended _____.

69L-56.300 Claims EDI Reporting Requirements and Implementation Schedules.

(1)(a) On or before the implementation schedules set out in paragraphs (3)(a) and (b) of this section, every insurer shall file claims information (non-medical) for all "Lost Time/Indemnity", "Medical Only to Lost Time", and "Denied" cases, regardless of date of injury, using electronic data interchange (EDI) pursuant to paragraph (d) of this section, rather than by submitting paper forms otherwise required in Rule Chapter 69L-3, F.A.C. The insurer shall file the electronic form equivalent of the First Report of Injury, Notice of Denial, Claim Cost Report, and Notice of Action/Change adopted in Rule Chapter 69L-3, F.A.C., pursuant to the requirements and timeframes set out in Rules 69L-56.301, 69L-56.3012,

69L-56.3013, 69L-56.304, 69L-56.3045, and 69L-56.307, F.A.C., and in accordance with the "Claims EDI Trading Partner Filing Specifications" contained in Section 1 of the "Florida Division of Workers' Compensation Claims Electronic Data Interchange (EDI) Implementation Manual, September 2006", incorporated herein by reference, and hereafter referred to as the "FL Claims EDI Implementation Manual". A copy of the FL Claims EDI Implementation Manual may be obtained from the Division of Workers' Compensation at its website, www.fldfs.com/WC/edi_clms.html.

(b) Electronic form equivalents, hereafter also referred to as "Claims EDI Filings" required under this rule do not correspond exactly to, and may require additional information not currently contained on claims forms promulgated under Rule Chapter 69L-3, F.A.C. The term, "insurer", as defined in this rule chapter, refers to the entity responsible for filing electronic form equivalents on or before the compliance dates established in the insurer's Primary and Secondary Implementation Schedules set out in paragraphs 69L-56.300(3)(a) and (b), F.A.C. The term, "claim administrator", as defined in this rule chapter, refers to the trading partner that is sending electronic transactions to the Division, which can be either an insurer filing directly with the Division on its own behalf, or a third party administrator filing on the behalf of the insurer. For purposes of this rule, the terms Claim Administrator and Trading Partner do not mean a third party vendor.

(c) The insurer or its claim administrator shall electronically report all First Reports of Injury or Illness for which the claim administrator's knowledge of the injury is on or after the date the claim administrator is authorized by the Division to send Electronic First Reports of Injury or Illness in production status (i.e., actual production implementation date). All other electronic form equivalents of periodic claim cost information, denials, changes, suspensions, reinstatements, and cancellations required by this rule shall be electronically reported to the Division, regardless of date of accident, once the claim administrator is approved by the Division to electronically send these types of filings in production status (i.e., actual production implementation date).

(d) The claim administrator shall report the Claims EDI filings required in Rules 69L-56.301, 69L-56.2012, 69L-56.3013, 69L-56.304, 69L-56.3045, and 69L-56.307, F.A.C., using the First Report of Injury (FROI) and Subsequent Report of Injury (SROI) electronic record layouts adopted by the International Association of Industrial Accident Boards and Commissions (IAIABC). A sample of the FROI, which consists of the 148 and companion R21 records, and a sample of the SROI, which consists of the A49 and companion R22 records, are located in Section 2, "Technical Documentation" of the "IAIABC EDI Implementation Guide for Claims: First, Subsequent, Header, Trailer & Acknowledgement Detail

Records, Release 3, June 1, 2006 Edition” and “Supplement”, incorporated herein by reference, and hereafter referred to as the IAIABC Claims EDI Release 3 Implementation Guide. A copy of this guide may be obtained from the IAIABC at its website, <http://www.iaabc.org/edi/implementation.htm>.

1. The claim administrator shall send the FROI (148/R21), SROI (A49/R22), and combination FROI and SROI records with the Maintenance Type Code (MTC) or MTC combinations specified in Rules 69L-56.301, 69L-56.3012, 69L-56.3013, 69L-56.304, 69L-56.3045 and 69L-56.307, F.A.C., to represent the Claims EDI Filing being sent to the Division (Example: FROI MTC 04 = Total Denial of an Electronic First Report of Injury or Illness; SROI AN = Electronic Periodic Annual Claim Cost Report; FROI 00 with SROI IP = Electronic First Report of Injury or Illness where the Initial Payment was made by claim administrator.)

(e) In conjunction with the technical documentation and processing rules contained in the IAIABC Claims EDI Release 3 Implementation Guide, the claim administrator shall also comply with the below information documented in the Claims EDI Trading Partner Filing Specifications contained in the FL Claims EDI Implementation Manual:

1. “FL Claims EDI R3 Event Table” (Identifies the FROI MTC and SROI MTC and FROI/SROI MTC combinations required to be sent for an electronic form equivalent required by this rule and the associated filing time periods by which the FROI and SROI MTC’s must be filed with the Division in order to be considered timely;

2. “FL Claims EDI R3 Element Requirement Table” (Specifies the data elements required to be sent for each MTC); and

3. “FL Claims EDI R3 Edit Matrix” (Identifies Division editing that will be applied to data elements and transactions, including transaction sequencing and duplicate processing rules).

(f) Claims EDI filings that comply with data element reporting requirements and pass edits specified in the “FL Claims EDI R3 Element Requirement Table” and the “FL Claims EDI R3 Edit Matrix” shall be accepted and acknowledged by the Division with Application Acknowledgement Code “TA” (Transaction Accepted). Claims EDI filings that receive an Application Acknowledgement Code of “TA” shall be assigned a “Received by Division Date” for purposes of determining whether an EDI filing was timely filed with the Division in accordance with the timeframes identified in the “FL Claims EDI R3 Event Table” and as required in Rules 69L-56.301, 69L-56.3012, 69L-56.3013, 69L-56.304, 69L-56.3045, and 69L-56.307, F.A.C. The date assigned as the “Received by Division Date” is the date the transmission containing the accepted Claims EDI filing was sent to and received by the Division based on the technical transmission requirements in Rule 69L-56.310(4), F.A.C. An electronic First Report of Injury or Illness that is assigned an

Application Acknowledgement Code of “TA” shall also be assigned a “Jurisdiction Claim Number” by the Division which shall be reported by the claim administrator on every subsequent Claims EDI filing. Electronic transactions that do not satisfy data element requirements and edits specified in the “FL Claims EDI R3 Element Requirement Table” and the “FL Claims EDI R3 Edit Matrix” shall be rejected and acknowledged by the Division with Application Acknowledgement Code “TR” (Transaction Rejected). The claim administrator shall correct the error(s) identified in the acknowledgement returned by the Division and re-send the Claims EDI filing to the Division as appropriate (a transaction receiving fatal error # 0002-057 because it was an extra MTC in the transmission or already on file with the Division is not expected to be re-filed with the Division.).

(g) The claim administrator shall receive and process each acknowledgement transaction (AKC) returned by the Division. The Division will also send, when applicable, a re-acknowledgment transaction (ACR) to identify a Claims EDI filing(s) previously acknowledged with Application Acknowledgement Code “TR” but subsequently re-processed by the Division due to incorrect prior processing, and re-assigned an Application Acknowledgement Code of “TA”. The claim administrator shall have the option of processing re-acknowledgment transactions sent by the Division.

(h) Claims EDI filings acknowledged with Application Acknowledgement Code “TA” (Transaction Accepted) that invoke one or more non-fatal edits depicted with an “FL” in the “DN-Error Message Table” contained in the FL Claims EDI R3 Edits Matrix of the FL Claims EDI R3 Implementation Manual, shall result in an error message that will be communicated by the Division to the claim administrator in a proprietary report, separate from the acknowledgement transaction (AKC). Non-fatal error listings shall be provided by the Division to the claim administrator by email or in a password-protected report posted to the Division’s website. The claim administrator shall respond to all inquiries and reports issued by the Division concerning non-fatal errors and other written or electronic requests for information, within 14 days after the claim administrator’s receipt of the request from the Division.

(i) Paper copies of Forms DFS-F2-DWC-1, DFS-F2-DWC-4 and DFS-F2-DWC-12 shall continue to be provided by the claim administrator to the employee, employer and other parties as required by Rule Chapter 69L-3, F.A.C., and as specified in Rules 69L-56.301, 69L-56.3012, 69L-56.304, and 69L-56.3045, F.A.C., and the “FL Claims EDI R3 Event Table” - “Paper Form” and “Receiver” columns.

1. If the employer notifies the claim administrator of the injury via telephone or electronic data interchange, the claims administrator shall produce and send to the employer and employee within 3 business days of the claims administrator’s knowledge of the injury, either Form DFS-F2-DWC-1 or Form

IA-1, adopted in Rule Chapter 69L-3, F.A.C. The Division will not accept Form IA-1 in place of an Electronic First Report of Injury or Illness or Form DFS-F2-DWC-1 adopted in Rule Chapter 69L-3, F.A.C.

(j) The claim administrator shall produce and mail to the injured worker and employer the informational brochures required in Rules 69L-3.0035, F.A.C., and 69L-3.0036, F.A.C.

(k) Claim administrators who, directly or through its third party vendor, experience a catastrophic event resulting in the insurer's failure to meet the filing requirements of this rule, shall submit a written or electronic request to the Division for approval to submit required electronic form equivalents in an alternative filing timeline. The request shall be sent to the Division within 15 business days after the catastrophic event. The request shall contain a detailed explanation of the nature of the event, date of occurrence, and measures being taken to resume electronic submission. The claim administrator shall also provide an estimated date by which electronic submission of affected EDI filings will be resumed. Approval to submit in an alternative filing timeline shall be granted by the Division if a catastrophic event prevents electronic submission. The approval must be obtained from the Division's Office of Data Quality and Collection, 200 E. Gaines Street, Tallahassee, Florida 32399-4226, or via email at claims.edi@fldfs.com. If approved, the electronic form equivalents that were due to be filed during the time the claim administrator was unable to file due to a catastrophic event, shall be filed with Late Reason Code "LB" (Late Notification due to a Natural Disaster) or "LC" (Late Notification due to an Act of Terrorism).

(l) Non-compliance with the electronic reporting requirements in this section shall result in referral to the Division's Bureau of Monitoring and Audit.

(2) Trading Partner Profile Documents:

(a) At least two business days prior to sending its first test transmission to the Division, the claim administrator shall send to the Division in an email addressed to claims.edi@fldfs.com, the claim administrator's current profile information using the following forms adopted in Rule 69L-56.001, F.A.C.:

1. "EDI Trading Partner Profile", DFS-F5-DWC-EDI-1 (10/01/2006), and
2. "EDI Trading Partner Insurer/Claim Administrator ID List", DFS-F5-DWC-EDI-2 (10/01/2006), and
3. "EDI Trading Partner Claim Administrator Address List", DFS-F5-DWC-EDI-2A (10/01/2006), and
4. "EDI Transmission Profile – Sender's Specifications, DFS-F5-DWC-EDI-3 (10/01/2006).

Claim administrators currently filing Electronic First Reports of Injury or Illness or Electronic Claim Cost Reports on a voluntary basis using the IAABC Release 1 standard formats shall re-file their profile information with the Division using the forms in subparagraphs (2)(a)1.-3. above, even if the claim administrator's profile information has not changed since previously reported to the Division.

(b) The insurer or its claim administrator shall report changes to its profile information required on the forms listed in subparagraphs (2)(a)1.-3. above, at least two (2) business days prior to sending transactions containing revised profile-related information to the Division. The insurer or its claim administrator shall report revisions to its profile information by emailing to the Division at claims.edi@fldfs.com, a revised "EDI Trading Partner Profile", DFS-F5-DWC-EDI-1 (10/02/2006), and if applicable, a revised "EDI Trading Partner Insurer/Claim Administrator ID List", DFS-F5-DWC-EDI-2 (10/01/2006), and if applicable, a revised "EDI Trading Partner Claim Administrator Address List", DFS-F5-DWC-EDI-2A (10/01/2006), and if applicable, a revised "EDI Transmission Profile – Sender's Specifications", DFS-F5-DWC-EDI-3 (10/01/2006). Failure by the insurer or its claim administrator to report changes to trading partner profile information using the forms adopted in this rule, including changes to the Submitter ID (i.e., Trading Partner FEIN/Postal Code on the Header Record), may result in the rejection of an entire transmission or individual transaction(s) containing profile information different from that reported on the insurer's or claim administrator's profile documents previously filed with the Division.

(c) If the insurer or its claim administrator contracts with a new third party vendor, the insurer or its claim administrator shall, at least two (2) business days prior to the effective date of the change in vendors, send an email to the Division at claims.edi@fldfs.com to report the name of the new vendor and effective date on which Claims EDI transactions will be sent via the new vendor.

(3) Claims EDI Implementation Schedules:

(a) Primary Implementation Schedule: The insurer shall comply with the following implementation schedule for reporting Electronic First Reports of Injury or Illness specified in Rule 69L-56.301, F.A.C., Electronic Notices of Denial specified in Rule 69L-56.3012, F.A.C., Electronic Periodic Claim Cost Reports specified in Rule 69L-56.3013, F.A.C., Electronic Notices of Actions or Changes, including changes in claims administration specified in Rule 69L-56.304, F.A.C., and Electronic Cancellations Specified in Rule 69L-56.307, F.A.C. The insurer's Primary Implementation Schedule shall consist of three "test to production" periods as described in subparagraphs (3)(b)1.-3., of this subsection. Each insurer shall be assigned to either the first, second, or third "test to production" period based on the insurer's Division-assigned Insurer Code #. If there are multiple or subsidiary insurer entities within an insurer's corporate structure or organization, the insurer's "test to production" period in the Primary Implementation Schedule will be based on the lowest numeric value assigned to any of the insurer's subsidiary companies. Insurers that write large deductible policies for insureds adjusting their own claims are responsible for ensuring those

insureds meet the insurer's required "test to production" timelines and implementation schedules, even if the insured is not using the insurer's computer system to file its Claims EDI Filings with the Division. Claim administrators voluntarily submitting Claims EDI Filings in production status using the IAIABC Release 1 national standard shall convert to Release 3 and be in production status by the same date as that required for the first group of insurers specified in subparagraph (3)(a)1. below, regardless of Insurer Code #. Each "test to production period" shall consist of three calendar months. The insurer's compliance date for the Primary Implementation Schedule shall be the last day of the third month of the insurer's assigned "test to production" period.

1. The first "test to production" period shall commence 9 months after the effective date of the rule (xx/xx/2007) and shall include insurers with Division-assigned Insurer Code #'s 102 through # 600. The compliance date for the Insurer's Primary Implementation Schedule shall be (xx/xx/2007).

2. The second "test to production" period shall commence 12 months after the effective date of the rule (xx/xx/2007), and shall include insurers with Division-assigned Insurer Code #'s 601 through 1122, and future Insurer Code #'s 1123 through 4999. The compliance date for the insurer's Primary Implementation Schedule shall be (xx/xx/2007).

3. The third "test to production" period shall commence 15 months after the effective date of the rule (xx/xx/2008) and shall include insurers with Division-assigned Insurer Code #'s 8000 through #9999. The compliance date for the insurer's Primary Implementation Schedule shall be (xx/xx/2008).

(b) Secondary Implementation Schedule: The insurer shall comply with the Secondary Implementation Schedule for reporting the additional Electronic Notices of Action or Change, Suspensions, and Reinstatements of indemnity benefits specified in Rule 69L-56.3045, F.A.C., as follows:

No later than 9 months after the compliance date established in the insurer's Primary Implementation Schedule, the insurer shall commence testing its Electronic Notice of Action or Change, Suspension, and Reinstatement of Indemnity benefits required in Rule 69L-56.3045, F.A.C. The insurer shall be in production status within three months after the commencement of testing, i.e., within one year after the compliance date established in the insurer's Primary Implementation Schedule.

(c) Beginning July 1, 2007, a claim administrator may voluntarily commence testing any electronic form equivalent/MTC with the Division using the IAIABC EDI Release 3 standard for Claims.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History—New _____.

69L-56.301 Electronic First Report of Injury or Illness.

On or before the compliance date established in the insurer's Primary Implementation Schedule set forth in paragraph 69L-56.301(3)(a), F.A.C., the insurer shall file the electronic

form equivalent for claims information otherwise reported on Form DFS-F2-DWC-1, as adopted in Rule Chapter 69L-3, F.A.C. Pursuant to subsection 440.593(1), F.S., the Division may establish different deadlines for filing required reports electronically than are otherwise required when reporting information by other means. Accordingly, notwithstanding the deadlines for filing the injury report by other means as set forth in subsection 440.185(2), F.S., the claim administrator shall send to the Division the electronic form equivalent of the First Report of Injury or Illness for the following cases, and by the following filing time periods:

(1) Initial Payment for "Lost Time Case" or "Medical Only to Lost Time Case".

(FROI MTC 00 with SROI MTC IP, EP, CD, or VE):

(a) Where the initial payment of indemnity benefits, excluding Temporary Partial benefits, Impairment Income benefits, and Lump Sum Payment/Settlement, is made by the claim administrator, or where the employer is paying salary in lieu of compensation, or for a compensable death with no known dependents, or a compensable volunteer:

1. If disability is immediate and continuous for 8 or more calendar days after the workers' compensation injury, an Electronic First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 21 days after the claim administrator's knowledge of the injury.

2. If the first 7 days of disability are nonconsecutive or delayed, an Electronic First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 13 days after the claim administrator's knowledge of the employee's 8th day of disability ("Initial Date of Lost Time").

3. The Electronic First Report of Injury or Illness shall be represented by sending the FROI and SROI records as follows:

a. Initial Payment by Claim Administrator: FROI MTC 00 (Original) with SROI MTC IP (Initial Payment);

b. Employer Paid Salary in Lieu of Compensation: FROI MTC 00 (Original) with SROI MTC EP (Employer Paid);

c. Compensable Death, No Dependents/Payees: FROI MTC 00 (Original) with SROI MTC CD (Compensable Death);

d. Compensable Volunteer: FROI with MTC 00 (Original) with SROI MTC VE (Volunteer);

(b) If the initial payment of indemnity benefits is for Temporary Partial benefits, Impairment Income benefits, or results from a Lump Sum Payment/Settlement, an Electronic First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division and is assigned an Application Acknowledgement Code of "TA"

(Transaction Accepted) on or before 14 days after the date the initial payment of benefits was mailed to the employee or to the employee's legal representative.

1. The Electronic First Report of Injury or Illness shall be represented by sending the FROI and SROI records as follows:

a. Initial Payment of Temporary Partial Benefits (TP): FROI MTC 00 (Original) with SROI MTC IP (Initial Payment) and Benefit Type Code "070 (Temporary Partial);

b. Initial Payment of Impairment Income Benefits (IB): FROI MTC 00 (Original) with SROI MTC IP (Initial Payment) and Benefit Type Code "030" (Permanent Partial Scheduled);

c. Initial Payment of Lump Sum Payment/Settlement: FROI MTC 00 (Original) with SROI MTC PY (Payment Report) and Benefit Type Code "5xx" (specific benefit(s) covered by the lump sum payment/settlement).

(2) "Denied Case":

(FROI MTC 04, SROI MTC PD.

(a) Full/Total Denial – If a case is denied in its entirety (i.e., both medical and indemnity benefits are denied), an Electronic First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 21 days after the claim administrator's knowledge of the injury.

1. The Electronic First Report of Injury or Illness reporting a "Full/Total Denial" shall be represented by sending FROI MTC 04 (Denial).

2. The electronic form equivalent of DFS-F2-DWC-12 adopted in Rule Chapter 69L-3, F.A.C., required in Rule 69L-56.3012, F.A.C., to be filed with the Division to explain the reason(s) for the denial, shall be accomplished by reporting the applicable Denial Reason Code(s) on the same FROI MTC 04 (Denial).

(b) Partial/Indemnity Only Denial – If a case is accepted as compensable but only indemnity benefits are denied, an Electronic First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 13 days after the Date Claim Administrator Had Knowledge of Lost Time (i.e., the date the claim administrator had knowledge of the employee's claimed 8th day of disability). The claim administrator shall report Claim Type as "L", and the Initial Date of Lost Time (employee's 8th day of claimed disability).

1. The Electronic First Report of Injury or Illness reporting a Partial (Indemnity Only) Denial shall be represented by sending FROI MTC 00 (Original) with SROI MTC PD (Partial Denial).

2. The electronic form equivalent of the DFS-F2-DWC-12 adopted in Rule Chapter 69L-3, F.A.C., required in Rule 69L-56.3012, F.A.C., to be filed with the Division to explain

the reason(s) for the denial, shall be accomplished by reporting the applicable Partial Denial Code and Denial Reason Narrative on the same SROI MTC PD (Partial Denial).

(c) Medical Only Case that becomes Partial/Indemnity Only Denial – If a case is initially determined by the claim administrator to be a compensable Medical Only Case and indemnity benefits are claimed subsequent to the initial disposition of the case by the claim administrator, an Electronic First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 13 days after the Date Claim Administrator Had Knowledge of Lost Time (i.e., the date the claim administrator had knowledge of the employee's claimed 8th day of disability). The claim administrator shall report Claim Type as "L", and the Initial Date of Lost Time (employee's 8th day of claimed disability).

1. The Electronic First Report of Injury or Illness to report the denial of indemnity benefits in whole or in part but not medical benefits, where indemnity benefits were subsequently claimed on a case initially determined to be a Medical Only Case, shall be represented by sending a FROI MTC 00 (Original) with SROI MTC PD (Partial Denial).

2. The electronic form equivalent of Form DFS-F2-DWC-12 adopted in Rule Chapter 69L-3, F.A.C., required in Rule 69L-56.3012, F.A.C., to be filed with the Division to explain the reason(s) for the denial, shall be accomplished by reporting the applicable Partial Denial Code and the Denial Reason Narrative on the same SROI PD (Partial Denial).

(d) Medical Only Case that becomes a Total Denial – If a case is initially determined by the claim administrator to be a compensable Medical Only Case and indemnity benefits are claimed subsequent to the initial disposition of the case which will now be denied in its entirety, an Electronic First Report of Injury or Illness will be considered timely filed with the Division when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 14 days after the Initial Date Disability Began. The claim administrator shall report the Claim Type as "L" (Became Lost Time), and report the Initial Date Disability Began as the first date on which the claimant alleges to have been disabled.

1. The Electronic First Report of Injury or Illness to report the denial of both indemnity and medical benefits on a case initially determined to be a Medical Only case, shall be represented by sending a FROI MTC 04 (Total Denial).

2. The electronic form equivalent of Form DFS-F2-DWC-12 adopted in Rule Chapter 69L-3, F.A.C., required in Rule 69L-56.3012, F.A.C., to be filed with the Division to explain the reason(s) for the denial, shall be accomplished by reporting the applicable Full Denial Reason Code(s) on the same FROI MTC 04 (Total Denial).

(3) Initial Payment on an Acquired Claim:

(FROI MTC AU, SROI MTC AP, PY, EP, CD, VE, or PD)

(a) If the claim administrator acquires a claim from a previous claim administrator and a First Report of Injury or Illness (paper or electronic form equivalent) is not on file with the Division, or the case became a "Lost Time/Indemnity Case" after the new claim administrator acquired the case, the Electronic First Report of Injury or Illness filed by the acquiring claim administrator to report its initial payment or lump sum payment or settlement of indemnity benefits will be considered timely filed when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 14 days after the initial payment of indemnity benefits was mailed by the acquiring claim administrator. If the former claim administrator did not file a First Report of Injury or Illness with the Division in accordance with this rule or Rule Chapter 69L-3, F.A.C., the insurer shall ensure the acquiring claim administrator files an Electronic First Report of Injury or Illness in accordance with this section of the rule.

1. The Electronic First Report of Injury or Illness reporting initial payment by the acquiring claim administrator shall be represented by sending FROI MTC "AU" (Acquired/Unallocated) with SROI MTC "AP" (Acquired/Payment).

2. The Electronic First Report of Injury or Illness reporting a lump sum payment or settlement of indemnity benefits shall be represented by sending FROI MTC AU (Acquired/Unallocated) with SROI MTC "PY" (Payment Report).

(b) If the claim administrator acquires a claim from a previous claim administrator and a First Report of Injury or Illness (paper or electronic form equivalent) is not on file with the Division, or the case became a "Lost Time/Indemnity Case" after the new claim administrator acquired the case, the Electronic First Report of Injury or Illness filed by the acquiring claim administrator to report acceptance of compensability but where the claim administrator will not be issuing payment of indemnity benefits will be considered timely filed when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 13 days after the Date Claim Administrator Had Knowledge of Lost Time (i.e., the date the claim administrator had knowledge of the employee's 8th day of disability or alleged 8th day of disability). The claim administrator shall report Claim Type "L", and the Initial Date of Lost Time (employee's 8th day of disability or alleged 8th day of disability).

1. The Electronic First Report of Injury or Illness reporting initial payment by the employer on an acquired claim shall be represented by sending FROI MTC AU (Acquired/Unallocated) with SROI MTC EP (Employer Paid).

2. The Electronic First Report of Injury or Illness reporting a Compensable Death, No Dependents/Payees on an acquired claim shall be represented by sending FROI MTC 00 (Acquired/Unallocated) with SROI MTC CD (Compensable Death, No Dependents/Payees).

3. The Electronic First Report of Injury or Illness reporting a compensable Volunteer on an acquired claim shall be represented by sending FROI MTC AU (Acquired/Unallocated) with SROI MTC VE (Compensable Volunteer).

4. The Electronic First Report of Injury or Illness reporting a Partial/Indemnity Only Denial on an acquired claim shall be represented by sending FROI MTC AU (Acquired/Unallocated) with SROI MTC PD (Partial Denial).

(4) Total Denial of an Acquired Claim: If the claim administrator acquires a claim from a previous claim administrator and a First Report of Injury or Illness (paper or electronic form equivalent) is not on file with the Division, or the case became a "Lost Time/Indemnity Case" after the new claim administrator acquired the case, the Electronic First Report of Injury or Illness filed by the acquiring claim administrator to report the total denial of both indemnity and medical benefits will be considered timely filed when it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 21 days after the Date Claim Administrator Had Knowledge of Lost Time (i.e., the date the acquiring claim administrator had knowledge of the employee's 8th day of disability or alleged 8th day of disability). The claim administrator shall report Claim Type "L", and the Initial Date of Lost Time (employee's 8th day of disability or alleged 8th day of disability).

(5) Any insurer failing to timely file the Electronic First Report of Injury or Illness required under this section is subject to administrative penalties assessable by the Division according to the provisions of Rule Chapter 69L-24, F.A.C., and as allowed for in Section 440.185(9), F.S. If the initial payment is not timely issued in accordance with the time period prescribed in Section 440.20, F.S., or the Electronic First Report of Injury or Illness is not timely filed with the Division in accordance with this section, the claim administrator shall report the appropriate Late Reason Code(s) when sending the Electronic First Report of Injury or Illness. If the initial payment and Electronic First Report of Injury or Illness were originally reported to another jurisdiction and the claim was subsequently transferred to Florida, the claim administrator shall include Late Reason Code "L4" (late notification, jurisdiction transfer) on the Electronic First Report of Injury or Illness that is being re-filed in Florida.

(5) An Electronic First Report of Injury or Illness for a "Medical Only Case" shall not be sent to the Division unless the claim administrator has received a written or electronic request from the Division.

(6) When both FROI and SROI transactions are sent to report the Electronic First Report of Injury or Illness, the claim administrator shall ensure the values sent on the FROI and SROI records for data elements identified in the “FROI to SROI” column of the Match Data Table contained in the FL Claims EDI R3 Edit Matrix are the same value, or the EDI filing will be rejected.

(7) A paper or Electronic First Report of Injury or Illness must have been received and accepted by the Division before any subsequent electronic filings will be accepted.

(8) Only 2002 NAICS Codes shall be reported for the Industry Code and must be a sent as a minimum of 5 digits. If the insured is a Professional Employment Organization (PEO), the Industry/NAICS Code should represent the nature of the client’s/employer’s business.

(9) If the employee does not have a Social Security Number, the claim administrator shall contact the Division by following the instructions provided on the Division’s website: www.fldfs.com/WC/organization/odqc.html (under Records Management – Division-Assigned Numbers) and obtain a Division-assigned number until the employee’s actual Social Security Number is obtained. Upon receipt of the employee’s Social Security Number, the claim administrator shall file MTC 02 (Change) and provide the employee, employer and other party(s) to the claim with Form DFS-F2-DWC-4, pursuant to Rule 69L-3.025, F.A.C.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History–New _____.

69L-56.3012 Electronic Notice of Denial.
(FROI/SROI MTC 04, SROI MTC PD).

On or before the compliance date established in the insurer’s Primary Implementation Schedule set forth in paragraph 69L-56.301(3)(a), F.A.C., the insurer shall file the electronic form equivalent for the denial information otherwise reported on Form DFS-F2-DWC-12, adopted in Rule Chapter 69L-3, F.A.C. The claim administrator shall send to the Division an Electronic Notice of Denial to report the reason for the denial of indemnity benefits for the following types of denial notices, and by the following time periods:

(1) Electronic Notice of Denial – Full (Both Indemnity and Medical Benefits Denied):

(a) If the entire compensability of the claim is initially denied and both indemnity and medical benefits will not be paid by the claim administrator, the claim administrator shall file the Electronic Notice of Denial by reporting the applicable Full Denial Reason Code(s) and Full Denial Effective Date on the same FROI MTC 04 (Denial) the claim administrator sends to the Division to report the Electronic First Report of Injury or Illness, in accordance with filing time periods in subsection 69L-56.301(2), F.A.C. The Denial Reason Narrative may also be sent on the FROI MTC 04 (Denial) to supplement the Full Denial Reason Code(s), if necessary.

(b) If the claim administrator initially accepts compensability but subsequently denies liability for the entire claim after having previously paid indemnity benefits, the claim administrator shall file the Electronic Notice of Denial by sending a SROI MTC 04 (Denial). The Electronic Notice of Denial will be considered timely filed with the Division if it is received by the Division and is assigned an Application Acknowledgement Code of “TA” (Transaction Accepted) on or before 14 days after the date the claim administrator decided to deny benefits. The claim administrator shall report the applicable Full Denial Reason Code(s) and Full Denial Effective Date on the SROI MTC 04 (Denial). The Full Denial Reason Narrative may also be sent on the SROI MTC 04 (Denial) to supplement the Denial Reason Code(s), if necessary.

(2) Electronic Notice of Denial – Partial (Indemnity Only Benefits Denied):

(a) If all indemnity benefits are initially denied but some or all medical benefits will be provided, the claim administrator shall file the Electronic Notice of Denial by reporting Partial Denial Code “A” (Denying Indemnity in whole, but not Medical) on the same SROI MTC PD (Partial Denial) the claim administrator sends with FROI MTC 00 (Original) to report the Electronic First Report of Injury or Illness in accordance with the filing time periods in subsection 69L-56.301(2), F.A.C. Partial Denial Code “A” is defined in the Data Dictionary, Section 6, of the IAIABC Claims EDI Release 3 Implementation Guide. The claim administrator shall also report the “Denial Reason Narrative” on the SROI PD to explain the reason for the denial of indemnity benefits.

(b) If payment of a specific indemnity benefit(s) is denied in whole or part subsequent to the claim administrator’s initial disposition of the claim and the Electronic First Report of Injury or Illness has already been filed with the Division, the claim administrator shall file the Electronic Notice of Denial by sending a SROI MTC PD (Partial Denial). The Electronic Notice of Denial will be considered timely filed with the Division if it is received by the Division and is assigned an Application Acknowledgement Code of “TA” (Transaction Accepted) on or before 14 days after the date the claim administrator decided to deny benefits. The claim administrator shall report the applicable Partial Denial Code as defined in the Data Dictionary, Section 6, of the IAIABC Claims EDI Release 3 Implementation Guide as follows: “B” (Denying Indemnity in part, but not Medical), “E” (Denying Indemnity in whole and Medical in part), or “G” (Denying both Indemnity and Medical in part). The claim administrator shall also report the “Denial Reason Narrative” on the SROI PD to explain the reason for the denial of indemnity benefits.

(3) Electronic Notice of Denial – Medical Only Case that becomes a Partial/Indemnity Only Denial or a Total Denial.

(a) For a case initially determined to be a compensable Medical Only Case where indemnity benefits are claimed subsequent to the claim administrator's initial disposition of the claim and subsequently denied in whole or part but not medical, i.e., Partial/Indemnity Only Denial, the claim administrator shall file an Electronic Notice of Denial with the Division by reporting the applicable Partial Denial Reason Code(s) on the same SROI MTC PD (Partial Denial) the claim administrator sends with the FROI MTC 00 (Original) to report the Electronic First Report of Injury or Illness, in accordance with the filing time periods in subsection 69L-56.301(2), F.A.C.

(b) For a case initially determined to be a compensable Medical Only Case where indemnity benefits are claimed subsequent to the claim administrator's initial disposition of the claim and both indemnity and medical benefits are denied, i.e., Full/Total Denial, the claim administrator shall file an Electronic Notice of Denial with the Division by reporting the applicable Full Denial Reason Code(s) on the same FROI MTC 04 (Total Denial) sent to report the Electronic First Report of Injury or Illness, in accordance with the filing time periods in subsection 69L-56.301(2), F.A.C.

(4) In addition to filing the Electronic Notice of Denial with the Division, the claim administrator shall produce and mail a paper copy of the Notice of Denial, Form DFS-F2-DWC-12 adopted in Rule Chapter 69L-3, F.A.C., to the employer, employee, and any additional party requesting payment or authorization, in accordance with the filing time period set out for Form DFS-F2-DWC-12 in Rule 69L-3.012, F.A.C.

(5) If the claim administrator is invoking the "120 day rule" allowed in Section 440.192(8), F.S., when initiating payment without prejudice to its right to subsequently deny benefits, it may send the Agreement to Compensate Code "W" (Without Liability) on the same SROI IP (Initial Payment) being sent to report the Electronic First Report of Injury or Illness.

(6) The claim administrator shall not file an Electronic Notice of Denial with the Division if it is denying payment of a medical benefit only. The claim administrator shall provide Form DFS-F2-DWC-12, Notice of Denial, adopted in Chapter 69L-3, F.A.C., to the employer, employee and other parties to the claim requesting payment of medical benefits.

(7) Electronic Notice of Rescinded Denial—

(a) Rescission of Full Denial. If the claim administrator denied the claim in its entirety, either initially by sending an Electronic First Report of Injury or Illness FROI MTC 04 (Denial) or subsequent to its initial disposition by sending an Electronic Notice of Denial SROI MTC 04 (Denial), or if the claim administrator acquired a denied claim for which a First Report of Injury or Illness is already on file with the Division, but subsequently accepts compensability of the claim, the claim administrator shall file an Electronic Notice of

Rescinded Denial with the Division to report the change in disposition. The Electronic Notice of Rescinded Denial will be considered timely filed if it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before the 14 days after the date the denial was rescinded. The claim administrator shall also notify the employee and employer about the decision to rescind the full denial by sending to the employee and employer, Form DFS-FD2-DWC-12, Notice of Denial, pursuant to Chapter 69L-3, F.A.C., or an explanatory letter.

1. The Electronic Notice of Rescinded Denial reporting payment of indemnity benefits shall be represented by sending SROI MTC AP (Acquired/Payment) for an acquired claim, or SROI MTC IP (Initial Payment). The Electronic Notice of Rescinded Denial reporting a lump sum payment/settlement of indemnity benefits shall be represented by sending SROI MTC PY (Payment Report). The Electronic Notice of Rescinded Denial reporting reinstatement of indemnity benefits following denial shall be represented by sending SROI MTC RB. The Electronic Notice of Rescinded Denial shall report on the SROI MTC AP, IP or PY, or RB, the "Full Denial Rescission Date", the date the payment of indemnity benefits was mailed, and the type of indemnity benefits paid.

2. The Electronic Notice of Rescinded Denial reporting acceptance of a compensable death case where there are no known dependants shall be represented by sending SROI MTC CD (Compensable Death, No Dependents/Payees). The Electronic Notice of Rescinded Denial shall report on the SROI MTC CD, the "Full Denial Rescission Date".

3. The Electronic Notice of Rescinded Denial reporting acceptance of a compensable volunteer shall be represented by sending SROI MTC VE (Volunteer). The Electronic Notice of Rescinded Denial shall report on the SROI MTC VE, the "Full Denial Rescission Date".

(b) Rescission of Partial/Indemnity Only Denial. If the claim administrator initially denied payment of indemnity benefits only and filed an Electronic First Report of Injury or Illness FROI 00 (Original) and SROI MTC PD (Partial Denial) with the Division, or the claim administrator acquired a Partial Denial claim for which a First Report of Injury or Illness is already on file with the Division, and the claim administrator subsequently pays indemnity benefits, the claim administrator shall file an Electronic Notice of Rescinded Denial with the Division to report a change in disposition. The Electronic Notice of Rescinded Denial will be considered timely if filed if it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before the 14 days after the date the denial was rescinded. The claim administrator shall also notify the employee and employer about the decision to rescind the partial/indemnity only denial by sending to the employee and employer, Form DFS-F2-DWC-12, Notice of Denial, pursuant to Chapter 69L-3, F.A.C., or explanatory letter.

1. The Electronic Notice of Rescinded Denial reporting payment of indemnity benefits shall be represented by sending SROI MTC AP (Acquired/Payment) for an acquired claim, or SROI MTC IP (Initial Payment). The Electronic Notice of Rescinded Denial reporting a lump sum payment/settlement of indemnity benefits shall be represented by sending SROI MTC PY (Payment Report). The Electronic Notice of Rescinded Denial shall report the "Full Denial Rescission Date", the date the initial payment of indemnity benefits was mailed, and the type of indemnity benefits paid.

2. The Electronic Notice of Rescinded Denial reporting acceptance of a compensable death case where there are no known dependants shall be represented by sending SROI MTC CD (Compensable Death, No Dependents/Payees). The Electronic Notice of Rescinded Denial shall report on the SROI MTC CD, the "Full Denial Rescission Date".

3. The Electronic Notice of Rescinded Denial reporting acceptance of a compensable volunteer shall be represented by sending SROI MTC VE (Volunteer). The Electronic Notice of Rescinded Denial shall report on the SROI MTC VE the "Full Denial Rescission Date".

(8) Any insurer failing to timely send the Electronic Notice of Denial in accordance with the filing time periods prescribed in this subsection shall be subject to administrative penalties assessable by the Division in accordance with the provisions of Rule Chapter 69L-24, F.A.C.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History--New _____.

69L-56.3013 Electronic Periodic Claim Cost Reports. (SROI MTC SA, AN, FN).

On or before the compliance date established in the insurer's Primary Implementation Schedule set forth in paragraph 69L-56.301(3)(a), F.A.C., the insurer shall file the electronic form equivalent for claim cost information otherwise reported on Form DFS-F2-DWC-13, adopted in Rule Chapter 69L-3, F.A.C.

(1) The claim administrator shall send Electronic Periodic Claim Cost Reports to the Division for the following cases and by the filing time periods in subsection (2) of this section:

(a) "Lost Time/Indemnity Case";

(b) "Medical Only to Lost Time Case;

(c) "Denied Case" for which any indemnity benefit was paid prior to or after the denial, a case where indemnity benefits were paid and not suspended as of a change in jurisdiction;

(d) A case where indemnity benefits were paid prior to the date the claim administrator learned of a change in jurisdiction and filed SROI MTC S8;

(e) A case where indemnity benefits were paid but subsequently suspended because the employee could not be located and the claim administrator filed a SROI MTC S6 (Suspension, Claimant's Whereabouts Unknown).

(2)(a) Electronic Initial (Sub-Annual) Claim Cost Report: The claim administrator shall report the Electronic Initial (Sub-Annual) Claim Cost Report by sending SROI MTC SA (Sub-Annual - a/k/a/ Initial). The Electronic Initial (Sub-Annual) Claim Cost Report will be considered timely filed with the Division if it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 30 days after the six month anniversary of the date of injury. The Electronic Initial (Sub-Annual) Claim Cost Report shall not be sent to the Division earlier than six months after the date of injury. However, if the claim administrator has closed the case prior to six months after the date of injury, the first electronic Claim Cost Report may be sent prior to six months after the date of injury if it is sent as an Electronic Final Claim Cost Report (MTC FN). If the case did not become a "Lost Time/Indemnity Case" until more than six months after the date of injury, the Electronic Initial (Sub-Annual) Claim Cost Report will be considered timely filed with the Division if it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 30 days after the first anniversary of the date of injury.

(b) Annual Claim Cost Report: The claim administrator shall report the Electronic Annual Claim Cost Report by sending SROI MTC AN (Annual). The Electronic Annual Claim Cost Report will be considered timely filed with the Division if it is received by the Division and is assigned an Application Acknowledgment Code of "TA" (Transaction Accepted) on or before 30 days after each anniversary of the date of injury for all open cases. The first Electronic Annual (MTC AN) Claim Cost Report shall not be sent to the Division earlier than 12 months after the date of injury.

(c) Final Claim Cost Report: The claim administrator shall report the Electronic Final Claim Cost Report by sending SROI MTC FN (Final). The Electronic Final Claim Cost Report will be considered timely filed with the Division if it is received by the Division and is assigned an Application Acknowledgement Code of "TA" (Transaction Accepted) on or before 30 days after the anniversary of the date of injury. The Electronic Final Claim Cost Report may be sent prior to the anniversary of the date of injury if the claim administrator closes the case and will not be paying any further medical or indemnity benefits. If the claim administrator issues payment of any benefit in any amount or changes the amount of any benefit since the filing of the previous Final Claim Cost Report, the claim administrator shall send an Electronic Final Claim Cost Report on or before 30 days after the anniversary of the date of injury to summarize benefits paid since the last Final Claim Cost Report filed with the Division. If the claim administrator is re-opening the claim to pay on-going medical or indemnity benefits, the Electronic Periodic Claim Cost Report should be sent as an Electronic Annual Claim Cost Report on or before 30 days after the anniversary of the date of injury.

(3) Any insurer failing to timely send an Electronic Periodic Claim Cost Report in accordance with the filing time periods prescribed in this subsection shall be subject to administrative penalties assessable by the Division in accordance with the provisions of Rule Chapter 69L-24, F.A.C.

(4)(a) In the event claims are acquired from another claim administrator, the insurer shall ensure that its former claim administrator provides the acquiring claim administrator with the total amounts paid for indemnity and medical benefits paid prior to the acquisition of the claim by the new claim administrator. Notwithstanding provision of specific claim costs amounts paid by the former claim administrator(s) for each indemnity and medical benefit type, the acquiring claim administrator shall report on the next required Electronic Periodic Claim Cost Report, cumulative totals for all indemnity benefits and cumulative totals for all medical monies paid by the former claim administrator(s) on a transferred case as follows: Cumulative totals for indemnity costs paid by the former claim administrator(s) shall be reported under Other Benefit Type Code 430 (Total Unallocated Prior Indemnity Benefits); cumulative totals for medical costs paid by the former claim administrator(s) shall be reported under Other Benefit Type Code 440 (Total Unallocated Prior Medical). The acquiring claim administrator shall report any specific costs for each indemnity and medical benefit type paid by the acquiring claim administrator in addition to the unallocated indemnity and medical amounts paid by the former claim administrator(s).

(b) The acquiring claim administrator shall file FROI MTC AQ (Acquired Claim) or FROI MTC AU (Acquired/Unallocated) prior to sending any Electronic Periodic Claim Cost Reports.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History—New _____.

69L-56.304 Electronic Notice of Action or Change, Including Change in Claims Administration, Required by the Insurer's Primary Implementation Schedule. (FROI/SROI MTC 02, FROI MTC AQ, AU, SROI IP, PY, EP)

(1) Electronic Notice of Action or Change (MTC 02). On or before the compliance date established in the insurer's Primary Implementation Schedule set forth in paragraph 69L-56.301(3)(a), F.A.C., the insurer shall file an Electronic Notice of Action or Change for reporting changes to the information specified in paragraphs (1)(a) and (b) of this section. The claim administrator shall file the FROI or SROI MTC 02 (Change) on or before 14 days after the claim administrator has knowledge of the new or changed information. If there is a change in Insurer FEIN, or Claims Administrator FEIN, Claim Administrator Postal Code, and Claim Administrator Claim Number due to the acquisition of a claim, the claim administrator shall file MTC AQ or AU pursuant to subsection (2) of this section.

(a) The claim administrator shall file a FROI or SROI MTC 02 (Change) as noted below, and provide Form DFS-F2-DWC-4 to the employee, employer and other party(s) to the claim pursuant to Rule Chapter 69L-3, F.A.C., if any of the following data elements are changed or reported for the first time:

1. Insurer FEIN not due to change in claims administration (FROI or SROI MTC 02);
2. Claim Administrator FEIN not due to change in claims administration (FROI or SROI MTC 02);
3. Claim Administrator Postal Code not due to change in claims administration (FROI or SROI MTC 02);
4. Claim Administrator Alternate Postal Code not due to change in claims administration (SROI MTC 02);
5. Claim Administrator Claim Number (FROI or SROI MTC 02);
6. Industry Code (FROI MTC 02 only);
7. Manual Classification Code (FROI MTC 02 only);
8. Employee SSN (FROI or SROI MTC 02);
9. Employee ID Assigned by Jurisdiction (FROI or SROI MTC 02);
10. Employee ID Type Qualifier (FROI or SROI MTC 02);
11. Employee First/Last Name, Last Name Suffix, Middle Name/Initial (FROI or SROI MTC 02);
12. Date of Injury (FROI or SROI MTC 02);
13. Initial Date Disability Began (FROI or SROI MTC 02 – Can initially be reported on FROI MTC 02);
14. Employee Date of Death (FROI or SROI MTC 02 – Can initially be reported on FROI MTC 02);
15. Death Result of Injury Code (FROI or SROI MTC 02 – Can initially be reported on FROI MTC 02);

(b) The claim administrator shall file MTC 02 (Change) to report a change in any other data element designated with the requirement code of "Y", "Y²", "Y³", "YC" or "FY" on the FROI or SROI MTC 02 column on the FL Claims EDI R3 Element Requirement Table contained in the FL Claims EDI Implementation Manual. The provision of Form DFS-F2-DWC-4 is not required since these data elements are not contained on Form DFS-F2-DWC-4 adopted in Rule Chapter 69L-3, F.A.C.

(2) Electronic Change in Claims Administration (MTC AQ, AU). If responsibility for handling the claim has changed due to acquisition of the claim from another claim administrator, the new claim administrator shall send FROI MTC AQ (Acquired Claim) or FROI MTC AU (Acquired/Unallocated) to report the change in claims administration, on or before 21 days after the effective date of the new claim administrator's acquisition of the claim. If MTC AQ (Acquired Claim) or MTC AU (Acquired/Unallocated) rejects because a First Report of Injury or Illness was not previously filed with the Division by the former claim

administrator, the acquiring claim administrator shall file an Electronic First Report of Injury or Illness in accordance with Rule 69L-56.301, F.A.C. If the former claim administrator did not file a First Report of Injury or Illness with the Division in accordance with this rule or Rule Chapter 69L-3, F.A.C., the insurer shall ensure that the acquiring claim administrator file the Electronic First Report of Injury or Illness in accordance with Rule 69L-56.301, F.A.C. If the acquiring claim administrator is concurrently reporting its initial payment information and change in claims administration in the same filing, the due date for the SROI MTC shall take precedence over the due date for the FROI MTC AU.

(a) The acquiring claim administrator shall provide to the employee, employer, and other party to the claim, Form DFS-F2-DWC-4 adopted in Rule Chapter 69L-3, F.A.C., or an explanatory letter, on or before 21 days from the date of acquisition, to advise the parties about the change in claims administration.

(b) A batch of FROI MTC AQ (Acquired Claim) or FROI MTC AU (Acquired/Unallocated) filings to report the change in claims-handling responsibility for multiple claims shall replace the option of the claim administrator to otherwise file Form DFS-F2-DWC-49, Aggregate Claims Administration Change Report adopted in Rule Chapter 69L-3, F.A.C.

(c) The claim administrator shall file FROI MTC AQ (Acquired Claim) or FROI MTC AU (Acquired/Unallocated) prior to sending any subsequent transactions (e.g., electronic suspension notices, electronic periodic claim cost reports).

(3) Initial Payment (MTC IP) following Employer Paid benefits, Compensable Death with no known dependants/payees, or compensable Volunteer. If the claim administrator makes its initial payment following the initial payment of Employer Paid (SROI EP) benefits or the initial filing of a SROI CD (Compensable Death) or SROI VE (Volunteer), the claim administrator shall file SROI MTC IP (Initial Payment) on or before 14 days after the date the claim administrator's initial payment was mailed. The claim administrator shall utilize Form DFS-F2-DWC-4 adopted in Rule Chapter 69L-3, F.A.C., or provide an explanatory letter to the employee, employer and other party(s) to the claim regarding the commencement of indemnity benefits by the claim administrator.

(4) Electronic Notice of Lump Sum Payment/Settlement (MTC PY). If an order is signed for a lump sum payment or settlement of indemnity benefits subsequent to the initial payment of indemnity benefits, i.e., an award, advance, stipulated agreement or final settlement of indemnity benefits, the claim administrator shall file SROI PY (Payment Report), on or before 14 days after the date the award/order was signed. The claim administrator shall report the applicable Lump Sum Payment/Settlement Code as defined in Section 6, Data Dictionary, of the IAIABC Claims EDI R3 Implementation Guide: "SF" (Settlement Full) if both indemnity and medical

benefits were settled; "SP" (Settlement Partial) if only indemnity but not medical benefits were settled; "AS" (Agreement Stipulated) if the lump sum payment was for a non-adjudicated amount; "AW" (Award) if the lump sum payment was for an adjudicated amount; or "AD" (Advance) if the lump sum payment was for benefits in advance of when they were due.

(a) The claim administrator shall also report the Payment Issue Date on the SROI PY. The Payment Issue Date shall not be sent as the date the check is requested, created, or issued in the claim administrator's system unless the check leaves the control of the claim administrator the same day it is requested, created, or issued for delivery to the employee or the employee's representative.

(b) The claim administrator shall provide Form DFS-F2-DWC-4, adopted in Rule Chapter 69L-3, F.A.C., to the employee, employer, and other party(s) to the claim.

(5) Electronic Notice When Employer Pays Indemnity Benefits Other than Initial Payment (MTC EP). If the employer pays an indemnity benefit(s) for the first time following payment of and suspension of all indemnity benefits by the claim administrator (e.g., employer payment of Impairment Income Benefits), the claim administrator shall file a SROI MTC EP (Employer Paid) only, on or before 14 days after the date the claim administrator had knowledge of the payment of indemnity benefits by the employer. The provision of Form DFS-F2-DWC-4 is not required.

(6) The filing of a FROI or SROI MTC 02 to report a change in Insurer FEIN, Claim Administrator FEIN, or Claim Administrator Postal Code and Claim Administrator Claim Number due to the establishment or elimination of a claims office location or subsidiary entity within the insurer's organization does not negate the obligation of the trading partner (insurer or claim administrator) to file a revised "EDI Trading Partner Profile, DFS-F5-EDI-1 (10/01/2006), and if applicable, a revised "EDI Trading Partner Insurer/Claim Administrator ID List", DFS-F5-DWC-EDI-2 (10/01/2006), and if applicable, a revised "EDI Trading Partner Claim Administrator Address List", DFS-F5-DWC-EDI-2A (10/01/2006), pursuant to subsection 69L-56.300(2), F.A.C.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History-New _____.

69L-56.3045 Electronic Notice of Action or Change, Suspensions, and Reinstatement of Indemnity Benefits Required by Insurer's Secondary Implementation Schedule. (SROI MTC 02, CA, CB, AB, S1-S8, P7, RB, ER).

(1) Electronic Notice of Action or Change (SROI MTC 02). On or before the compliance date established in the insurer's Secondary Implementation Schedule set forth in paragraph 69L-56.301(3)(b), F.A.C., the insurer shall file an Electronic Notice of Action or Change for the reporting of changes to the information in paragraphs (1)(a) and (b) of this

section. The claim administrator shall file the SROI MTC 02 (Change) on or before 14 days after the claim administrator has knowledge of the new or changed information. The claim administrator shall also file Electronic Changes in Amount, Electronic Changes in Benefit Type, Electronic Reinstatements of Indemnity Benefits by the claim administrator or employer, and Electronic Suspensions pursuant to this section.

(a) The claim administrator shall file SROI MTC 02 (Change) and provide Form DFS-F2-DWC-4 (unless noted in subparagraph 1-14 below) pursuant to Rule Chapter 69L-3, F.A.C., to the employee, employer and other party(s) to the claim pursuant to Rule Chapter 69L-3, F.A.C., if any of the following data elements are changed (unless the change has been previously reported and accepted by the Division on another transaction (MTC) for data elements designated with the requirement code of "M" or "MC" on the FL Claims EDI R3 Element Requirement Table contained in the FL Claims EDI Implementation Manual).

1. Date of Maximum Medical Improvement
2. Permanent Impairment Percentage
3. Initial Return to Work Date
4. Current Return to Work Date
5. Return to Work Type Code
6. Physical Restrictions Indicator
7. Permanent Impairment Minimum Payment Indicator –

No DFS-F2-DWC-4 required

8. Return to Work with Same Employer Indicator – No

DFS-F2-DWC-4 required

9. Suspension Effective Date
10. Suspension Narrative – No DFS-F2-DWC-4 required
11. Average Wage
12. Wage Effective Date
13. Gross Weekly Amount Effective Date – No

DFS-F2-DWC-4 required

14. Net Weekly Amount Effective Date – No

DFS-F2-DWC-4 required

If one or more of these data elements were reported on another MTC already filed with the Division, MTC 02 is not required; however, the claim administrator shall provide Form DFS-F2-DWC-4 (unless noted in subparagraph 1-14 above) pursuant to Rule Chapter 69L-3, F.A.C., to communicate the change in information to the employee, employer and other party(s) to the claim.

(b) If the Average Wage, Wage Effective Date, Gross Weekly Amount Effective Date, or Net Weekly Amount Effective Date changes but the Net Weekly Amount does not change because the benefit being paid will continue to be paid at the statutory maximum, the claim administrator shall file a SROI MTC 02 on or before 14 days after the date the claim administrator has knowledge that the information associated with the Average Wage, Wage Effective Date, Gross Weekly Amount Effective Date, or Net Weekly Amount Effective Date

has changed (MTC CA required in subsection (2) of this section shall not be filed to report a change in the Average Wage if the Net Weekly Amount does not change).

(c) When the claim administrator is directing a portion of the Net Weekly Amount to another party on the behalf of the employee or the employee's beneficiary due to a court ordered lien for child support, the claim administrator shall report Benefit Redistribution Code "H" being applied to the specific indemnity benefit type, and file SROI MTC 02 on or before 14 days after the Benefit Redistribution Start Date to report that a portion of the net weekly amount is being redistributed to another party due to an income deduction order pursuant to Section 61.1301, F.S.

(2) Electronic Change in Amount (MTC CA): If the Net Weekly Amount for a Benefit Type (indemnity benefit) changes from the amount previously reported due to the receipt of revised wage information, or due to the application of a Benefit Adjustment Code or Benefit Credit Code specified in paragraph (2)(a) of this section, the claim administrator shall file a SROI MTC CA (Change in Benefit Amount) on or before 14 days after the date the claim administrator amended the Net Weekly Amount.

(a) When the claim administrator applies an adjustment (offset) or credit which reduces the Net Weekly Amount for a specific indemnity benefit type, the claim administrator shall report the Benefit Adjustment Code or Benefit Credit Code being applied to the specific indemnity benefit type, and send a SROI MTC CA (Change in Amount) to report the change on or before 14 days after the date the claim administrator changed the Net Weekly Amount as follows:

1. Benefit Adjustment Codes –

a. "A" = Apportionment/Contribution. The weekly payment amount is reduced for shared or partial liability with another party.

b. "B" = Subrogation (Third Party Offset). The weekly payment amount is reduced for recovery from third party tort-feas or pursuant to Section 440.39(2), F.S.

c. "N" = Non-cooperation: Rehabilitation, Training, Education, and Medical. The weekly payment amount is reduced because the employee failed to accept training and education pursuant to Section 440.491(6)(b), F.S., for dates of accident prior to October 1, 2003, or the employee failed to timely cancel an independent medical examination pursuant to Section 440.13(5)(d), F.S.

d. "R" = Social Security Retirement. The weekly payment amount is reduced for retirement benefits paid under the Federal Old Age, Survivors, and Disability Insurance Act, pursuant to Section 440.15(9), F.S.

e. "S" = Social Security Disability. The weekly payment amount is reduced for disability benefits paid under the Federal Old Age, Survivors, and Disability Insurance Act, pursuant to Section 440.15(9), F.S.

f. "U" = Unemployment Compensation. The weekly payment amount is reduced for payment of unemployment compensation insurance benefits, pursuant to Section 440.15(10), F.S.

g. "V" = Safety Violation. The weekly payment amount is reduced for safety violation(s) pursuant to Section 440.09(5), F.S.

h. "X" = Death Benefit Reduction (Dependent Change). The weekly payment amount is reduced because of a change in number or kind of dependents entitled to death benefits pursuant to Section 440.16, F.S.

2. Benefit Credit Codes –

a. "C" = Overpayment. The weekly payment amount is reduced for recoupment of benefits paid but not due.

b. "P" = Advance. The weekly payment amount is reduced for reimbursement of benefit payments advanced pursuant to Section 440.20(13), F.S.

(b) In addition to filing MTC CA with the Division, the claim administrator shall provide Form DFS-F2-DWC-4 to the employee, employer and other party(s) to the claim as required by Rule Chapter 69L-3, F.A.C.

(c) If the Net Weekly Amount is adjusted due to the application of a Social Security Offset, the claim administrator shall also send a completed Form DFS-F2-DWC-14, Request for Social Security Disability Benefit Information adopted in Rule Chapter 69L-3, F.A.C., at the same time the claim administrator sends the SROI MTC CA to report the change in the Net Weekly Amount.

(3) Electronic Change in Benefit Type (MTC CB): When an indemnity benefit type being paid changes and payments are being continued under a different indemnity benefit type without a break in continuity of payments, the claim administrator shall file a SROI MTC CB (Change in Benefit Type) on or before 14 days after the date the claim administrator changed the indemnity benefit type being paid.

(a) In addition to filing MTC CB with the Division, the claim administrator shall provide Form DFS-F2-DWC-4 to the employee, employer and other party(s) to the claim as required by Rule Chapter 69L-3, F.A.C.

(4) Adding Concurrent Benefit (MTC AB): When Permanent Total Benefits (Benefit Type 020) are being paid, and Permanent Total Supplemental Benefits (Benefit Type Code 021) are initiated in addition to the prior commencement of Permanent Total Benefits (Benefit Type Code 020), the claim administrator shall file a SROI MTC AB (Add Concurrent Benefit Type) on or before 14 days after the date the claim administrator mails the initial payment of Permanent Total Supplemental Benefits (Benefit Type Code 021).

(a) In addition to filing MTC AB with the Division, the claim administrator shall provide Form DFS-F2-DWC-4 to the employee, employer and other party(s) to the claim as required by Rule Chapter 69L-3, F.A.C.

(5) Electronic Suspension of all indemnity benefits (MTC S1-S8): When all indemnity benefits are suspended because the employee returned to work, or was medically released to return to work and the claim administrator does not anticipate paying further indemnity benefits of any kind, the claim administrator shall file with the Division a SROI MTC S1 (Suspension, RTW, or Medically Determined/Qualified RTW) on or before 14 days after the date the claim administrator decided to suspend all indemnity benefits.

(a) When all indemnity benefits are suspended because the employee failed to report for an independent medical examination pursuant to Section 440.13(5)(d), F.S., or failed to report for an evaluation by an expert medical advisor appointed by a Judge of Compensation Claims pursuant to Section 440.13(9)(c), F.S., the claim administrator shall file with the Division a SROI MTC S2 (Suspension, Medical Non-compliance) on or before 14 days after the date the claim administrator decided to suspend all indemnity benefits.

(b) When all indemnity benefits are suspended because the employee failed to comply with one or more of the following statutory sections and rules, the claim administrator shall file with the Division a SROI MTC S3 (Suspension, Administrative Non-compliance) on or before 14 days after the date the claim administrator decided to suspend all indemnity benefits:

1. Section 440.15(1)(e)3., F.S. (1994), which is incorporated herein by reference – Employee in Permanent Total status failed to attend vocational evaluation or testing.

2. Section 440.15(1)(f)2.b., F.S. (1994), which is incorporated herein by reference – Employee in Permanent Total status failed to report or apply for Social Security benefits.

3. Section 440.15(2)(d), F.S. (1994), which is incorporated herein by reference – Employee in Temporary Total status failed or refused to complete and return the Form DFS-F2-DWC-19 adopted in Rule Chapter 69L-3, F.A.C.

4. Section 440.15(7), F.S. (1994), which is incorporated herein by reference – Employee in Temporary Partial status failed or refused to complete and return the Form DFS-F2-DWC-19 adopted in Rule Chapter 69L-3, F.A.C.

5. Section 440.15(6), F.S. (2003), which is incorporated herein by reference – Employee refused suitable employment.

6. Section 440.15(9), F.S. (2003), which is incorporated herein by reference – Employee failed or refused to sign and return the release for Social Security benefits earnings on Form DFS-F2-DWC-14, or unemployment compensation earnings on Form DFS-F2-DWC-30 adopted in Rule 69L-3.025, F.A.C.

7. Section 440.491(6)(b), F.S. (2003), which is incorporated herein by reference – Employee failed or refused to accept vocational training or education.

8. Section 440.15(4)(d), F.S. (2003), which is incorporated herein by reference – Employee in Temporary Partial status failed to notify the claims-handling entity of the establishment of earnings capacity within 5 business days of returning to work.

9. Section 440.15(4)(e), F.S. (1994), which is incorporated herein by reference – Employee in Temporary Partial status terminated from post-injury employment due to the employee’s misconduct.

10. Section 440.105(7), F.S. (2003), which is incorporated herein by reference – Employee refused to sign and return the fraud statement.

(c) When all indemnity benefits are suspended because the employee died and there are no known or confirmed dependents to whom death benefits must be paid, or if the death was not compensable, the claim administrator shall file with the Division a SROI MTC S4 (Suspension, Claimant Death) on or before 14 days after the date the claim administrator decided to suspend all indemnity benefits.

(d) When all indemnity benefits are suspended because the employee became an inmate of a public institution and there are no known or confirmed dependents to whom indemnity benefits must be paid, the claim administrator shall file with the Division a SROI MTC S5 (Suspension, Incarceration) on or before 14 days from the date the claim administrator decided to suspend all indemnity benefits.

(e) When all indemnity benefits are suspended because the claim administrator’s good faith repeated attempts to locate and send indemnity benefits to the employee have been unsuccessful; or the employee has no known address, representative or guardian to whom the claim administrator can send indemnity benefits; or indemnity benefits have been returned to the claim administrator indicating that the employee has moved and the current or forwarding address is unknown, or the employee no longer resides at the last known address, the claim administrator shall file with the Division a SROI MTC S6 (Suspension, Claimant’s Whereabouts Unknown) on or before 14 days after the date the claim administrator decided to suspend all indemnity benefits.

(f) When all indemnity benefits are suspended because the employee is no longer eligible for or entitled to any indemnity benefits because the limits of or entitlement to indemnity benefits have been exhausted, the claim administrator shall file with the Division a SROI MTC S7 (Suspension, Benefits Exhausted) on or before 14 days after the date the claim administrator decided to suspend all indemnity benefits.

(g) When all indemnity benefits are suspended because the employee elects to receive workers’ compensation benefits under another state’s law, or the claim administrator determines the claim is compensable under another compensation act, such as the Federal Employers’ Liability Act, the Federal Employees’ Compensation Act, the U.S. Longshoremen’s and Harbor Workers’ Compensation Act, or the Jones Act, the

claim administrator shall file with the Division a SROI MTC S8 (Suspension, Jurisdiction Change) on or before 14 days after the date the claim administrator decided to suspend all indemnity benefits. Until the claim administrator implements the electronic reporting of suspension information as required in Rules 69L-56.304, F.A.C., and 69L-56.3045, F.A.C., the claim administrator shall file Form DFS-F2-DWC-4, Notice of Action/Change adopted in Rule Chapter 69L-3, F.A.C., and report Suspension Reason Code “S8” when there is a change in jurisdiction; however, once the claim administrator is in production status with filing electronic suspension notices, the claim administrator shall report a change in jurisdiction by filing SROI MTC S8 (Suspension, Jurisdiction Change).

(h) In addition to filing MTC S1-S8 with the Division, the claim administrator shall provide Form DFS-F2-DWC-4 to the employee, employer and other party(s) to the claims as required by Rule Chapter 69L-3, F.A.C.

(i) When Permanent Total Supplemental Benefits (Benefit Type 021) are suspended but Permanent Total Benefits (Benefit Type 020) will continue to be paid, the claim administrator shall file with the Division a SROI MTC P7 (Partial Suspension, Benefits Exhausted) on or before 14 days after the date Permanent Total Supplemental Benefits were suspended. In addition to filing MTC P7 with the Division, the claim administrator shall provide Form DFS-F2-DWC-4 to the employee, employer and other party(s) to the claim as required by Rule Chapter 69L-3, F.A.C.

(6) Electronic Reinstatement of Indemnity Benefits (MTC RB, ER):

(a) When payment of indemnity benefits are resumed by the claim administrator after having been previously suspended, the claim administrator shall file with the Division a SROI MTC RB (Reinstatement of Benefits) on or before 14 days after the date payment is mailed reinstating indemnity benefits.

(b) When the employer reinstates payment of salary in lieu of compensation (following the prior suspension of all indemnity benefits and the claim administrator is not paying indemnity benefits), the claim administrator shall file with the Division a SROI MTC ER (Employer Reinstatement) on or before 14 days after the date the claim administrator received notification about the reinstatement of salary in lieu of compensation.

(c) In addition to filing MTC RB, ER with the Division, the claim administrator shall provide Form DFS-F2-DWC-4 to the employee, employer and other party(s) to the claim as required by Rule Chapter 69L-3, F.A.C.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History–New _____.

69L-56.307 Electronic Cancellation.
(FROI MTC 01).

(1) The claim administrator shall send a FROI MTC 01 (Cancel) immediately upon the claim administrator's knowledge of the need to cancel if any of the following occur:

(a) An Electronic First Report of Injury or Illness has been filed incorrectly and accepted by the Division and the claim administrator subsequently determines the claim is a Medical Only Case.

(b) An Electronic First Report of Injury or Illness has been filed incorrectly and accepted by the Division and the claim administrator subsequently determines the claim is a duplicate of another accepted claim.

(2) If the claim has been previously cancelled via FROI MTC 01 (Cancel) after an Electronic First Report of Injury or Illness was filed with the Division, and the claim administrator determines the claim should not be cancelled, the claim administrator shall re-file another Electronic First Report of Injury or Illness with the appropriate MTC(s) as specified in this rule. The original Electronic First Report of Injury or Illness filed shall be disregarded by the Division. The required filing timeframe for the Electronic First Report of Injury or Illness filed after the MTC 01 (Cancel) shall correspond to the filing timeframes required by this rule.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History--New _____.

69L-56.310 Technical Requirements for ~~Voluntary~~ Claims EDI Transmissions.

~~(1) Effective June 1, 2005, as a voluntary alternative to paper filing pursuant to Rule 69L-3 F.A.C., Insurers shall may elect to send Claims EDI Filings electronic transmissions required in Rules 69L-56.301, 69L-56.3012, 69L-56.3013, 69L-56.304, 69L-56.3045, 69L-56.307, and 69L-56.330, F.A.C., of the First Report of Injury or Illness (Form DFS-F2-DWC-1 as incorporated by reference in Chapter 69L-3, F.A.C.), Claim Cost Report (Form DFS-F2-DWC-13 as incorporated by reference in Chapter 69L-3, F.A.C.), and the Division approved electronic formats for reporting the employee's 8th day of disability and claim administrator's knowledge of the 8th day of disability required in Chapter 69L-3, F.A.C., to the Division using only the following transmission methods:~~

~~(a) Advantis Value Added Network (VAN), or~~

~~(b) Secure Socket Layer/File Transfer Protocol (SSL/FTP) using a client software program to accomplish SSL/FTP uploads and downloads in accordance with instructions on Form DFS-F5-DWC-EDI-4 (01/01/2005).~~

~~(2) Effective June 1, 2005, voluntary Electronic transmissions of Claims EDI Filings the First Report of Injury or Illness (DFS F2-DWC-1), and the Claim Cost Report (DFS-F2-DWC-13), shall be sent to the Division using the First Report of Injury (FROI)/148 flat file transaction set, including the R21 companion record, and the Subsequent Report (SROI)/A49 flat file transaction set, including the R22~~

~~companion record, described in Section 2, "Technical Documentation", on Pages "4-13" through "4-16" of the IAIABC Claims EDI Release 3 Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1 February 15, 2002. The claim administrator shall not send transmissions containing files in the ANSI 148 format to the Division on or after June 1, 2005.~~

~~(3)(a) Each voluntary FROI transmission shall contain at least one batch in the FROI format, a sample of which is located in Section 2, Technical Documentation, on Pages "4-13" and "4-14" in the IAIABC Claims EDI Release 3 Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1 February 15, 2002. Each voluntary SROI transmission shall contain at least one batch in the SROI format located in Section 2, Technical Documentation, Record Layouts, on Pages "4-15" and "4-16" in the IAIABC Claims EDI Release 3 Implementation Guide.~~

~~(b) Each batch shall contain only one of the following transaction types:~~

- ~~1. First Report of Injury (FROI/148 transaction with R21 companion record), or~~
- ~~2. Subsequent Report of Injury (SROI/A49 transaction with R22 companion record).~~

~~(c) A batch shall contain the following as set forth in Section 2, Technical Documentation, on Pages "4-11" through "4-19" in the IAIABC Claims EDI Release 3 Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1 February 15, 2002:~~

- ~~1. Header Record.~~
- ~~2. One or more transactions - FROI 148's with R21, or SROI A49's, with R22~~
- ~~3. Trailer Record.~~

~~(d) Header records shall include the following information:~~

- ~~1. Receiver FEIN for the State of Florida: 596001874~~
- ~~2. Receiver Postal Code for the State of Florida: 323994226 effective June 1, 2005 (Receiver Postal Code 323996085 may be sent through May 31, 2005.)~~
- ~~3. Sender Identifier. The Sender Identifier (Sender ID) shall consist of the claim administrator's FEIN and Postal Code as reported on Form DFS-F5-DWC-EDI-3 (01/01/2005), EDI Transmission Profile - Sender's Specifications.~~

~~(4) To voluntarily report the electronic equivalent of the First Report of Injury or Illness (Form DFS-F2-DWC-1 adopted in Rule Chapter 69L-3, F.A.C.), where for which total compensability of the claim has not been denied, the claim administrator shall send to the Division both the FROI and SROI within the processing times set out in subsection (5) of this section. If either the FROI or SROI contains an error that results in the rejection of one of the transactions both the FROI and SROI shall be rejected and the claim administrator shall~~

re-send both the corrected FROI and SROI to the Division within the processing times set out in paragraph (5) of this rule section, in order for the two transactions to be processed together. The Division will only pair for processing purposes, FROI's and SROI's that are received by the Division on the same day, as set out in paragraph (5) of this rule section.

(5) Transmissions received on or before 9:00 p.m., Eastern Standard Time, shall be processed by the Division the same day the transmission was sent to the Division and acknowledged by the Division the next business day. Transmissions received after 9:00 p.m. through 11:59 p.m., Eastern Standard Time, shall be processed by the Division the following day and acknowledged by the Division the next business day after the transmission is processed.

~~(a) Transmissions sent Monday through Saturday: In order for a transmission sent Monday through Saturday to be processed as received by the Division the same day the transmission was sent, the claim administrator shall send voluntary Claims EDI transmissions by 9:00 p.m., Eastern Standard Time, Monday through Saturday. Transmissions received by 9:00 p.m., Eastern Standard Time, will be acknowledged the next business day after Division receipt and processing. Transmissions received between after 9:00 p.m. and 11:59 p.m., Eastern Standard Time, Monday through Saturday, shall be processed as received by the Division the day after the transmission was sent, and will be acknowledged the next business day after Division receipt and processing.~~

~~(b) Transmissions sent Sunday: In order for a transmission sent on Sunday to be processed as received by the Division on Sunday, the claim administrator shall send voluntary Claims EDI transmissions by 4:00 p.m., Eastern Standard Time, Sunday. Transmissions received by 4:00 p.m., Eastern Standard Time, Sunday will be acknowledged on Tuesday. Transmissions received after 4:00 p.m., Eastern Standard Time, Sunday shall be processed as received by the Division on Monday and will be acknowledged on Tuesday.~~

(6) During the test and pilot phases, the "Test-Production Code Indicator" in the Header record shall be set to "T". After the claim administrator has been approved by the Division to send transmissions in production status, the "Test-Production Code Indicator" shall be set to "P".

(7) The claim administrator shall have the capability to receive and process the Division's Claims EDI ~~AKC AKI~~ Acknowledgement transaction described in Section 2, Technical Documentation, on Page "4-11" of in the IAIABC Claims EDI Release 3 Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records Release 1 February 15, 2002. The Claim Administrator shall update its database with the ~~Division's~~ Jurisdiction Agency Claim Number (JCN) (ACN) provided by the Division on the EDI ~~AKC AKI~~ Acknowledgement transaction for each successfully filed transaction.

(8) Formats and meaning of data elements ~~voluntarily~~ reported via EDI to the Division pursuant to under this rule section shall match format specifications and data element definitions established in Sections 2, 4 and 6 of the IAIABC Claims EDI Release 3 Implementation Guide for First, Subsequent, Acknowledgement Detail, Header, & Trailer Records, Release 1 February 15, 2002, unless otherwise defined in Rule 69L-56.002, F.A.C.

(9) The claim administrator's business and technical contacts shall have e-mail system capabilities that support Word, Excel, or PDF attachments from the Division of at least 2 Megabytes.

(10) The claim administrator or other third party vendor shall utilize anti-virus software to screen out and clean any viruses on all electronic transmissions prior to sending transmissions to the Division. The claim administrator or other third party vendor shall maintain anti-virus software with the most recent anti-virus update files from the software provider. If the claim administrator or third party vendor sends a transmission that contains a virus which prevents the Division from processing the transmission, the transmission will not be considered as having been received by the Division.

(11) If a vendor is submitting files on behalf of more than one insurer or claim administrator, the vendor shall send separate header and trailer records for each claim administrator. The Sender ID on the Header Record shall represent the insurer's or claim administrator's FEIN and Postal Code, not that of the vendor.

Specific Authority 440.591, 440.593 FS. Law Implemented 440.593 FS. History--New 5-29-05, Amended.

69L-56.320 Claims EDI Test and Production Status Requirements.

(1) Prior to sending an initial test transmission, the claim administrator shall file the EDI Trading Partner forms required in subsection 69L-56.300(2), F.A.C. If a form is incomplete and does not contain responses to all of the required fields in accordance with the form instructions, testing with the Division will not commence until the corrected form(s) is re-filed with the Division.

(2) If the claim administrator has contracted with a vendor to send Claims EDI filings on its behalf to the Division, the claim administrator shall comply with the testing requirements in this section before being approved for production status, even if the vendor has been previously approved by the Division for production status with another client.

(3) During the Claims EDI testing period and until the claim administrator is approved for production status for sending the required electronic form equivalents required by this rule, the claim administrator shall continue to file Forms DFS-F2-DWC-1, DFS-F2-DWC-12, DFS-F2-DWC-13 and DFS-F2-DWC-4 and DFS-F2-DWC-49 in accordance with Rule Chapter 69L-3, F.A.C.

(4) The claim administrator shall send test files in the correct IAIABC Release 3 formats specified in Section 2, Technical Documentation, of the IAIABC Claims EDI Release 3 Implementation Guide, and comply with transmission requirements set out in Rule 69L-56.310, F.A.C.

(5) The insurer or claim administrator shall indicate the Maintenance Type Codes (MTC's) it will be sending, if not all MTC's will be initially tested at the same time (e.g., MTC's not required until the insurer's Secondary Implementation Schedule). The claim administrator shall file a revised Form DFS-F5-EDI-3, EDI Transmission Profile – Sender Specifications, to report any new MTC's that will be added during the test to production periods.

(6) The claim administrator shall also indicate on its Form DFS-F5-EDI-3, Transmission Profile – Sender Specifications, the frequency with which files will be sent to the Division, i.e., daily, weekly. Test files shall consist of Claims EDI Filings that correspond with Forms DFS-F2-DWC-1, DFS-F2-DWC-12, DFS-F2-DWC-13, and DFS-F2-DWC-4 adopted in Rule Chapter 69L-3, F.A.C., that were previously mailed to the Division at least one week prior to the date the test transmission containing the corresponding Electronic First Report of Injury or Illness, Electronic Notice of Denial, Electronic Periodic Claim Cost Report, and Electronic Notice of Action or Change, Suspension, and Reinstatement of Indemnity Benefits information is sent to the Division. If the claim administrator is unable to transmit test files on a daily or weekly basis due to a low volume of actual claim filings being mailed to the Division during the specified testing frequency, the claim administrator may create and send “mock” paper and electronic filings for Claims EDI testing purposes. The claim administrator shall clearly mark any mock paper filings as an “EDI Test Filing” and fax the mock paper filings to the Division's Claims EDI Team at (850)488-3453.

(7) Data element values sent on the Claims EDI filings shall match values reported on the corresponding paper form filing. If differences are detected and cited in a written parallel analysis report issued to the claim administrator by the Division, the claim administrator shall confirm if the electronic version contained the accurate data, or otherwise provide an explanation for the discrepancy. The claim administrator shall investigate and reconcile its database as necessary in conjunction with data errors identified during the test period(s).

(8) The claim administrator shall send the following minimum number of Claims EDI filings during the test period(s), of which 90% of each of the required categories specified in paragraphs (5)(a) through (f) of this section shall receive an Application Acknowledgement Code of “TA”:

(a) Ten (10) Electronic First Report of Injury or Illness filings utilizing at least two of each of the following required FROI/SROI MTC combinations: 00/IP, 00/EP, and 00/PY. MTC's 00/CD, 00/VE, and AU/AP may be optionally included

in the testing period. The claim administrator shall send one of the two required MTC 00/IP filings with Claim Type “I” and the other required MTC 00/IP filing with Claim Type “L”.

(b) Five (5) Electronic Denied First Report of Injury or Illness filings utilizing at least one FROI MTC 04 (Full Denial) and one FROI MTC 00 with SROI PD (Partial Denial). The Electronic First Report of Injury or Illness shall include the applicable Full Denial Reason Code(s) and Partial Denial Code with Denial Reason Narrative, to report the Electronic Notice of Denial information.

(c) Ten (10) Electronic Periodic Claim Cost filings utilizing at least two each of the following SROI MTC's: SA, AN, or FN. A corresponding paper or Electronic First Report of Injury or Illness must have been previously accepted in test or production status before testing MTC SA, AN or FN.

(d) Five (5) Electronic Notice of Denial filings (post-EDI DWC-1) utilizing at least one each of the following SROI MTC's: MTC 04 and PD (Electronic First Report of Injury or Illness must have been previously accepted in test or production status before testing these EDI filings.)

(e) Five (5) Electronic Notice of Action or Change transactions based on electronic filings required in the insurer's Primary Implementation Schedule for the initial testing period if not all MTC's will be implemented by the insurer during its Primary Implementation Schedule, utilizing either FROI or SROI MTC 02 (Change). A corresponding paper or Electronic First Report of Injury or Illness must have been previously accepted in test or production status before testing these EDI filings with the Division.

(f) Five (5) of the following Electronic Notice of Action or Changes, Suspension and Reinstatement of Indemnity Benefits filings required in the insurer's Secondary Implementation Schedule utilizing at least two MTC 02 filings, one of which shall report a change in the Average Wage with no change to the Net Weekly Amount and one MTC 02 that reports a Benefit Redistribution. The claim administrator shall also send at least one each of the following MTC's: S1-S8 (Suspensions); RB (Reinstatement); CA (Change in Amount), CB (Change in Benefit Type).

(9) To be approved for production status:

(a) The claim administrator shall achieve a 90% acceptance rate for Claims EDI Filings sent during the test period(s), i.e., 90% of all test Claims EDI Filings shall be accepted and assigned an Application Acknowledgement Code “TA” (Transaction Accepted), and 10% or less of all Claims EDI filings shall be assigned an Application Acknowledgement Code “TR” (Transaction Rejected); and,

(b) The claim administrator must achieve a 95% accuracy rate for correctly reporting the following data elements:

a. Benefit Payment Issue Date and Payment Issue Date (represents the date payment was mailed to the employee).

b. Employee SSN and Date of Injury (unless Form DFS-FS-DWC-4, Notice of Action/Change adopted in Rule Chapter 69L-3, F.A.C., was filed to report a change in Employee SSN and Date of Injury that explains the different value sent on the test EDI filing compared to the value sent on the prior paper or EDI filing ;

c. Benefit Type reported on the Division paper form promulgated under Rule Chapter 69L-3, F.A.C., compared to the test Electronic First Report of Injury or Illness filing;

d. Initial Date of Lost Time;

e. Date Claim Administrator Had Knowledge of Lost Time; and

f. Any penalties and/or Interest reported on the prior paper filing compared to the test Electronic First Report of Injury or Illness, and

(c) The claim administrator has responded to all parallel pilot analysis reports issued during the test period(s).

(10) The claim administrator shall send a minimum of two transmissions containing the test MTC’s pursuant to subsections (8) of this section for evaluation by the Division before the claim administrator will be approved for production status.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.593 FS. History–New _____.

69L-56.330 Electronic Formats for Reporting the Employee’s 8th Day of Disability and the Claim Administrator’s Knowledge of 8th Day of Disability.

(1) Until required by this rule to report Claims EDI filings using the IAIABC Release 3 standard, if a claim administrator is voluntarily reporting Claims EDI information using the IAIABC EDI Release 1 standard and reports the electronic First Report of Injury or Illness If the electronic form equivalent of the DFS-F2-DWC-1, First Report of Injury or Illness, as incorporated by reference in Rule 69L-3, F.A.C., is voluntarily sent via EDI with Claim Type “L” (“Became Lost Time”, a.k.a., Medical Only to Lost Time), the claim administrator shall report the employee’s 8th day of disability and the claim administrator’s knowledge of the 8th day of disability at the same time the electronic form equivalent of Form DFS-F2-DWC-1 is required to be sent to the Division as specified in Rule 69L-56.301, ~~69L-24.0234~~, F.A.C, using any of the electronic formats approved by the Division and adopted by reference in this rule section.

(2) If the initial payment of benefits is for Impairment Income Benefits or settlement agreement or order for indemnity benefits, or follows a total or partial denial, the claim administrator is not required to electronically report the employee’s 8th day of disability and the claim administrator’s knowledge of 8th day of disability.

(3) The claim administrator shall utilize the electronic format, “Electronic Supplement to the First Report of Injury (DWC-1) Transaction (January 2005)”, from the Division’s

web site at www.fldfs.com/wc/edi.html, or the “8th Day of Disability For EDI Submitters” database located at www.fldfs.com/wc/ to report the employee’s 8th day of disability and the claim administrator’s knowledge of the 8th day of disability required in Rule Chapter 69L-3, F.A.C. ~~The requirement to report the employee’s 8th day of disability and the claim administrator’s knowledge of the 8th day of disability via an alternative electronic format shall commence upon the effective date of this rule.~~

Specific Authority 440.591, 440.593 FS. Law Implemented 440.593 FS. History–New 5-29-05, Amended _____.

69L-56.500 Insurer Responsibilities Where Third Party Services are Utilized.

If an insurer contracts with a claim administrator or third party vendor to electronically send transactions to the Division on the insurer’s behalf, or uses a claim administrator or third party vendor’s software product for electronically sending transactions to the Division, the insurer shall remain responsible for the timely filing of transactions required by this rule, processing of acknowledgements, electronic form equivalents and any penalties and fines that may result from untimely electronic filings.

Specific Authority 440.591, 440.593(5) FS. Law Implemented 440.20(8)(b), 440.593 FS. History–New 5-29-05, Amended _____.

Section II Proposed Rules

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 CORRECTIONS

RULE NO.:	RULE TITLE:
33-601.820	Maximum Management

PURPOSE AND EFFECT The purpose and effect of the proposed rule is to reflect the Deputy Director of Health Services (Clinical) as a member of the MMRT instead of the Deputy Assistant Secretary of Health Services (Clinical) and modify Form DC6-171 to include information to assist staff in correctly processing the form.

SUMMARY: Amends the rule to reflect the Deputy Director of Health Services (Clinical) as a member of the MMRT instead of the Deputy Assistant Secretary of Health Services (Clinical) and modify Form DC6-171 to include information to assist staff in correctly processing the form.

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 regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Dorothy M. Ridgway, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.820 Maximum Management.

(1) Definitions.

(a) No change.

(b) Maximum Management Review Team – refers to the committee in Central Office that has approval authority for placement in maximum management and the modification of conditions and restrictions imposed at the time an inmate is initially placed in maximum management. The Maximum Management Review Team shall consist of the following staff or those acting in that capacity:

1. Deputy Assistant Secretary of Institutions – Operations (Chairperson);

2. Chief, Bureau of Classification and Central Records;

3. Chief, Bureau of Security Operations; and

4. Deputy ~~Director Assistant Secretary~~ of Health Services (Celinical).

(2) through (4) No change.

(5) Initial Placement Hearing and Decision Process.

(a) No change.

(b) The inmate shall be present for the hearing, unless:

1. through 2. No change.

3. If the inmate did not attend the hearing, the reasons the inmate did not appear at the hearing shall be included in the ICT recommendation entered on Form DC6-171, Report of Maximum Management. Form DC6-171 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida, 32399-2500. The effective date of this form is 4-13-06.

(c) through (m) No change.

(6) through (9) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History– New 12-7-00, Amended 11-23-03, 4-1-04, 4-13-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Franchatta Barber, Deputy Assistant Secretary of Institutions – Programs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 28, 2006

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

RULE TITLE:

59G-4.250

Prescribed Drug Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Prescribed Drug Services Coverage, Limitations and Reimbursement Handbook, June 2006. The handbook incorporates statutory changes making the Preferred Drug List mandatory and removes the four brand cap limit. It also removes the 34-day supply limit for some maintenance drugs when identified by the P&T committee; eliminates the Silver Saver program; moves coverage of certain supplies and nutritional items to the Durable Medical Equipment program; defines the process for approval of a brand name drug when generic equivalent products are available; removes coverage for erectile dysfunction; adopts statutory ingredient cost reimbursement levels; and specifies a \$7.50 dispensing fee for providers using 340b purchasing contracts. The effect will be to incorporate by reference in the rule the Florida Medicaid Prescribed Drug Coverage, Limitations and Reimbursement Handbook.

SUMMARY: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Prescribed Drug Services Coverage, Limitations and Reimbursement Handbook, June 2006. The effect will be to incorporate by reference in the rule the Florida Medicaid Prescribed Drug Coverage, Limitations and Reimbursement Handbook.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD).

DATE AND TIME: Thursday, September 14, 2006, 11:00 a.m.
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg 3, Conference Room B, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marie Donnelly, Agency for Health Care Administration, Medicaid Pharmacy Services, 2727 Mahan Drive, Mail Stop 38, Tallahassee, Florida 32308, (850)922-0683

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.250 Prescribed Drug Services.

(1) No change.

(2) All participating prescribed drug services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Prescribed Drug Services Coverage, Limitations, and Reimbursement Handbook, June 2006 July 2001, which is incorporated by reference, and available from the Medicaid fiscal agent's website at <http://floridamedicaid.acs-inc.com> agent. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling Provider Inquiry at (800)377-8216.

Specific Authority 409.919 FS. Law Implemented 409.906(20), 409.908, 409.912 FS. History—New 1-1-77, Amended 6-30-77, 10-1-77, 2-1-78, 4-1-78, 9-28-78, 6-1-79, 2-28-80, 11-11-81, 7-3-84, Formerly 10C-7.42, Amended 3-11-86, 12-5-88, 6-4-90, 10-29-90, 5-20-92, 4-11-93, Formerly 10C-7.042, Amended 12-28-95, 8-3-97, 2-11-98, 9-13-99, 7-20-00, 1-29-01, 4-24-01, 10-6-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Marie Donnelly

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Christa Calamas, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 24, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.001	General Definitions
61D-14.004	Denial Criteria for Applications and Renewals
61D-14.005	Occupational License Requirements for Individual Persons

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement and interpret Florida Statutes that relate to rules regulating the conduct of slot machine operations at pari-mutuel racing facilities.

SUMMARY: The rules address the following subject matter areas: A correction to the definition of "ticket" contained in Rule 61D-14.001, F.A.C.; clarification of the definition of convictions referenced in Section 550.1815, Florida Statutes, referenced in Rule 61D-14.004, F.A.C.; and to correct a cross-reference to a rule contained in Rule 61D-14.005, F.A.C.
 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 regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 551.103(1), 551.122 FS.

LAW IMPLEMENTED: 551.103(1)(a), (b), (d), (e), (g), (i), 551.104(4), 551.107(4)(a), 551.117, 551.118(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: September 19, 2006, 10:00 a.m. – Noon
 PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 5 calendar days before the hearing by contacting Mary Polombo at (850)413-0750. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System by calling (800)955-8770 (Voice) or (800)955-8771 (TDD).

Written comments or suggestions on the proposed rule may be submitted to: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1035, within 21 days of this notice for inclusion in the record of this proceeding.

THE FULL TEXT OF THE PROPOSED RULES IS:

61D-14.001 General Definitions.

(1) through (15) No change.

(16) "Ticket" means a receipt for credits printed by a slot machine or ticket issuing machine used for slot machine play or redeemed for cash by the slot machine licensee.

(17) No change.

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a),(1)(b), (d), (e), (g), (i), 551.104(4) FS. History--New 6-25-06, Amended _____.

61D-14.004 Denial Criteria for Application and Renewals.

(1) through (9) No change.

(10) A conviction, as specified in Section 550.1815(1)(b), or a conviction or disqualifying administrative sanction as provided in Section 551.107(6)(a), Florida Statutes, of the applicant or of any person or entity referenced in Section 550.1815(1)(a), Florida Statutes, ~~referenced in that section required to be licensed of any disqualifying offense listed in Section 550.1815, Florida Statutes.~~

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (i), 551.104(4), 551.117, 551.118(1) FS. History--New 6-25-06, Amended _____.

61D-14.005 Occupational License Requirements for Individual Persons.

(1) through (4) No change.

(5) In the event the division determines that the licensee has applied for multiple positions that have been determined as incompatible functions as set forth in the internal controls of the employing slot machine licensee under Rule 61D-14.015(4)(1)(b), F.A.C., the licensee shall be informed in writing and allowed to amend the application to select the position of his or her preference.

(6) through (7) No change.

Specific Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(b), 551.107(4)(a) FS. History--New 6-25-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

David J. Roberts, Director, Division of Pari-Mutuel Wagering

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Simone Marstiller, Secretary,

Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: August 10, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: June 30, 2006

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:

61G1-17.001 Professional Fees and Penalties for Architects

PURPOSE AND EFFECT: The Board proposes the rule amendment to specify an application fee to reinstate a void license.

SUMMARY: An application fee of \$500 to reinstate a void license will be added to the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 455.217(2), 455.2281, 481.207 FS.

LAW IMPLEMENTED: 455.217(2), 455.2281, 455.207, 455.271, 481.207, 481.209, 481.219 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-17.001 Professional Fees and Penalties for Architects.

(1) through (12) No change.

(13) The application fee to reinstate a void license is \$500.00.

Specific Authority 455.217(2), 455.2281, 481.207 FS. Law Implemented 455.217(2), 455.2281, 455.207, 455.271, 481.207, 481.209, 481.219 FS. History--New 12-23-79, Amended 12-19-82, 5-18-83, 6-12-84, 7-30-85, Formerly 21B-17.01, Amended 9-23-86, 5-16-87, 12-6-87, 12-24-89, 3-14-91, Formerly 21B-17.001, Amended 9-27-93, 8-21-94, 11-21-94, 4-22-97, 3-15-99, 9-7-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Architecture and Interior Design

NAME OF SUPERVISOR OR PERSON WHO APPROVED

THE PROPOSED RULE: Board of Architecture and Interior

Design

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: July 25, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: December 23, 2005

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 HEALTH

Board of Massage

RULE NO.: 64B7-28.009 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: To indicate the continuing education hours that must be taken in a live classroom.

SUMMARY: Provides for live classroom continuing education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 456.013(7), (8), 480.035(7), 480.0415 FS.

LAW IMPLEMENTED: 456.013(7), (8), 480.0415 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: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-28.009 Continuing Education.

(1) through (2) No change.

(3)(a) At least 12 continuing education hours shall be relevant to and focus on massage therapy techniques, which may include history of massage therapy, human anatomy, physiology, kinesiology, and/or pathology. As of September 1, 2007, the 12 continuing education hours shall be taken via live classroom instruction which includes hands-on instruction or demonstration, 6 hours of which may be performed as pro bono services pursuant to Rule 64B7-28.0095, F.A.C.

(b) through (5) No change.

Specific Authority 456.013(7), (8), (9), 480.035(7), 480.0415 FS. Law Implemented 456.013(7), (8), (9), 480.0415 FS. History--New 4-21-86, Amended 2-25-88, 8-29-88, 1-30-90, 10-2-90, Formerly 21L-28.009, Amended 8-16-94, 6-5-95, 2-12-97, Formerly 61G11-28.009, Amended 8-16-98, 3-15-99, 9-20-99, 11-28-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 2, 2006

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-33.001 RULE TITLE: Advertisement

PURPOSE AND EFFECT: To address permissible advertising. SUMMARY: Clarifies the type of telephone directory listings which do not require a license number to be included.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 480.035(7) FS.

LAW IMPLEMENTED: 480.046(1)(d), (f), 480.0465 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: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B7-33.001 Advertisement.

(1) through (2) No change.

(3) For purposes of this rule, "advertising medium" means: any newspaper, airwave or computer transmission, telephone directory listing other than an in-column listing consisting only of a name, address, and telephone number a listing for which no additional advertising charge is made, business card, handbill, flier, sign other than a building directory listing all building tenants and their room or suite numbers, or other form of written advertising.

(4) No change.

Specific Authority 480.035(7) FS. Law Implemented 480.046(1)(d), (f), 480.0465 FS. History--New 12-7-92, Formerly 21L-33.001, Amended 2-13-95, 7-13-97, Formerly 61G11-33.001, Amended 11-21-02, 12-13-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Massage Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Massage Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 2, 2006

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-2.007 RULE TITLE: Medical Error Prevention Education for Initial Licensure

PURPOSE AND EFFECT: The Board proposes a substantial rewrite of the rule to remove unnecessary language and to remove reference to Section 456.033, Florida Statutes as it is no longer relates to initial licensure.

SUMMARY: The proposed substantial rewrite of the rule is to remove unnecessary language and to remove reference to Section 456.033, Florida Statutes as it no longer relates to initial licensure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 456.013(7), 456.033, 468.204 FS.

LAW IMPLEMENTED: 456.013(7), 456.033 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: Susan Love, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-2.007 ~~HIV/AIDS~~ and Medical Error Prevention Education for Initial Licensure.

~~(1) In order to comply with Section 456.033, Florida Statutes, each applicant for licensure as an Occupational Therapist must obtain for initial licensure a minimum of two hours of continuing education by participation in an approved formal training activity or self-study program on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome. The course shall consist of education on the modes of transmission, infection control procedures, clinical management, and prevention of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome. In addition, the course shall include information on current Florida Law on Acquired Immune Deficiency Syndrome and its impact on testing, confidentiality of test results, treatment of patients, and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to Sections 381.004 and 381.25, Florida Statutes.~~

~~(2) As part of the application, the applicant shall confirm completion of the required course by submitting a copy of the course completion certificate. If the course has not been completed at the time of licensure, the applicant shall, upon the submission of an affidavit of good cause, be allowed 6 months to complete this requirement.~~

~~(3) The licensee must retain such receipts, vouchers, certificates, or other papers as may be necessary to document completion of the HIV/AIDS education listed on the form for a period of not less than four (4) years from the date the course was taken. The Board will audit at random a number of licensees as is necessary to assure that the HIV/AIDS education requirement has been met.~~

~~(4) All applicants for licensure shall submit to the Board proof of completion of a 2-hour course relating to the prevention of medical errors. The course must have been approved by the Board and may be one offered by a facility licensed pursuant to Chapter 395, Florida Statutes. The course shall include a study of root-cause analysis, error reduction and prevention, patient safety, and for applications filed on or after July 1, 2004, must include contraindications and indications specific to occupational therapy management, including medication and side effects.~~

Specific Authority 456.013(7), ~~456.033~~, 468.204 FS. Law Implemented 456.013(7), ~~456.033~~ FS. History—New 12-11-96, Formerly 59R-61.016, Amended 7-28-99, 6-25-02, 2-19-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2006

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-3.005 RULE TITLE: Medical Error Prevention Education for Initial Licensure

PURPOSE AND EFFECT: The Board proposes a substantial rewrite of the rule to remove unnecessary language and to remove reference to Section 456.033, Florida Statutes as it no longer relates to initial licensure.

SUMMARY: The proposed substantial rewrite of the rule is being done to remove unnecessary language and to remove reference to Section 456.033, Florida Statutes as it no longer relates to initial licensure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 456.013(7), 456.033, 468.204 FS.

LAW IMPLEMENTED: 456.013(7), 456.033 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: Susan Love, Executive Director, Board of Occupational Therapy/MQA, 4 052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-3.005 ~~HIV/AIDS~~ and Medical Error Prevention Education for Initial Licensure.

~~(1) In order to comply with Section 456.033, Florida Statutes, each applicant for licensure as an Occupational Therapy Assistant must obtain for initial licensure a minimum of two hours of continuing education by participation in an approved formal training activity or self-study program on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome. The course shall consist of education on the modes of transmission, infection control procedures, clinical management, and prevention of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome. In addition, the course shall include information on current Florida Law on Acquired Immune Deficiency Syndrome and its impact on testing, confidentiality of test results, treatment of patients, and any protocols and procedures applicable to human immunodeficiency virus counseling and testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to Sections 381.004 and 384.25, Florida Statutes.~~

~~(2) As part of the application, the applicant shall confirm completion of the required course by submitting a copy of the course completion certificate. If the course has not been completed at the time of licensure, the applicant shall, upon the submission of an affidavit of good cause, be allowed 6 months to complete this requirement.~~

~~(3) The licensee must retain such receipts, vouchers, certificates, or other papers as may be necessary to document completion of the HIV/AIDS education listed on the form for a period of not less than four (4) years from the date the course was taken.~~

~~(4) All applicants for licensure shall submit to the Board proof of completion of a 2-hour course relating to the prevention of medical errors. The course must have been approved by the Board and may be one offered by a facility licensed pursuant to Chapter 395, Florida Statutes. The course shall include a study of root-cause analysis, error reduction and prevention, patient safety, and for applications filed on or after~~

July 1, 2004, must include contraindications and indications specific to occupational therapy management, including medication and side effects.

Specific Authority 456.013(7), ~~456.033~~, 468.204 FS. Law Implemented 456.013(7), ~~456.033~~ FS. History—New 12-11-96, Formerly 59R-62.013, Amended 4-5-98, 7-28-99, 6-25-02, 2-19-04,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2006

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.:	RULE TITLE:
64B11-5.001	Requirements for License Renewal of an Active License; Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove unnecessary language removing reference to end of life care and palliative health care as well as HIV/AIDS education.

SUMMARY: The proposed rule amendment will remove unnecessary language removing reference to end of life care and palliative health care as well as HIV/AIDS education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 456.036., 468.219, FS.

LAW IMPLEMENTED: 456.013, 456.033, 456.036, 468.219, 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: Susan Love, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-5.001 Requirements for License Renewal of an Active License; Continuing Education.

Continuing education includes attendance and participation as required at a live presentation such as workshop, seminar, conference, or in-service educational programs. It may also include participation in other continuing education activities that require a formal assessment of learning. Examples include, but are not limited to, electronic or web-based courses, formalized self-study courses and continuing education articles. An active license shall be renewed upon demonstration that the licensee has paid the renewal fee set forth in Rule 64B11-2.009 or 64B11-3.007, F.A.C., respectively, and has complied with the following requirements:

(1) through (3) No change.

(4) HIV/AIDS – ~~As part of the twenty-six (26) hours of continuing education required herein for license renewal, the licensee shall complete one (1) hour of HIV/AIDS education as set forth in Section 456.033, F.S., or a course in end of life care and palliative health care, so long as the licensee has completed an approved one (1) hour HIV/AIDS course in the immediately preceding biennium no later than upon first renewal.~~

(5) through (7) No change.

(8) Exemption – Those persons certified for licensure in the second half of the biennium are exempt from the continuing education requirements for that biennium, except for the two (2) hour prevention of medical errors course requirement referenced above and required by Section 456.013, F.S., ~~and except for the one (1) hour HIV/AIDS education or end of life care and palliative health care course referenced above as required by Section 456.033, F.S.~~

(9) through (15) No change.

Specific Authority 456.036, 468.219 FS. Law Implemented 456.013, 456.033, 456.036, 468.219 FS. History–New 4-17-95, Amended 10-30-95, 3-11-96, Formerly 59R-64.060, Amended 9-23-99, 10-18-01, 6-25-02, 5-7-03, 3-28-04, 10-24-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Occupational Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2006

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.:	RULE TITLE:
64B11-5.003	Requirements for Reactivation of an Inactive License

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove unnecessary language for end of life palliative health care and HIV/AIDS education.

SUMMARY: The rule amendment will remove unnecessary language for end of life palliative health care and HIV/AIDS education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 456.036, 468.204, 468.219 FS.

LAW IMPLEMENTED: 456.036, 468.219 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: Susan Love, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-5.003 Requirements for Reactivation of an Inactive License.

(1) An inactive license for an occupational therapist or occupational therapist assistant shall be reactivated upon demonstration that the licensee has satisfied the following requirements:

(a) through (c) No change.

~~(d) Completed one (1) hour of approved continuing education in the area of HIV/AIDS or end of life palliative health care as authorized and prescribed in subsection 64B11-5.001(4), F.A.C., for each full biennium in which the licensee was in an inactive status and for the last biennium in which the licensee held an active status license.~~

~~(d)(e) Completion of two (2) hours of approved continuing education relating to the prevention of medical errors, as authorized and prescribed in subsection 64B11-5.001(5), F.A.C., for each full biennium in which the licensee was in an inactive status and for the last biennium in which the licensee held an active status license.~~

(2) through (5) No change.

Specific Authority 456.036, 468.204, 468.219 FS. Law Implemented 456.036, 468.219 FS. History–New 4-17-95, Formerly 59R-64.020, Amended 10-18-01, 8-2-05, 5-29-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Occupational Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 26, 2006
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2006

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

RULE NOS.:	RULE TITLES:
65-2.045	Hearing Request
65-2.056	Basis of Hearings
65-2.057	Conduct of Hearing
65-2.058	Appearances

PURPOSE AND EFFECT: The rule amendments are to clarify the rule language in areas of authorized representatives, the de novo nature of the hearing, align the confidentiality requirements with federal requirements, remove language that is duplicative of language of the uniform rules, and remove the language that provides for class action hearings.

SUMMARY: The proposed rule amendments address procedural guidelines for administrative hearings that are conducted within the Department of Children and Family Services for the federally funded public assistance programs.

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

SPECIFIC AUTHORITY: 409.285 FS.

LAW IMPLEMENTED: 409.285 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD ON THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: September 19, 2006, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 100, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Pritchard, Chief of Appeal Hearings, Telephone (850)488-1429

THE FULL TEXT OF THE PROPOSED RULES IS:

65-2.045 Hearings Request.

(1) through (2) No change.

(3) A Request for Hearing may be made by the applicant/recipient or someone in his/her behalf. However, if the appeal is filed by someone other than the applicant/recipient, attorney, legal guardian, spouse, or next of kin, or the grantee relative in cash assistance, or a person allowed by the department as an authorized representative to participate in the eligibility determination. ~~AFDC~~ the person making the appeal must have written authorization of the applicant/recipient. Such written authorization must may accompany the Hearing Request, ~~or be presented by the time of the hearing.~~ Should the request be filed without the written

authorization, the authorization must be provided in response to a request from the department or hearing officer, prior to the appeal going forward. Without prior proper written authorization, the appeal will be dismissed.

(4) through (5) No change.

~~(6) This amendment is to be effective March 1, 1979.~~

Specific Authority ~~120.53, 20.05, 409.026,~~ 409.285 FS. Law Implemented ~~120.53, 120.57, 120.58;~~ 409.285 FS. History—New 5-17-78, Amended 3-1-79, Formerly 10-2.45, 10-2.045, Amended.

65-2.056 Basis of Hearings.

(1) through (2) No change.

(3) The Hearing Officer must shall determine whether the department's decision on eligibility or procedural compliance ~~action by the agency~~ was correct at the time the decision was made action was taken. The hearings are de novo hearings, in that, either party may present new or additional evidence not previously considered by the department in making its decision.

Specific Authority ~~120.53, 20.05, 409.026,~~ 409.285 FS. Law Implemented ~~120.53, 120.57, 120.58;~~ 409.285 FS., ~~7 C.F.R. 271.1(o); 45 C.F.R. 205.10;~~ History—New 5-18-78, Formerly 10-2.56, 10-2.056, Amended.

65-2.057 Conduct of Hearing.

The Hearing is a formal proceeding and shall be conducted pursuant to these rules. At the request of the petitioner, the Hearing may be conducted as an informal proceeding pursuant to Section 120.57(2), F.S.

(1) through (8) No change.

(9) Federal regulations require that public assistance the welfare records shall be confidential. Hearings conducted pursuant to these rules are only not open to any person except a party or witness, except as provided in federal regulation without consent of the appellant.

~~(10) The parties or their representatives shall have an opportunity to submit a proposed findings of facts and orders, filed exceptions, to the Hearings Officer within 14 days after the Hearings.~~

~~(10)(11) A Hearings Officer shall not grant a motion for rehearing or reconsideration.~~

~~(11)(12) The Hearing Official shall insure that all relevant issues are considered.~~

~~(12)(13) The Hearing Official shall request, receive and make part of the record information determined necessary to decide the issues being raised.~~

~~(13)(14) Hearing request from households, such as migrant farm workers, shall be processed faster than others if necessary to enable them to receive a decision before they leave the area.~~

~~(15) These amendments are to be effective March 1, 1979.~~

Specific Authority ~~120.53, 20.05, 409.026~~, 409.285 FS. Law Implemented ~~120.53, 120.57, 120.58~~, 409.285 FS. History—New 5-17-78, Amended 3-1-79, Formerly 10-2.57, 10-2.057, Amended _____.

65-2.058 Appearances.

(1) A person may be represented by an attorney, or other qualified representative or may appear on their own behalf. ~~A class of persons may be represented as provided in Rule 1.220, F.R.C.P., proceedings under these rules.~~

(2) The hearing shall be attended by a representative of the Department.

~~(3) Food Stamps regulations allows the attendance of friends or relatives of the household if the household so chooses. The Hearings Officer has the authority to limit the number of persons in attendance if space limitations exist.~~

(4) These amendments are to be effective March 1, 1979.

Specific Authority ~~120.53, 20.05, 409.026~~, 409.285 FS. Law Implemented ~~120.53, 120.57, 120.58~~, 409.285 FS. History—New 5-17-78, Amended 3-1-79, Formerly 10-2.58, 10-2.058, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
John Pritchard, Chief of Appeal Hearings
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sheryl Steckler, Inspector General
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2006
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-211.320
RULE TITLE: Curriculum Standards for Special Designation

PURPOSE AND EFFECT: The rule adds Professional Property Insurance Adjuster (PPIA) and Certified Claims Adjuster (CCA) as special designations for curriculum standards as established by the rule in accordance with a recent amendment to Section 626.221(1), F.S.

SUMMARY: The amendment adds Professional Property Insurance Adjuster and Certified Claims Adjuster to the designations for which curriculum standards are specified by the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 626.221 FS.

LAW IMPLEMENTED: 626.221 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Tuesday, September 19, 2006, 9:30 a.m.

PLACE: Room 139, Larson Building, 200 East Gaines Street, 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: Hazel Muhammad, (850)413-5460 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Hazel Muhammad, Chief, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0319, (850)413-5460

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-211.320 Curriculum Standards for Special Designation.

Pursuant to Section 626.221(1), Florida Statutes, the Department of Financial Services establishes the following curriculum standards:

(1) No change.

(2) For designation as an Accredited Claims Adjuster (ACA), ~~or~~ Professional Claims Adjuster (PCA), Professional Property Insurance Adjuster (PPIA) or Certified Claims Adjuster (CCA), the requirement is at least 40 course hours:

(a) through (b) No change.

Specific Authority 626.221 FS. Law Implemented 626.221 FS. History—New 11-6-01, Amended 8-7-03, Formerly 4-211.320, Amended 1-17-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hazel Muhammad, Chief, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mary Alice Palmer, Director, Bureau of Licensing, Division of Agent and Agency Services, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 7, 2006

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 21, 2006

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Building Commission

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
9B-72	Product Approval
RULE NOS.:	RULE TITLES:
9B-72.005	Scope
9B-72.010	Definitions
9B-72.030	Exceptions
9B-72.040	Product Performance Evaluation and Quality Assurance for Local Approval
9B-72.045	Validation of Performance Evaluation for Local Approval
9B-72.050	Approval by Local Jurisdictions and Acceptance of Products with Performance Criteria and Products with Standard Specifications
9B-72.060	State Approval Generally
9B-72.070	Product Evaluation and Quality Assurance for State Approval
9B-72.090	Product Approval by Building Commission
9B-72.100	Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies
9B-72.110	Criteria for Certification of Independence
9B-72.120	List of Approved Product Evaluation Entities, Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies
9B-72.130	Forms
9B-72.135	Revisions to Product Approvals or Entity Approvals
9B-72.160	Revocation or Modification of Product Approvals and Entity Certifications
9B-72.180	Equivalence of Standards

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 26, June 25, 2004, issue of the Florida Administrative Weekly.

9B-72.005 Scope.

(1) Products in the following categories as defined by subcategories of subsection 9B-72.010(31)(29), F.A.C., shall be available for approval ~~either approved~~ by the Commission pursuant to Rule 9B-72.090, F.A.C., for use in the state ~~or approved by local jurisdictions pursuant to Rule 9B-72.050, F.A.C., for use within that jurisdiction and accepted pursuant to Rule 9B-72.050, F.A.C., by the local jurisdiction for use in a~~ specific building:

- (a) through (e) No change.
- (f) Shutters; and
- (g) Structural components; and
- ~~(h) Products comprising a building's envelope introduced as a result of new technology.~~

(2) This rule applies to approval ~~and acceptance~~ of products and systems, which comprise the building envelope and structural frame, for compliance with the structural ~~and any weathering property~~ requirements of the Florida Building Code.

Specific Authority 553.842(1) FS. Law Implemented 553.842(5)(6) FS. History—New _____.

9B-72.010 Definitions.

The following terms have the meanings indicated.

(1) through (15) No change.

(16)(a) Evaluation report means a report based upon testing or comparative or rational analysis, or a combination thereof, from an approved product evaluation entity or a licensed Florida professional engineer or architect licensed in this state indicating that the product was evaluated to be in compliance with the Code or the intent of the Code and that the product complies with the Code or is, for the purpose intended, at least equivalent to that required by the Code.

(b) Legacy report means an evaluation report that was originally issued by the National Evaluation Service (NES), Building Official Council of America Evaluation Services (BOCA ES), International Council of Building Officials Evaluation Service (ICBO ES), or Southern Building Code Congress International Incorporated Public Safety Testing and Evaluation Services (SBCCI PST & ES), and that was in good standing at the time these organizations came together to form the International Code Council Evaluation Services (ICC ES); or an evaluation report issued as a result of an application received by one of the above-noted organizations prior to March 1, 2003, with the application being approved by March 1, 2004.

(17) through (22) No change.

(23) Product Approval:

~~(a) Local product approval means an approval of the product, method or system of construction for local use after an appropriate review, performed by the building official or designee pursuant to Rule 9B-72.050, F.A.C. The review shall verify that either the requirements pursuant to Rules 9B-72.045~~

~~and 9B-72.040, F.A.C., have been met or the product, method or system of construction has statewide approval pursuant to Rule 9B-72.070, F.A.C., indicates the product, method or system of construction is suitable for use in the location and project where it is proposed to be used. The issuance of a certificate of occupancy indicates acceptance, pursuant to Rule 9B-72.050, F.A.C., of products used in the building as complying with requirements of the Florida Building Code. Approval may be by inspection of the certification marks of approved certification agencies.~~

~~(b)~~ State product approval means the approval of a product, or system of construction by the Commission for acceptance of a product on a state or regional basis consistent with an evaluation conducted pursuant to Rule 9B-72.070, F.A.C.

(24) Product Model means a method of identification of products that is more specific than its subcategory or individual units as utilized in the field.

(25) Program System Administrator means a public or private entity qualified to review product approval and product entity documentation for compliance with this Rule.

~~(26)~~(24) Rational analysis means a standardized or non-standardized method by which a Florida Registered Architect or a licensed Florida Professional Engineer or approved evaluation entity uses mathematical or scientific analysis to evaluate the product behavior and to demonstrate that the product evaluated complies with the code for which the evaluation or engineering report is issued. Rational analysis shall be performed in accordance with well-established principles of mechanics and sound engineering practices.

~~(27)~~(25) No change.

~~(28)~~(26) No change.

~~(29)~~(27) No change.

~~(30)~~(28) Structural component means any part or assembly of a buildings that comprises the main wind force resisting system and components or cladding the envelope or structural frame.

~~(31)~~(29) Sub-category of product or construction system means a specific functionality:

(a) For exterior door: 1. exterior door assemblies: roll-up, sectional, sliding, swinging, automatic; pre-engineered roof access hatches; and products introduced as a result of new technology, 2. exterior door components and products introduced as a result of new technology;

(b) For windows: awning, casement, dual action, double hung, single hung, fixed, horizontal slider, projected, pass through, mullions, and products introduced as a result of new technology wind breaker;

(c) For panel walls: siding, soffits, exterior insulation finish system (EIFS), storefronts, curtain walls, wall louver, glass block, and products introduced as a result of new technology;

(d) For roofing products: built up roofing, modified bitumen roof system, single ply roof systems, spray applied polyurethane roof system, roofing fasteners, roofing insulation, asphalt shingles, wood shingles and shakes, roofing slate, roof tile adhesives, cements-adhesives-coatings, liquid applied roof systems, underlayments, ~~non-structural~~ metal roofing, roofing tiles, waterproofing, roofing accessories that are an integral part of the roofing system and products introduced as a result of new technology;

(e) For shutters: accordion, Bahama, storm panels, colonial, roll-up, pre-engineered equipments protection, and products introduced as a result of new technology;

(f) For skylights: skylight, and products introduced as a result of new technology; and

(g) For structural components: truss plates, wood connectors, anchors, exterior coolers-freezers, insulation forms systems, engineered lumber, pre-engineered air conditioner stands, structural wall components, and roof deck-roof, and products introduced as a result of new technology railing.

~~(32)~~(30) No change.

~~(33)~~(31) No change.

~~(34)~~(32) No change.

~~(35)~~(33) Validation means determination of compliance pursuant to Rule ~~9B-72.045, F.A.C., for local approval and Rule 9B-72.080, F.A.C., for state approval.~~

Specific Authority 553.842(1) FS. Law Implemented 553.842(1) FS. History—New 5-5-02, Amended 9-4-03,_____.

9B-72.030 Exceptions Local Product Approval Generally. Products listed in Rule 9B-72.005, F.A.C., ~~and revisions to an existing product approval~~ shall be approved according to the provisions of this rule.

(1) Prescriptive. Products that have prescriptive specification standards and are manufactured under quality assurance procedures as specified in the Code will be deemed approved. Products, materials and systems of construction specifically addressed in the Code through standard specifications shall have third party quality assurance and shall be approved through building plans review or inspection. Determination of third party quality assurance and compliance with the specification standard may be by inspection of listings, labels, other demonstration of compliance authorized by this rule or other demonstration of compliance acceptable to the building official. Such products shall include but not be limited to the following:

(a) Structural components covered by United States Department of Commerce Product Standards; ~~and~~

(b) Structural components comprised of products that are assembled or placed in the field and are subject to standardized field testing procedures contained within nationally recognized standards adopted within the Code may demonstrate compliance by a batch ticket or bill of lading made available at the site of assembly or placement; and

(c) Custom (one of a kind) pre-engineered buildings.

(2) Performance. Products, methods and systems of construction specifically addressed in the code through performance criteria shall demonstrate compliance pursuant to Rule 9B-72.070(4), F.A.C., and shall be approved pursuant to Rule 9B-72.090(5), F.A.C.

Specific Authority 553.842(1) FS. Law Implemented 553.842(5), (7), (6), (8) FS. History—New 5-5-02, Amended 9-4-03, _____.

9B-72.040 Product Performance Evaluation and Quality Assurance for Local Approval.

Specific Authority 553.842(1) FS. Law Implemented 553.842(5), (6), (8) FS. History—New 5-5-02, Amended 9-4-03, Repealed.

9B-72.045 Validation of Performance Evaluation for Local Approval.

Specific Authority 553.842(1) FS. Law Implemented 553.842(5), (6), (8) FS. History—New 5-5-02, Amended 9-4-03, Repealed.

9B-72.050 Approval by Local Jurisdictions and Acceptance of Products with Performance Criteria and Products with Standard Specifications.

Specific Authority 553.842(1) FS. Law Implemented 553.842(8) FS. History—New 5-5-02, Amended 9-4-03, Repealed.

9B-72.060 State Approval Generally.

Statewide approval of products listed in Rule 9B-72.005, F.A.C., and not covered by subsection 9B-72.030(1), F.A.C., or revisions to existing statewide product approvals requires evaluation of product compliance with the Code by a method listed in Rule 9B-72.070, F.A.C., validation of the evaluation as required by Rule 9B-72.080, F.A.C., and approval per Rule 9B-72.090, F.A.C. Validation of compliance with the Code shall be performed by approved Validation Entities. Approval shall be performed by the Commission. All products used in construction covered by the Code shall comply with the provisions or standards contained therein or with the intent of the Code.

Specific Authority 553.842(1) FS. Law Implemented 553.842(6) FS. History—New 5-5-02, Amended 9-4-03, _____.

9B-72.070 Product Evaluation and Quality Assurance for State Approval.

(1) through (c) No change.

(d) An evaluation report from a Florida Registered Architect or a licensed Florida Professional Engineer developed and signed and sealed, based upon standard tests or standard comparative or rational analysis, or a combination thereof and indicates that the product was evaluated to be in compliance with the Code and that the product is, for the purpose intended, at least equivalent to that required by the Code.

(e) Rational engineering analysis cannot be used in lieu of a standard test required by the Code for approval of products within the scope of the standard, except that project specific approval by the local authorities having jurisdiction in accordance with alternate methods and materials authorized in the Code.

(f) A legacy report from a nationally recognized model code organization may be used if the report demonstrates compliance with the code.

(2) through (a) No change.

(b) An evaluation report from a Florida Registered Architect or a licensed Florida Professional Engineer based on testing or comparative or rational analysis or combination thereof, which provides verifiable documentation indicating the product complies with the intent of the Code.

(c) Rational engineering analysis cannot be used in lieu of a standard test required by the Code for approval of products within the scope of the standard, except that project specific approval by the local authorities having jurisdiction in accordance with alternate methods and materials authorized in the Code.

(d) A legacy report from a nationally recognized model code organization may be used if the report demonstrates compliance with the code.

(3) No change.

(4) Evaluation Report and Test Report Documentation Requirements. All reports and documentation required in subsections 9B-72.070(1) and (2), F.A.C., shall contain the information listed below. Design drawings submitted for permitting purposes are not to be construed to be an evaluation report and do not require this information. When the Code requires a standard test as a component of a product approval using the evaluation methods, the test lab must be accredited by an approved accreditation body for the test performed. The entity issuing the evaluation report or certification is responsible to ensure that the test lab is accredited.

(a) through (b) No change.

(c) Complete description of the product including all drawings, manufacturer's product designations and materials, except materials specifications identified as proprietary construction method or building system.

(d) Technical documentation, including all substantiating data, supporting the compliance statement. Substantiating data shall include all test reports and calculations which may be referenced within the evaluation report; and

(e) Installation requirements. Installation instructions including attachments shall be developed by an evaluation entity, test lab or by the manufacturer's licensed design professional.

(f) through (5)(d) No change.

(e) Installation requirements; and

(f) Agency certificate designating product certification.

(6) Review and verification of installation instructions required under paragraph 9B-72.070(4)(e), F.A.C. Prior to posting installation instructions, including anchorage requirements, on the Building Codes Information System on the Internet, www.floridabuilding.org, they shall be reviewed or verified by the evaluation entity, test lab, the architect or engineer of record, or by a manufacturer's licensed design professional.

(7) Review and verification of installation instructions required under paragraph 9B-72.070(5)(e), F.A.C. Prior to posting installation instructions, including anchorage requirements, on the Building Codes Information System on the Internet, www.floridabuilding.org, they shall be reviewed or verified by the certification agency or by a manufacturer's licensed design professional.

Specific Authority 553.842(1) FS. Law Implemented 553.842(6) FS. History--New 5-5-02, Amended 9-4-03,_____.

9B-72.090 Product Approval by the Commission.

(1) Approval of a product or system of construction for state acceptance shall be performed by the Commission through the following steps:

(a) A product manufacturer or owner of a proprietary system or method of construction, or its designee (applicant) shall apply to the Commission for approval by filing an application in accordance with subsection 9B-72.130(2), F.A.C., validated in accordance with Rule 9B-72.080, F.A.C., and submitting fees pursuant to subsection 9B-72.090(2), F.A.C. Application shall be made through the Building Codes Information System on the Internet, www.floridabuilding.org, and payment shall be by credit card or electronic check.

(b) No change.

(c) Upon Commission acceptance of the required documentation pursuant to Rule 9B-72.070, F.A.C., and validation of compliance with the Code pursuant to Rule 9B-72.080, F.A.C., the Commission may approve the product for use statewide in accordance with its approval and limitations of use unless credible evidence is provided questioning the validity of the documentation submitted in support of the application for approval.

(d) No change.

(e) When a new edition of the Code does not require a material or substantive change for an approved product, the manufacturer of the approved product shall affirm that his or her approved product meets the new edition of the Code. Self-affirmation is subject to review and verification by the Program System Administrator. ~~Product approval is void if the manufacturer fails to renew as required in paragraph 9B-72.090(2)(a), F.A.C.~~

(f) through (g) No change.

(2) Fees for state approval of products.

(a) Fee for approval, Three Hundred Dollars (\$300.00) per sub category of product ~~with renewal every two years. Renewal fee shall be \$50.00.~~ The Commission shall review annually and adjust fees accordingly;

(b) No change.

(c) Fees for approval of evaluation entities, certification agencies, testing laboratories and validation entities; for first time approval, Five Hundred Dollars (\$500.00), annual renewal fee, One Hundred Dollars (\$100.00), revision fee, One Hundred Dollars (\$100.00).

(d) Fee for revision of an existing approval, Three Hundred Fifty Dollars (\$300 ~~50.00~~) for a revision that results in a material change to the performance of a product or product design specification or both, and which may include addition of products within the same subcategory per product or entity approval revision.

(e) Fee for editorial revisions of an existing product approval that does not result in material change to the performance of a product or product design specification or both, One Hundred Dollars (\$100.00).

(f) Fee for affirmation of an existing product approval for compliance with a new edition of the standards adopted by the Code, Fifty Dollars (\$50.00).

(3) Applications, affirmations, and revisions shall be made through the Building Codes Information System on the Internet, www.floridabuilding.org, and payment shall be by credit card or electronic check.

Specific Authority 553.77(1)(I), 553.842(1) FS. Law Implemented 553.842(1) FS. History--New 5-5-02, Amended 9-4-03,_____.

9B-72.100 Approval of Product Evaluation Entities, Product Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies.

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

(b) An entity may be approved as a validation entity after applying to the Commission for approval. Applications must be submitted in accordance with subsections 9B-72.130(1) and 9B-72.090(3), F.A.C., including a Certificate of Independence in accordance with Rule 9B-72.110, F.A.C., and fees submitted pursuant to subsection 9B-72.090(2), F.A.C. Application shall be made through the Building Codes Information System on the Internet, www.floridabuilding.org, and payment shall be by credit card or electronic check.

(c) through (5)(a)3. No change.

(b) Quality assurance agencies shall apply to the Commission for approval by filing an application in accordance with subsections 9B-72.130(1) and 9B-72.090(3), F.A.C., including a Certificate of Independence in accordance with Rule 9B-72.110, F.A.C., and submitting fees pursuant to subsection 9B-72.090(2), F.A.C. Application shall be made

through the Building Codes Information System on the Internet, www.floridabuilding.org, and payment shall be by credit card or electronic check.

(c) through (d) No change.

(e) Commission approved certification agencies are also approved as quality assurance entities for the products covered by their certification program.

(6) through (d) No change.

Specific Authority 553.842(6)(9) FS. Law Implemented 553.842(6)(9) FS. History—New 5-5-02, Amended 9-4-03, _____.

9B-72.110 Criteria for Certification of Independence.

A certification of independence shall be provided by a Florida registered architect or licensed professional engineer as applicable or by an officer of the entity, agency or laboratory who is responsible for operation of said entity, agency or laboratory that attests to the following:

(1) through (2) No change.

(3) The Florida registered architect or licensed professional engineer performing an evaluation does not have nor will acquire, a financial interest in any company manufacturing or distributing products for which the reports are being issued.

(4) The Florida registered architect or licensed professional engineer performing an evaluation does not have, nor will acquire, a financial interest in any other entity involved in the approval process of the product.

Specific Authority 553.842(1) FS. Law Implemented 553.842(1), (8)(9) FS. History—New 5-5-02, Amended _____.

9B-72.120 List of Approved Product Evaluation Entities, Validation Entities, Testing Laboratories, Certification Agencies, Quality Assurance Agencies and Accreditation Bodies.

The Commission shall make available a current list of approved product evaluation entities, testing laboratories, certification agencies, quality assurance agencies and accreditation bodies on its website, the Building Codes Information System, www.floridabuilding.org.

Specific Authority 553.842(13)(14) FS. Law Implemented 553.842(13)(14) FS. History—New 5-5-02, Amended _____.

9B-72.130 Forms.

The following forms are adopted for use in reference to the Product Evaluation and Approval System. Copies of these forms are available from the Department of Community Affairs, Codes and Standards Section, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, and via the Building Codes Information System on the Internet, www.floridabuilding.org.

(1) Florida Building Commission, Application for Organization/Entity Approval, Form No. 9B-72.130(1), updated October 11, 2005 ~~September 4, 2003~~ (electronic version).

(2) Florida Building Commission, Application for State Product Approvals, Form No. 9B-72.130(2), updated October 11, 2005 ~~September 4, 2003~~ (electronic version).

(3) Validation Checklist for State Approval, Form No. 9B-72.130(3), updated September 4, 2003 (electronic version).

~~(4) Florida Building Commission, Application for Local Product Approval, Form No. 9B-72.130(4), updated September 4, 2003 (electronic version);~~

~~(5) Florida Building Commission, Validation Checklist for Local Product Approval by Method 1 or 2, Form No. 9B-72.130(5), updated September 4, 2003 (electronic version);~~

~~(6) Florida Building Commission, Application for Revision to State Approvals, Form No. 9B-72.130(3), (electronic version), effective _____.~~

Specific Authority 553.842(1) FS. Law Implemented 553.842(1) FS. History—New 5-5-02, Amended 9-4-03, _____.

9B-72.135 Revisions to Product Approvals or Entity Approvals.

(1) No change.

(a) A product manufacturer or approved entity shall submit a revision for approval by filing an application in accordance with subsection 9B-72.130(2)(6), F.A.C., validated in accordance with Rule 9B-72.080, F.A.C., and submitting fees pursuant to subsection 9B-72.090(2), F.A.C. Revisions shall be made through the Building Codes Information System on the Internet, www.floridabuilding.org, and payment shall be by credit card or electronic check. The revision will carry the same Florida Product Approval ~~FL~~ number as the original approval with the addition of a revision number assigned, R1, R2, as applicable.

(b) Revisions to all data will be allowed, ~~but in the case of revisions to product approvals, new products shall not be added.~~

(c) Once a revision is approved by the Commission, the approved revision will supersede the original approval. ~~In the ease of product approval revisions, the time clock for renewal of the product approval every two years will be set back to day one.~~

Specific Authority 553.842(1) FS. Law Implemented 553.842(6) FS. History—New _____.

9B-72.160 Revocation or Modification of Product Approvals and Entity Certifications.

(1) Product Approval Revocation or Suspension.

(a) through (c) No change.

(d) The Commission shall clearly post the status of product approvals, denials, suspensions or on its website, the Building Codes Information System, www.floridabuilding.org.

(2) No change.

(3) Incomplete Product Approval or Entity applications. Any application that has no activity and is not complete within 180 days from the date of initial filing shall be denied.

Specific Authority 553.842(15) FS. Law Implemented 553.842(15) FS. History--New 5-5-02, Amended.

9B-72.180 Equivalence of Standards.

(1) Equivalence of product standards. Where conformance to the Code is based on standards, then product evaluation shall rely on national and international consensus standards referenced in the Code. Other standards which meet or exceed standards referenced by the 2001 edition of the Code and recognized as equivalent for determining Code compliance are:

(a) through (e) No change.

(2) Standards which meet or exceed standards referenced by the 2004 edition of the Code and recognized as equivalent for determining Code compliance are:

(a) AAMA/CSA/WDMA 101/I.S. 2/A440-05 is equivalent to AAMA/WDMA/101/I.S./NAFS-02 and AAMA/WDMA 1600/I.S. 7-00 for skylights only;

(b) ASTM D 5055 – 2000 is equivalent to ASTM D 5055 – 02;

(c) AAMA 501 – 94 is equivalent to AAMA 501 – 05; and

(d) AAMA 103.3 – 83 is equivalent to AAMA 103.3 – 05.

(3) Equivalence of product standards for specific product application. Standards which meet or exceed standards referenced by the Code and certified as equivalent for determining code compliance by one of the following entities shall be considered as equivalent by the Commission:

(a) An approved certification agency;

(b) An approved test lab;

(c) An approved evaluation entity;

(d) Florida licensed professional engineer or architect; or

(e) A nationally recognized standard writing organization.

(4)(2) No change.

(5)(3) No change.

Specific Authority 553.842(1) FS. Law Implemented 553.842(2) FS. History--New 5-5-02, Amended.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE NO.: 12E-1.012 RULE TITLE: Consumer Reporting Agencies

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. 32, No. 25, June 23, 2006 issue of the Florida Administrative Weekly.

These changes are in response to comments received from the Joint Administrative Procedures Committee.

Paragraph (a) of subsection (4) of Rule 12E-1.012, F.A.C., has been changed, so that, when adopted, the paragraph will read as follows:

(a) The department shall give notice to the obligor by regular mail at his or her last known address with Department of Revenue Form CS-EF32, 'Notice of Intent to Report to Consumer Reporting Agencies', incorporated herein by reference with a revision date of July 2006 ~~February 2000~~. Members of the public may obtain a copy of this form by a written request to: Department of Revenue, Child Support Enforcement Program, attn.: Forms Coordinator, P. O. Box 8030, Tallahassee, Florida 32314-8030. The notice will inform the obligor that the department will report the amount of overdue support owed by the obligor to consumer reporting agencies, that the department subsequently will report an update of the overdue support amount each month, that reporting the information may affect the obligor's ability to obtain credit, and that the obligor can avoid the initial report by paying the full amount owed within 15 days. The notice will also inform the obligor of the department's duty to release the information, that the obligor may request the department to enter into a written agreement that establishes a payment plan in lieu of reporting the overdue support, and that the obligor has the right to contest the information proposed to be released if the overdue support amount is incorrect or if he or she is not the individual obligated to pay support by requesting an informal review. Form CS-EF32 shall provide notice to the obligor of the intent of the department to release the following information to one or more consumer reporting agencies: the obligor's name, social security number, and the amount of overdue support owed by the obligor.

Subparagraph 3. of paragraph (4)(b) of Rule 12E-1.012, F.A.C., has been changed so that, when adopted, the subparagraph will read:

3. The department shall conclude its review by hand delivering or sending to the obligor by regular mail the Department of Revenue Form CS-EF62, 'Notice of Decision Concerning Report to Consumer Reporting Agencies', incorporated herein by reference with a revision date of July 2005. Members of the public may obtain a copy of this form by a written request to: Department of Revenue, Child Support Enforcement Program, attn.: Forms Coordinator, P. O. Box 8030, Tallahassee, Florida 32314-8030. The notice shall inform the obligor whether the department intends to report the obligor's overdue support amount to the consumer reporting agencies. The notice must inform the obligor of the right under

Chapter 120, Florida Statutes, to file a petition for administrative hearing to contest the accuracy of the information to be reported.

Paragraph (b) of subsection (6) of Rule 12E-1.012, F.A.C., has been changed so that, when adopted, the subparagraph will read:

(b) The department shall provide notice to an individual whose consumer report is sought by sending Department of Revenue Form CS-EF15 ~~CS-EF10~~, 'Notice of Consumer Report Inquiry', by certified mail to the individual's last known address at least 15 days prior to transmitting the request to the consumer reporting agency. Form CS-EF15 ~~CS-EF10~~ is incorporated herein by reference with a revision date of September 2005 ~~January 1999~~. Members of the public may obtain a copy of this form by a written request to: Department of Revenue, Child Support Enforcement Program, attn.: Forms Coordinator, P. O. Box 8030, Tallahassee, Florida 32314-8030.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

RULE CHAPTER NO.: RULE CHAPTER TITLE:
 15B-13 Operation of Soundmaking Devices
 in Motor Vehicles

NOTICE OF CORRECTION

A notice of Proposed Rule Making regarding the above rule was published in the July 7, 2006, issue of the Florida Administrative Weekly, Vol. 32, No. 27, on page 3025. The following statement was not included in the notice: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED.

The time period to request a hearing on the above rule is extended to 21 days from the date of this Notice. The foregoing correction does not affect the substance of the Notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lt. James D. Wells, Jr., Bureau of Special Operations Command, Division of Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-2303.

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."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:
 40D-2 Water Use Permits
 RULE NOS.: RULE TITLES:
 40D-2.011 Policy and Purpose
 40D-2.021 Definitions
 40D-2.041 Permits Required
 40D-2.091 Publications Incorporated by Reference
 40D-2.101 Content of Application
 40D-2.301 Conditions for Issuance of Permits
 40D-2.302 Reservations From Use
 40D-2.321 Duration of Permits
 40D-2.331 Modification of Permits
 40D-2.621 Water-Conserving Credits
 40D-2.801 Water Use-Caution Areas

NOTICE OF CORRECTION

The Southwest Florida Water Management District hereby gives notice of correction to the Notice of Public Hearing published in Vol. 32, No. 31, Page 3637 on August 4, 2006. The hearing will be held during the Southwest Florida Water Management District's monthly Governing Board meeting on Tuesday, September 26, 2006, beginning at 9:00 a.m. in the board room at the Tampa Service Office located at 7601 Highway 301 North, Tampa, Florida 33637-6759.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: RULE CHAPTER TITLE:
 40D-8 Water Levels and Rates of Flow
 RULE NOS.: RULE TITLES:
 40D-8.041 Minimum Flows
 40D-8.624 Guidance and Minimum Levels for Lakes
 40D-8.626 Minimum Aquifer Levels

NOTICE OF CORRECTION

The Southwest Florida Water Management District hereby gives notice of correction to the Notice of Public Hearing published in Vol. 32, No. 31, Page 3637 on August 4, 2006. The hearing will be held during the Southwest Florida Water Management District's monthly Governing Board meeting on Tuesday, September 26, 2006, beginning at 9:00 a.m. in the board room at the Tampa Service Office located at 7601 Highway 301 North, Tampa, Florida 33637-6759.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER NO.: 40D-80
 RULE CHAPTER TITLE: Recovery and Prevention Strategies for Minimum Flows and Levels

RULE NO.: 40D-80.074
 RULE TITLE: Recovery Strategy For the Southern Water Use Caution Area

NOTICE OF CORRECTION

The Southwest Florida Water Management District hereby gives notice of correction to the Notice of Public Hearing published in Vol. 32, No. 31, Page 3637 on August 4, 2006. The hearing will be held during the Southwest Florida Water Management District’s monthly Governing Board meeting on Tuesday, September 26, 2006, beginning at 9:00 a.m. in the board room at the Tampa Service Office located at 7601 Highway 301 North, Tampa, Florida 33637-6759.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: 59C-1.021
 RULE TITLE: Certificate of Need Penalties

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32 No. 12, March 24, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Purchasing

RULE NOS.: 60A-1.002
 RULE TITLES: Purchase of Commodities or Contractual Services

60A-1.033
 MyFloridaMarketPlace Information Security and Electronic Attachments

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. 32, No. 22, June 2, 2006, issue of the Florida Administrative Weekly. These changes are in response to both written material received on or before the date of the final public hearing and comments received from staff of the Joint Administrative Procedures Committee.

As to the proposed changes to the PUR 1000, a compliance with all controlling laws section will not be incorporated into the PUR 1000 – rather, this requirement will be incorporated into Rule 60A-1.002, F.A.C., as provided below. Also, the PUR 1000 is changed to notify contractors that failure to pay MyFloridaMarketPlace transaction fees may subject them to being removed from the Department’s vendor list in accordance with the process provided in Rule 60A-1.006, F.A.C. Further, the language to be added to the PUR 1000 per Section 287.057(26), F.S., has been shortened to include only

that language found in quotes in Section 287.057(26), F.A.C. Also, the PUR 3785 is changed to address the removal of confidential request for payment information from MyFloridaMarketPlace.

The above-mentioned rules are changed as follows:

60A-1.002 Purchase of Commodities or Contractual Services.

(1) through (8) No change.

(9) All contracts entered into as a result of formal solicitations issued by an agency shall include a contractual condition requiring vendor(s) comply with all laws and rules applicable to the vendor(s) providing the commodities or services to the agency.

60A-1.033 MyFloridaMarketPlace Information Security and Electronic Attachments.

(1) To process invoices for payment, the Department of Financial Services (“DFS”) requires agencies to submit request for payment information and supporting documentation to substantiate the payment. Request for payment information shall be entered by agencies into the corresponding comment field as specified in MyFloridaMarketPlace. Supporting documentation for payment requests in MyFloridaMarketPlace may be sent by the agency to DFS as electronically rendered (i.e., scanned) copies of the original documents.

(2) When entering request for payment information or scanning supporting documentation for purchase orders and invoices and loading them into MyFloridaMarketPlace, agencies shall comply with Rule 1B-26.003, F.A.C., Electronic Recordkeeping, and with Chapter 60DD-2, F.A.C., Florida Information Resource Security Policies and Standards.

(a) Before entering request for payment information or scanning and uploading supporting documentation for purchase orders and invoices into MyFloridaMarketPlace, the agency shall review and redact all confidential information from the supporting documentation. Specifically, agencies shall redact from request for payment information and supporting documentation, before it is uploaded into MyFloridaMarketPlace, all protected health information as defined in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all information that is exempt from inspection or copying as provided in Chapter 119, Florida Statutes, or any other provision of Florida law exempting or making information exempt from public records review. Further, before entering request for payment information or uploading scanned copies of supporting documentation into MyFloridaMarketPlace, agencies shall review and redact from request for payment information and supporting documentation all personal agency employee information that is unnecessary for DFS to review to process the invoice for payment. The agency shall retain the original hard copy of the document (unredacted version) for subsequent auditing purposes.

(3) If an agency identifies that confidential information has been entered into any MyFloridaMarketPlace comment field or that an agency's supporting documentation attachment in MyFloridaMarketPlace contains confidential information, the agency shall complete and submit to the Department Form PUR 3785, MyFloridaMarketPlace Confidential Information Attachment Removal Request Form (6/06), which is hereby incorporated by reference. This form is available on the internet at <http://dms.myflorida.com/dms/purchasing>.

(4) through (5) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony W. Garcia, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, garciaa@dms.state.fl.us

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Purchasing

RULE NO.: 60A-1.041
 RULE TITLE: Solicitation Requirements

NOTICE OF CORRECTION

Notice is hereby given that the notice of proposed rulemaking for Proposed Rules 60A-1.041, published in Vol. 32, No. 32, August 11, 2006, of the Florida Administrative Weekly, incorrectly listed the publication date of the notice of proposed rule development. The correct date is July 7, 2006. The forgoing change does not affect the substance of the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony W. Garcia, Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, (850)488-8440, garciaa@dms.state.fl.us

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE CHAPTER NO.: 60H-1
 RULE CHAPTER TITLE: Leases for Real Property
 RULE NOS.: 60H-1.001, 60H-1.002, 60H-1.003, 60H-1.004, 60H-1.006, 60H-1.007, 60H-1.009, 60H-1.013, 60H-1.015
 RULE TITLES: Definitions, Division Approval; When Required, Standard Lease Agreement Form, Filing of Leases, Escalation Clauses, Right-to-Terminate Clause Required, Notice of Renewal, Fire Code Compliance in Leased Space, Leases of 5,000 Square Feet or More

60H-1.017 Turnkey (Lease) Construction Program
 60H-1.022 Prior Approval of Space Need
 60H-1.025 Disclosure Statement – Private Entities
 60H-1.026 Disclosure Statement – Public Officials
 60H-1.027 Legal Review
 60H-1.028 Information and Forms
 60H-1.030 Rental Rate Guidelines for Privately Owned Space

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 22, June 3, 2005, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Licensing Board

RULE NO.: 61G4-16.0031
 RULE TITLE: Practical Examination for Swimming Pool Specialty Contractors

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., originally published in Vol. 32, No. 18, of the May 5, 2006, issue of the Florida Administrative Weekly. The change is response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The Board approved the change at its meeting held on July 14, 2006. When changed paragraph (3)(h) of the rule shall read as follows:

“(h) The practical examiner shall have the responsibility of notifying the applicant of the scores received on the practical examination, on form DBPRCILB4373 (July 10, 2006), effective _____, which is incorporated herein by reference. The form may be obtained through www.myflorida.com.”

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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 JUVENILE JUSTICE

Detention Services

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
63G-2	Secure Detention Services
RULE NOS.:	RULE TITLES:
63G-2.002	Definitions
63G-2.004	Staffing and Operations
63G-2.005	Security
63G-2.006	Treatment, Training and Education of Youth
63G-2.007	Sanitation
63G-2.011	Medical Treatment, Health and Comfort
63G-2.012	Disciplinary Treatment

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule sections in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 8, February 24, 2006, issue of the Florida Administrative Weekly, and amended in Vol. 32, No. 7, July 7, 2006. The changes are in response to comments received from the Joint Administrative Procedures Committee in a July 21 letter.

63G-2.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

- (1) Activity Schedule – The calendar of events regulating the youth’s daily routine in a secure detention facility.
- (2) Admission – The procedural process of placing a youth in detention status.
- (3) Admission Officer – The Officer responsible for admitting a youth to secure detention status.
- (4) Behavior Management System – A system designed to promote positive behavior through the giving or taking of rewards or privileges based on youth behavior.
- (5) Behavioral Confinement – The placement of youth in a designated room for behavioral reasons.
- (6) Census Counts – Process used to physically count each youth in the facility to ensure the number of youth in the facility is consistent with the number of youth the data system indicates are in the facility.
- (7) Classification – The identification and placement of youth in facility housing and programming based upon a classification matrix.
- (8) Constant Sight and Sound Supervision – Continuous and uninterrupted observation of a youth by a staff member who has a clear and unobstructed view of the youth and unobstructed sound monitoring of the youth at all times.
- (9) Corporal Punishment – Physical punishment applied to the body of a youth, i.e. whipping, spanking.
- (10) Cost of Care Recovery – Fees ordered by the court for the care, support and maintenance of the youth while detained.

(11) Designated Health Authority – A Florida licensed physician (Medical Doctor or Doctor of Osteopathy), who, by agreement, employment, contract or other arrangement, provides and/or supervises the provision of health care within a detention center.

(12) Designated Mental Health Authority – A single licensed mental health professional who, by agreement, employment, contract or other arrangement, provides and/or supervises the provision of mental health care within a detention center.

(13) Detention Screener – The individual who completes the detention screening and ensures proper paperwork is present to correctly screen a youth for detention status.

(14) Documentation – The act or an instance of the supplying of electronically or manually prepared documents, supporting references or records.

(15) Facility Operating Procedures – Individual facility procedures which implement statewide policies and procedures.

(16) Grievance – An actual or supposed circumstance regarded as just cause for complaint by a youth in a secure juvenile detention center.

(17) Grievance Procedure – A procedure for addressing youth grievances in secure detention centers.

(18) Group Punishment – The punishment of a group of youth for the behavior of a few.

(19) Inactive Files – File material resulting from previous contacts with the youth.

(20) Incident Reporting – An incident requiring mandatory reporting based on department requirements.

(21) Juvenile Detention Officer – The officer responsible for the direct supervision of the youth in secure detention.

(22) Juvenile Detention Officer Supervisor – The officer responsible for the direct supervision of other officers in the performance of their duties.

(23) Juvenile Justice Information System – The department’s electronic information system used to gather and store information on youth having contact with the department.

(24) Juvenile Probation Officer – The officer responsible for the supervision of a youth in the community or on post commitment probation or conditional release.

(25) Legal Guardian – An individual or agency with the legal status created by court order or letter of guardianship which vests in a custodian of the person or guardian the right to have physical custody of the youth and the right and duty to protect, train, and discipline the youth and to provide him or her with food, shelter, education, and ordinary medical, dental, psychiatric, and psychological care.

(26) Logbook – A written format for communication and record keeping in a secure detention facility.

(27) Master Control – The central security focal point in the facility for communication and tracking youth movement.

(28) Mechanical Restraints – Handcuffs, shackles, and belt chain.

(29) Precautionary Observation – A suicide precaution method that provides for the constant supervision of a suicide risk youth in designated observation areas of the facility that are safe and secure.

(30) Protective Action Response (PAR) – The department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with Chapter 63H-1, F.A.C.

~~(31)~~(29) Quality Assurance System – A statutorily mandated process for the objective assessment of a program’s operation, management, governance, and service delivery based on established standards.

~~(32)~~(30) Radio Ten Codes – Standardized communication codes to ensure fast, accurate, and universal communication in detention facilities.

~~(33)~~(31) Regional Director – The person responsible for the supervision of the superintendents of regional juvenile detention centers in a specified region.

~~(34)~~(32) Release – The removal of a youth from detention status.

~~(35)~~(33) Secure Detention – A physically restricting facility for the temporary care of youth, pending adjudication, disposition, or placement.

~~(36)~~(34) Security Devices – Devices both mechanical and electrical that enhance security in the facility.

~~(37)~~(35) Superintendent – The person responsible for the operation of a designated regional juvenile detention center.

~~(38)~~(36) Supervision – The direct care, custody, and control of youth while in detention status.

~~(37) Verbal and Physical Intervention – Verbal and physical response used to maintain control of youth.~~

~~(39)~~(38) Youth – Any youth ordered into secure detention status.

~~(40)~~(39) Youth Rights – Rights conferred upon a youth by state and federal law, department policy, and current best practices.

Specific Authority 985.404(10)(b) FS. Law Implemented 985.404(10) FS.-History–New _____.

63G-2.004 Staffing and Operations.

(1) Organization:

(a) The Assistant Secretary for Detention Services as appointed by the Secretary of the Department of Juvenile Justice, is responsible for all aspects of detention services including but not limited to the operation of all detention centers statewide.

(b) The regional director who, in turn, reports directly to the Assistant Secretary directs all operations related to detention services in their region.

(c) Detention superintendents report to a designated regional director.

1. The superintendent or designee shall maintain an organizational chart of the center’s personnel structure. The organizational chart shall at a minimum include:

a. An outline of the structure of authority and accountability within the center.

b. Names, positions, position numbers and a clear chain of command for all facility positions.

c. Updating as needed and reviews at least quarterly for accuracy.

2. Position descriptions shall be maintained for facility personnel and shall include all information as required by the Florida Administrative Code.

3. Each detention facility shall be staffed to ensure the total number of FTE (Full Time Equivalency) positions allocated to a detention center shall be such that there is a minimum of 1 FTE position per every 1.5 fixed beds.

4. Shift schedules for detention officers shall ensure staffing that will provide for a safe and secure environment during all hours of each day of the week. The superintendent shall review staff schedules prior to implementation.

5. Schedules for administrative and support staff shall be developed at the discretion of the superintendent to best meet the needs of the facility.

(2) Monitoring and Assessment:

(a) Detention superintendents shall designate to their facility Assistant Superintendents the responsibility of preparing quarterly reports analyzing facility operations, which shall include:

1. Review, investigation and follow-up actions of incidents impacting the safety and security of daily operations.

2. Review of population trends.

3. Review of safe, secure and humane conditions of confinement for youth.

4. Review of other issues as identified by the superintendent.

5. Recommendations to best address any issues identified above.

(b) These reports shall be reviewed in a timely manner by the superintendent who will forward these reports with comments and or corrective actions to the regional director for review and action.

(c) The detention center shall be subject to annual reviews by the department’s Bureau of Quality Assurance unit. The detention center shall achieve a minimum score of 60% in the performance standards and a minimum score of 80% in the compliance standards that are evaluated by the Bureau of Quality Assurance. The standards that are evaluated cover the following areas:

1. Program management;

2. Living environment;

3. Food Services;
4. Health Services;
5. Program security and safety;
6. Training; and
7. Education.

(d) Should a facility fail to maintain at least a minimum satisfactory rating in quality assurance (QA), a corrective action plan shall be implemented. If the center fails to achieve compliance with the established minimum thresholds within six (6) months, and if there are no documented extenuating circumstances beyond the center's control that make it difficult or impossible to meet minimum QA standards, then the department must notify the Executive Office of the Governor and the Legislature of the corrective action taken. Extenuating circumstances include, but are not limited to, hurricanes/Acts of God, facility damage and structural problems. Appropriate corrective action may include, but is not limited to the following:

1. Contracting out for the services provided in the program;
2. Initiating appropriate disciplinary action against all employees whose conduct or performance is deemed to have materially contributed to the program's failure to meet established minimum thresholds;
3. Redesigning the program.

~~(e)~~(4) The Department will grant special consideration to any detention center achieving an overall performance rating of 80% or higher (Commendable and Exceptional Performance) rating in each key programming area and an overall compliance rating of at least 90% during its annual ~~quality assurance (QA)~~ review. To be eligible, the center must also meet all standards in at least the acceptable performance range and pass the education standard in programs that provide educational services. This special consideration will be in effect for a period of two years following the qualifying review. The first year following the qualifying review, there will be no quality assurance review conducted of any type.

(3) Training:

(a) All juvenile justice officers shall be trained and certified in Protective Action Response within 90 days of their hire date. All juvenile justice officers shall be trained and successfully complete the Basic Officer Certification Program within 180 days of their hire date.

1. Phase One of the staff training includes the following subjects:

- a. Mental Health and Substance Abuse;
- b. Suicide Prevention;
- c. Safety;
- d. Security;
- e. Supervision of Youth;
- f. Youth Behavior and Consequences;
- g. Protective Action Response; and

h. CPR and First Aid.

~~essential skills as identified by the Department of Juvenile Justice Bureau of Staff Development and Training.~~ No officer will be permitted to assume the care and custody of detained youth until he or she has completed training in Protective Action Response verbal and physical intervention and has been certified to administer CPR/First Aid. When Phase One is completed, the officer will be permitted to interact with detained youth under the supervision of a certified officer.

2. Phase Two of the staff training includes the following subjects:

- a. Balanced and Restorative Justice;
- b. Ethics;
- c. Health Care;
- d. Human Diversity;
- e. Mental Health and Substance Abuse;
- f. Promoting Professional and Appropriate Staff Conduct; and
- g. Effective Communication and Adolescent Behavior.

~~policy and procedures as identified by the Department of Juvenile Justice Bureau of Staff Development and Training.~~ Upon successful completion of Phase One and Two training, and the Certification Exam, the staff member will be a certified officer and will be permitted to assume the care and custody of detained youth.

(b) Training curricula shall address specifically the sequence, steps, methods, required paperwork and other applicable details officers would follow as part of their duties and responsibilities.

(c) Detention superintendents or designees shall ensure compliance with all training requirements.

(4) Interns and Volunteers:

(a) May be utilized to work directly with youth to promote a variety of educational, life and/or job related skills.

(b) All prospective interns or volunteers working more than 40 hours in a month shall be initially screened under the level 2 screening standards set out in Section 435.04, Florida Statutes per departmental screening procedures. Interns and volunteers working less than 40 hours in a month and who are under the direct and constant supervision of persons who have met the level 2 department's screening standards requirements are not required to undergo background screening.

(c) Interns and volunteers shall receive security training prior to having contact with youth. This training will consist of the following:

1. Facility Emergency Procedures;
2. Key Control;
3. Tool and Sensitive Item Control;
4. Fire Safety;
5. Security Devices; and
6. Child Abuse Reporting.

~~enable the intern/volunteer to interact with youth without compromising the safety and security of the youth, staff, and the facility.~~

(d) The superintendent or designee shall maintain a file on all interns and volunteers. The file shall include at a minimum, the approved background screening paperwork, the superintendent's review of the paperwork, and documentation of training.

(e) Interns and volunteers shall comply with all departmental rules and Florida statutes.

(f) All activities, topics of discussion, lessons, etc. shall enhance services to youth. The activities may include but are not limited to the following topics:

1. Religious: Groups facilitating religious activities such as, Bible studies, choirs, provision of special ceremonies, and religious services.

2. Drugs/Alcohol: Groups providing services in the area of drug and/or alcohol abuse prevention, which may include education, counseling, and support groups.

3. Community Reintegration: Groups whose services are aimed at assisting the juvenile to develop community survival skills.

4. Recreation: Groups providing leisure time activities such as arts and crafts, athletics, and entertainment.

5. Academic/Vocational: Groups providing educational assistance such as tutoring, educational counseling, classes, job training and preparation.

(g) An officer shall maintain supervision of youth during all intern or volunteer sponsored activities.

(5) Admission:

(a) The superintendent shall ensure officers are trained in the admission process including the review and completion of required paperwork and the sequence of required actions.

(b) The admission process shall address the following:

1. Review of required paperwork from law enforcement and screening staff prior to initiating the admission process.

2. Completion of the Juvenile Justice Information System (JJIS) Admission Wizard. The Admission Wizard is a computer-based form database containing all elements required for an admission. The Admission Wizard (DJJ/DCF Form 1 02/2005) is incorporated, and is available from the Assistant Secretary for Detention at 2737 Centerview Drive, Suite 309, Tallahassee, Florida 32399-3100.

3. Medical screening of youth at the time of admission requires the completion of the Medical and Mental Health Screening form within the JJIS Admission Wizard.

4. The admission officer shall clearly communicate to the youth the rules of the center and expectations of behavior.

5. The youth shall be electronically searched, frisk searched, and strip searched by an officer of the same sex as the youth.

6. All items in the youth's possession, including clothing, shall be searched, inventoried and documented, to include both the signature of the admission officer and the youth. All items shall be placed in a secure location.

7. A photograph of the youth shall be taken and maintained in the youth's file.

8. Inactive files shall be reviewed, if available, to obtain useful information.

9. The youth shall be allowed to place a telephone call at the facility's expense and the call shall be documented on all applicable forms. The youth shall not be allowed to telephone the victim(s) unless it is a relative who is a victim of domestic violence and the admission officer verifies that the victim is willing to talk with the youth.

10. If the admission process is completed two hours or more before the serving of the next scheduled meal, the youth shall be offered something to eat.

11. The youth shall be screened to identify medical, mental health, and substance abuse needs. Any indication requiring services shall be documented, and appropriate referrals and services provided. The detention facility shall use an alert system within JJIS to identify youth with special needs. Staff shall give special attention to observing youth in the alert system to ensure their special needs are met.

(6) Transfers:

(a) Youth may be transferred into a detention center from either another detention center or from a residential commitment program.

(b) The admission process for transfers shall be as follows:

~~1. Active files shall be reviewed to ensure all required evaluations and documents are present and to determine any special needs or supervision.~~

~~1.2-~~ Youth shall be screened to determine if there are any mental health, substance abuse, or physical health issues, and necessary referrals and services provided.

~~2.3-~~ Youth shall be electronically searched, frisk searched, and strip searched.

~~3.4-~~ Any personal property shall be searched, inventoried and securely stored.

(7) Documentation:

(a) All activities, incidents, and information relative to safety and security in the facility shall be documented.

(b) Written documentation includes a range of logbooks, reports, forms, and communications.

(c) All documents represent official records and are legal documents. Failure to document required information, falsification of information, or failure to properly retain written documents may result in disciplinary action.

(d) Reports related to facility operations fall into two categories: internal and external reports.

1. Internal reports refer to reports that are utilized regularly by officers and other facility staff in the day-to-day operation of the facility and are reviewed per facility operating procedures. Reports are retained per state retention guidelines. Internal reports include, but are not limited to, the following:

- a. Shift reports
- b. Incident reports
- c. Confinement reports
- d. Documentation of physical interventions to control behavior.

2. External reports refer to reports that are forwarded from the facility to sources required by the legislature, the department or other governmental agencies. External reports include, but are not limited to:

a. Reporting of incidents to the Central Communications Center. The Central Communications Center (CCC) is an office staffed 24 hours per day every day with employees whose responsibilities include receiving information from staff concerning incidents occurring in department facilities and programs that involve, staff, youth, providers, visitors or parents/guardians. CCC staff disseminate and track information and document actions taken.

b. National School Lunch meal reports.

c. Reports to the Florida Abuse Hotline, pursuant to Chapter 39, Florida Statutes.

Specific Authority 985.404(10)(b) FS. Law Implemented 985.404(10)(b)1. FS. History—New _____.

63G-2.005 Security.

(1) Security Audits: The regional director shall ensure security audits are conducted and documented by department personnel on a quarterly basis. Security Audits are reviews by a team of professional staff inspecting security systems, equipment, policy, procedures and staff actions. The results are documented. Any deficiency is noted and corrective actions must be made.

(2) Security Devices:

(a) Security devices are used to enhance the supervision provided by trained staff. The following security devices are utilized in detention centers:

- 1. CCTV, radios and other recording and audio devices
- 2. Doors, vestibules, man-traps/interlocking doors, keys, locks, windows, and electronic controls
- 3. Mechanical restraints, i.e. handcuffs, restraining belt, leg cuffs, soft restraints
- 4. Fencing, hardware cloth, razor wire, and sallyports.

(b) The detention superintendent shall ensure:

1. Security devices shall be checked for proper operation/status on each shift, with the findings documented on the shift report and applicable logs under Rule 63G-2.004, F.A.C.

2. Noted deficiencies shall be reported to maintenance and administration for corrective action.

(3) Master Control:

(a) Master Control’s function, as it relates to security, involves 24-hour, seven days per week observation and monitoring of all activities occurring within the facility. Master Control performs a number of critical tasks related to safety and security. It is the central security focal point in the facility for communication and tracking youth movement.

(b) The detention superintendent shall ensure the master control operator or designee maintains a bound log book and documents admissions, releases, census counts at the beginning and end of each shift and throughout the shift as the count changes, youth movement, emergencies, and any other relevant incidents/information.

(c) Master Control or other security stations as designated by the superintendent shall ensure all visitors, both visiting DJJ staff and others, are documented.

(d) Master Control clears all movement of youth prior to the actual movement.

(4) Communications:

(a) The detention superintendent shall require that upon reporting to duty, officers and supervisors are briefed by the outgoing supervisor or designee on each shift. Briefings at a minimum shall include:

- 1. Review of census counts including admissions and releases.
- 2. Names of youth placed in confinement and current status.
- 3. Names and status of youth on suicide watch or with special medical alerts.
- 4. Status of security devices.
- 5. Incidents that contribute to jeopardizing safety and security.
- 6. Any other information applicable to maintaining a safe and secure environment.

(b) The lead officers assigned to the direct supervision of a group of youth shall be issued radios to be used to communicate with other lead officers, supervisors and Master Control as needed. Facility administration shall be assigned radios compatible with those issued to staff.

(5) Key Control:

(a) The detention superintendent or designee shall maintain a key inventory accounting for all keys.

(b) Emergency key rings with keys providing egress through the facility exterior shall be maintained separately from other facility keys in areas designated by the superintendent. These keys shall be notched or be otherwise identifiable by touch only.

(c) Employees shall not allow youth to handle facility keys.

(d) Key rings shall not be removed from the facility or the facility grounds without authorization from the superintendent.

(e) Lost key rings shall be reported immediately to the supervisor on duty.

(f) Youth movement shall cease immediately in the event of a lost key ring.

(6) Supervision of Youth:

(a) The primary function of the juvenile detention officers is to provide supervision, control, and custody of youth.

(b) Officers shall know the exact number and location of all youth assigned to them at all times.

(c) Census counts of youth shall be taken and documented, at a minimum:

1. At the beginning and end of each shift.

2. Prior to and following routine movement.

3. Following any evacuation of the facility due to emergency or fire drill.

4. Randomly, at least once, on each shift.

(d) When youth are noncompliant or present a danger to self or others, staff shall intervene using approved ~~PAR verbal and physical intervention~~ techniques and if necessary, the application of mechanical restraints.

(e) Officers are responsible for the care of youth at all times. At no time shall another youth be allowed to exercise control over or provide discipline or care of any type to another youth.

(f) Superintendents or designated supervisors shall tour the youth living areas more than once each shift.

(7) Classification of Youth:

(a) Youth admitted to the detention center shall be classified to provide the highest level of safety and security.

(b) The detention superintendent shall ensure the classification process is implemented by juvenile detention officers.

(c) Youth shall be reclassified if changes in behavior or status are observed.

(d) Officers shall ensure classification factors include, but are not limited to, a youth's sex, age, physical characteristics, developmental disabilities, physical handicaps, mental illness, criminal history, level of aggressiveness and/or a history of sexual offenses.

(e) Youth classified as suicide risks shall be placed on constant sight and sound supervision.

(8) Living Area/Room Assignments:

(a) Youth shall be assigned to a room based on their classification.

(b) Youth with a history of committing sexual offenses or of being a victim of a sexual offense shall not be placed in a room with any other youth.

(c) Youth with a history of violent behavior shall be assigned to rooms where it is least likely that they will be able to jeopardize safety or security.

(d) Rooms shall be searched and findings shall be documented prior to the initial placement of a youth in a room.

(e) When a youth is confined to a room, whether for sleeping, disciplinary or other reasons, officers shall conduct, at a minimum, 10-minute checks to ensure safety and security. Ten-minute checks shall be documented to include the time of the check and the initials of the officer completing the check. If an officer, in the course of completing checks, is unable to see any part of a youth's body, the officer shall, with the assistance of another officer, open the door to verify the youth's presence.

(9) Searches:

(a) The Detention Superintendent shall ensure the primary function of any search is to locate contraband and to identify any item or situation that may be hazardous or otherwise compromise safety or security.

(b) The result(s) of any search shall be documented in the designated logs and on the shift report.

(c) Any item or situation, which may compromise safety or security, shall be reported immediately to the on-duty supervisor.

(d) Law enforcement shall be contacted if any found item would be considered illegal as defined in Florida Statute, or if there is evidence of any type of unlawful activity.

(e) Youth shall have in their possession only those items they are authorized to have; any other item shall be considered contraband.

(f) Officers are to be trained in when, why and how to conduct a number of different searches, including, at a minimum:

1. Frisk searches shall be conducted during admissions, following activities outside the living area, prior to and after transportation, and randomly.

2. Electronic searches shall be conducted during admissions, following any transport, and randomly.

3. Strip searches shall be conducted during admissions, or if there is a reasonable suspicion a youth is harboring contraband. All strip searches shall be conducted by officers of the same sex as the youth.

4. Room searches shall be conducted during the first two shifts (morning and afternoon) and if there is a reasonable suspicion that a youth is harboring contraband in a room.

5. Recreation field searches shall be conducted at the beginning of each shift and prior to any outdoor activity.

6. Perimeter, outside the fence line, and parking lot(s) searches shall be conducted once during each shift.

7. Vehicle searches shall be conducted prior to and after the transportation of any youth.

(g) Officers and other facility staff shall not be allowed to introduce personal items into the secure area without authorization of the superintendent or designee.

(10) Firearm and Weapon Control:

(a) The detention superintendent shall ensure the following:

1. Firearms and weapons as defined in Chapter 790, F.S., shall not be in the possession of any department employee while on state property or during the performance of their job unless authorized by the department.

2. Firearms and weapons may only be brought into the secure area of any detention facility by law enforcement when emergency conditions exist.

(b) The possession of any firearm or weapon by a youth is a criminal act. Such items shall be seized if there is no immediate danger posed and law enforcement must be contacted.

(11) Emergencies:

(a) Officers and other facility staff shall be trained and prepared to address emergency situations. All facility staff shall call 911, if they believe any youth or staff requires emergency care. If 911 services are requested, Master Control shall be notified of the request as soon as possible to assist arriving emergency personnel in getting to the proper location.

(b) Regardless of the type of emergency, the supervision of youth and safety and security may be adversely affected and will demand immediate officer response.

(c) Emergency situations are categorized into three broad categories: youth oriented; weather/nature; and man-made situations.

1. Youth oriented emergencies include: escapes, riots, hostages, threat to life caused by the possession of a firearm or weapon, general disturbances and medical crisis. In the event of a medical emergency, all staff are trained in CPR/First Aid and are required to immediately provide assistance to the youth.

2. Weather/nature emergencies include: hurricanes, tornadoes, fire, flooding, power outages or other severe weather conditions.

3. Man made situations include: fire, bomb threats, chemical spills and the intrusion of any outside force.

(12) Non-facility Staff in Secure Areas:

(a) Access to secure areas must frequently be provided to a number of different entities including, but not limited to: probation officers, law enforcement, officials of the court, school board personnel, contracted medical and/or mental health personnel, representatives from the Department of Children and Families, the Agency for Persons with Disabilities, and service vendors.

(b) The superintendent shall ensure the following:

1. Visiting personnel conducting official business shall display proper identification.

2. The superintendent shall designate what areas persons not employed at the facility may enter.

(c) The supervision of youth remains the responsibility of officers even when youth are with non-facility staff.

(d) When youth are with non-facility staff, sight supervision should be maintained by an officer whenever possible. At a minimum, youth with non-facility staff shall be monitored by the facility's surveillance equipment.

(e) Service vendors will be accompanied by designated facility staff at all times when in the secure area of a detention center. The superintendent may authorize exceptions to this guideline. All tools or other service items introduced into the secure area shall be accounted for following all service calls.

(f) All contracted employees shall enter and exit the facility through the main entrance and shall sign in and out of the facility.

Specific Authority 985.404(10)(b) FS. Law Implemented 985.404(10)(b)1. FS. History—New _____.

63G-2.006 Treatment, Training and Education of Youth.

(1) Orientation:

(a) Youth shall be advised of facility rules and regulations, expectations for behavior and related consequences, and youth rights during an orientation process completed by an officer.

(b) Orientation shall occur within 24 hours of a youth being admitted into the facility and documented accordingly.

(2) Officer and Youth Interaction:

(a) The interaction between officers and youth is a critical component of the youth's time in detention and significantly impacts the youth. The quality of the program is contingent largely upon officers setting reasonable expectations and youth understanding how to appropriately interact with the officers.

(b) Officers must be clear and concise and use appropriate language in order to communicate effectively.

(3) Officer Professionalism:

(a) Officers shall maintain professional relationships with all youth and should avoid the appearance of personal relationships.

(b) Officers are role models and shall act accordingly.

(c) Officers shall not engage in personal relationships nor discuss any personal information relating to themselves or other officers with any youth.

(d) If a youth is a relative or family friend of an officer, it is the responsibility of the officer to report this through the designated chain of command.

(e) Officers shall not enter the sleeping quarters of the opposite sex unless accompanied by an officer of the same sex as the youth. However, any officer that discovers a youth attempting to commit suicide must immediately survey the scene to assess the level of emergency, and call for assistance. If the youth is demonstrating any sign of medical distress or is unresponsive, the officer must take immediate action and begin life-saving measures. Single officer cell entry is permitted to save lives. Life-threatening behaviors require an immediate response. Officers must use extreme caution when intervening without assistance.

(f) Officers shall not engage in "horseplay," either verbal or physical, with any youth.

(g) Officers shall not have written correspondence or verbal communication, including telephone calls, with any youth unless the communication is part of the identified duties.

(h) Officers shall not have any physical contact with any youth that could be viewed as potentially inappropriate except in the necessary application of verbal and physical intervention in accordance with PAR.

(j) Physical abuse of youth is prohibited by law and any suspicion or knowledge of such must be reported to the central abuse hotline, pursuant to Chapter 39, Fla. Stat., and the Central Communications Center.

(k) Officers shall not verbally abuse, demean or otherwise humiliate any youth, and shall not use profanity in the performance of their duties.

(l) Officers shall maintain the confidentiality afforded to all youth and shall not release any information to the general public or the news media about any youth.

(4) Daily Activities:

(a) Youth shall be provided the opportunity to participate in activities that will benefit youth and the facility by involving youth in constructive activities.

(b) Youth are expected to participate in all activities unless exempted due to medical or disciplinary reasons.

(c) Juvenile detention officers shall supervise all activities and shall maintain safety and security.

(d) Documentation of all activities shall be made in all applicable logs.

(5) Activity Schedule:

(a) The superintendent or designee shall develop a daily schedule clearly outlining the days and times for every youth activity.

(b) Daily activity schedules shall be posted in all living areas.

(c) Juvenile detention officers shall adhere to the daily activity schedules. The on-duty supervisor must approve any significant changes in the activity schedule (e.g. cancellations, extended delays, etc.), and shall document the rationale for the changes on the shift report.

(6) Education:

(a) ~~The department's will provide a safe, secure and humane environment for all youth receiving educational services within a detention center standards and requirements for education in detention facilities will be consistent with those established by the Department of Education and will be outlined within a cooperative agreement with the Department of Education and the local school district.~~

(b) The behavior management system described in Rule 63G-2.012, F.A.C., shall be shared with the educational program and implemented within the classroom. The behavioral norms and expectations will be posted in the

classroom and shall clearly specify what are appropriate and inappropriate behaviors ~~cooperative agreement shall include the mandated standards and requirements found in section 1003.52, 1006.13, 985.3155, Fla. Stat.~~

(c) Juvenile detention officers are responsible for maintaining security in the classroom, and are required to:

1. Know the exact number and location of all youth whom they are assigned to supervise at all times.

2. Perform census counts of all youth upon arrival to and departure from the classroom.

3. Maintain active control of youth by staying alert and immediately addressing any threat to safety and security. The superintendent or designee shall work in partnership through a cooperative agreement with local school officials to ensure a quality school program is available for all youth. The superintendent or designee shall ensure compliance with the cooperative agreement.

(d) The delivery of educational instruction shall comply with the requirements of Rule 6A-6.0528, F.A.C. (01-01-1995), and 6A-6.05281, F.A.C. (04-16-2000).

(7) Recreation and Leisure Activities:

(a) Physical training is designed to promote healthy physical growth and development by providing structured large muscle exercise daily.

(b) Youth shall be afforded at least one hour daily of large muscle exercise outdoors. Outdoor exercises may be canceled, postponed or moved indoors at the discretion of the on-duty supervisor for reasons related to weather, safety or security.

(c) Activities such as free weights, softball, baseball, tackle football and horseshoes are prohibited activities due to safety and security concerns.

(d) Officers shall not participate in any physical activity with youth, but may direct or otherwise instruct youth in an activity.

(e) Exercises shall be consistent with the youths' physical capabilities.

(f) Exercises shall not be used for punitive reasons nor to demean, embarrass or humiliate a youth.

(8) Indoor Activities:

(a) Indoor activities shall promote educational, problem solving and/or life skills.

(b) Permissible and prohibited activities shall be determined by the superintendent or designee, with safety and security being considered.

(c) All movies shall be rated G or PG and be previously approved by the superintendent or designee.

(d) Indoor activities shall be canceled or postponed at the discretion of the on-duty supervisor for reasons related to safety or security. Such actions shall be documented.

(e) The on-duty supervisor shall ensure that television/videos are used either for educational purposes or as part of the facility's behavior management system. Television

programs and videos shall be content appropriate and should not promote violence, criminal activity, or sexual/abusive situations.

(9) Visitation:

(a) The superintendent shall develop a visitation plan consistent with the following:

1. One day of the week, at a minimum, with specified times, will be designated for visitation.

2. Guidelines for canceling any visits that may adversely affect safety or security of officers or youth shall be established.

3. The rules and visiting hours shall be conspicuously posted to ensure visibility to both visitors and youth.

4. All visitors must present a picture ID prior to being authorized to enter the facility. Acceptable forms of picture identification are a valid State Driver's License, State Identification Card and a national Passport.

5. Visitors shall not bring personal items (e.g., keys, purses, packages, etc.) into the secure area. Posted visitation rules shall include this information, along with a warning that the introduction of any unauthorized items into a detention center is a third-degree felony consistent with Section 985.4046, F.S., which prohibits the introduction of unauthorized items into a detention center. Visitors will be electronically screened by passing through a walk-through metal detector.

6. Visitors shall sign in on the Visitor's Log of the youth being visited.

7. Visitors shall be denied entrance if they:

a. Are disruptive or uncooperative.

b. Refuse to be electronically searched.

c. Refuse to comply with officer instructions.

d. Are under the influence or appear to be under the influence of any intoxicating substance.

e. Fail to present proper photo identification, such as a Driver's License.

f. Attempt to introduce contraband into the secure area.

g. Are dressed in a manner that any reasonable person would consider inappropriate for visiting a youth in a detention facility. Appropriate attire covers the torso and includes shoes. Inappropriate attire includes, but is not limited to attire that is provocative, sexually suggestive, or otherwise offensive to the point it would likely disrupt day-to-day activities.

8. Legal counsel, guardians ad litem, probation officers, law enforcement officers, clergy and other professionals may visit youth as necessary, but are subject to the same requirements regarding signing in and contraband. Parents, and legal guardians are approved visitors. Others may only visit if so ordered by the court or specifically approved by the superintendent or designee. The criteria for allowing others to visit is based on that which is consistent with treatment and

progress in the program. Both the on-site mental health professional and the youth's probation officer shall assist the superintendent or designee in making this determination.

(b) Visitation may be terminated if the behavior of the visitor or youth is disruptive to the point of jeopardizing the safety of any youth or staff. Officers will follow subsequent reporting procedures if a visit is terminated.

(c) Visitation rooms or areas and any other common area will be searched both prior to and following visitation to ensure the absence of any hazardous or dangerous items or items that would be considered contraband.

(d) If a visitor has a question regarding a youth's case or charges, they shall be referred to the Juvenile Probation Officer.

(e) Youth shall be frisk searched following visitation, and if contraband is suspected, but not found during the frisk search, a strip search shall be initiated.

(10) Telephone Usage:

(a) The superintendent or designee shall develop procedures governing telephone usage.

(b) The following subsections outline the minimal procedural requirements.

1. Youth shall have access to use a telephone for 15 minutes a week.

2. This time may not be restricted as a consequence for non-compliant behavior; however, use of the phone may be postponed or rescheduled due to any safety or security concerns.

3. This time may be extended as outlined in the facility's behavior management system.

4. All telephone calls and attempted calls shall be documented on the youth's Telephone Log. These logs shall be placed in the youth's file upon release from detention.

5. Youth may not contact victims (with the exception of the victims of domestic violence as outlined in Rule 63G-2.004, F.A.C.) or co-defendants.

6. Telephone conversations shall be terminated if they are disruptive, or otherwise impact safety or security.

7. Youth shall have reasonable access to a telephone to contact their legal counsel, child welfare officer, and/or their juvenile probation officer. These telephone calls are not counted as part of the allocated 15 minutes of calls as referenced herein.

8. Youth who are unable to make contact with their parents or legal guardians because they will not accept collect calls, shall be allowed one free call to them per week. This call will be included in their 15 minute per week allotment.

(11) Mail:

(a) Youth shall be provided the opportunity to both receive and send mail.

(b) The superintendent or designee shall develop procedures governing mail consistent with the following:

1. All incoming and outgoing mail will be screened for content that could jeopardize safety or security. Mail shall be processed within 48 hours, excluding weekends and holidays.

2. Postage and writing materials will be provided by the facility for personal correspondence for youth to post a minimum of two letters weekly.

3. Youth shall not be denied the opportunity to write their attorneys; however, this time may be postponed or rescheduled due to any safety or security concerns.

4. Youth shall not write to other youth in any juvenile detention center or residential commitment program. Except for an incarcerated relative, youth shall not write to anyone relative incarcerated in an adult correctional facility.

5. Due to the possibility of biological or chemical contamination, and in the interest of youth and staff safety, incoming packages and letters are not to be opened in the presence of the youth. They are to be opened at a location that offers the highest level of safety for staff and youth, using appropriate safety precautions. The only exception to the above is mail clearly marked from the youth's attorney. This mail is to be opened in the presence of the youth. Acceptable enclosures may include the letter itself and photos or drawings that do not promote or encourage sexual activity, violence, gangs, drug use or any other substance abuse. Polaroid photos are prohibited due to the ability to conceal substances between the two layers of the photo. Other unacceptable enclosures are money, drugs, weapons, and any item that could be utilized as a weapon. Items that could be utilized as a weapon are those that may be used as either a sharpened or blunted item to inflict injury upon self or others appropriate photos (not Polaroid) or paper drawings. Unacceptable enclosures may include money or potentially dangerous items such as weapons or illegal drugs, which will be seized and inventoried.

6. Postage stamps shall be removed from all envelopes prior to the delivery of mail to youth.

7. Mail received after a youth's release shall be returned to the sender.

(12) Grievances:

(a) Youth may file a grievance should they feel their rights have been violated or they have been treated unfairly.

1. Officers shall attempt to resolve any dispute or issue that could lead to the filing of a grievance prior to the actual filing of a grievance. Officers utilizing effective communication skills may resolve many disputes and/or issues that a youth may have prior to the initiation of the grievance process.

2. If youth have been afforded the same protections and rights as the general population, they may not file a grievance.

3. Any denial of a youth's request to grieve shall be documented.

4. The superintendent or designee shall review the supervisor's logbook to determine any patterns of abuse or misuse related to youths' opportunities to grieve.

(b) Grievances do not replace the responsibility of reporting abuse. If the grievance is an allegation of abuse, it must be reported to the Florida Abuse Hotline, pursuant to chapter 39, Fla. Stat., and the Central Communications Center, and shall be handled pursuant to such guidelines and no longer as a grievance.

(c) The grievance process is as follows:

1. The supervising officer(s) will issue both a Grievance Form and a pencil to any youth who wishes to file a grievance. The Grievance Form (June 2006) is incorporated by reference, and is available from the Assistant Secretary for Detention, 2737 Centerview Drive, Suite. 309, Tallahassee, Florida 32399-3100.

2. Paper and pencil shall not be issued to any youth who is visibly angry and/or out of control.

3. The completed Grievance Form shall be forwarded within two hours to the on-duty supervisor.

4. The on-duty supervisor shall document his/her findings on the Grievance Form and will advise the youth of what actions, if any, may be taken.

5. Any action that may involve disciplinary proceedings against an officer shall not be reported to the youth.

6. If possible, the youth should be informed of the on-duty supervisor's findings by the end of the shift. Should there be circumstances that would not allow that, the youth will be informed within 24 hours.

7. The youth may agree or disagree with the supervisor's findings/actions, and will sign in the designated area on the form so indicating.

8. The supervisor shall forward the Grievance Form to the superintendent or designee upon completion.

9. The superintendent or designee shall review all completed Grievance Forms within 72 hours of receipt excluding weekends and holidays, and shall take whatever corrective actions deemed necessary. The superintendent's decision is final.

10. A separate file shall be maintained of all grievances. Grievances shall be maintained chronologically by month for one year.

Specific Authority 985.404(10)(b) FS. Law Implemented 985.404(10)(b)2. FS. History--New _____.

63G-2.007 Sanitation.

(1) Each detention facility is responsible for ensuring the physical plant and that its grounds are maintained in a safe and sanitary manner in compliance with Florida Administrative Code (F.A.C.) provisions in the following areas:

(a) Water Supply: F.A.C. 64E-12.003 (8-7-96)

(b) Food Service: F.A.C. 64E-11;

1. General: F.A.C. 64E-11.001 (8-28-96)

2. Definitions: F.A.C. 64E-11.002 (7-14-03)

3. Food Supplies: F.A.C. 64E-11.003 (7-14-03)

4. Food Protection: F.A.C. 64E-11.004 (7-14-03)
5. Personnel: F.A.C. 64E-11.005 (7-14-03)
6. Food Equipment and Utensils: 64E-11.006 (7-14-03)
7. Sanitary Facilities and Controls: 64E-11.007 (7-14-03)
8. Other Facilities and Operations: 64E-11.008 (3-15-98)
9. Temporary Food Service Events: 64E-11.009 (3-15-98)
10. Procedure When Infection Is Suspected: F.A.C. 64E-11.011 (2-21-91)
11. Manager Certification: F.A.C. 64E-11.012 (7-14-03)
12. Certificates and Fees: F.A.C. 64E-11.013 (7-14-03)
 (c) Housing: F.A.C. 64E-12.005 (8-7-96)
 (d) Insect and Rodent Control: F.A.C. 64E-12.006 (8-7-96)
 (e) Laundry: F.A.C. 64E-12.008 (6-18-87)
 (f) Poisonous or Toxic Substances: F.A.C. 64E-12.009 (6-18-87)
 (g) Garbage and Rubbish: F.A.C. 64E-12.010 (8-7-96)
 (h) Recreational Areas: F.A.C. 64E-12.011 (8-7-96)
 (2) The superintendent or designee shall conduct a weekly sanitation inspection and shall document findings.

(3) Biohazardous waste shall be disposed of in accordance with OSHA Standard 29 CFR 1910.1030. Youth shall not be allowed to clean, handle, or dispose of any other person's biohazardous material, bodily fluids, or human waste.

(4) All facilities shall be inspected by the appropriate persons in reference to state health, sanitation and food service standards.

Specific Authority 985.404(10)(b) FS. Law Implemented 985.404(10)(b)3. FS. History–New _____.

63G-2.011 Medical Treatment, Health and Comfort.

(1) Medical:

(a) Each juvenile detention center shall enter into a contract or written agreement with a medical provider(s) selected to provide medical services and to provide a designated health authority for the center.

(b) The department shall ensure that personnel responsible for the care, supervision, and individualized treatment of youth are trained in the specialized areas required to comply with standards established by rule thus giving the department the authority to authorize a designated health authority. Due to the specialized nature of healthcare services and the recognized need for an established relationship with a primary healthcare provider, each secure detention center must select a licensed physician licensed to serve as the designated health authority for that facility.

(c) Youth presented at the detention center for admission shall have been medically screened prior to their arrival at detention. No youth presented to be securely detained shall be accepted for detention if they are in need of emergency medical care, require mental health crisis intervention or are under the influence of any intoxicant.

1. If a youth in crisis is mistakenly accepted for admission into secure detention, the on-duty supervisor shall make the necessary arrangements for the youth to see the facility's medical or mental health staff or shall ensure the youth is transported to a hospital emergency room.

2. The on-duty supervisor shall document the incident and forward the report to the superintendent or designee.

(d) ~~A facility e~~Entry screening is a mandatory component of healthcare at a DJJ facility. This shall consist of a routine screening ~~and evaluation~~ for physical and dental health upon a youth's entry into the facility by departmental staff ~~a Licensed Practical Nurse (LPN) or a Registered Nurse (RN).~~

(e) ~~As part of the entry screening,~~ Information regarding the youth's health history will be collected by a licensed nurse (Licensed Practical Nurse or Registered Nurse). Any acute or chronic problem identified will receive ongoing services and monitoring by the medical staff.

(f) Youth with known or suspected communicable diseases shall be isolated from the general population until evaluated by the designated health authority or the facility medical staff.

(g) Sick call requests shall be reviewed during the shift by the shift supervisor and then submitted to the medical clinic for triaging by the nurse. If there is not a nurse on duty at the time, the shift supervisor shall discuss with the nurse on call or send all emergencies to the nearest hospital.

(h) Orders of a Physician, Advanced Registered Nurse Practitioner (ARNP), Physician Assistant (PA) or Dentist dental orders shall be followed when rendering medical care and treatment carried out by qualified health care personnel. An ARN, Registered Nurse (RN) or Licensed Practical Nurse (LPN) shall transcribe all orders. Departmental staff that have received medication training by an RN shall provide the youth assistance with the self-administration of medications in the absence of a licensed nurse. All youth shall be furnished such food, medication and other items as prescribed by the responsible ~~P~~physician, ARNP, PA or Ddentist.

(j) The direct care staff shall be trained by the facility's nurses to deliver administer all classes of medications during the times when the health care personnel are not on duty. Department supervising officers are provided a formalized medication training program, utilizing mandatory competency written and technical performance standards, by a Registered Nurse prior to providing youth assistance with self-administration of medication administration.

(k) 24-hour emergency medical care shall be provided. 24-hour emergency medical care means that in the case of a medical emergency, the superintendent has a plan in place such that all youth get immediate attention and are transported to the nearest emergency department per prior agreement between the detention center and the local emergency department.

1. In a situation requiring immediate medical attention, the youth shall be taken to the nearest hospital for emergency care. The Designated Health Authority, the superintendent or assistant superintendent and parents or legal guardian shall be contacted immediately.

2. First aid kits shall be available in appropriate places. The responsible physician or designee shall approve the contents, number, location and procedure for periodic inspection of the kits.

3. All staff shall be trained in first aid and cardiopulmonary resuscitation procedures.

(l) Security regulations applicable to facility support personnel shall also apply to health personnel.

(m) Appropriate continuous state and federal licensure, certification or registration requirements and restrictions shall apply to personnel who provide health care services to youth. ~~The duties and responsibilities of such personnel shall be governed by department manuals and policies.~~ Written verification of current credentials and job descriptions shall be on file in the detention center.

(n) Medical, pharmaceutical or cosmetic experiments shall not be performed on youth in detention centers.

(2) Mental Health and Substance Abuse:

(a) Each juvenile detention center shall enter into a contract or written agreement with a mental health provider(s) to provide mental health, substance abuse, and psychiatric services and to act as the designated mental health authority. The provider shall provide on-site mental health and substance abuse assessments, evaluations, counseling, therapy, crisis intervention and suicide prevention services and have at 24-hour on-call response capability. This provider shall assign a single licensed mental health professional as the designated mental health authority. The provider shall provide mental health and substance abuse services to be delivered by individuals who are licensed mental health professionals, or mental health clinical staff working under the direct supervision of a licensed mental health professional.

(b) Mental Health and Substance Abuse Screening: The screenings process begins at intake and continues when the youth is admitted to detention. Screenings are performed using on-admission to the detention center are standardized instruments. The Positive Achievement Change Tool (PACT) consists of Pre-Screen and Full-Assessment components. The PACT Pre-Screen instrument is a general screening tool used to detect indicators of substance abuse and mental health issues, including suicide risk. This information is provided to the detention center in the Mental Health and Substance Abuse Screening Report and Referral. The Suicide Risk Screening Instrument (SRSI), also administered during intake, is a validated tool used to determine if a youth is at risk for suicide at the time of admission. If any indicators for suicide risk appear on either instrument, the youth must be immediately placed on precautionary observation and referred to a mental

health clinical staff person who will confer with the designated mental health authority to determine whether the further Assessment of Suicide Risk is conducted immediately or within 24 hours. All youth who are delivered to the department are screened for substance abuse and mental health needs during the initial intake process. When the instrument indicates further assessment is needed, or other information obtained at intake/admission suggests potential suicide risk, the youth must be referred for an assessment of suicide risk. Any youth with current suicide ideation must be immediately referred to a mental health clinical staff person who will confer with a licensed mental health professional to determine whether the assessment of suicide risk is to be conducted immediately or within 24 hours. The following forms are incorporated and are available from the Assistant Secretary for Detention, 2737 Centerview Drive, Suite 309, Tallahassee, Florida 32399-3100:

1. Positive Achievement Change Tool (PACT) (3-9-06);

2. Mental Health and Substance Abuse Screening Report and Referral (DJJ/PACT Form 1, 11-05);

3. Suicide Risk Screening Instrument (DJJ/PP Form 12, 10-00); and

4. Assessment of Suicide Risk (5-06).

(c) The juvenile detention center shall have access to crisis intervention and emergency mental health or substance abuse care. This shall include 24-hour response capability with access to acute care settings and mental health and substance abuse emergency management services.

(d) For those youth on medications, there shall be psychopharmacological therapy and follow-up services, as necessary.

(e) The detention center shall use an alert system to identify youth with special needs. Staff shall give special attention to observing youth in the alert system and as follow-up to logbook entries.

(3) Hygiene:

(a) Youth shall engage in hygiene practices that promote health and well-being.

(b) Youth shall shower daily, participate in routine dental care and otherwise maintain a daily hygiene routine as promoted and endorsed by the designated health authority.

(c) Youth shall be provided the items necessary to allow them to perform proper hygiene.

Specific Authority 985.404(10)(b) FS. Law Implemented 985.404(10)(b)7. FS. History--New _____.

63G-2.012 Disciplinary Treatment.

(1) Principles:

(a) The behavior of youth and their interaction with supervising officers must contribute to the maintenance of a safe, secure and professional environment.

(b) Youth must understand there are consequences for all behaviors, and it is the responsibility of the supervising officers to consistently communicate this concept.

(c) The behavioral norms and expectations for youth shall be explained to all youth during the admission process, during orientation, and will be posted in all living areas and shall clearly specify what are appropriate and inappropriate behaviors.

(d) Consequences for non-compliant behavior of youth must have a direct association with those behaviors and must be fair, reasonable and equitable.

(e) Consequences for the behavior of youth are outlined in the behavior management system of each facility.

(2) Behavior Management:

(a) A behavior management system will provide clear guidelines and consequences, both positive and negative, for the behavior of youth. It shall be used as a tool to provide rewards for positive socially acceptable behavior and consequences for rule and law violations. The fair and consistent implementation of a behavior management system enhances safety and security as it relates to youth behavior. The behavior management system shall be shared and consistent with related support services, including but not limited to, on site educational, mental health and medical services.

1. Each facility shall implement a behavior management system to meet the needs of the youth and the facility. The system shall be approved by the regional director and shall include rewards for positive behavior.

2. It is the responsibility of the supervising officer(s) to carry out the facility's behavior management system.

(b) Corrective action shall be appropriate for the behavior and shall be fair and equitable.

(c) Group punishment shall not be used as a part of the facility's behavior management plan. However, corrective action taken with a group of youth is appropriate when the behavior of a group jeopardizes safety or security, and this should not be confused with group punishment.

(d) Corporal punishment shall not be used in detention facilities. All allegations of corporal punishment of any youth by facility staff shall be reported to the Florida Abuse Hotline, pursuant to Chapter 39, F.S., and the Central Communications Center.

(e) The use of drugs to control the behavior of youth is prohibited. This does not preclude the proper administration of medication as prescribed by a licensed physician.

(3) Mechanical Restraints:

(a) Mechanical restraints shall be used as a method of controlling youth who present a threat to safety and security within the facility.

(b) Mechanical restraints shall be used when transporting youth outside the secure area of the facility.

(c) Mechanical restraints shall not be used as a means of discipline.

(d) Whenever mechanical restraints are used, a report shall be completed and submitted for review. The only exception is when used to transport youth outside the secure area of the facility.

(4) Confinement:

(a) Confinement is the most restrictive method of behavior management and is designed to ensure security, protect youth, officers and facility staff, and create youth accountability. Confinement may be used to gain immediate control of a situation, to ensure safety and security or to punish a youth for violation of facility rules. Confinement may not be used to harass, embarrass, demean or otherwise abuse a youth. It is the intent of the department that confinement be used only after all reasonable efforts to work with a youth, through verbal de-escalation, have failed to bring the youth's behavior within the control of officers, or the youth's behavior is so egregious as to give rise to an imminent and significant danger to persons and/or property if the youth is allowed to remain in the general population. The use of confinement shall be monitored closely by the superintendent or designee to ensure appropriateness.

(b) There are conditions that must be maintained that relate to both rooms used for confinement and the supervision of youth in confinement.

1. Confinement room windows and cameras shall be free of obstructions.

2. Any room that possesses potential safety hazards shall not be used for confinement.

3. Rooms used for confinement will be free of any non-fixed items, including, but not limited to, sheets, blankets, mattresses, hygiene items, etc., and shall have been searched prior to the placement of any youth.

4. Youth in confinement shall be afforded living conditions approximating those available to the general population. This includes, but is not limited to: education, showers, meals, clothing, large muscle exercise, bedding (during sleeping hours only) and hygiene items as needed.

5. Youth shall not have contact with the general population while participating in these activities.

(c) Superintendents shall develop procedures for the placement of a youth in confinement. The following outlines the minimal procedural guidelines:

1. Verification of the level of supervision required including the documentation of visual observation. Youth who are at risk of suicide shall be placed on constant sight and sound supervision. Youth on close supervision shall be observed every 5 minutes. Youth on standard supervision shall be observed every 10 minutes.

2. A confinement report shall be submitted within one hour to the on-duty supervisor by the officer making the placement. The confinement report shall include a description of the incident and efforts made by staff to control the youth's behavior.

3. The confinement report shall be reviewed by the on-duty supervisor within two hours of submission to ensure the fair and appropriate use of confinement. The supervisor shall determine the appropriateness of the confinement placement, and if the supervisor determines the placement to be inappropriate, the youth shall immediately be released to the general population. The supervisor shall also review the youth's file to assess any special needs the youth may have that would merit alternatives to room confinement.

4. The on-duty supervisor, following the review of the confinement report, shall evaluate the youth's status, at a minimum, every three hours to determine if the continued confinement of the youth is required. This review shall include supporting documentation.

5. The confinement report shall be submitted by the end of the shift to the superintendent or designee following the removal of a youth from confinement. The superintendent or designee shall review the report within 48 hours excluding weekends and holidays.

(d) The length of time a youth may be placed in confinement is dictated by a number of factors including:

1. Severity of the rule violation;
2. Past disciplinary history;
3. Behavior while in confinement.

(e) On-Duty Supervisor(s) may continue a youth's time in confinement for up to 24 hours. The on-duty supervisor shall document the continued need for confinement every three hours. The superintendent or designee shall approve confinements extended beyond 24 hours, and every 24 hours afterwards, with reasons documented on the confinement report.

(f) The designated mental health professional shall evaluate and document the mental health status of all youth extended in confinement beyond 24 hours and every 24 hours afterwards excluding weekends and holidays.

(g) There are specific rule violations that, due to their severity and impact on safety and security, require mandatory confinement. The following violations require mandatory confinement:

1. A physical attack and/or battery by a youth on anyone in the facility;
2. Possession of any contraband that could reasonably be considered a weapon;
3. An escape or an attempt to escape;
4. Any gang related activities that could jeopardize safety or security;
5. Any attempt to resist staff that elevates to "active resistance" as defined in the department's PAR Rule 63H-1, F.A.C. verbal and physical intervention policy;
6. Felony property damage.

(h) The length of time for mandatory confinements shall be as follows:

1. 1st occurrence = 3 days;
2. 2nd occurrence = 4 days;
3. 3rd occurrence = 5 days.

In the event of an actual escape, a youth shall be placed in 5-day confinement upon the youth's return to the facility. Occurrences are cumulative only for a youth's current stay in detention. The superintendent or designee shall review and document the status of youth placed in mandatory confinement every 24 hours. The superintendent may terminate a mandatory confinement at any time at his/her discretion. Supervisors shall not be required to document the continued need for confinement but shall check and document the status of youth in mandatory confinement a minimum of two times on each shift.

(j) Confinements shall be communicated to school personnel for appropriate record keeping and tracking of school assignments.

(k) The length of confinement shall not exceed 5 days unless the release of the youth into the general population would jeopardize the safety and security of the facility as documented by the superintendent. No youth shall be held in confinement beyond five days without a confinement hearing that is conducted by an employee of the department who holds a management or supervisory position and level staff person who is not employed at in the detention center where the confinement is occurring. Such hearings shall be conducted under the following procedure:

1. The superintendent shall complete a confinement hearing report that includes:

- a. A copy of the confinement report and all documented reviews and interviews with the youth;
- b. A statement of the specific rules violated;
- c. A formal statement of the charge;
- d. A description of the facts and circumstances giving rise to the confinement;
- e. The rationale for requesting a youth remain in room confinement;
- f. Staff witnesses;
- g. Disposition of any physical evidence;
- h. Any immediate action taken including the use of force; and
- j. Date and time the report is made.

2. A written copy of the confinement hearing report shall be furnished to the youth to read prior to the hearing. If the youth cannot read, an officer shall read the information to the youth. The youth shall be informed regarding the steps of the confinement hearing process, to include the youth's right to make a statement and to appeal the hearing officer's decision.

3. The superintendent or designee shall notify the youth's parents or guardians who are allowed to be present at the hearing. The attempt and outcome of the contact shall be

documented. This shall include any calls or attempted calls made to the telephone numbers listed in JJIS, the youth file or as provided by the youth.

4. The youth shall be given an opportunity to make a statement and present documentary evidence and to have in attendance any person who has relevant information.

5. The hearing officer shall make one or more of the following findings:

a. A determination whether the allegation is founded.

b. A determination that the original decision to place the youth in confinement was warranted or unwarranted.

c. A determination that the circumstances of the incident(s) warrant a request for charges to be filed.

d. A finding as to whether the youth continues to present a clear and present danger to others. In such a case, the hearing officer is authorized to continue the youth in confinement for an additional period of time as the officer may determine appropriate.

e. If the hearing officer finds that the youth does not continue to present a clear and present danger to others, the youth shall be returned to the general population.

6. Following any hearing in which a finding is reached that a youth will be continued in confinement, the hearing officer shall request that a mental health assessment be completed by a qualified mental health professional within 12 hours of the hearing. The mental health professional shall complete a report making recommendations to the hearing officer for the disposition of the youth that may include, but are not limited to, the following.

a. Continuation in room confinement for a specified period of time.

b. The filing of a Baker Act petition.

c. Returning the youth to the general population under conditions prescribed by the licensed mental health professional.

d. Referral for psychiatric evaluation and treatment.

7. If the hearing officer disagrees with any of the recommendations made by the mental health professional, the reasons for such disagreement shall be documented and forwarded to the regional mental health liaison. All evidence and circumstances considered in arriving at a dispositional decision shall be fully explained in the hearing record.

8. A copy of the hearing record shall be distributed to the regional director and the Assistant Secretary for Detention.

9. The superintendent shall ensure the youth is notified of his/her right to appeal. A youth may appeal the hearing officer's decision to the regional director or to his or her designee. The regional director shall rule on all such appeals within 48 hours.

10. A copy of the hearing record of all cases in which it is found that the original decision to place a youth in room confinement was unwarranted will be sent to the regional director and kept in a separate facility file.

(l) The superintendent or designee shall develop a system for tracking confinement and documenting the appropriateness of its use. The superintendent or designee, to ensure the fair and proper use of confinement, shall review all confinement reports. The superintendent or designee shall review the overall use of confinement monthly to determine any patterns of misuse. A corrective action plan shall be implemented and forwarded to the regional director for review should misuse be determined.

(m) The regional director shall review the use of confinement quarterly.

Specific Authority 985.404(10)(b) FS. Law Implemented 985.404(10)(b)8. FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009
 RULE TITLE: Standard of Care for Office Surgery
 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. 32, No. 25, June 23, 2006 issue of the Florida Administrative Weekly.

The change is response to comments received at a public hearing held on the rule on August 10, 2006, in St. Pete Beach, Florida. The Rules Committee, at its meeting held on August 10, 2006, voted to change the rule. The Board, at its meeting held on August 12, 2006, approved the recommendation of the Committee. When changed, subsection (2)(m) of the rule shall read as follows:

(m) All physicians performing office surgery must be qualified by education, training, and experience to perform any procedure the physician performs in the office surgery setting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry McPherson, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: 69L-5.102
 RULE TITLE: General Requirements
 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. 31, No. 49, December 9, 2005 issue of the Florida Administrative Weekly.

These changes are being made as a result of discussions and communications with the Joint Administrative Procedures Committee.

(1) The state and its boards, bureaus, departments, and agencies and all of its political subdivisions which employ labor, and the state universities that are electing to self-insure pursuant to Section 440.38(6), F.S., shall submit to the Division for review at least 90 days prior to the preferred effective date of self insured status, the following information: Employers within the scope of Section 440.38(6), Florida Statutes, shall be exempt from qualifying for self insurance, but shall submit their intent to self-insure in writing to the division. These self-insurers shall not be required to submit an application, financial statement, security deposit, actuary report or proof of excess insurance. All other requirements established by these rules shall apply.

(a) Copy of document(s) through which the entity is organized or authorized to operate as a governmental entity, including articles of incorporation, grant of authority, or charter, if applicable;

(b) Notification By Governmental Entity To Self-Insure For Workers' Compensation, Form DFS-F2-SI-1G, incorporated by reference into rule (rev. 03/2006);

(c) Self-Insurance Estimated Payroll, Form DFS-F2-SI-EP, incorporated by reference into rule (rev. 03/2006);

(d) Certification of Servicing For Self-Insurers, Form SI-19, incorporated by reference into rule (rev. 09/1996); and

(e) Workers' Compensation Experience Rating For Self-Insurers worksheet, Form ERM-6, for the current and two preceding years, as set forth in the National Council on Compensation Insurance (NCCI) Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance, incorporated by reference into rule (rev. 01/2002). The notification and supporting documentation shall be submitted to the following address:

Division of Workers' Compensation
Bureau of Monitoring and Audit/Self-Insurance
200 East Gaines Street
Tallahassee, Florida 32399-4224

(2) Upon receipt of the notification and supporting documentation from an entity defined within the scope of Section 440.38(6), F.S., the Division shall provide to the entity the "Insurer Code #" pursuant to Rule Chapter 69L-3.002, F.A.C., prior to the effective date of self-insured status for compliance with filing requirements of Rule Chapters 69L-3 and 69L-7, F.A.C.

(3) ~~(2)~~ Change in numbering only.

(4) ~~(3)~~ Change in numbering only.

(5) Forms adopted. The forms set forth in paragraphs (1)(b)-(e), as well as the accompanying instructions to the forms, are hereby adopted. Copies of the forms set forth in

paragraphs (1)(b)-(d) are available from the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-insurance Section, 200 East Gaines Street, Tallahassee, FL 32399-4224. The form set forth in paragraph (1)(e) is found within the National Council on Compensation Insurance, Inc. (NCCI) Experience Rating Plan Manual for Workers' Compensation and Employers Liability Insurance. A copy of the Manual and a one year subscription to any and all updates may be obtained from the National Council on Compensation Insurance, Inc., 750 Commerce Drive, Boca Raton, FL 33487, telephone (800)622-4123, at a cost of \$95. A copy of the Manual is also available for viewing at the Division of Workers' Compensation, Bureau of Monitoring and Audit, Self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Suite 200, Tallahassee, FL 32399-4224.

Specific Authority 440.38(2)(b), 440.591 FS. Law Implemented 440.38(6) FS. History--New 5-19-97, Formerly 38F-5.102, 4L-5.102, Amended _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.:	RULE TITLE:
69L-6.031	Stop Work Orders in Effect Against Successor Corporations or Business Entities

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. 31, No. 49, December 9, 2005 issue of the Florida Administrative Weekly.

69L-6.031 Stop Work Orders in Effect Against Successor Corporations or Business Entities.

(1) Under Section 440.107(7)(b), F.S., stop work orders or orders of penalty assessment issued against a corporation, partnership, or sole proprietorship shall be in effect against any successor corporation or business entity that has one or more of the same principals or officers as the predecessor corporation or business entity against which the stop work order was issued and are engaged in the same or equivalent trade or activity.

(a) For employers engaged in the construction industry, a corporation, partnership, or sole proprietorship and the successor corporation or business entity that has been issued a stop work order or order of penalty assessment, are engaged in the same or equivalent trade or activity if they each perform or have performed business operations that include operations described in at least one classification code listed in Rule 69L-6.021, F.A.C.

(b) For employers engaged in the non-construction industry, a corporation, partnership, or sole proprietorship and the successor corporation or business entity that has been issued a stop work order or order of penalty assessment, are engaged in the same or equivalent trade or activity if they each perform or have performed business operations that include

operations described in at least one classification code that is in the manufacturing, goods and services, or the office and clerical industry group listed in subsection (6) of this rule.

(c) For employers that perform business operations described by one of the classification codes in the miscellaneous industry groups listed in subsection (6) of this rule, a corporation, partnership, or sole proprietorship and the successor corporation or business entity that has been issued a stop work order or order of penalty assessment, are engaged in the same or equivalent trade or activity if they each perform or have performed the same business operation described in one of the classification codes contained in the miscellaneous industry groups.

(2) A stop work order or order of penalty assessment issued against a corporation, partnership, or sole proprietorship becomes effective against a successor corporation or business entity that has one or more of the same principals, directors, officers, partners, or shareholders with a 10% or greater interest, including any "affiliated person" as defined in Section 440.05(15), F.S., in common with the predecessor corporation or business entity against which the original stop work order or order of penalty assessment was issued and is engaged in the same or equivalent trade or activity, through service on the successor corporation or business entity of an order applying a stop work order or order of penalty assessment to successor corporation or business entity. The order applying a stop work order or order of penalty assessment to successor corporation or business entity remains in effect until withdrawn by the department.

(3) In the event one of the following three criteria are satisfied, the department will withdraw an order applying a stop work order or order of penalty assessment:

(a) The department must have released the stop work order or order of penalty assessment in effect against the predecessor corporation, partnership, or sole proprietorship that has one or more of the same principals, officers, directors, partners, or shareholders with a 10% or greater interest, in common with the successor corporation or business entity.

(b) The principal, officer, director, partner, or a shareholder with a 10% or greater interest in the successor corporation or business entity against which the stop work order or order of penalty assessment has been served, must formally disassociate himself or herself from the predecessor corporation, partnership, or sole proprietorship by providing the department with the following:

1. Records obtained from the Florida Department of State, Division of Corporations, indicating that no person or entity affiliated with the successor corporation or business entity holds any position as an officer, director, or shareholder with a 10% or greater interest in the predecessor corporation or business entity.

2. A written statement from the current management of the predecessor corporation or business entity affirmatively acknowledging that no person affiliated with the successor corporation or business entity is engaged in any policy or decision-making capacity with the predecessor corporation or business entity.

3. Copies of the successor corporation or business entity's business records for review by the department.

(c) The successor corporation or business entity and the predecessor corporation, partnership, or sole proprietorship that has been issued a stop work order or order of penalty assessment, must no longer be engaged in the same or equivalent trade or activity, as determined by the department, pursuant to the codes from subsection (6) of this rule.

(4) An order applying a stop work order or order of penalty assessment shall take effect when served upon the employer or, for a particular worksite, when served at that worksite.

(5) Under Section 440.107(7)(c), F.S., the department shall assess a penalty of \$1,000 per day against an employer for each day that the employer conducts business operations in violation of an order applying stop work order or order of penalty assessment.

(6) List of class codes, deions, and industry groups. A complete deion of class codes is contained in the SCOPES® Manual Classifications (October 2005) published by the National Council on Compensation Insurance, Inc. (NCCI) and is available for viewing through the Division of Workers' Compensation, Bureau of Compliance, 2012 Capital Circle, S.E., Hartman Building, Tallahassee, Florida 32399-4228 or a copy is available, for a fee, by calling NCCI at 1(800)622-4123. The SCOPES® list of codes, deions and industry groups is as follows:

(a) Industry Group: Manufacturing

Class Deion

1. through 3. No change.

4. 1463 ASPHALT WORKS OPERATED BY PAVING CONTRACTORS-PERMANENT LOCATION & DRIVERS

5. through 9. No change.

10. 1741 FLINT OR SPAR GRINDING & DRIVERS

11. through 21. No change.

22. 2014 GRAIN OR FEED MILLING

23. 2016 CEREAL OR BAR MFG

24. through 25. No change.

26. 2041 CANDY, CHOCOLATE, AND CONFECTION MFG

27. No change.

28. 2070 CREAMERY OR DAIRY & ROUTE SUPERVISORS, DRIVERS

29. through 40. No change.

41. 2150 ICE MFG OR ICE DEALERS

42. through 49. No change.
50. 2300 PLUSH OR VELVET MFG
51. through 61. No change.
62. 2501 CLOTH. CANVAS AND RELATED PRODUCTS MFG NOC
63. through 65. No change.
66. 2576 CANVAS GOODS, MTG.-NOC-SHOP
67. through 71. No change.
72. 2623 LEATHER MFG-INCLUDING TANNING, LEATHER EMBOSSING, AND WOOL PULLING
73. through 77. No change.
78. 2710 SAWMILL
79. through 81. No change.
82. 2759 PALLET, BOX OR BOX SHOOK MFG WOODEN
83. through 90. No change.
91. 2883 FURNITURE MTG.-WOOD-NOC
83. through 104. No change.
105. 3041 IRON OR STEEL: FABRICATION: IRON WORKS-SHOP-DECORATIVE OR ARTISTIC- & FOUNDRIES & DRIVERS
106. No change.
107. 3064 SIGN MANUFACTURING-METAL
108. through 114. No change.
115. 3113 TOOL MFG-NOT DROP OR MACHINE FORGED-NOC
116. 3114 TOOL MFG-DROP OR MACHINE FORGED-NOC: MACHINING OR FINISHING OF TOOLS OR DIE MAKING OPERATIONS
117. through 131. No change.
132. 3224 ENAMEL WARE MFG
133. through 179. No change.
180. 4021 BRICK OR CLAY PRODUCTS MFG NOC & DRIVERS
181. through 182. No change.
183. 4036 PLASTERBOARD OR PLASTER BLOCK MFG & DRIVERS
184. through 205. No change.
206. 4273 BAG MFG-PLASTIC OR PAPER
207. through 215. No change.
216. 4360 MOTION PICTURE: DEVELOPMENT OF NEGATIVES, PRINTING AND ALL SUBSEQUENT OPERATIONS
217. through 218. No change.
219. 4431 PHONOGRAPH RECORD MFG MAGNETIC AND OPTICAL RECORDING & MEDIA MFG
220. through 233. No change.
234. 4611 DRUG, MEDICINE OR PHARMACEUTICAL PREPARATION, COMPOUNDING, OR BLENDING-NO MTG. OF INGREDIENTS
235. through 251. No change.
252. 4825 DRUG, MEDICINE OR PHARMACEUTICAL PREPARATION MFG & INCLUDES MFG OF INGREDIENTS
253. through 264. No change.
- (b) Industry Group: Contracting
1. through 2. No change.
3. 1322 OIL OR GAS WELL: CLEANING OR SWABBING OF OLD WELLS HAVING PREVIOUSLY PRODUCED GAS OR OIL - BY CONTRACTOR - NO DRILLING - & DRIVERS
4. through 13. No change.
14. 5069 IRON OR STEEL: ERECTION-CONSTRUCTION OF DWELLINGS NOT OVER TWO STORIES IN HEIGHT
15. through 24. No change.
25. 5223 SWIMMING POOL CONSTRUCTION, - NOT IRON OR STEEL - & DRIVERS
26. 5348 TILE, STONE, MOSAIC OR TERRAZZO WORK-INSIDE CERAMIC TILE, INDOOR STONE, MARBLE, OR MOSAIC WORK
27. No change.
28. 5403 CARPENTRY- NOC
29. through 32. No change.
33. 5472 ASBESTOS REMOVAL OPERATIONS: CONTRACTOR-PIPE AND BOILER WORK EXCLUSIVELY & DRIVERS
34. 5473 ASBESTOS REMOVAL OPERATIONS: CONTRACTOR-NOC & DRIVERS
35. No change.
36. 5478 FLOOR COVERING INSTALLATION - RESILENT FLOORING - CARPET AND LAMINATE FLOORING
37. through 42. No change.
43. 5509 STREET OR ROAD MAINTENANCE CONSTRUCTION, OR RECONSTRUCTION BY STATE, COUNTY OR MUNICIPALITY- ALL EMPLOYEES & DRIVERS
44. 5536 HEATING AND AIR CONDITIONING DUCT WORK - SHOP & OUTSIDE
45. through 47. No change.

48. 5606 CONTRACTOR- PROJECT MANAGER, CONSTRUCTION EXECUTIVE, CONSTRUCTION MANAGER OR CONSTRUCTION SUPERINTENDENT
49. 5610 CLEANER - DEBRIS REMOVAL
50. through 52. No change.
53. 5703 BUILDING RAISING OR MOVING
54. No change.
55. 6003 PILE DRIVING
56. through 57. No change.
58. 6018 DAM OR LOCK CONSTRUCTION: EARTHMOVING OR PLACING-ALL OPERATIONS & DRIVERS
59. through 61. No change.
62. 6213 OIL OR GAS WELL: SPECIALTY TOOL OPERATION NOC-BY CONTRACTOR-ALL EMPLOYEES & DRIVERS
63. through 64. No change.
65. 6217 EXCAVATION & DRIVERS NOC
66. through 82. No change.
83. 7613 TELEPHONE OR CABLE TV LINE INSTALLATION-CONTRACTORS, SERVICE LINES AND CONNECTIONS & DRIVERS
84. 7855 RAILROAD CONSTRUCTION: LAYING OR RELAYING OF TRACKS OR MAINTENANCE OF WAY BY CONTRACTORS – NO WORK ON ELEVATED RAILROADS & DRIVERS
85. No change.
86. 9534 MOBILE CRANE AND HOISTING SERVICE CONTRACTORS-NOC-ALL OPERATIONS-INCLUDING YARD EMPLOYEES AND DRIVERS
87. 9554 SIGN INSTALLATION, MAINTENANCE, REPAIR, REMOVAL, OR REPLACEMENT- NOC & DRIVERS
- (c) Industry Group: Office & Clerical
1. through 3. No change.
4. 8721 REAL ESTATE APPRAISAL COMPANY – OUTSIDE EMPLOYEES
5. 8742 SALESPERSONS OR COLLECTORS – OUTSIDE
6. through 18. No change.
19. 9012 BUILDINGS – OPERATION BY OWNER, LESSEE, OR REAL ESTATE MANAGEMENT FIRM: PROFESSIONAL EMPLOYEES, PROPERTY MANAGERS AND LEASING AGENTS & CLERICAL SALESPERSONS
20. No change.
- (d) Industry Group: Goods & Services.
1. through 32. No change.
33. 8006 GASOLINE STATION: SELF-SERVICE AND CONVENIENCE/ GROCERY-RETAIL
34. through 36. No change.
37. 8015 QUICK PRINTING-COPYING OR DUPLICATING SERVICE – ALL EMPLOYEES & CLERICAL, SALESPERSONS
38. through 45. No change
46. 8045 STORE: DRUG – RETAIL
47. 8046 STORE: AUTOMOBILE PARTS AND ACCESSORIES – NOC & DRIVERS
48. through 51. No change.
52. 8072 STORE: BOOK, RECORD, COMPACT DISC, SOFTWARE, VIDEO OR AUDIO CASSETTE - RETAIL
53. through 54. No change.
55. 8105 STORE: HIDE OR LEATHER DEALER
56. through 59. No change.
60. 8203 ICE MFG OR DISTRIBUTION DRIVERS
61. through 62. No change.
63. 8215 FEED, FERTILIZER, HAY, OR GRAIN DEALER & LOCAL MANAGERS, DRIVERS – NO MFG
64. 8232 LUMBERYARD NEW MATERIALS ONLY: ALL OTHER EMPLOYEES & YARD, WAREHOUSE, DRIVERS
65. through 69. No change.
70. 8273 HORSE BREEDING INVOLVING STALLIONS & DRIVERS
71. 8274 HORSE BREEDING NOT INVOLVING STALLIONS & DRIVERS
72. through 82. No change.
83. 8392 AUTOMOBILE STORAGE GARAGE, PARKING LOT OR PARKING STATION, VALET SERVICE, CASHIERS OR COUNTER PERSONNEL & DRIVERS
84. 8393 AUTOMOBILE BODY REPAIR
85. through 86. No change.
87. 8719 STEVEDORING: TALLIERS AND CHECKING CLERKS ENGAGED IN CONNECTION WITH STEVEDORE WORK
88. No change.
89. 8745 NEWS AGENT OR DISTRIBUTOR OF MAGAZINES OR OTHER PERIODICALS-NOT RETAIL DEALER- & SALESPERSONS, DRIVERS

90. through 94. No change.
95. 8835 NURSING-HOME HEALTH, PUBLIC AND TRAVELING HEALTHCARE – ALL EMPLOYEES
96. through 99. No change.
100. 9015 BUILDINGS-OPERATION-BY OWNER, LESSEE, OR REAL ESTATE MANAGEMENT FIRM: ALL OTHER EMPLOYEES
101. 9016 AMUSEMENT PARK OR EXHIBITIONS OPERATIONS & DRIVERS
102. through 114. No change.
115. 9093 BOWLING LANE
116. through 119. No change.
120. 9516 RADIO, TELEVISION, VIDEO, AND AUDIO EQUIPMENT INSTALLATION SERVICE OR REPAIR & DRIVERS
121. 9519 HOUSEHOLD AND COMMERCIAL APPLIANCES-ELECTRICAL-INSTALLATION, SERVICE OR REPAIR & DRIVERS
122. 9586 BARBERSHOP, BEAUTY PARLOR OR HAIRSTYLING SALON
123. No change.
- (e) Industry Group: Miscellaneous
1. 0106 TREE PRUNING, SPRAYING, REPAIRING, – ALL OPERATIONS & DRIVERS
2. through 12. No change.
13. 4000 SAND OR GRAVEL DIGGING & DRIVERS
14. 6811 BOATBUILDING-WOOD-NOC & DRIVERS
15. 6834 BOATBUILDING OR REPAIR & DRIVERS
16. No change.
17. 6838 BOATBUILDING OR REPAIR – FIBERGLASS ONLY – & DRIVERS
18. 6854 SHIPBUILDING-IRON OR STEEL – NOC & DRIVERS
19. No change.
20. 6884 PAINTING: SHIP HULLS
21. through 22. No change.
23. 7205 HORSE TRAINING
24. through 26. No change.
27. 7231 TRUCKING: MAIL, PARCEL OR PACKAGE DELIVERY AND COURIER OR MESSENGER SERVICE COMPANIES – ALL EMPLOYEES & DRIVERS
28. 7232 TRUCKING: MAIL PARCEL OR PACKAGE DELIVERY – UNDER CONTRACT WITH THE U.S. POSTAL SERVICE – ALL EMPLOYEES & DRIVERS
29. through 30. No change.
31. 7380 DRIVERS, CHAUFFEURS, MESSENGERS, AND & THEIR HELPERS NOC-COMMERCIAL
32. through 33. No change.
34. 7403 AIRCRAFT OR HELICOPTER OPERATION: AIR CARRIER-SCHEDULED OR SUPPLEMENTAL: ALL OTHER EMPLOYEES & DRIVERS
35. 7405 AIRCRAFT OR HELICOPTER OPERATION: AIR CARRIER-SCHEDULED OR SUPPLEMENTAL: FLYING CREW
36. 7409 AIRCRAFT OR HELICOPTER OPERATION: AERIAL APPLICATION, SEEDING, HERDING OR SCINTILLOMETER SURVEYING: FLYING CREW
37. 7420 AIRCRAFT OR HELICOPTER OPERATION: PUBLIC EXHIBITION INVOLVING STUNT FLYING, RACING OR PARACHUTE JUMPING: FLYING CREW
38. 7421 AIRCRAFT OR HELICOPTER OPERATION: TRANSPORTATION OF PERSONNEL IN CONDUCT OF EMPLOYER’S BUSINESS: FLYING CREW
39. 7422 AIRCRAFT OR HELICOPTER OPERATION: NOC- OTHER THAN HELICOPTERS: FLYING CREW
40. 7423 AIRCRAFT OR HELICOPTER OPERATION: AIR CARRIER-COMMUTER: ALL OTHER EMPLOYEES & DRIVERS
41. through 59. No change.
60. 9186 CARNIVAL, CIRCUS OR AMUSEMENT DEVICE OPERATOR-TRAVELING-ALL EMPLOYEES & DRIVERS
61. through 62. No change.

Section IV Emergency Rules

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 THE LOTTERY

RULE NO.: 53ER06-47 RULE TITLE: Instant Game Number 668, TRIPLE CASH

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 668, "TRIPLE CASH," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER06-47 Instant Game Number 668, TRIPLE CASH.

(1) Name of Game. Instant Game Number 668, "TRIPLE CASH."

(2) Price. TRIPLE CASH lottery tickets sell for \$1.00 per ticket.

(3) TRIPLE CASH lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning TRIPLE CASH lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 THO	3 THREE	4 FOUR	5 FIVE
6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 TWELV	13 THRTN	14 FORTN	15 FIFTN
16 SIXTN	17 SVNTN	18 EHTN	19 NINTN	

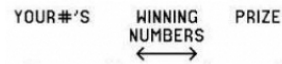
(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 THO	3 THREE	4 FOUR	5 FIVE
6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 TWELV	13 THRTN	14 FORTN	15 FIFTN
16 SIXTN	17 SVNTN	18 EHTN	19 NINTN	

(6) The prize symbols and prize symbol captions are as follows:

TICKET TICKET	\$1.00 ONE	\$5.00 FIVE	\$10.00 TEN	\$20.00 THENTY	\$25.00 THY FIVE
\$50.00 FIFTY	\$100 ONE HUN	\$250 THO FTY	\$500 FIV HUN	\$1,000 ONE THO	\$3,000 THR THO

(7) The legends are as follows:



(8) Determination of Prizewinners.

(a) A ticket having a number in the "YOUR NUMBERS" play area that matches any number in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that number. The prizes are: TICKET \$1.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$250, \$500, \$1,000 and \$3,000.

(b) A ticket having a "WIN" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to triple the prize shown. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a TRIPLE CASH lottery ticket which entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 668 are as follows:

GAME PLAY	WIN	ODDS OF	NUMBER OF
TICKET	\$1 TICKET	1 IN	56 POOLS IN
			180,000 TICKETS
			PER POOL
\$1	\$1	10.00	1,008,000
\$1 (COIN)	\$3	12.00	840,000
\$1 x 5	\$5	30.00	336,000
\$10	\$10	50.00	201,600
\$5 (COIN)	\$15	150.00	67,200
\$25	\$25	300.00	33,600
\$10 (COIN)	\$30	300.00	33,600
\$10 x 5	\$50	1,800.00	5,600
\$50	\$50	11,250.00	896
\$25 (COIN)	\$75	11,250.00	896
\$20 x 5	\$100	45,000.00	224
\$100	\$100	90,000.00	112
		90,000.00	112

\$100 (COIN)	\$300	90,000.00	112
\$100 x 5	\$500	420,000.00	24
\$250 x 2	\$500	336,000.00	30
\$500	\$500	504,000.00	20
\$1,000 (COIN)	\$3,000	2,520,000.00	4
\$3,000	\$3,000	2,520,000.00	4

(10) The estimated overall odds of winning some prize in Instant Game Number 668 are 1 in 3.99. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 668, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a TRIPLE CASH lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for TRIPLE CASH lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-11-06.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.
EFFECTIVE DATE: August 11, 2006

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."

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NO.: 69OER06-3
RULE TITLE: Adoption of the Property and Casualty Joint Underwriting Association

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Financial Services Commission and the Office of Insurance Regulation ("Office") hereby state that the following circumstances constitute an immediate danger to the public health, safety, or welfare:

The State of Florida experienced eight hurricanes and four tropical storms during 2004 and 2005, with total insured losses estimated at \$38.9 billion. These natural disasters and other

factors have limited the availability of property and casualty insurance and reinsurance for property owners and have dramatically increased its costs.

These losses have resulted in turmoil in the commercial property market. Businesses in Florida, especially those located in the proximity of the coast, are finding it extremely difficult to find an adequate level of coverage, that is, coverage that is required by state law or by responsible or prudent business practices. Hundreds of Florida business owners have voiced to the Governor, members of the Cabinet, and the Commissioner a hardship regarding their inability to obtain commercial insurance and having to shut down their businesses and of being unable to sell businesses or real property because prospective buyers cannot obtain the required insurance. Commercial insurance brokers have expressed how they are alarmed over the diminishing property insurance market currently existing in Florida and how their clients are unable to obtain insurance for their business properties. Florida business owners have written to state that the inability to find insurance has resulted in their mortgage companies threatening to "force place" wind/hail coverage or foreclose on mortgages. Some business owners, who provide jobs for their local communities, have expressed the likelihood of bankruptcy due to the insurance crisis.

On August 11, 2006, the Commissioner participated in a town hall gathering in Bradenton called by Representative Galvano, and attended by business owners, commercial insurance brokers and agents, and citizens. Speaker after speaker expressed their frustrations at their inability to secure the insurance they need to protect their business property.

A recent online poll conducted by the Office found that of the 1,900 businesses responding, 42 percent were either cancelled or non-renewed by their insurer in the last six months and 32 percent were able to secure new coverage but with generally much higher rates, less coverage or both. Some of the respondents said they may relocate their businesses to other states due to insurance difficulties. Currently there does not exist a joint underwriting association for businesses, or commercial non-residential property owners located outside the boundaries of the areas eligible for coverage in the former Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002. For most of the land area of Florida, there is currently no joint underwriting association coverage available for commercial, non-residential property insurance.

The worst of the hurricane season is quickly approaching. Insurance is a necessary part of any responsible business plan. A non-emergency rule is being promulgated but it will not be effective in time to provide coverage to businesses before the end of the hurricane season. Reliance on the non-emergency rule would result in hundreds of businesses facing what has been forecast to be a very busy hurricane season without the protection of insurance.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The Financial Services Commission believes that adopting an emergency rule is the fairest method to protect the public because of the inability of the businesses in Florida to purchase property insurance. This is especially true as the height of the 2006 Hurricane Season is quickly approaching. The Property and Casualty Joint Underwriting Association is the only way to provide insurance to these businesses immediately. The statute, 627.351(5) requires that this risk apportionment plan must be adopted by rule. A permanent rule is being promulgated, but will not be effective in time to provide insurance for the hurricane season.

In consideration of the emergency conditions currently existing, and given the Office's responsibility to protect the public interest and implement the Insurance Code, an emergency rule is necessary.

SUMMARY OF THE RULE: Emergency Rule 69OER06-3 adopts a joint underwriting plan which will ensure that businesses in Florida that are in good faith entitled to, but are unable to, obtain an adequate level of insurance will be able to purchase the property insurance they need.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, FL 32399-4210, (850)413-4183 or E-mail at: bob.prentiss @fldfs.com

THE FULL TEXT OF THE EMERGENCY RULE IS:

69OER06-3 Adoption of the Property and Casualty Joint Underwriting Association.

(1) Purpose and scope of the emergency rule. The purpose of this emergency rule is to adopt a joint underwriting plan to equitably apportion among insurers authorized in this state to write property and casualty insurance the underwriting of insurance to persons with risks eligible, as defined in the statutes and this rule, and who are in good faith entitled to, but are unable to, obtain an adequate level of insurance coverage, including excess coverage, through the voluntary market. Upon adoption of this plan, all insurers authorized in this state to underwrite property or casualty insurance shall participate in this plan.

This Plan shall be construed to conform, and, when necessary, amended to conform to the provisions of Subsection 627.351(5), Florida Statutes.

(2) Definitions. The following terms have the following meanings for purposes of this rule:

(a) "Adequate level of coverage" means that coverage which is required by state law or by responsible or prudent business practices.

(b) "Assessable Premium" means the net direct premiums of each participating insurer for commercial property insurance risks written by the insurer, excluding the premium associated

with commercial residential insurance policies. Assessable Premium does not include premium associated with liability insurance or kinds of insurance other than property insurance.

(c) "The Association" means the Property and Casualty Joint Underwriting Association.

(d) "Market assistance plan" means the market assistance plan adopted pursuant to Section 627.3515, Florida Statutes.

(e) "Net direct premium" means gross direct premiums, including policy and membership fees less return premiums and premiums on policies not taken.

(f) "Office" means the Office of Insurance Regulation.

(g) "Participating insurer" means each and every insurer authorized in this state to underwrite property or casualty insurance.

(h) "Qualifying quoted premium" means a quote on coverage from an insurer that meets the following criteria:

1. In the case of an admitted carrier, the quoted premium must not exceed the premium available for a given classification currently in use by the Association or the premium developed by using the rates and rating plans on file with the office by the quoting insurer, whichever is greater.

2. In the case of an unauthorized surplus lines insurer, the quoted premium must not exceed the premium available for a given classification currently in use by the Association by more than 25 percent, after consideration of any individual risk surcharge or credit.

(i) "Servicing carrier" means a participating insurer which agrees to be and is designated by the office to provide policyholder and claims service, including the issuance of policies, on behalf of the participating insurers.

(j) "Substantially impair the ability of the entity to conduct its affairs" means that the lack of insurance would result in one or more of the following conditions:

1. An event of default on an existing business loan or mortgage; or

2. A structure that is necessary for the business to continue operations could not be rebuilt in the event of a catastrophe; or

3. The business entity could not continue to meet its legal obligations.

(k) "Unavailable in the voluntary market" means that the insured or agent has made a diligent search, has made a good-faith application for coverage from a minimum of one surplus lines insurance company, and three authorized insurance companies, and the Florida Market Assistance Plan has made a search and an adequate level of coverage has not been found or the quoted premium exceeds the limitations of Section 627.351(5)(a)1.e., Florida Statutes.

(3) Powers of the Association. The Association may perform any activity involved in the business of insurance including the borrowing of funds and entering into financing agreements.

(4) Organization: The Board of Governors.

(a) The Association shall be overseen by a thirteen-member Board of Governors (hereinafter "the Board") as provided by statute. Board members shall be appointed to serve two-year terms, but may be removed and replaced at any time by the Chief Financial Officer. The first term of office for all Board members shall begin upon the date of the Chief Financial Officer's first appointment and shall expire two years later unless replaced by the Chief Financial Officer at an earlier time. Any replacement appointments also shall be made for a period of two years. Four of the Board members shall be representatives of insurance company trade associations, and two members shall be representatives of agent associations. The remaining seven members may be any persons appointed by the Chief Financial Officer. The Board may appoint committees and advisory groups as it deems necessary. The Risk Underwriting Committee is appointed in the manner provided by the statute and is not a committee or subcommittee of the Board. However, its decisions are limited to the determination of eligibility of individual risks for coverage. The Board retains the authority to design the policy forms and rates for the insurance to be offered by the Association, subject to approval by the Office.

(5) Board Meetings. The Board shall meet as often as necessary, but at least twice annually. The Board will conduct its meetings in accordance with Robert's Rules of Order and will make its decisions on a simple majority of all Board members present unless otherwise provided by statute. Board meetings shall be conducted in compliance with Chapter 286, Florida Statutes (the Sunshine Law).

(6) Board Powers and Immunities. Board members are authorized to perform any activity that Directors of corporations may perform and any activity of the Association. Pursuant to Section 627.351(5)(f), Florida Statutes, Board members and employees of the Association are immune from liability for their actions taken in the performance of their duties for the association. In the event that a Board member is served with a civil complaint with respect to any business of the Association, the Board member shall be entitled to indemnification from the Association for costs and reasonable attorney's fees unless and until a determination is made by a court of competent jurisdiction that the Board member engaged in conduct that constitutes a felony under Florida law. Board members are also entitled to reimbursement for the ordinary costs of attending meetings, but are not otherwise entitled to salaries for Board service.

(7) Contracts and Employees.

(a) The Board may enter into contracts with experts and other advisors to assist in conducting the business of the Association at rates negotiated for each engagement. To the extent possible, unless the contract would be exempt from competitive bid for a state agency or unless the Board determines that an emergency exists, contracts for more than \$100,000 in any year shall be competitively bid, and contracts

under \$100,000 shall be awarded only after a minimum of three quotes are obtained from competing vendors. The Association may enter into contracts with other statutorily-created entities such as other JUA's, guaranty associations or their managers, the Market Assistance Plan, or the Florida Hurricane Catastrophe Fund without competitive bids or quotes.

(b) The Board may hire such staff and executive staff as it deems necessary to be compensated by the Association. The Board shall make every effort to retain executive staff with previous experience or expertise in the commercial property insurance market. Because Section 627.351(5), Florida Statutes, requires that a servicing carrier be used for policyholder services, the Association is not expected to hire an extensive staff. However, it shall retain as many employees as necessary to ensure that an appropriate level of policyholder service is maintained.

(c) The Board shall designate positions that are to function as Senior Management of the organization. All senior managers and Board members shall comply with Part III of Chapter 112, Florida Statutes, including the code of ethics, and the public disclosure and reporting of financial interests pursuant to Section 112.3145, Florida Statutes. Senior managers and Board members are required to file such disclosures with the Office of Insurance Regulation. At least quarterly, the executive director shall submit a list of the names of the senior managers and members of the Board of Governors to the Commission on Ethics.

(d) A senior manager of the Association may not represent a person or entity before the Association for a period of two years after the date of termination of employment. The Board shall implement a detailed Ethics and Conflicts of Interest Policy and a Policy for Procurement of Contracts that avoids any actual or apparent conflict of interest by any employee, vendor, or Board member of the association.

(8) Appointment of Servicing Carriers. The Office may appoint one or more participating insurance companies to service policies either for policy issuance, claims, or any combination of services. The Association shall pay the fees of such appointed servicing carrier pursuant to a contract negotiated between the carrier and the association, and subject to the approval of the Office.

(9) Form of the insurance to be written by the Association. The Association may write commercial property insurance including direct insurance, excess insurance, and reinsurance of commercial property risks.

(10) Eligibility of Risks.

(a) A risk shall be eligible for such commercial property insurance as is required by Florida law if the insurance is unavailable in the voluntary market, including the market assistance program and the surplus lines market.

(b) A commercial risk not eligible under (a) (that is, because the coverage is not required by Florida law) shall be nevertheless eligible for such commercial property insurance if:

1. The insurance is unavailable in the voluntary market, including the market assistance plan and the surplus lines market in accordance with paragraph (2)(g); and

2. Failure to secure the insurance would substantially impair the ability of the entity to conduct its affairs; and

3. The risk is not determined by the Risk Underwriting Committee to be uninsurable.

(11) Classification System. For purposes of this rule commercial property insurance is considered a class of property insurance. Other classes of insurance may not be written by the Association without an amendment to this rule.

(12) Market Assistance Plan: Activation of Coverage.

(a) If the market assistance plan receives a minimum of 100 commercial property quote requests within a 3-month period, or 200 commercial property quote requests within a 1-year period or less, for a given class of risk contained in the classification system defined in the plan of operation of the Association, and unless at least 80 percent of such applicants find coverage as a result of the market assistance program referral at or below the qualifying quoted premium, the Commercial Property Insurance class of risk shall immediately be eligible for coverage in the Joint Underwriting Association.

(b) Any market assistance plan application that is rejected because an individual risk is so hazardous as to be practically uninsurable, or because the likelihood of a loss for such a risk is substantially higher than for other risks of the same class due to individual risk characteristics, prior loss experience, unwillingness to cooperate with a prior insurer, physical characteristics and physical location, will be excluded from the minimum percentage calculation provided in paragraph (a). In the event that there is any legal or administrative challenge to a determination by the Office that the conditions of this subsection have been met for eligibility for coverage in the Association for a given classification, any eligible risk may obtain coverage during the pendency of any such challenge.

(13) Removal of Risks.

(a) The Association shall establish a procedure to identify and remove risks from the plan once such risks no longer meet the eligibility requirements for coverage by the Association. At each 6-month interval after the activation of any class of risks, the Board of Governors or its designated committee shall review the number of applications to the market assistance plan for that class. If, based on such review, it is determined that at least 90 percent of such applications have been provided a qualifying quoted premium, the Association shall cease underwriting new applications for such class within 30 days, and notification of this decision shall be sent to the office, the major agents' associations, and the Board of Directors of the market assistance plan. All policies which were previously

written for that class shall continue in force until their normal expiration date, at which time, subject to the required timely notification of nonrenewal by the Association, the insured may then elect to reapply to the Association according to the requirements of eligibility. If, upon reapplication, those previously insured Association risks meet the eligibility requirements, the Association shall provide coverage available from the Association.

(b) In addition, the Board may establish a plan for transfer of risk from the Association to other entities either through reinsurance or other risk transfer or risk financing mechanisms. The cost of such reinsurance or other risk transfer or risk financing arrangements may be included in the rates of the Association.

(14) Equitable apportionment of profits, losses and expenses.

(a) In the event an underwriting deficit exists for any policy year the plan is in effect, any surplus which has accrued from previous years and is not projected within reasonable actuarial certainty to be needed for payment for claims in the year the surplus arose shall be used to offset the deficit to the extent available.

(b) As to any remaining deficit, the Board of Governors of the Association shall levy and collect an assessment from participating insurers in an amount sufficient to offset such deficit. Such assessment shall be levied against the insurers participating in the plan during the year giving rise to the assessment. Any assessments against insurers for the lines of property insurance issued to commercial risks shall be recovered from the participating insurers in the proportion that the assessable premium of each insurer for commercial risks written during the preceding calendar year bears to the aggregate assessable premium written by all members of the plan for the lines of insurance included in the plan.

(c) The Board shall take all reasonable and prudent steps necessary to collect the amount of assessment due from each participating insurer and policyholder, including, if prudent, filing suit to collect such assessment. If the Board is unable to collect an assessment from any insurer, the uncollected assessments shall be levied as an additional assessment against the participating insurers and any participating insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against such nonpaying insurer. In addition, the failure of an insurer to pay an assessment timely shall constitute a violation of this rule subjecting the insurer to administrative action by the Office.

(15) Recoupment of Assessments. An insurer or insurer group may recoup any assessments that have been paid to the Association as provided for in Section 627.3512, Florida Statutes.

(16) Procedure for Assessments.

(a) To issue an assessment, the Board shall determine that the need for an assessment exists, and shall certify the need and the amount of the assessment to the Office. The Board may determine that an assessment is needed for start-up costs for the Association. The Office shall provide the Board with a list of participating insurers and the corresponding reported Assessable Premium volume. The Association may then apply any credits earned by the insurer and issue an assessment invoice to each participating insurer. An insurer that disagrees with the amount or calculation of its share of the assessment shall have 30 days from the date of issuance of the invoice within which to appeal to the Board to change the assessment calculation. If the Board decides to change the assessment calculation, the Association shall notify all participating insurers and shall send a new invoice if it determines that a new invoice is required. If an insurer fails to appeal the assessment calculation within 30 days from the date of issuance of the initial invoice, the assessment calculation for each participating insurer becomes final and unappealable, and the invoice must be paid within 30 days, or in 10 days if required for an emergency due to a hurricane. The Board may require payment in 10 days if a hurricane makes landfall in Florida and the Board anticipates that the assessment will be needed to fund claim payments. In addition to the civil action provided by statute, the failure of an insurer to pay an invoice when due shall constitute a violation of this rule subjecting the insurer to administrative action by the Office.

(17) Credits Against Assessments. The Board shall adopt a plan, subject to the approval of the Office, to provide each participating insurer the opportunity to earn credits against any deficit assessment for commercial property risks voluntarily written through the Market Assistance Plan by such insurer. Credits may be based upon the premium or policy limits for risk taken by the insurer pursuant to contract of excess insurance coverage or a reinsurance contract between the insurer and the Association. Credits may also be established, and may be greater, for risks taken by the insurer where the insurer writes the insurance coverage through the Market Assistance Plan without any participation by the Association in preceding years. The Board may file amended plans for credit against assessments as often as necessary to encourage participation by the voluntary market. The plans shall be effective when approved and shall apply prospectively to assessments levied for the plan year during which they are in effect. The credit plan may provide for no credits to be given in the event that a bond issue is done, and the assessment is being made for the purpose of repayment of bond debt. An insurer shall not receive credits for its participation in a policy for an insured which it had nonrenewed or cancelled within the two years preceding the inception of the policy issued to the same insured by the Association.

(18) Reporting Requirements. The Board may establish the format of a report to be sent each quarter to each participating insurer informing the insurer of its share of profits, losses, and expenses under the plan. The Office may also establish the format of a report to be sent each quarter to the Office by each participating insurer reporting the volume of net direct premium to enable the Office to calculate each insurer's portion of any potential deficit assessment under this plan. The Office may require separate reporting for commercial residential and commercial non-residential risks for each line of insurance listed in the report. The lines of insurance anticipated to be included are lines 1, 2, 5.1, 5.2, 3, and 12 of the state page of the annual statement. The purpose of including the commercial residential premium written for property risks is solely to allow the total on the report to correlate to annual statement reporting, and is not intended to make commercial residential property premium part of the assessment base for this Association.

(19) Financing Arrangements.

(a) There are three different aspects of financing in which the Association is involved:

1. Financing for Operations – The Board may borrow money and may enter into financing agreements to fund start-up costs, operating expenses, or claim payments and associated loss adjustment expenses that occur during the existence of the Association.

2. Assessments for Underwriting Deficits – In the event an underwriting deficit exists for any policy year the plan is in effect, any surplus which has accrued from previous years and is not projected within reasonable actuarial certainty to be needed for payment for claims in the year the surplus arose shall be used to offset the deficit to the extent available. As to any remaining deficit, the Board shall levy and collect an assessment as provided above.

3. Assessments Following Issuance of Bonds – The governing body of any unit of local government, any residents or businesses of which are insured by the Association, may issue bonds as defined in Section 125.013, Florida Statutes, or Section 166.101, Florida Statutes, from time to time to fund an assistance program, in conjunction with the Association, for the purpose of defraying deficits of the Association. Revenue bonds may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to Section 252.36, Florida Statutes, making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and the protection and preservation of the economic stability of insurers operating in this state, and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will provide relief to claimants and policyholders of the joint underwriting association and insurers responsible for apportionment of

association losses. The unit of local government shall enter into such contracts with the Association as are necessary to carry out this subsection. Any bonds issued shall be payable from and secured by moneys received by the Association from assessments under this subsection, and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. If any of the bonds remain unsold 60 days after issuance, the Office shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the Office determines that the purchase would endanger or impair the solvency of the insurer.

(b) Section 627.351(5)(c)6.a., Florida Statutes, states, "The Legislature finds that the potential for unlimited assessments under this paragraph may induce insurers to attempt to reduce their writings in the voluntary market, and that such actions would worsen the availability problems that the Association was created to remedy. It is the intent of the Legislature that insurers remain fully responsible for covering any deficits of the association; however, it is also the intent of the Legislature to provide a means by which assessment liabilities may be amortized over a period of years." The total amount of deficit assessments with respect to any year may not exceed 10 percent of the Assessable Premium for all insurers for the prior year, except that if the deficit with respect to any plan year exceeds such amount and bonds are issued to defray the deficit, the total amount of assessments with respect to such deficit may not in any year exceed 10 percent of the deficit, or such lesser percentage as is sufficient to retire the bonds as determined by the Board, and shall continue annually until the bonds are retired.

(20) Deferment of Assessments. An assessment of an insurer may be deferred, in whole or in part, if the Office finds that payment of the assessment would endanger or impair the solvency of the insurer. In the event an assessment against an insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments.

(21) Risk Underwriting Committee.

(a) A Risk Underwriting Committee of the Joint Underwriting Association composed of three members experienced in evaluating insurance risks is created to review risks rejected by the voluntary market for which application is made for insurance through the joint underwriting plan. The committee shall consist of a representative of the market assistance plan created under Section 627.3515, Florida

Statutes, a member selected by the participating insurers, and a member named by the Chief Financial Officer. The Risk Underwriting Committee shall appoint such advisory committees as are provided for in the plan and are necessary to conduct its functions. The Association may pay or reimburse the salaries and expenses of the members of the Risk Underwriting Committee and its advisory committees for the time spent on behalf of the Risk Underwriting Committee. The Risk Underwriting Committee shall recommend a plan, subject to approval by the Office, to establish criteria and procedures for use by the Risk Underwriting Committee for determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered in addition to criteria commonly used in the market for determining the insurability of the risk:

1. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and
2. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

(b) The Risk Underwriting Committee shall not be required to review a risk for insurability if an authorized insurer agrees to accept some portion of the risk under an excess of loss contract or reinsurance contract between the insurer and the Association. In accordance with the statute, the acceptance or rejection of a risk by the Underwriting Committee is final and is the private placement of insurance, and is not subject to the provisions of the Administrative Procedures Act, Chapter 120, Florida Statutes.

(22) Policy Forms and Applications.

(a) No policy or policy form shall be used unless it has been approved by the Office. The Association may offer coverage that is more restrictive than the coverage offered by the voluntary market, and may limit its property coverage for a particular risk to cover only a specified structure or structures. It may limit coverage for contents or business interruption and may provide coverage limited to the value of the insured structure. It may offer direct insurance, excess insurance or reinsurance if approved by the Board and the Office of Insurance Regulation.

(b) The application form to be required of insureds shall also be filed and must be approved by the Office prior to its use by the Association. The application form must include, as a minimum, the following:

1. Underwriting information on each building that is to be insured.
2. The name of the prior insurer of the account, if any, along with a copy of the policy or declarations page showing the coverage written for the year prior to application.
3. A copy of any non-renewal or cancellation notice issued by the prior insurer.

4. A certification from the agent that a good-faith effort has been made to find coverage and that the coverage is not available in the private market, including an itemization of other carriers to which the risk was submitted.

(23) Underwriting Rules. Underwriting Rules shall be filed and shall not be used until approved by the Office of Insurance Regulation. The Underwriting Rules shall include a requirement that the application for coverage be submitted to the Market Assistance Plan prior to coverage by the Association. A waiting period of a minimum of ten days shall be required as an underwriting requirement to afford the voluntary market a reasonable opportunity to underwrite and take the risk. In an emergency, the waiting period may be waived upon terms and conditions established in the underwriting rules of the Association.

(24) Rates.

(a) The Association shall establish a rating plan to be filed with and approved by the Office in advance of implementation. Rates shall be actuarially sound and consistent with the applicable standards of Sections 627.062 and 627.051(5), Florida Statutes. The Association may have multiple programs for direct insurance, excess insurance, and reinsurance business, and may establish a separate rating plan for each program. The rating plan shall include the following:

1. An appropriate rate level or levels for risks with loss experience equal to or better than that contemplated by the expected loss ratio in the filing.

2. An appropriate rate level or levels for risks with loss experience worse than that contemplated by the expected loss ratio in the filing.

(25) Deductibles. The Association may establish in its rating plan(s) applicable deductibles as may be necessary to meet the needs of the insureds and to protect the interests of the Association. A deductible of 5% of the first one million dollars of coverage shall apply for the initial policies written by the Association. If the Board determines that a higher or lower deductible amount is needed, the Board may approve different deductibles for each of its programs, file an amended rating plan with the Office, and upon Office approval, offer policies with the new approved deductible amount.

(26) Policy Limits. The Board may establish reasonable limits on available amounts of insurance. Initial policies issued by the Association shall have limits not exceeding one million dollars. If the Board determines that higher or lower limits are needed, the Board may adopt different limits, and file an amended rating plan and policy form with the Office. Upon Office approval, the Association may offer policies with the new approved limits.

(27) Commissions. The commissions payable to producers shall be determined by the Board and set forth in the Association's rating plan, but shall be less than the typical

commissions earned for the sale or placement of risk with a private insurance company, and shall not reward an agent for placing a higher volume of risk with the Association.

(28) Policy Cancellations and Renewals.

(a) Unless otherwise required by law, the Board may establish procedures for the cancellation of policies for nonpayment of premium, misrepresentation of material fact, or failure to comply with risk management programs or other underwriting criteria. Policies may also be cancelled or nonrenewed if there has been a substantial and material change in the nature of the risk that renders it uninsurable or otherwise ineligible for coverage by the Association. Return premiums shall be on a pro rata basis unless determined otherwise by the Board and included in the rating plan.

(b) Renewals may be offered, but each risk shall apply for renewal prior to the expiration of the policy period and shall include with its application for renewal such information as the Association may reasonably require to confirm that the risk remains eligible for coverage.

(29) Risk Management Programs. The Board may establish Risk Management Programs and require compliance with such programs as a condition of coverage at policy inception and as a condition of renewal. The Risk Management Programs may require reasonable efforts to mitigate against the risk of loss from Hurricanes, including the installation of shutters, tied-down roofing materials, and other devices designed to prevent unnecessary losses from the peril of wind. The Risk Management Programs shall be included in the Association's underwriting rules subject to approval by the Office.

(30) Amendments to this Plan of Operation of the Association. The Board of Governors may adopt amendments to this plan of operation to be submitted for review to the Office. The Office will review the amendments and may place the proposed plan amendments on the calendar for a meeting of the Financial Services Commission for approval. Plan amendments shall not be effective until approved by the Financial Services Commission.

(31) Deactivation of the Joint Underwriting Association.

(a) If, at any time, the Financial Services Commission determines that the purposes of the Association have been served or that the Association is no longer necessary or advisable, the Financial Services Commission may deactivate the Association. Such deactivation plan shall provide that upon deactivation, the assets of the Association shall be applied first to pay all debts, claims, liabilities and obligation of the Association including the establishment of reasonable reserves for any contingent liabilities or obligations. Any remaining assets shall be paid to the state of Florida and deposited into or for the benefit of the Florida Comprehensive Hurricane Damage Mitigation Program, the Florida Hurricane Catastrophe Fund or such other fund as may be designated by the Financial Services Commission. However, no deactivation

shall take effect as long as the Association has bonds or other financial obligations outstanding unless adequate provision has been made for the payment of the bonds or other financial obligations pursuant to the documents authorizing the issuance of the bonds or other financial obligations.

(b) Deactivation by the Financial Services Commission is the only method for termination of the business of the Association. The Association shall not be subject to the appointment of a receiver pursuant to Chapter 631, Florida Statutes, and no employee, Board member, insured, participating insurer or other person is authorized to file for bankruptcy protection of the Association on a voluntary or involuntary basis.

Specific Authority 120.54(4), 627.351(5) FS. Law Implemented 627.351(5) FS. History—New 8-16-06.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: August 16, 2006

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LEGAL AFFAIRS

The Department of Legal Affairs, Division of Victim Services and Criminal Justice Programs, hereby gives notice that it has received a petition filed on behalf of 7-Eleven, Inc., on August 9, 2006, seeking a waiver or variance from Rule 2A-5.005, F.A.C., with regard to the requirement regarding test photos and remote triggering devices. Comments on this petition should be filed with Division of Victim Services and Criminal Justice Programs, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, within 14 days of publication of this notice.

For a copy of the petition contact: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3351.

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."

WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on August 8, 2006 from DiVosta Homes, L.P. Pursuant to Section 120.542, Florida Statutes, DiVosta Homes, LP is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), with respect to Environmental Resource Permit (ERP) Application 4-009-96251-7. The permit applicant is proposing to construct a development project, to be known as Waterstone PUD, Phase II, in Brevard County. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3., A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the State by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with Sandy Bertram, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2006-80. For a copy of the petition or additional information, contact: Veronika Thiebach, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4488.

The St. Johns River Water Management District (SJRWMD) Governing Board hereby gives notice that on August 8, 2006, it issued a Final Order Granting Variance under Section 120.542, F.S. (SJRWMD FOR# 2006-66), to Garvey Development, LLC (Petitioner). The Petition for Variance was received by SJRWMD on June 1, 2006. Notice of receipt of the petition requesting the variance was published in the F.A.W., Vol. 32, No. 24 on June 16, 2006. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1. of the Florida Administrative Code and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373, Florida Statutes to prevent harm to the water resources by facilitating the project's implementation. The C-1 Rediversion Project is a restoration

project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne Tillman Water Control District canal system to drain once again to the St. Johns River.

A copy of the order may be obtained by contacting: Veronika Thiebach, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, or telephone (386)329-4488.

The St. Johns River Water Management District (District) hereby gives notice that it received a petition for variance on July 20, 2006, from Laguna Estates, LLC, associated with a dock for a 7.75 acre multi-family residential project, known as Laguna Estates. The project is located in Section 1, Township 26 South, Range 36 East, Brevard County, Florida. The street address is 59 South Highway 1, Rockledge, which is approximately 0.75 miles south of Viera Boulevard. Pursuant to Section 373.414(17), F.S., Laguna Estates, LLC, seeks a variance from paragraph 40C-4.302(1)(c), Florida Administrative Code, and the associated portion of the Applicant's Handbook: Management and Storage of Surface Waters, 12.2.5(c), with respect to Environmental Resource permit 4-009-89906-2. The application initially sought approval of 12 boat slips associated with a dock for Laguna Estates. The application for variance seeks approval to construct a dock structure, including an access pier, two boat slips, and a covered platform in Class II waters in the Indian River conditionally restricted for shellfish harvesting. (Information on the shellfish harvesting status of the Class II waters is obtainable from the Department of Agriculture & Consumer Services.) The variance proposes to meet the requirements for a private, single-family boat dock that is allowed by rule in conditionally restricted Class II waters. The rule, which precludes any docks but qualifying private, single-family boat docks, exists to protect shell fish harvesting areas from perturbation due to multi-slip boat docks associated with multi-family residences and from excessive impacts from private, single-family boat docks.

Comments on the petition should be filed with Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid St., Palatka, FL 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R Number 2006-76. For a copy of the petition or additional information, contact Vance Kidder, Assistant General Counsel, St. Johns River Water Management District at the foregoing address or at (386)329-4199.

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, F.S. (SFWMD 2006-107-DAO-ROW), on August 9, 2006, to David L. and Mindy J. Cox. The petition for waiver was received by the

SFWMD on June 26, 2006. Notice of receipt of the petition requesting the waiver was published in the F.A.W., Vol. 32, No. 27, on July 7, 2006. No public comment was received. This Order provides a waiver for the proposed dredging, placement of rip-rap and native plantings and to allow an existing dock with slip, palm trees and landscape boulders to remain; and a waiver of the District's criteria for the maximum encroachment of a moored vessel and a proposed treatment swale to remain within the north right of way of C-18E at the rear of 5824 Senegal Drive; S35/T40S/R42E, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), F.A.C., and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), F.A.C., which governs the maximum allowable encroachment of vessels moored within District canals and the placement of swales within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent David and Mindy Cox from suffering a substantial hardship.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, or by e-mail kruff@sfwmd.gov

NOTICE IS HEREBY GIVEN that on August 11, 2006, South Florida Water Management District (SFWMD or District) received a petition for waiver from Old Plantation Water Control District, Application No. 06-0705-1, for utilization of Works or Lands of the District known as the C-12 Canal, Broward County for the proposed placement of a culvert to interconnect Old Plantation Water Control District's (OPWCD) canal and the SFWMD C-12 Canal; Section 02, Township 51 South, Range 40 East. The petition seeks relief from subsections 40E-6.011(4) and (6), F.A.C., which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from: Kathie Ruff, (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on August 6, 2006, South Florida Water Management District (District) received a petition for waiver from Gregory S. Sembler, Senior Vice President of Sembler Retail, II, Inc., General Partner of Sembler Family Partnership #42, Ltd., Application Number 06-0720-1 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as the Henderson Creek Canal, Collier County, to allow waiver of payment of the Application Processing Fee in the amount of \$1,750.00 associated with an existing temporary culvert bridge crossing the Henderson Creek Canal at Rattlesnake Hammock Road in Section 23, Township 50 South, Range 26 East. The petition seeks relief from subsection 40E-6.091(1), F.A.C., which governs the payment of Application Processing Fees associated with Applications for issuance of Right of Way Occupancy Permits.

A copy of the petition may be obtained from Kathie Ruff, (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on June 20, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Codes from Fausto Catering. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance was approved August 8, 2006 and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict

adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on each MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on July 20, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Roly Poly Sandwiches located in Fort Myers. The above referenced F.A.C. states, "...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated..." They are requesting a variance to add an additional four (4) seats for a total of fourteen (14) seats which exceeds the seating capacity with only one accessible bathroom facility accessible to customers.

This variance request was approved August 8, 2006 and is contingent upon Petitioner ensuring the public bathroom inside Roly Poly Sandwiches is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed fourteen (14) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Sec. 509.261, Florida Statutes.

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."

NOTICE IS HEREBY GIVEN that on July 3, 2006 Florida Department of Environmental Protection has issued an order.

On July 3, 2006, the Department of Environmental Protection received a letter withdrawing the petition for a variance or waiver from Mary Rosenheim on behalf of the St. Joe

Company, WL-822 AR. The petition requested a variance or waiver of subsection 62B-33.002(5), Florida Administrative Code, which provides the definition of armoring. The petitioner sought a permanent variance or waiver from the above cited Rules, as noticed in the Department's official notice Internet site at <http://tlhora6.dep.state.fl.us/onw/publications/5-varianceJenkins-4-21-06-INT.pdf> "Official Notices". The property is located at 1701 E. County Hwy. 30-A, in Walton County. The petition for variance or waiver has been officially withdrawn. A copy of the withdrawal letter can be obtained by contacting Rosaline Beckham, (850)488-7815, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, 5050 W. Tennessee St., Tallahassee, Florida 32304 or by e-mail at rosaline.beckham@dep.state.fl.us. Any comments should be filed in writing with the Department, 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida 32399, and should be submitted within 30 days of the date of this publication.

A copy of the Order may be obtained by contacting: Rosaline Beckham, (850)488-7815, during normal business hours, 8:00 a.m. to 5:00 p.m. A copy of the withdrawal letter can be obtained by contacting Rosaline Beckham, (850)488-7815, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

NOTICE IS HEREBY GIVEN that on July 31, 2006 Florida Department of Environmental Protection's Solid Waste Section has issued an order.

The Order granted a petition filed by the Town of Palm Beach, Florida, on December 1, 2005, seeking a variance under Section 120.542, Florida Statutes. The Petitioner operates the Skees Road Class III Landfill, located at 1300 Skees Road, West Palm Beach, Palm Beach County, Florida. The Petitioner requested a variance from subsection 62-701.410(1), Florida Administrative Code (F.A.C.), which requires a hydrogeological investigation as part of a landfill permit application, and from subsection 62-701.410(2), F.A.C., which requires a geotechnical investigation as part of a landfill permit application. Notice of receipt of the petition was published on the internet on December 23, 2005. No comments were received.

A copy of the Order may be obtained by contacting: Department of Environmental Protection, Solid Waste Section, 2002 Old St. Augustine Road, Old St. Augustine Road Office Park, Building D, Tallahassee, Florida 32301 or by calling Richard Tedder, Section Administrator, (850)245-8735, or e-mail to richard.tedder@dep.state.fl.us.

NOTICE IS HEREBY GIVEN that on July 31, 2006 Florida Department of Environmental Protection's Solid Waste Section has issued an order.

The Order granted a petition filed by the Town of Palm Beach, Florida, on December 1, 2005, seeking a variance under Section 120.542, Florida Statutes. The Petitioner operates the Okeechobee Boulevard Class III Landfill, located at 5976 Okeechobee Boulevard, West Palm Beach, Palm Beach County, Florida. The Petitioner requested a variance from subsection 62-701.410(1), Florida Administrative Code (F.A.C.), which requires a hydrogeological investigation as part of a landfill permit application, and from subsection 62-701.410(2), F.A.C., which requires a geotechnical investigation as part of a landfill permit application. Notice of receipt of the petition was published on the internet on December 23, 2005. No comments were received.

A copy of the Order may be obtained by contacting: Department of Environmental Protection, Solid Waste Section, 2002 Old St. Augustine Road, Old St. Augustine Road Office Park, Building D, Tallahassee, Florida 32301 or by calling Richard Tedder, Section Administrator, (850)245-8735, or e-mail to richard.tedder@dep.state.fl.us.

NOTICE IS HEREBY GIVEN that on August 2, 2006, the Department of Environmental Protection, Underground Injection Control Program, received a petition for variance received from Collier County Utilities, on March 8, 2006. Notice of receipt of this petition was published on the Department's Internet site on March 24, 2006. No public comment was received. The petition requested a variance from the two-year limit for operational testing of Underground Injection Control wells under paragraph 62-528.450(3)(e), F.A.C. Specifically, the variance requested that operational testing of injection wells IW-1 and IW-2 be allowed to continue beyond the two-year limit until May 22, 2007. Approval of operational testing of injection well IW-1 was granted on May 24, 2004. Approval of operational testing of injection well IW-2 was granted on January 25, 2005. The additional monitoring data collected during this extended time frame, along with the monitoring data previously collected, will be evaluated and used to apply for an operation permit in early October 2006. The additional data will help evaluate water quality changes within both zones of the dual-zone monitor well before continuing on with an operation permitting process. The final order, OGC File No.: 06-0730, granted a variance from the two-year limit of operational testing until May 22, 2007, and contained conditions. The conditions required that: operational testing of these wells must be in accordance with the Department-approved construction permits; and operational testing of the injection wells shall cease on May 22, 2007.

For a copy of the final order write or call: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Section, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Department of Health received Petitions for Waiver of subsection 64E-3.004(2), F.A.C., from the following persons on the below dates who desire to obtain a temporary certificate to practice as a Basic X-Ray Machine Operator:

July 20, 2006:

Bonnie Parise	Lisa Vickery	Emil Pottinger
Cindy Lee Milano	Jose A. Cordero	

July 25, 2006:

Elizabeth Parrysh Duva	Jodi Marie Kimberl	Carol J. King
Danielle Marie Geraci	Mailen Rodriguez	

July 26, 2006:

Carolina Medrano	Regina Demartino	Wenona Wyche
------------------	------------------	--------------

August 2, 2006:

Emmie Elizabeth Newcomb	Diane Durak	Carla Stacey
Eva I. Perez		

August 3, 2006:

Angelina Rizzo	Gail D. Gorman	Aaron Wilson
----------------	----------------	--------------

August 8, 2006:

Debra Joyce Mederos	Pedro Luis Lambert
---------------------	--------------------

Petitioners request a waiver because the rule indicates that an applicant who has failed the radiologic technology certification examination for a Basic X-Ray Machine Operator may not qualify for a temporary certification to practice under the direct supervision of a licensed practitioner.

Comments on these Petitions should be filed with: Elizabeth B. Hines, Executive Director, Certification Unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C-85, Tallahassee, Florida 32399-3285.

NOTICE IS HEREBY GIVEN that the Department of Health received petitions for Waiver of Rule 64E-3.004(2), F.A.C., from the following persons on the below dates who desire to obtain a temporary certificate to practice as a Basic X-Ray Machine Operator:

August 11, 2006:

Monica Renee' Harrison	Sabrina Morales
------------------------	-----------------

August 14, 2006

Jacquelyn Blunier	Harold K. Burke, Sr.
-------------------	----------------------

Petitioners request a waiver because the rule indicates that an applicant who has failed the radiologic technology certification examination for a Basic X-Ray Machine Operator may not qualify for a temporary certification to practice under the direct supervision of a licensed practitioner.

Comments on these Petitions should be filed with Elizabeth B. Hines, Executive Director, Certification unit of EMT/Paramedic and Radiologic Technology, 4052 Bald Cypress Way, Bin C-85, Tallahassee, Florida 32399-3285.

NOTICE IS HEREBY GIVEN that on August 10, 2006, Board of Dentistry, received a petition for Variance or Waiver filed on August 10, 2006, on behalf of Patricia A. Hornback, D.M.D. Pursuant to Chapter 28-104, F.A.C., and Section 120.542, F.S., petitioner seeks a waiver of subparagraph 64B5-14.003(1)(a)1., F.A.C. Specifically, the Petitioner requests that the 1 year of advanced training required by subparagraph 64B5-14.003(1)(a)1., F.A.C. be waived for the purpose of Petitioner obtaining a general anesthesia permit under this Rule and that Petitioner's six month training completed in 1979, being the norm according to rules then, be accepted now for the purpose of obtaining a general anesthesia permit. This petition is made in light of Petitioner having been authorized to perform general anesthesia prior to the effective date of the Rule at issue and that combined with the fact that Petitioner under prior authorization has personally performed as well as supervised general anesthesia and deep sedation countless times, she is (1) effectively "grandfathered in," (2) the purpose of the underlying statute has been achieved by this means and (3) the application of the Rule at issue would create a substantial hardship on the Petitioner in view of the fact that it would, in effect, terminate Petitioner's practice, dependent as it is on the administration of general anesthesia and deep sedation on a regular basis.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

NOTICE IS HEREBY GIVEN that on June 23, 2006, the Board of Podiatric Medicine, received a petition by Mark E. Spier, D.P.M. seeking a waiver or variance of Rule 64B18-11.001, F.A.C. with respect to the Board's requirement of verification of passing a post 1996 PMLexis Examination for licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, at the above address or telephone (850)245-4396.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of The Museums of Florida History, Inc.**, announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2006, 9:00 a.m. – 12:00 p.m.

PLACE: Outback Steakhouse, 2202 N. West Shore Boulevard, 5th Floor Boardroom, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting open to the public.

Additional information may be obtained by contacting Suellen Cone (850)245-6413.

The **Florida Historical Commission** announces public meetings to which all persons are invited.

DATE AND TIME: Monday, September 18, 2006, 9:00 a.m.

PLACE: Florida Heritage Hall, First Floor (Auditorium), R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting of the Florida Historical Commission.

DATES AND TIMES: Monday, September 18, 2006, 1:00 p.m.; Tuesday, September 19, 2006, 9:00 a.m.; Wednesday, September 20, 2006, 9:00 a.m.; Thursday, September 21, 2006, 9:00 a.m.

PLACE: Florida Heritage Hall, First Floor (Auditorium), R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review applications submitted to the Bureau of Historic Preservation by June 20, 2006 for Special Category grant assistance for historic preservation projects and to recommend priority ranking and funding levels for grant awards.

A copy of the agendas may be obtained by writing to: Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or call (850)245-6333.

Should any person wish to appeal any decision made with respect to the above referenced meeting, she or he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review.

Pursuant to Section 286.26, Florida Statutes, people with disabilities wishing to attend this meeting should contact the agency at least 48 hours prior to the meeting in order to request any special assistance. Please contact the Division of Historical Resources by telephone, (850)245-6360, or by FAX at (850)245-6435.

The **Department of State, Division of Cultural Affairs**, and Florida Arts Council, announces a public meeting, via conference call, to which all persons are invited.

COMMITTEE: Nominating Committee

DATE AND TIME: Friday, September 8, 2006, 11:00 a.m.

PLACE: Office of Cultural, Historical and Information Programs, R. A. Gray Building, 500 South Bronough Street, Suite 307, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To nominate three members of the Florida Arts Council to fill the offices of Chairman, Vice-Chairman, and Secretary for the 2006-07 term.

A copy of the agenda and access telephone number may be obtained by contacting: Dianne Alborn, Executive Assistant, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida, 32399-0250; (850)245-6473; or by email dalborn@dos.state.fl.us.

Should any person wish to appeal any decision made with respect to any matter considered at the above-referenced meeting, he/she may need to ensure verbatim recording of the proceeding in order to provide a record for judicial review. The Office of Cultural, Historical, and Information Programs/Division of Cultural Affairs will not record these meetings. Pursuant to the provisions of the Americans with Disabilities Act, persons with disabilities are asked to contact the office by the 5th day of September 2006, if you need an accommodation. Accommodations can be arranged through Morgan Lewis, ADA Coordinator for the Division of Cultural Affairs, (850)245-6356, by fax (850)245-6497, or by email mblewis@dos.state.fl.us

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture and Consumer Services** announces a meeting of the Pest Control Research Advisory Committee.

DATE AND TIME: Thursday, September 14, 2006, 9:00 a.m. – 1:00 p.m.

PLACE: Room 185, Mid-Florida Research and Education Center, 2725 Binion Road, Apopka, FL, (407)884-2034

GENERAL SUBJECT MATTER TO BE CONSIDERED: To meet and discuss pest control research proposals.

CONTACT PERSON: Michael J. Page, Bureau of Entomology and Pest Control, (850)921-4177.

The Florida **State Fair Authority** announces a meeting of the Executive Committee to which all persons are invited.

DATE AND TIME: Thursday, September 7, 2006, 10:00 a.m.

PLACE: Florida State Fairgrounds, 4800 U.S. Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Kathleen Fisher, Executive Assistant, Florida State Fair Authority, P. O. Box 11766, Tampa, FL 33680

If special accommodations are needed due to disability, please contact Kathleen Fisher at the above address or (813)627-4221.

DEPARTMENT OF EDUCATION

The **Department of Education**, Florida Education Foundation will hold a Quarterly meeting of the Board of Directors which is open to the public.

DATE AND TIME: August 23, 2006, 8:30 a.m. – 11:30 a.m.

PLACE: Turlington Building, 325 West Gaines Street, Suite 1505, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the board. Consideration of foundation business including but not limited to: Committee reports; pending accounts payable, possible committee proposals for funding and matters pertaining to general administration of the foundation; requested reports; executive director's report and approval of minutes.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 2 days in advance, so that their needs can be accommodated.

The **Gulf Coast Community College** District Board of Trustees will hold its Monthly meeting as follows: Contact person for the meeting is Dr. Robert L. McSpadden, President.

DATE AND TIME: September 14, 2006, 10:00 a.m. (CST)

PLACE: Third Floor, Seminar Room, Student Union West.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Communities Trust** announces a Public Meeting of the Governing Body to which all persons are invited.

DATES AND TIMES: September 14, 2006, 9:00 a.m. – continuing until business is concluded on that date. If necessary, the meeting will continue on September 15, 2006, 9:00 a.m. – until business is concluded. It is the intention of the Trust to conduct as much business as possible on September 14, 2006; therefore, any public that desires to be heard should attend on that date.

PLACE: Tallahassee City Hall, Commission Chambers, 2nd Floor, 300 South, Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rank and select FF6 projects for funding and conduct other business that the governing board deems necessary.

ACTION TO BE TAKEN: Consideration of above-stated business. To obtain a copy of the agenda, contact the Trust, (850)922-2207.

If any person desires to appeal any decision with respect to any matter considered at the meeting, such person will need a record of the proceeding and may need to insure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

Persons requiring a special accommodation for a disability or physical impairment should contact Florida Communities Trust, (850)922-2207 (Suncom 292-2207), at least five days prior to the meeting. If hearing or speech impaired, contact Florida Communities Trust using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2006, 8:30 a.m.

PLACE: The Westin Ft. Lauderdale, 400 Corporate Dr., Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Sections 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

Anyone needing an agenda or public hearing information or special accommodations under the Americans with Disabilities Act of 1990 should write to the address given below or call Christine Jones, (850)245-7914.

Special accommodation requests under the Americans with Disabilities Act should be made at least 48 hours prior to the public meeting.

A copy of the agenda may be obtained by writing to: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

The **Department of Transportation**, District One announces a public hearing to which all persons are invited.

DATE AND TIMES: Thursday, September 21, 2006, 7:00 p.m.; open house at 6:00 p.m.

PLACE: East Lee County Regional Library, 881 Gunnery Road, Lehigh Acres, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To afford interested persons the opportunity to express their views concerning a proposed Corridor Access Management Plan for

State Road 82 from Interstate 75 in Lee County through Hendry County to SR 29 in Collier County, a distance of approximately 26 miles.

Anyone needing special accommodations under the Americans with Disabilities Act (ADA) of 1990 should write to: John Czerepak, District Growth Management Coordinator, Florida Department of Transportation, District One, Post Office Box 1249, Bartow, Florida 33831, call (863)519-2343, or email john.czerepak@dot.state.fl.us.

Special accommodation request under the ADA should be made at least seven days prior to the public hearing.

A copy of the CAMP and the hearing agenda may be obtained by writing to Mr. Czerepak.

The **Florida's Turnpike Enterprise** announces a Design Public Hearing to which all persons are invited.

DATE AND TIMES: September 21, 2006, 5:30 p.m. – Open House; 6:00 p.m. – Formal Presentation

PLACE: Town of Oakland Meeting Hall, 221 North Arrington St., Oakland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This Design Public Hearing is being conducted pursuant to the provisions of Rule Chapter 14-97, Florida Administrative Code, and Section 335.18, Florida Statutes.

This Hearing is being held in accordance with the Section 339.155, Florida Statutes, and is also consistent with the Americans with Disabilities Act of 1990. This Hearing is also in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968, as amended. This Hearing is being held to afford interested persons the opportunity to express their views concerning the final design widening of Florida's Turnpike, Financial Project ID Number 406146-1. The limits of the project are from Beulah Road (milepost 269.5) to SR 50 (Clermont) (milepost 274.1), in Orange County, Florida (a distance of approximately 4.7 miles).

Anyone needing project or Design Public Hearing information, including a copy of the Hearing agenda, may contact: Ms. Satya Sukumar, P.E., Project Manager, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069, (407)532-3999, ext. 3626, e-mail Satya.Sukumar@dot.state.fl.us

Anyone requesting special accommodations under the Americans with Disabilities Act of 1990 should contact: Ms. Catherine Bradley, P.E., Project Development Engineer, Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761, (407)532-3999, extension 3802, e-mail: Catherine.Bradley@dot.state.fl.us.

Special accommodation requests under the Americans with Disabilities Act should be made at least seven (7) days prior to the public hearing.

The **Department of Transportation**, District 4 announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, September 28, 2006, 6:00 p.m.

PLACE: Holiday Inn Express, 7151 Okeechobee Road, Fort Pierce, Florida 34945.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This hearing is being conducted to afford persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID Number 410717-1-22-01, Federal Aid Number 1503-036-P, otherwise known as Okeechobee Road in Saint Lucie County, Florida. The limits of the project corridor are from Florida's Turnpike Entrance/Kings Highway to CR-611B (South Jenkins Road).

Anyone needing project or public hearing information, or special accommodations under the Americans With Disabilities Act of 1990, should write to the address given below or call the FDOT Project Manager, (954)777-4323 (Toll Free 1(866)336-8435, ext. 4323). Special accommodation requests under the Americans With Disabilities Act should be made at least seven (7) days prior to the public hearing.

A copy of the agenda may be obtained by writing to: Richard Young, P.E., Project Manager, Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

BOARD OF TRUSTEES OF 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."

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 13, 2006, 6:00 p.m.

PLACE: Guana Tolomato Matanzas NERR, 505 Guana River Road, Ponte Vedra Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group (MAG) for the Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) meets regularly on the second Wednesday of the third month of each quarter. Accordingly, the next meeting is Wednesday, September 13, 2006, 6:00 p.m. The MAG provides advisory input to the Office of Coastal and Aquatic Managed Areas for the management of the GTMNERR.

A copy of the agenda may be obtained by contacting: Mr. Andy Flajole, GTMNERR, 505 Guana River Road, Ponte Vedra Beach, FL 32082, (904)823-4500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Andy Flajole, (904)823-4500. 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).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 13, 2006, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980).

A copy of the Agenda may be obtained by writing to: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Faith-Based and Community Advisory Board**, Education and Evaluation Subcommittee announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Wednesday, September 6, 2006, 3:00 p.m.

PLACE: Conference call 1(877)651-3473, Leaders: Andre Estevez and Yvonne Sawyer, Co-Chairs

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this meeting, the Subcommittee will discuss future education/training opportunities, as well as discuss tools for delivery of educational opportunities.

For a copy of the agenda and more information about how to attend the meeting contact Mark Nelson at mark.nelson@vfffund.org or (850)413-0909.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to participate in this meeting in order to request any needed special assistance should contact jennie.hopkins@myflorida.com at least 48 hours in advance of the meeting.

The next meeting of the **Governor's Ex-offender Task Force** will be:

DATE AND TIME: Tuesday, August 29, 2006, 9:00 a.m. – 5:00 p.m.

PLACE: Portofino Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members will also be discussing issues relating to the Task Force during the Florida Council on Crime and Delinquency Conference during the following 3 days.

The **Office of Film and Entertainment** and the **Florida Film Advisory Council** will convene in a conference call meeting of the Committee. This is a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 1, 2006, 9:30 a.m.

PLACE: Governor's Office of Film and Entertainment, 400 South Monroe Street, Suite 2002, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Florida Film and Entertainment Financial Incentive.

A copy of the agenda may be obtained by writing: Natalie Recio, Executive Assistant, The Office of Film and Entertainment, State of Florida, Executive Office of the Governor, Suite 2002, The Capitol, Tallahassee, Florida 32399-0001 or calling (850)410-4765.

Should any person wish to appeal any decision made with respect to the above referenced meeting, he may need to ensure verbatim recording of the proceedings in order to provide a record for judicial review. Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact the Commission at least 48 hours prior to the meeting in order to request any special assistance.

The **Florida Sports Foundation** announces it's quarterly JUNIOR GOLF GRANT COMMITTEE meeting to which all persons are invited.

DATE AND TIME: Friday, August 25, 2006, 10:00 a.m. – 11:00 a.m.

PLACE: Florida Sports Foundation, 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309. CALL IN

NUMBERS: (888)808-6959 (toll free), CONFERENCE CODE: 4888347.

Please make note that if a person decides to appeal any decision made by the Grant Committee with respect to any matter considered at the above-cited meeting or hearing, he/she

will need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The **Florida Sports Foundation** announces it's quarterly GRANT COMMITTEE meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 29, 2006, 9:30 a.m. – 11:00 a.m.

PLACE: Florida Sports Foundation, 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309. CALL IN NUMBERS: (888)808-6959 (toll free), CONFERENCE CODE: 4888347.

Please make note that if a person decides to appeal any decision made by the Grant Committee with respect to any matter considered at the above-cited meeting or hearing, he/she will need to insure that a verbatim record of the proceedings is made, which record the includes the testimony and evidence upon which the appeal is to be based.

REGIONAL PLANNING COUNCILS

The **Northeast Florida Regional Council** Personnel, Budget, and Finance Policy Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 7, 2006, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending personnel, budget, and finance policy matters.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council** Planning and Growth Management Policy Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 7, 2006, 9:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss pending planning and growth management issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council** announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 7, 2006, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter, or other meeting information, call Angi Giles, (904)279-0880, extension 145, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Northeast Florida Regional Council** Legislative Committee announces the following public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 7, 2006, 11:30 a.m. following monthly Board meeting

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **Central Florida Regional Planning Council** will hold its public meeting and the Council's Executive Committee meeting, to which all persons are invited.

DATE AND TIME: Wednesday, September 13, 2006, 9:30 a.m.

PLACE: Highlands County Health Department Conference Room, 7205 South George Blvd., Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting of the Council and the Executive Committee.

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Central Florida Regional Planning Council** announces a public meeting of the Local Emergency Planning Committee (LEPC), and its Membership Sub-Committee, Spill Review Sub-Committee, Public Relations Sub-Committee, and Exercise Sub-Committee, to which all persons are invited.

DATE AND TIME: Wednesday, September 13, 2006, 9:30 a.m.

PLACE: Highlands County Agricultural Extension Building, Conference Room 2, 4509 West George Boulevard, Sebring, Florida 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Bi-Monthly Meeting of the LEPC, and Special Sub-Committees, and to discuss the provisions of the Emergency Planning and Community Right To Know Law (EPCRA).

A copy of the agenda may be obtained by writing: Central Florida Regional Planning Council, P. O. Box 2089, Bartow, Florida 33831.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such persons will need a record of the proceeding. For such purpose, he may need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

The **Charlotte Harbor National Estuary Program** announces a public meeting to which all persons are invited.

DATE AND TIME: August 30, 2006, 1:00 p.m.

PLACE: Southwest Florida Regional Planning Council Offices, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Legislative Subcommittee of the Charlotte Harbor NEP Policy Committee.

A copy of the proposed agenda may be obtained by writing: Ms. Liz Donley, Charlotte Harbor NEP, 1926 Victoria Avenue, Fort Myers, FL 33922 or e-mail: ldonley@swfrpc.org.

Any person requiring special accommodation due to disability or physical impairment should contact: Ms. Liz Donley, (239)338-2556, ext. 234, at least three calendar days prior to the meeting. Persons who are hearing impaired should contact Ms. Donley using the Florida Dual Party Relay System, 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all interested persons are invited.

DATE AND TIME: September 8, 2006, 8:30 a.m.

PLACE: The Knott Building, 111 W. St. Augustine Street, Room 412, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by writing: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709. Meeting materials also will be available from 8:00 a.m. to 5:00 p.m., Monday through Friday, at 3600 Maclay Blvd., S., Suite 201, prior to the meeting.

If a person decides to appeal any decision made by the Commission with respect to a matter considered at this meeting, he will need a record of the proceeding, and for such purpose he may need to ensure that a verbatim record of this proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Commission at least 48 hours before the meeting by contacting the Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the Commission by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** announces the following public meeting which may be attended by one or more Governing Board members. All persons are invited:

FLORIDA'S ANNUAL CONFERENCE ON WATER MANAGEMENT

DATES AND TIME: Wednesday, September 6, 2006, through Friday, September 8, 2006, 8:00 a.m. – 3:00 p.m.

PLACE: The Westin-Innisbrook Resort, 36750 U.S. Highway 19, North, Palm Harbour, FL 34684 (south of Tarpon Springs, FL)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference will provide a forum for water managers to share information on emerging technologies, discuss policy and social issues, and address economic challenges in managing Florida's water resources.

NOTE: A copy of the agenda for these meetings may be obtained at: www.mcraeco.com; McRae and Company, Inc., P. O. Box 12187, Tallahassee, FL 32317-2187, or Conference Management 1(866)412-2696.

NOTICE OF AMENDMENT – The St. Johns River Water Management District announces the following public meetings and hearings to which all persons are invited.

PROJECTS AND LAND COMMITTEE

DATE AND TIME: Monday, September 11, 2006, 3:00 p.m.*

(*In the event that a quorum of this Committee is not available at this time, the meeting will be postponed until Tuesday, September 12, 2006, 8:00 a.m.)

PLACE: District Headquarters, 4049 Reid St. (Hwy. 100 W.), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Projects and Land Committee agenda items followed by committee recommendations to be approved by the full Governing Board. A tour of local District project areas is scheduled to follow the business meeting.

GOVERNING BOARD AND COMMITTEE CHAIRMEN

DATE AND TIME: Tuesday, September 12, 2006, 8:15 a.m.

PLACE: District Headquarters, 4049 Reid St. (Hwy. 100 West), Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters.

FINANCE AND ADMINISTRATION COMMITTEE

DATE AND TIME: Tuesday, September 12, 2006, 8:45 a.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of Finance and Administration agenda items followed by committee recommendations to be approved by the full Governing Board. Staff will recommend approval of external budget amendments which affect the adopted budget.

REGULATORY COMMITTEE

DATE AND TIME: Tuesday, September 12, 2006, 10:00 a.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Regulatory agenda items followed by committee recommendations to be approved by the full Governing Board.

GOVERNING BOARD AND PUBLIC HEARINGS ON BUDGET AND LAND ACQUISITION

DATE AND TIME: Tuesday, September 12, 2006, 1:00 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of budget information and consideration of District business including regulatory and non-regulatory matters.

PUBLIC HEARING ON TENTATIVE MILLAGE RATE AND BUDGET FOR FY2006-2007

DATE AND TIME: Tuesday, September 12, 2006, 5:05 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official presentation of the tentative FY2006-2007 millage rate and budget and opportunity to receive public comment prior to consideration and adoption by the Governing Board.

NOTE: A copy of the agenda may be obtained at the SJRWMD website, www.sjrwmd.com or by calling (386)329-4500. One or more Governing Board members may attend and participate in the meetings and hearings by means of communications media technology.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings and hearings is requested to advise the District at least 48 hours before the meeting or hearing (386)329-4500.

If any person decides to appeal any decision with respect to any matter considered at the above-listed meetings or hearings, such person will need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

The **Southwest Florida Water Management District** (SWFWMD) announces the following public meetings to which all interested persons are invited.

MANATEE CHAMBER WATER ALTERNATIVES COMMITTEE

DATE AND TIME: Friday, September 1, 2006, 8:00 a.m.

PLACE: Manatee Chamber Building, 222 – 10th Street, West, Bradenton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider Committee business.

31ST ANNUAL CONFERENCE ON WATER MANAGEMENT

DATES: September 6-8, 2006

PLACE: Innisbrook Resort, 36750 U.S. Highway 19, North, Tarpon Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A forum focusing on a new paradigm in water management – the Atlantic multi-decadal oscillation weather phenomenon and the severe storm events associated with it – faced by Florida’s water management professionals. Members of the District’s Governing and Basin Boards plan to attend.

These are public meetings; agendas are available by contacting: Southwest Florida Water Management District, Executive Department, 2379 Broad Street, Brooksville, FL.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), extension 4606; TDD only 1(800)231-6103 (Florida only); FAX (352)754-6874.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATES AND TIMES: Wednesday, September 6, 2006, 12:00 p.m. – 4:00 p.m., Thursday, September 7, 2006, 9:00 a.m. – 4:00 p.m.

PLACE: Naples Beach Hotel and Golf Club, 851 Gulf Shore Boulevard, North, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC).

A copy of the agenda may be obtained by writing to: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Rick Smith, (561)682-6517 or Sandra Gomez, (561)682-2047.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: September 22, 2006, 10:00 a.m. – 12:00 Noon

PLACE: SFWMD Headquarters, Building B-2, Conference Room “3S Biscayne Bay”. Dial in: Non-Suncom: 1(850)487-8540, Suncom: 277-8540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peer Review of the Everglades Landscape Model (ELM): Teleconference #2, for expert Review Panel deliberation on the Draft Review Report of the ELM.

A copy of the agenda may be obtained: (1) District Website (<http://my.sfwmd.gov/elm>) or (2) by writing to: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: H. Carl Fitz, Hydrologic and Environmental Systems Modeling Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 7512, West Palm Beach, FL 33406, (561)682-2080.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATES AND TIMES: December 6, 2006, 9:00 a.m. – 5:00 p.m.; and December 7, 2006, 9:00 a.m. – 1:00 p.m.

PLACE: SFWMD Headquarters, Building B-1, Storch Room (December 6), Building B-2, EMD Training Room (December 7).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Peer Review of the Everglades Landscape Model (ELM): Workshop II, for expert Review Panel questions and deliberation on the ELM documentation

A copy of the agenda may be obtained at: (1) District Website (<http://my.sfwmd.gov/elm>) or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: H. Carl Fitz, Hydrologic and Environmental Systems Modeling Department, District Headquarters, 3301 Gun Club Road, Mail Stop Code 4512, West Palm Beach, FL 33406, (561)682-2080.

The **South Florida Water Management District** announces the following public meetings to which the public and all interested parties are invited.

DATES AND TIMES: Tuesday, September 12, 2006, 9:00 a.m.; Wednesday, September 13, 2006, 9:00 a.m. The meetings will end on each day upon completion of the business determined by the Governing Board to be addressed on that particular day.

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Finance Committee Meeting, Governing Board Workshop, and Regular Governing Board Meeting to discuss and consider District business, including regulatory and non-regulatory matters and including an amendment to the District's Fiscal Year 2006 budget to revise revenues and expenditures. Governing Board action may be taken at either the Workshop or Regular Governing Board meeting.

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the proposed agenda for these meetings, including detailed information on the budget amendment, may be obtained 7 days before the meeting at the (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing to the South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680. These agendas may be supplemented and revised and the order in which items are considered may be changed by the Governing Board at the meetings.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the District Clerk, (561)682-2087, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: District Clerk, (561)682-2087. District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATES AND TIMES: Tuesday, September 12, 2006, 9:00 a.m. – completed; Wednesday, September 13, 2006, 9:00 a.m. – completed

PLACE: Auditorium B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, M. Burt-Stewart, A. Carlson, M. Collins, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Glazier, S. Nall, G. Miller, J. Nutt, E. Artau, M. Compagno, R. Olian.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record.

A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained: (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact: Director, Governing Board and Executive Services, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATES AND TIMES: Tuesday, September 12, 2006, 9:00 a.m. – completed; Wednesday, September 13, 2006, 9:00 a.m. – completed

PLACE: Auditorium B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8) (2005) to discuss strategy related to litigation expenditures in Tohopekaliga Water Authority v. St. Johns River Water Management District and Orange County Utilities Division, St. Johns River Water Management District, CUP No. 3317. The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, M. Burt-Stewart, A. Carlson, M. Collins, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton, M. Wade; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Nall, S. Glazier, G. Miller, B. Ross, C. Ross, S. Menton.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained: (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact: Director, Governing Board and Executive Services, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

The **South Florida Water Management District** announces a private closed door attorney-client session.

DATES AND TIMES: Tuesday, September 12, 2006, 9:00 a.m. – completed; Wednesday, September 13, 2006, 9:00 a.m. – completed

PLACE: Auditorium B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406 (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Closed door attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in *United States of America v. South Florida Water Management District, et al.* United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. The subject matter shall be confined to the pending litigation.

ATTENDEES: Governing Board Members I. Bague, M. Burt-Stewart, A. Carlson, M. Collins, N. Gutiérrez, L. Lindahl, K. McCarty, H. Thornton; Executive Director C. Wehle; District attorneys S. Wood, S. Echemendia, S. Glazier, S. Nall, G. Miller, K. Burns.

Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained: (1) District Website (<http://www.sfwmd.gov/agenda.html>) or (2) by writing South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Those who want more information, please contact: Director, Governing Board and Executive Services, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Tuesday, September 13, 2006, 5:15 p.m. – until complete

PLACE: SFWMD Headquarters, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive and consider public comment and vote on the tentative FY06/07 millage rates and budget.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained at the (1) District Website www.sfwmd.gov/gover/GovBoard/webpage/agenda.html or (2) by writing: South Florida Water Management District, Mail Stop 1130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Appeals from any South Florida Water Management District Board decision require a record of the proceedings. Although Governing Board meetings and hearings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Director, Governing Board and Executive Services, (561)682-6371, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact: Director, Governing Board and Executive Services, District Headquarters, 3301 Gun Club Road, Mail Stop Code 1130, West Palm Beach, FL 33406, (561)682-6371.

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority's Master Plan – Technical Review Committee will hold the following public meetings to which all persons are invited.

DATE AND TIME: August 31, 2006, 10:00 a.m.

PLACE: Lecanto Government Center, 3600 W. Sovereign Path, Lecanto, Florida 34461

DATE AND TIME: October 11, 2006, 1:00 p.m.

PLACE: Lecanto Government Center, 3600 W. Sovereign Path, Lecanto, Florida 34461

SUBJECT MATTER TO BE CONSIDERED: To review data and assumptions for the Authority's Master Plan update prepared by the Authority's consultants.

A copy of the agenda may be obtained by writing: WRWSA, P. O. Drawer 190, Tallahassee, Florida 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

The **Peace River/Manasota Regional Water Supply Authority** announces the following Board of Directors meeting to which the public is invited.

DATE AND TIME: Wednesday, September 6, 2006, 10:00 a.m.

PLACE: DeSoto County Administration Building, 201 East Oak Street, Arcadia, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Peace River/Manasota Regional Water Supply Authority, 1645 Barber Road, Suite A, Sarasota, Florida 34240.

Although Authority board meetings are normally recorded, affected persons are advised it may be necessary for them to ensure a verbatim record of the meeting is made, including testimony and evidence upon which an appeal is to be based.

Persons with disabilities who need assistance may call (941)316-1776, at least two business days in advance to make appropriate arrangements.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces all future Enhanced Benefits Advisory Panel meetings.

DATES AND TIMES: September 5, 2006; September 19, 2006; October 3, 2006; October 17, 2006; October 31, 2006, 9:30 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308. Those not able to attend in person may call the conference phone number (850)414-1711

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Enhanced Benefit panel will discuss issues related to the technical aspects of the Enhanced Benefit program, under Medicaid Reform.

Anyone needing further information, or special accommodations under the Americans with Disabilities Act of 1990, should write to the address given below or call (850)488-3560. Special Accommodations requests under the Americans with Disabilities Act should be made at least seven days prior to the Public hearing.

A copy of the agenda may be obtained by writing: Joshua Davis, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #48, Tallahassee, FL 32308.

The **Agency for Health Care Administration**, Medicaid Reform Technical Advisory Panel announces a meeting to which all interested persons are invited.

DATE AND TIME: September 21, 2006, 1:00 p.m. – 4:00 p.m.

PLACE: 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL 32308. Meet-Me # (850)414-5775, Suncom 994-5775

DEPARTMENT OF MANAGEMENT SERVICES

The **Labor Market Statistics** announces a public hearing to which all persons are invited.

Workforce Estimating Conference

DATE AND TIME: August 31, 2006, 3:00 p.m. – 5:00 p.m.

PLACE: Room B-49, Caldwell Building, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Identify high demand/high wage occupations for workforce program planning 2007-2008.

For more information contact: Bill Dobson, (850)245-7211 or Georfe Foster, (850)245-7227.

The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2006, 9:00 a.m. This meeting will be conducted by communications media technology (CTM), i.e. by utilizing the telephone conference hookup. The meet-me telephone number is (850)414-1707 and Suncom 944-1707

PLACE: Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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 working days before the workshop/meeting by contacting: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032. 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).

For more information, you may contact: Ms. Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF RESCHEDULING – Notice is hereby given by the **Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes**, of the re-scheduling of the meeting to solicit input regarding the use of a common interest realty law.

DATE AND TIME: Wednesday, September 6, 2006, 9:00 a.m. – until business is completed

PLACE: Board Room, Department of Business and Professional Regulation, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To solicit input on whether the State of Florida should move toward the use of a comprehensive common interest realty law covering the regulation of condominiums, cooperatives, timeshares and homeowner associations.

AGENCY CONTACT PERSON: Michael Cochran, Director, Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, 1940 North Monroe, Tallahassee, Florida 32399-1032, (850)488-1631.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Sharon Malloy, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 TDD.

The **Division of Hotels and Restaurants** announces a meeting of the Hotels and Restaurants Advisory Council to which all persons are invited.

DATE AND TIME: September 8, 2006, 3:00 p.m. – 5:00 p.m.

PLACE: Orange County Convention Center, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Hotels and Restaurants Advisory Council.

A copy of the agenda may be obtained by contacting: Marlita Peters, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1014, (850)644-2051.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the meeting by contacting Marlita Peters, Administrative Assistant III, (850)644-2051. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PUBLIC MEETING IS: Marlita Peters, Administrative Assistant III, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1014, (850)644-2051.

The **Department of Business and Professional Regulation, Board of Auctioneers** announces an official general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 20, 2006, 10:00 a.m. (EST) or soon thereafter

PLACE: Embassy Suites-Fort Lauderdale, 1100 Southeast 17th Street, Fort Lauderdale, Florida 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business meeting of the Board.

A copy of the agenda may be obtained by writing: The Department of Business and Professional Regulation, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting the board office, (850)922-5012. If you are hearing and speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

For further information, contact: Department of Business and Professional, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-5012.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIME: Thursday, September 14, 2006; Friday, September 15, 2006, 8:00 a.m.

PLACE: Embassy Suites Orlando Downtown, 191 East Pine Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Andy Janecek, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIME: Thursday, October 12, 2006; Friday, October 13, 2006, 8:00 a.m.

PLACE: Embassy Suites Deerfield Beach Resort, 950 Ocean Drive, Deerfield Beach, FL 33441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Andy Janecek, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Business and Professional Regulation** will hold the following meeting to which all interested parties are invited.

DATE AND TIME: Wednesday, September 13, 2006, 12:00 Noon

PLACE: Embassy Suites Orlando Downtown, 191 East Pine Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Staff of the Department of Business and Professional Regulation will be conducting a continuing education provider seminar. Presenters will include department staff, members of the Construction Industry Licensing Board Continuing Education Committee, and counsel for the board. Additional information may be obtained by writing: Construction Industry Licensing Board, 1940 N. Monroe Avenue, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Electrical Contractors' Licensing Board** announces the following Board Meeting to which all interested persons are invited to attend.

DATE AND TIME: September 20, 2006, 4:00 p.m., or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting (portions are closed to the public).

DATE AND TIME: September 21, 2006, 8:30 a.m., or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disciplinary Actions and General Business Meeting.

DATE AND TIME: September 22, 2006, 8:30 a.m., or soon thereafter

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

PLACE: Embassy Suites Hotel, 1100 S.E. 1700 Street, Ft. Lauderdale, FL 33316, (954)527-2700

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact, in writing: Electrical Contractors' Licensing Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0771.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting he or she will need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is to be based.

Any persons requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board Office, (850)922-5012, at least five (5) calendar days prior to the meeting. 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)955-9771 (TDD).

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies**, announces an official general business meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 20, 2006, 10:00 a.m. or soon thereafter

PLACE: Via telephone conference. To connect, dial 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida 32399-0767, or by calling their office, (850)487-1395.

If any person decides to appeal any decision made with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling (800)955-8771(TDD).

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Professional Engineers** announces a Probable Cause Panel meeting. Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law. The case of Troy E. Burrell, P.E. will be presented as a Reconsideration of the Administrative Complaint that was filed on August 4, 2004.

DATE AND TIME: Thursday, September 7, 2006, 8:30 a.m.

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

If any person decides to appeal and decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin, (850)521-0500.

The Florida **Board of Professional Engineers** announces a public telephone conference call to which all persons are invited.

DATE AND TIME: Friday, September 22, 2006, 10:00 a.m.

PLACE: CONFERENCE CALL NUMBER: 1(866)895-8146. Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on recommendations from the Educational Advisory and Application Review Committees to approve or deny applications for licensure and any old or new business of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by writing: Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purposes they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be made.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Board at least forty-eight (48) hours before the meeting by contacting Paul J. Martin (850)521-0500.

The Probable Cause Panel of the Florida **Real Estate Appraisal Board** announces a telephone conference call to be held via meet me number.

DATE AND TIME: Monday, September 11, 2006, 9:30 a.m., or the soonest thereafter (Portions of the probable cause proceedings are not open to the public).

PLACE: Department of Business and Professional Regulation, Division of Real Estate, Room 901, Ninth Floor, North Tower, 400 West Robinson Street, Orlando, Florida, or Meet Me Number: (850)488-8295

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases for which a determination of probable cause is to be made and to conduct a public meeting to review cases on which probable cause has been made.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

NOTE: In accordance with the Americans with Disabilities Act, any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.), at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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."

The **Department of Environmental Protection**, Bureau of Water Facilities Funding, announces a hearing to which all persons are invited.

DATE AND TIME: October 11, 2006, 2:00 p.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and to take final action on management of the FY 2007 State Revolving Fund (SRF) priority list for water pollution control loan projects under Chapter 62-503, F.A.C. Funds may be assigned to qualifying wastewater, stormwater, or non-point source projects which meet program eligibility requirements. Eligible projects may be ranked on the priority list if requests and required documentation are received by the Department by September 11, 2006. The Department may adopt, modify, or deny the proposed actions at the hearing. Pursuant to subsection 62-503.600(4), F.A.C., the Department's funding commitment to projects currently assigned to the fundable or contingency portions of the FY 2006 water pollution control priority list may be withdrawn at the hearing if a local government is delinquent in submitting documents as scheduled. Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding the list and any proposed actions. After the hearing, the Department will file the written Record of Final Agency Action. A copy of the Record of Final Agency Action will be made available to persons sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or must be filed with the Department's Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the agenda may be obtained by contacting: Gary Powell at the same address, phone (850)245-8358, Suncom 205-8358, or e-mail gary.powell@dep.state.fl.us. A copy of the draft priority list is also available.

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: Gary Powell, (850)245-8358, or e-mail gary.powell@dep.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 **Department of Environmental Protection**, Bureau of Water Facilities Funding, announces a workshop to which all persons are invited.

DATE AND TIME: October 11, 2006, 10:00 a.m.

PLACE: Room 611, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present the Department's recommendations and receive public comment on the intended use of the Fiscal Year (FY) 2007 Federal Clean Water Act appropriations and State matching funds. Funds may be used to finance wastewater, stormwater, or non-point source preconstruction or construction projects through direct loans under State Revolving Fund Rule, Chapter 62-503, F.A.C. Approximately \$190 million is projected to be available for assignment to projects in FY 2007. Workshop topics will include project eligibility, project prioritization, types of assistance available, source and use of funds, and the proposed priority list of projects.

A copy of the agenda may be obtained by contacting: Gary Powell, Bureau of Water Facilities Funding, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, (850)245-8383, Suncom 205-8383, or e-mail gary.powell@dep.state.fl.us. A copy of the proposed FY 2007 Intended Use Plan is also available.

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: Gary Powell, (850)245-8383 or e-mail gary.powell@dep.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 **Department of Environmental Protection's** Bureau of Mine Reclamation announces a public meeting to which all persons are invited.

DATE AND TIME: September 7, 2006, 9:00 a.m.

PLACE: Hardee County Health Department, 115 KD Revell Rd., Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Management Plan Stakeholder Group to discuss issues regarding the Peace River Basin Resource Management Plan.

A copy of the agenda may be obtained by contacting: Thu-Huong Clark, Department of Environmental Protection, 2051 E. Dirac Drive, Tallahassee, FL 32310, (850)488-8217, or by going to the Bureau's website at <http://www.dep.state.fl.us/water/mines/prcis.htm>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Thu-Huong Clark, (850)488-8217. 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 Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: September 21, 2006, 7:00 p.m.

PLACE: The Lakeland Center, 701 West Lime Street, Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting is to receive comments regarding management and land uses for Colt Creek before the development of a management plan for the property.

A copy of the agenda may be obtained by contacting: Ms. BryAnne White via e-mail at bryanne.white@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Colt Creek State Park, (407)568-5893. 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).

For more information, you may contact: BryAnne White, (850)245-3064.

DEPARTMENT OF HEALTH

The **Department of Health, Board of Dentistry**, will hold a General Business meeting and Examination Committee meeting, to which all persons are invited.

DATE AND TIME: September 15, 2006, 8:00 a.m.

PLACE: Hilton University of Florida, 1714 S. W. 34th Street, Gainesville, FL 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she may need to ensure that a verbatim record of the proceedings is made, which records include the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Sarah Walls, (850)245-4474, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Ms. Walls using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771(TDD).

The Florida **Board of Medicine**, Credentials Committee, announces a meeting to which all persons are invited.

DATE AND TIME: Saturday, September 16, 2006, 8:00 a.m. or soon thereafter

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Committee.

A copy of the agenda may be obtained by writing: Larry McPherson, Board Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Please note that if a person decides to appeal any decision made by the committee with respect to any matter considered at the above cited meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Florida Board of Medicine, (850)245-4131, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Florida Board of Medicine using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Optometry** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, September 8, 2006, 9:30 a.m. or shortly thereafter

PLACE: Amelia Island Hotel, 1997 South Fletcher Avenue, Fernandina Beach, Florida 32034, (904)261-5735

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Medicine, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/optometry/index.html

The **Board of Podiatry Medicine** will hold a duly noticed meeting and telephone conference call, to which all persons are invited to attend.

DATE AND TIME: Friday, September 15, 2006, 9:00 a.m. or shortly thereafter

PLACE: Hyatt Regency, 9300 Airport Boulevard, Orlando, Florida 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General board business.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing www.doh.state.fl.us/mqa/podiatry/index.html
If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Podiatry Medicine, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: September 8, 2006, 9:00 a.m. – until adjourned

PLACE: Tallahassee City Hall, Commission Chambers, 300 Adams Street, Tallahassee, FL 32301, (850)851-0000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.

10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the September 8, 2006, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, or by visiting the Corporation’s website at www.floridahousing.org

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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: Sheila Freaney, Florida Housing Finance Corporation, (850)488-4197. 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).

FINANCIAL SERVICES COMMISSION

NOTICE OF CANCELLATION – The **Office of Insurance Regulation** announces that the public hearing scheduled for:

DATE: August 29, 2006

PLACE: Holland G. Mangum (City of Seminole) Recreation Center, 9100 – 113th Street, North, Seminole, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: With regard to the July 6, 2006 rate filing, by Nationwide Insurance Company of Florida has been CANCELED. This hearing will be rescheduled on a date yet to be determined and notice thereof will be published in F.A.W.

If you have any questions, please contact: Paul Norman, Esquire, (850)413-4142 or Sam Coskey, (850)413-2616.

FLORIDA LEGISLATURE

The **Student Athlete Recruiting Task Force** announces their second public meeting to which all interested persons are invited.

DATE AND TIME: Tuesday, August 29, 2006, 1:00 p.m.
 PLACE: Berkeley Preparatory School, Lykes Center Auditorium, 4811 Kelly Road, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of July 12, 2006 task force meeting minutes.

Presentation by the Office of Program Policy Analysis and Government Accountability (OPPAGA) on their review of Florida High School Athletic Association (FHSA) files on substantiated violations and penalties imposed.

Public input on the following topics as they relate to secondary school athletes:

The definition of recruiting

- Current and proposed procedures governing recruiting
- Documented past recruiting practices such as tuition scholarships, foreign athletes, solicitation by school employees or boosters, and other practices
- The impact of recruiting rules on parental school choice
- The relationship between student athlete transfers and recruiting
- Measures for preventing improper student athlete recruiting and penalties for violations; and
- Policies to allow students attending private schools that do not have athletic programs to participate in the athletic programs at their assigned public school.
- Continued task force member discussion to develop proposed recommendations.
- Other task force business.

Those who desire a copy of the agenda or more information should contact: Susan Dusoe, Office of Program Policy Analysis and Government Accountability, 111 West Madison Street, Suite 312, Tallahassee, FL 32399-1475, (850)487-9161.

Any person requiring special accommodations due to a disability should contact the Task Force, at least five days prior to the meeting in order to request any special assistance by calling: Susan Dusoe, (850)487-9161.

PRIDE ENTERPRISES

PRIDE Enterprises BOD announces an Executive Committee meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, August 31, 2006, 10:00 a.m. – 1:30 p.m.

PLACE: Portofino Bay Hotel, Universal Studios, Orlando, www.pride-enterprises.org

PRIDE Enterprises BOD announces a Strategic Plan Committee meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, August 31, 2006, 2:00 p.m. – 5:00 p.m.

PLACE: Portofino Bay Hotel, Universal Studios, Orlando www.pride-enterprises.org

FLORIDA AUTOMOTIVE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces the following meetings.

FAJUA Budget Committee Meeting

DATE AND TIME: Wednesday, September 6, 2006, 2:00 p.m.

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed FY2006-2007 budget, make recommendations to the Board, and to consider other matters that may come before the committee.

FAJUA Servicing Carrier Advisory Committee Meeting

DATE AND TIME: Wednesday, September 6, 2006, 3:00 p.m.

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss progress of goals agreed upon by the FAJUA Board of Governors and any other matters that may come before the committee.

FAJUA Finance Committee Meeting

DATE AND TIME: Wednesday, September 6, 2006, 4:00 p.m.

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss matters relating to FAJUA financial procedures, data reporting; make recommendations to the Board and any other matters that may come before the committee.

FAJUA Board of Governors Meeting

DATE AND TIME: Thursday, September 7, 2006, 8:30 a.m.

PLACE: Conrad Miami, Espirito Santo Plaza, 1395 Brickell Avenue, Miami, Florida 33131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive reports of the General Manager, Committees and Counsel; to consider and take actions based on those reports; to consider statutorily required rate filing; and consider any other matters that may come before the Board.

Additional information may be obtained from: Lisa Stoutamire, 1425 Piedmont Drive, East, #201A, Tallahassee, FL, (850)681-2003, stoutamire@fajua.org

CLERKS OF COURT

The **Clerks of Court Operations Corporation** announces a business meeting to which all persons are invited to attend. DATE AND TIME: Tuesday, September 12, 2006, 2:00 p.m. PLACE: Belle Haven, Ritz Carlton, Sarasota, FL GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and certify Clerks' 2006-2007 submitted Court-related budgets and other budget issues as necessary. Information regarding the meeting may be obtained by contacting: John Dew, Florida CCOC, (850)386-2223 or by visiting the CCOC website: www.flccoc.org

HINKLEY CENTER FOR SOLID AND HAZARDOUS WASTE MANAGMENT

The **Hinkley Center for Solid and Hazardous Waste Management**, Advisory Board announces a meeting of the Board. DATE AND TIME: September 15, 2006, 9:00 a.m. PLACE: Orlando, Florida For more information, call the Center, (352)392-6264 or visit the web page: www.hinkleycenter.org

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The **Florida Workers' Compensation Insurance Guaranty Association** announces a Board of Directors' Meeting to which all interested parties are invited to attend. DATE AND TIME: September 26, 2006, 9:00 a.m. (Eastern Time), – recessing at 12:00 Noon, or as soon as business has been concluded PLACE: J.W. Marriott Hotel, Orlando, FL 32837 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Florida Workers' Compensation Insurance Guaranty Association will meet regarding the regular business of the Association. A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise the Association by contacting Cathy Irvin, (850)386-9200, at least 48 hours before the session. A person who is hearing or speech impaired may also contact the TDD at 1(800)955-1339.

EARLY LEARNING ADVISORY COUNCIL

The next meeting of the **Early Learning Advisory Council** meeting will be on: DATES AND TIMES: September 28, 2006, 10:00 a.m.; September 29, 2006, ending 12:00 Noon PLACE: Holiday Inn, Universal Orlando, 5905 South Kirkman Road, Orlando, Florida 32819, (407)351-9100. Please reference the group "Office of Early Learning" when making your reservations to obtain the rate of \$99 per night.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida has issued an order disposing of the petition for declaratory statement filed by Cynthia L. Gleason, Unit Owner, Gulf Island Beach & Tennis Club Condominium Association I, Inc. on May 5, 2006. The following is a summary of the agency's disposition of the petition: Denied because the petition requests review of actions already taken and involves jurisdiction over the validity of documents recorded in the public records rests with the court. A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

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."

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF STATE

The Division of Historical Resources announces that it is soliciting applications for State Grants-in-Aid assistance for historical museums projects.

An anticipated \$1,750,000 could be available to assist General Operating Support and Public Educational Exhibit activities.

Solicitation begins Saturday, October 1, 2006.

The deadline for filing applications is Friday, December 15, 2006. Applications must be delivered to the fourth floor of the R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida by 5:00 p.m., on that date or be clearly postmarked or show evidence of submission to an express mail service on or before that date.

Application forms and more information may be obtained from: Grants Manager, Historical Museums Grants-In-Aid, Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, <http://dhr.dos.state.fl.us/grants> or by telephone (850)245-6486.

DEPARTMENT OF EDUCATION

INVITATION TO BID

The Florida State University Facilities Purchasing shall receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University
 Facilities Maintenance, Purchasing
 114F Mendenhall, Building A
 Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number	FAC 95-06
Purchasing Agent:	B. J. Lewis, Facilities
Mandatory Pre	
Qualification/Pre Bid	September 7, 2006, 10:00 a.m.
Location:	Engineering Lab/Load Dock/ Bldg 114
Public Bid Opening:	September 28, 2006, 2:00 p.m., 116 Mendenhall, Bldg. A FSU-Facilities Maintenance 114 Mendenhall Hall, Building A Tallahassee, Florida 32306-4150 Facilities Maintenance Purchasing

Bid Documents

Re-Roofing Engineering Lab Building

The pre-qualification packages may be obtained from: the Architect's office, 211 John Knox Road, Suite 105, Tallahassee, Florida 32303. The completed pre-qualification packages are to be returned to the Architect at the time of the Pre-bid Meeting on September 7, 2006. Only those contractors who are pre-qualified will be eligible to bid this project.

Request for Proposal (RFP)

The Florida State University Facilities Purchasing shall receive Proposals until the date and time shown for the following project. Proposals may be mailed or delivered to:

Florida State University
 Facilities Maintenance, Purchasing
 ATTN: B. J. Lewis, Purchasing Agent
 114F Mendenhall Building A
 Tallahassee, Florida 32306

Prior Receipt of Proposals, responder must reference RFP number, receipt date and time on outside of proposal package to insure proper acceptance. Proposals submitted by facsimile are not acceptable. For information relating to the RFP, contact

Proposal Number: FAC 94-06

Purchasing Agent: B. J. Lewis, Facilities (850)644-7639

Receipt of Proposal: On or before September 28, 2006 at 2:00 p.m.
 FSU-Facilities Maintenance
 114 Mendenhall, Building A
 Tallahassee, Florida 32306-4150
 Facilities Maintenance Purchasing

Bid Documents: Request for Proposal for Facility Condition Analysis Services, Florida State University Facilities Management.

Contact Person: Tom Shewan, Director Facilities Maintenance, (850)645-6466

NOTICE TO CONSTRUCTION MANAGERS

The University of Central Florida, announces that construction management services will be required for the project listed below:

- Project No. UCF-516
- Project and Location: Recreation and Wellness Center, University of Central Florida, Orlando, Florida 32816-3020.
- The phased design and construction of new athletics facilities spaces in this phase may include but not be limited to:
- Fitness Space – weight room – free weights/ Cardio and Selectorized
- Mac Gymnasium – additional courts
- Multi-purpose rooms – combative/ group exercise-movement exploration
- Outdoor Adventure Center
- Boldering Wall
- Outdoor Pool – Six lane lap with deep water
- Athletic Training room
- Racquetball Courts
- Retail/ Food Service
- Renovation of the existing Wellness center – First Floor office and meeting rooms for RWC use – office/ storage/ custodial/maintenance and or laundry space
- Relocation and design for the current Wellness Center – Health Centers areas within the expansion
- Support Facilities for the Outdoor Park
- Pavilion type structure at Lake Claire

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the

development of a Guaranteed Maximum Price (GMP) at 50% Construction Document phase (or other phase, if applicable. If so, change this reference). If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging the inclusion of Minority Business Enterprises (MBEs). Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager’s contract.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability; qualification of the firm’s personnel, staff and consultants. Finalists will be provided with a copy of the building program and the latest documentation prepared by the project architect/engineer, a description of the final interview requirements and a copy of the standard University of Central construction management agreement. The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed University of Central Florida “Construction Manager Qualifications Supplement.” Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

Carefully review the Construction Management Contract and General Condition’s documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of

\$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard, Orlando, FL 32816-3020, (407)823-2166, Fax: (407)823-5141, Email: gseabroo@mail.ucf.edu.

The project fact sheet for the Physical Sciences Building and the CMQS Form may be found on the Facilities Planning home page. Our Internet address is: www.fp.ucf.edu.

Four (4) bound copies of the required proposal data shall be submitted to: Mr. Peter Newman, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time, September 27, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida announces that Professional Services in the discipline of architecture and or design build will be required for the project listed below:

Project No. UCF-518

Project and Location: Student Union Expansion, University of Central Florida, Orlando, Florida 32816-3020

The project consists of the design and construction of the existing Student Union Building that will contain additional food vendors and additional patio space to serve as an outdoor seating area. There will be some white box spaces.

The expansion will be located on the University of Central Florida campus in the existing Student Union building. The project cost will be approximately \$1,498,000.

This facility will be in the planning phase in the 2006-2007.

The selected firm will provide design, construction documents and administration for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$500,000, and will be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration must submit a letter of application.

The letter of application should have attached:

1. The most recent version of the "Professional Qualifications Supplement" dated 7/03, completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of

application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for the University of Central Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Carefully review the Architect and Construction Management Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax (407)823-5141, Email: gseabroo@mail.ucf.edu, Web site www.fp.ucf.edu.

Submittals must be received in the Physical Plant Building, University of Central Florida, Office of Facilities Planning, 4000 Central Florida Boulevard, P. O. Box 163020, Orlando, FL 32816-3020, by 5:00 p.m. (local time), on September 15, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of North Florida Board of Trustees, a public body corporate, announces that Professional Services in the discipline of Design Services for:

Campus Gateway and Wayfinding – Program will be required for the University of North Florida, Jacksonville, Florida.

The Campus Wayfinding program will play a valuable role in informing, orienting and directing students and visitors to and around the Campus, to appropriate parking lots, to building locations, and finally to their interior room destination.

Consulting Services include, but are not limited to, the following services:

- Evaluation of campus and existing signage
- Recommended Signage Program to identify buildings and provide directional signs
- Theme design and development

The final work scope and deliverables schedule is subject to negotiations between the UNF and the Consultant it selects for the Project.

INSTRUCTIONS:

Firms who wish to apply for consideration shall obtain a detailed Professional Qualifications descriptive project information and selection criteria document by contacting:

Dottie Fischetti, dfischet@unf.edu
University of North Florida
4567 St. Johns Bluff Road, South
Jacksonville, Florida 32224
(904)620-2016, Fax (904)620-2020

Submittals must be received in the office of Facilities Planning, Portable 832B, University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224, by 2:00 p.m. (local time), on Tuesday, September 26, 2006. Facsimile (FAX) submittals are not acceptable and will not be considered.

Applications which do not comply with the above instructions may be disqualified.

Minority Business participation will not be considered in the scoring process.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

CALL FOR BIDS BID NUMBER ITB # 07-05

Made by the University of North Florida Board of Trustees, a public body corporate

PROJECT, NAME, NUMBER AND LOCATION: Skate Park, University of North Florida, 4567 St. Johns Bluff Road, South, Jacksonville, FL 32245

GENERAL SCOPE: New Skate Park including equipment

QUALIFICATIONS: All bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2. Sealed bids will be received on:

DATE AND TIME: Monday, September 11, 2006, 3:00 p.m.

PLACE: University of North Florida, Building 6, Room 1301, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224 at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual which may be obtained at Southside Blueprint, 1024 Kings Ave., Jacksonville, FL 32207

ARCHITECT/ENGINEER: Pond Junck & Walker, 10199 Southside Blvd., Suite 103, Jacksonville, FL 32256, (904)398-0575

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprises certified by the Commission on Minority Business Economic and Business Development (formerly certificate done by Department of Management Services)

PRE-SOLICITATION/PRE-BID MEETING:

The bidder is required to attend the pre-solicitation/pre-bid meeting. Minority business enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: Thursday, August 31, 2006, 3:00 p.m.

PLACE: University of North Florida, Building Six Room 1225, 4567 St. Johns Bluff Road South, Jacksonville, Florida 32224

Bid documents including drawings and project manual may be obtained from Southside Blueprint for the cost of reproduction.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**PUBLIC ANNOUNCEMENT OF REMEDIATION
PROJECT MANAGER SELECTION RESULTS**

The Florida School for the Deaf and the Blind announces that on the date listed below ranking was determined and an intent was issued to negotiate and enter into a contract for Remediation Project Management Services in accordance with the Consultants Competitive Negotiation Act, for the following:

DATE: August 8, 2006

NAME OF AGENCY: Florida School for the Deaf and the Blind

PROJECT NAME: Remediation Project Manager

1. GEOSyntec Consultants
2. Arcadis G and M, Inc.
3. MACTEC Engineering and Consulting, Inc.

**PUBLIC ANNOUNCEMENT OF GROUNDWATER
SAMPLING AND LABORATORY ANALYSIS SELECTION
RESULTS**

The Florida School for the Deaf and the Blind announces that on the date listed below ranking was determined and an intent was issued to negotiate and enter into a contract for

Groundwater Sampling and Laboratory Analysis in accordance with the Consultants Competitive Negotiation Act, for the following:

DATE: August 8, 2006

NAME OF AGENCY: Florida School for the Deaf and the Blind

PROJECT NAME: Groundwater Sampling and Laboratory Analysis

1. Applied Technology and Management
2. Aerostar
3. GLE Associates, Inc.

**PUBLIC ANNOUNCEMENT FOR
CONSTRUCTION MANAGEMENT SERVICES**

PROJECT NUMBER: #20070001

PROJECT NAME: Rhyne Hall-Building #4

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 205 N. San Marco Avenue, St. Augustine, FL 32084-2799

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide Construction Management at Risk for renovations to Rhyne Hall-Building #4. Renovations will include gutting of existing building interior including mechanical, electrical, plumbing, and fire protection systems as well as finishes. Reconfigure interior to provide more efficient dormitory layout. Provide all new mechanical, electrical, plumbing and fire protection systems as well as finishes. The construction budget for this project is \$4,500,000.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria established by the Division of Building Construction.

Firms interested in being considered for this project must submit one (1) original and four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, form DBC5085.
3. Resumes of proposed staff and staff organization.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.

6. References from prior clients received within the last five years.

Submit application to: The Florida School for the Deaf and the Blind, Attn.: John Connor, Purchasing Director, 207 North San Marco Avenue, Building #28, St. Augustine, FL 32084-2799.

For further information, contact: Fran Lynch, FSDB Construction, (904)827-2380.

Response Due Date: Friday September 29, 2006, no later than 3:00 p.m.

Firms will be short-listed on Monday, October 9, 2006. Following the short-list selection, a Pre-interview workshop will be held on Thursday October 12, 2006, at 9:00 a.m., for all short-listed firms. Interviews will be conducted on Thursday October 26, 2006. A final selection will be made after the interviews have taken place.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #28, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after each selection. Any protest of the selections must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the F.A.W.

**PUBLIC ANNOUNCEMENT FOR
CONSTRUCTION MANAGEMENT SERVICES**

PROJECT NUMBER: FSDB 20070002

PROJECT NAME: Campus Water Distribution System

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firms to provide Construction Management at Risk for renovations to James Hall-building #11. Renovations will include providing adequate water for fire sprinkler systems to all buildings on campus including piping upgrades, modifications, or replacement of piping at the current campus water distribution loop. Coordination or partnering with the City of St. Augustine may include off-campus work to increase water supply to the campus. The construction budget for this project is \$2,700,000.

Applicant must be a licensed general contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

The selection will be made in accordance with Section 255.29(3), F.S. and the procedures and criteria established by the Division of Building Construction.

Firms interested in being considered for this project must submit one (1) original and four (4) copies of their application with a table of contents and tabbed sections in the following order:

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria.
2. A current Experience Questionnaire and Contractor's Financial Statement, form DBC5085.
3. Resumes of proposed staff and staff organization.
4. Any examples of project reporting manuals, schedules, past experience and examples of similar projects completed by the firm.
5. A description of the applicant's plan for Minority Business Enterprise and Women-Owned Business Enterprise.
6. References from prior clients received within the last five years.

Submit applications to: The Florida School for the Deaf and the Blind, Attn.: John Connor, 207 North San Marco Avenue, Building 28, St. Augustine, FL 32084-2799.

For further information, contact: Fran Lynch, FSDB Construction, (904)827-2380.

Response Due Date: Tuesday October 3, 2006, no later than 3:00 p.m.

Firms will be short-listed on Wednesday October 11, 2006. Following the short-list selection, a Pre-interview workshop will be held on Tuesday October 17, 2006, at 9:00 a.m. for all short-listed firms. Interviews will be conducted on Tuesday, October 31, 2006. A final selection will be made after the interviews have taken place.

The results of the short-list and final selection will be posted at FSDB, 207 N. San Marco Ave., Building #28, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after each selection. Any protest of the selections must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the F.A.W.

PUBLIC ANNOUNCEMENT FOR

PROFESSIONAL SERVICES FOR ENGINEERING

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB 20070002

PROJECT NAME: Campus Water Distribution System

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799

SERVICES TO BE PROVIDED: Engineering services including, but not limited to: structural, mechanical and electrical design work for the complete preparation of construction documents necessary for Campus Water Distribution System. Renovations will include providing adequate water for fire sprinkler systems to all buildings on campus including piping upgrades, modifications, or replacement of piping at the current campus water distribution loop. Coordinate partnering with the City of St. Augustine as necessary to increase water supply to campus.

CONSTRUCTION BUDGET: \$2,700,000

FSDB PROJECT MANAGER: Fran Lynch

PHONE NUMBER: (904)827-2380

RESPONSE DUE DATE: Tuesday, September 26, 2006, no later than 3:00 p.m.

INSTRUCTIONS

Firms interested in being considered for this project must submit one (1) original and four (4) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.
3. A copy of firm's current Florida Professional Registration License Renewal.
4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.
5. Completed SF-254.
6. Completed SF-255.

Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to the Florida School for the Deaf and the Blind, Attn.: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building #28, Stores/Receiving, St. Augustine, FL 32084-2799.

Applicants will be short-listed on Wednesday October 4, 2006. Following the short-list selection, a pre-interview workshop will be held on Tuesday, October 10, 2006, for all short-listed firms. Interviews will be conducted on Tuesday October 24, 2006. A final selection will be made after the interviews have

taken place. Selections will be made in accordance with Section 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail.

The results of the short-list and final selection will be posted at: FSDB, 207 N. San Marco Ave., Building #28, Stores/Receiving, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the F.A.W.

PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES FOR ARCHITECTURE-ENGINEERING

The Florida School for the Deaf and the Blind (FSDB) announces that professional services are required for the project listed below.

PROJECT NUMBER: FSDB #2007001

PROJECT NAME: Rhyne Hall-Building # 4

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

SERVICES TO BE PROVIDED: Architectural and engineering services including, but not limited to: structural, mechanical and electrical design work for the complete preparation of construction documents necessary for renovations to Rhyne Hall, building #4. Renovations will include gutting of existing building interior including mechanical, electrical, plumbing and fire protection systems as well as finishes. Reconfigure interior to provide more efficient dormitory layout. Provide all new mechanical, electrical, plumbing and fire protection systems as well as finishes. Basic construction administrative services will be required.

CONSTRUCTION BUDGET: \$4,500,000

FSDB PROJECT MANAGER: Fran Lynch

PHONE NUMBER: (904)827-2380

RESPONSE DUE DATE: Friday, September 22, 2006, No Later Than 3:00 p.m.

INSTRUCTIONS

Firms interested in being considered for this project must submit one (1) original and four (4) copies of their application with table of contents and tabbed sections containing the following information:

1. Letter of interest which indicates the firm's qualifications, related experience, the firm's abilities to do the work and other pertinent data.
2. Current Professional Qualifications Supplement (PQS) Form DBC5112.

3. A copy of firm's current Florida Professional Registration License Renewal.

4. For Corporations only: If the firm offering services is a corporation, it must be properly chartered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Charter.

5. Completed SF-254.

6. Completed SF-255.

Firms must be properly registered at the time of application to practice their profession in the State of Florida. Representative samples of related work may be submitted in a separate binder. Applications that do not comply with these instructions or those that do not include the requested data may not be considered. All information received will be maintained with the project file and will not be returned. Applicants are advised that plans and specifications for A/E projects may be reused.

Applications are to be sent or delivered to: The Florida School for the Deaf and the Blind, Attn.: Mr. John Connor, Purchasing Director, 207 N. San Marco Ave., Building #28, Stores/Receiving, St. Augustine, FL 32084-2799.

Applicants will be short-listed on Monday October 2, 2006. Following the short-list selection, a pre-interview workshop will be held on Thursday, October 5, 2006, for all short-listed firms. Interviews will be conducted on Thursday October 19, 2006. A final selection will be made after the interviews have taken place. Selections will be made in accordance with Chapter 287.055, Florida Statutes. The selected firm will be given official notice of selection results by FAX and/or mail.

The results of the short-list and final selection will be posted at: FSDB, 207 N. San Marco Ave., Building #28, Stores/Receiving, St. Augustine, FL and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m. beginning 24 hours after the selection. Any protests of the selection must be made within 72 hours of the posting. Failure to file a protest within 72 hours (not including Saturday, Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the F.A.W.

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 CORRECTIONS**NOTICE TO PROFESSIONAL CONSULTANTS
FOR PROFESSIONAL ENGINEERING SERVICES**

The State of Florida, Department of Corrections, Bureau of Procurement and Supply, announces that Professional Services are required from Engineering firms for the project listed below. Applications from qualified firms are to be sent to the attention of Julyn Hussey, Bureau of Procurement and Supply, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500, (850)410-4049. The selected firm may be required to perform its services on an accelerated schedule.

INSTRUCTIONS

Any firm desiring to provide professional services for this project shall apply for consideration with a letter of application, indicating within the body of the letter, your firm's specific abilities respective to the particular project's requirements, office location(s) from which the firm will be doing the work and attach current copies of the following:

1. A copy of the Department of Corrections' current "Professional Qualifications Supplement" (PQS) (dated September 2004) with current data. The PQS is posted as a related document for printing on the Vendor Bid System under this solicitation at the following website address: http://fcn.state.fl.us/owa_vbs_www.search.criteria_form
2. A reproduction of the firm's current Florida State Board License with the appropriate board governing the discipline offered. If the firm is a corporation, it must be properly chartered with the Department of State to operate in Florida. Include a copy of the charter and current certification that all fees and filings are current.
3. Attach a current copy of the SF330 for the office(s) that will be performing the work. This form may be found at the following website address: <http://www.gsa.gov>.
4. Evidence of professional liability insurance in the amount of at least \$1,000,000.
5. Describe scope of work to be assigned to any sub-consultant and include a SF330 for each sub-consultant.
6. Names, specific qualifications and professional memberships of person(s) to be assigned to this project and their respective roles (do not include resumes).
7. Names, addresses and phone numbers of at least five (5) other agencies for whom similar services have been performed within the last five (5) years and the date, project name, brief project description, firm's project manager and specific services provided in each case.
8. If desired by the firm, additional examples of similar projects completed by persons to be assigned to this project, references (none from current or former Department of Corrections personnel) and any other supporting information.

Submit one original letter of interest and four (4) copies of the required data. The required data shall be submitted in the order listed above. Faxed copies will not be accepted. Applications that do not comply with the instructions set forth above may be considered improper and be disqualified. The plans and specifications developed by the firm awarded this project are subject to reuse in accordance with the requirements of Section 287.055, Florida Statutes, ("Consultants' Competitive Negotiation Act").

The awarded firm shall not knowingly engage in this project, on a full time, part time or other basis during the period of this Contract, any current or former employee of the Department where such employment conflicts with Section 112.3185, Florida Statutes.

Respondents will be ranked by a Competitive Selection Committee based on the information received in response to this Request For Qualifications (RFQ). Interviews of all ranked respondents may or may not be required, at the direction of the Committee. Under the authority delegated to the Secretary of the Department of Corrections by Florida Statute 287.055, sitting as the head of the Department of Corrections, Professional Services Contracts will be awarded to one firm following the recommendations of the Competitive Selection Committee and in accord with the statutory negotiation procedures. All firms responding to this RFQ will be notified by a single posting, after approval by the Secretary, through the following website address: http://fcn.state.fl.us/owa_vbs_owa/vbs_www.search.criteria_form. It is the firm's responsibility to check the website for updated information.

Response Date: September 25, 2006, by 4:00 p.m. Eastern Daylight Time (EDT).

Late submittals will not be opened or considered.

PROJECT: Provide Professional Engineering Services for upgrading and expansion to the Wastewater Treatment Plant at Marion Correctional Institution. Scope of work includes Design, Permitting, Bid Phase Services and Construction Administration of the recommended improvements.

PROJECT LOCATION: Marion Correctional Institution, 3269 N. W. 105th Street, Lowell, Florida 32663 is the project site for purposes of the selection process.

PROJECT NUMBER: To Be Determined

ESTIMATED CONSTRUCTION COST: \$2,000,000

PROJECT ADMINISTRATOR: Terry Knepper, P.E., Professional Engineer Administrator, (850)410-4095.

WATER MANAGEMENT DISTRICTS

Request for Bids 05/06-069 LM

Troy Springs CA Chip and Thinning Services

The Suwannee River Water Management District (SRWMD) announces its interest in obtaining bids for whole tree chipping and restoration thinning services on District lands in the Troy Springs conservation area. This is a 30-year-old stand of

natural pine and hardwood, covering 167-acres +/- in Lafayette County, Florida. Potential bidders must have access to a whole tree chipper in order to provide the services needed.

Bids must be submitted by 10:00 a.m. August 31, 2006. Request for Bids Documents are available on the District's website at <http://www.mysuwanneeriver.com/services/bids+and+contracts>.

Persons interested in submitting qualifications for this project should return those completed documents to: Gwen Lord, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. For more information or assistance contact Scott Gregor, (386)362-1001 or 1(800)226-1066 (Florida only).

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."

COASTAL PARTNERSHIP INITIATIVE, REQUEST FOR PROPOSALS, FY 07-08

The Florida Coastal Management Program (FCMP), of the Department of Environmental Protection, announces the availability of funds for innovative coastal projects under its COASTAL PARTNERSHIP INITIATIVE for fiscal year 2007-2008. Eligible applicants include local governments within the 35 coastal counties, national estuarine research reserves (NERR), and national estuary programs (NEP). Eligible applicants also include public and private colleges, universities, regional planning councils and nonprofit groups, as long as an eligible local government, NERR, or NEP agrees to participate as a partner in the application and project. Applications must be received no later than 4:00 p.m. (EDT), October 24, 2006. Selected proposals will be included in the FCMP application to the National Oceanic and Atmospheric Administration (NOAA) for fiscal year 07-08 which begins July 1, 2007 and ends June 30, 2008.

The purpose of the COASTAL PARTNERSHIP INITIATIVE is to inspire community action and promote the protection and effective management of Florida's coastal resources in four specific categories: WORKING WATERFRONTS, ACCESS TO COASTAL RESOURCES, REMARKABLE COASTAL PLACES, and COMMUNITY STEWARDSHIP. These categories are described in Rules 62S-4.004-.005, and subsection 62S-4.007(2), Florida Administrative Code (F.A.C.), along with other information about the COASTAL PARTNERSHIP INITIATIVE grant program, including the required information to be included in the application; the format in which it is to be submitted;

application submittal procedures; and the criteria and procedures by which applications will be evaluated and ranked. There is no specific application form.

A copy of Chapter 62S-4, F.A.C., may be printed from the FCMP website at <http://www.dep.state.fl.us/cmp/grants/index.htm>. Important details regarding the COASTAL PARTNERSHIP INITIATIVE grant process:

- Financial assistance is available as reimbursement grants ranging from a minimum of \$15,000 to a maximum of \$50,000.
- Recipients are required to provide 100 percent (one-to-one) matching contributions in the form of goods and services that directly benefit the specific grant project.
- There are additional requirements for applications involving construction, exotic species removal, vegetative restoration, and land acquisition, including:
 - The application package must include a completed and signed 306A checklist form, which may be obtained at <http://www.dep.state.fl.us/cmp/grants/files/306a.doc>. Applicants proposing a construction activity must conduct preliminary consultation with appropriate local, state, and federal regulatory agencies. A summary of the consultation must be included in the COASTAL PARTNERSHIP INITIATIVE application or it will be considered incomplete and will not be processed.
 - Construction activities occurring in designated Coastal Barrier Resource Act units are subject to additional review and approval by NOAA and/or the U.S. Fish and Wildlife Service.
 - Nonprofit organizations are not eligible to receive FCMP funds for these types of activities.

For questions or to request a copy of Chapter 62S-4, F.A.C., or the 306A Checklist, please contact Ms. Dornecia Allen, FCMP, MS 47, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, by telephone (850)245-2161, or by email to Domecia.Allen@dep.state.fl.us.

DEPARTMENT OF MILITARY AFFAIRS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-205203

ACCOUNTING CODE: N/A

PROJECT NAME AND LOCATION: RENOVATIONS OF COCOA NATIONAL GUARD ARMORY, 308 NORTH FISKE BLVD., COCOA, FL 32428

FOR: STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS

PROJECT MANAGER: BUTCH HERSEY, (904)823-0282

PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the requirements is included in the Instruction To Bidders under Section B-2 "Bidder Qualification Requirements and Procedures".

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is less than \$100,000.00, a Performance Bond and a Labor And Material Payment Bond are not required.

MANDATORY PRE-BID MEETING

DATE AND TIME: September 19, 2006, 1:30 p.m. (Local Time)

PLACE: COCOA NATIONAL GUARD ARMORY, 308 NORTH FISKE BLVD., COCOA, FL 32428

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Wednesday, October 18, 2006, 2:00 p.m. (Local Time)

PLACE: COCOA NATIONAL GUARD ARMORY, 308 NORTH FISKE BLVD., COCOA, FL 32428

ARCHITECT-ENGINEER: Hanson Professional Services Inc., 720 N. Maitland Ave., Suite 102, Maitland, Florida 32751, Phone (407)622-2050

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Architect-Engineer as listed above, and may be obtained as follows:

Drawings and specifications may be purchased by FAX from Winter Park Blueprint, (407)645-1462, or by visiting online at <http://plantrack.wpblue.com> then select ONLINE BIDDING to view and purchase full sets or individual drawings.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO: CFMO-205204 ACCOUNTING CODE: N/A

PROJECT NAME AND LOCATION: RENOVATIONS OF FT. PIERCE NATIONAL GUARD ARMORY, 2805 DELAWARE AVENUE, FT. PIERCE, FL 34947

FOR: STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS

PROJECT MANAGER: BUTCH HERSEY, (904)823-0282

PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening. After the bid opening, the low bidder must qualify in accordance with Section 60D-5.004, F.A.C. A copy of the requirements is included in the Instruction To Bidders under Section B-2 "Bidder Qualification Requirements and Procedures".

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a

contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSMIT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is less than \$100,000.00, a Performance Bond and a Labor And Material Payment Bond are not required.

MANDATORY PRE-BID MEETING

DATE AND TIME: September 19, 2006, 9:00 a.m. (Local Time)

PLACE: FT. PIERCE NATIONAL GUARD ARMORY, 2805 DELAWARE AVENUE, FT. PIERCE, FL 34947

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: Wednesday, October 18, 2006, 10:00 a.m. (Local Time)

PLACE: FT. PIERCE NATIONAL GUARD ARMORY, 2805 DELAWARE AVENUE, FT. PIERCE, FL 34947

ARCHITECT-ENGINEER: Hanson Professional Services Inc., 720 N. Maitland Ave., Suite 102, Maitland, Florida 32751, Phone (407)622-2050

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Architect-Engineer as listed above, and may be obtained as follows:

Drawings and specifications may be purchased by FAX from Winter Park Blueprint, (407)645-1462, or by visiting online at <http://plantrack.wpblue.com> then select ONLINE BIDDING to view and purchase full sets or individual drawings.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa/vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida

Statutes. If no protest is filed the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

**REQUEST FOR PROPOSAL
EXECUTIVE SEARCH SERVICES**

The Technological Research and Development Authority (TDRA), an independent Special District of the State of Florida, is accepting proposals from qualified executive recruitment firms to assist the TRDA Board in its search for an Executive Director.

Request for proposal information and instructions can be found at www.TRDA.org/rfp. TRDA reserves the right to reject any or all proposals. Dated: August 14, 2006.

AREA AGENCY ON AGING FOR NORTH FLORIDA

Legal Notice

Request for Information (RFI)

The Area Agency on Aging for North Florida, Inc. is seeking sources interested in providing services to older adults under the Federal Older Americans Act Title III-B: supportive services, and III-C1 & III-C2: nutritional services in Bay, Calhoun, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Wakulla and Washington Counties. Prospective sources must be established and have current or previous experience in providing services to older adults. If a contract is awarded for this effort, the Area Agency on Aging for North Florida, Inc. anticipates duration of not more than one year with two, one-year renewal options, pending continued funding availability. Responsibilities include, but are not limited to: Coordination of transportation to meal sites and for recreational activities; Provision of interactive recreational activities; Assistance in linking older adults to appropriate aging resources; Coordination and participation in on-going outreach and public education activities; Coordination and provision of some in-home services for frail elders, based on needs identified through formal needs assessment activities; Coordination and provision of nutrition education and nutrition counseling; Delivery of meals to eligible clients in the counties listed above; and Provision of meals to at least one congregate meal site five days per week in the counties listed above.

All services must be provided in accordance with established guidelines set forth by the State of Florida Department of Elder Affairs Home and Community-Based Services Draft Handbook, dated January 2003, and contracts between the Area Agency on Aging for North Florida, Inc. and State of Florida Department of Elder Affairs.

This Request for Information (RFI) is a preliminary step to the release of a Request for Proposals (RFP) package on or around September 8, 2006. Failure to respond by the deadline specified in this notice shall constitute a “not interested” response. The responses to this RFI will be used to identify those organizations interested in providing Older Americans Act services for the Area Agency on Aging for North Florida, Inc. in Bay, Calhoun, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Wakulla and Washington Counties. A response is required for each county in which an organization wishes to provide services. In addition, individual RFP responses will be required to be submitted for each county. The Area Agency on Aging for North Florida, Inc. does not intend to award a contract on the basis of this request for information or otherwise pay for the information solicited.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. no later than 2:00 p.m., (EST), on September 8, 2006. Responses should include the organization name, contact person, address, and phone number. Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
 Attention: Lisa Bretz
 2414 Mahan Drive
 Tallahassee, Florida 32308

Request for Information (RFI)

The Area Agency on Aging for North Florida, Inc. Nutrition Program is seeking sources interested in providing pre-plated frozen meals to senior citizens organizations in Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Liberty, Madison, Taylor, Wakulla and Washington Counties. Prospective sources must be established and have current or previous experience in providing the pre-plated frozen meals to public or private entities. If a contract is awarded for this effort, the Area Agency on Aging for North Florida, Inc. anticipates duration of not more than one year with two, one-year renewal options pending continued funding availability. Responsibilities include, but are not limited to:

- utilization of approved kitchen facilities
- employment of qualified staff to oversee facility operation and meal production
- delivery of frozen pre-plated meals to individual sites in the counties listed above
- supplying meals which comply with the Dietary Guidelines for Americans and provide 1/3 of the recommended dietary allowances (RDA) for individuals 51 years and older as established by Food and Nutrition Board of National Academy of Sciences
- provision of disposable supplies to delivery sites

Services must also adhere to guidelines set forth by the State of Florida Department of Elder Affairs Home and Community-Based Services Draft Handbook, dated January 2003, and contracts between the Area Agency on Aging for North Florida, Inc. and State of Florida Department of Elder Affairs.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. on September 8, 2006 by 2:00 p.m. (EST). Only written responses will be accepted.

Contact: Area Agency on Aging for North Florida, Inc.
 Attention: Lisa Bretz
 2414 Mahan Drive
 Tallahassee, Florida 32308

The responses to this Request for Information (RFI) will be used to identify those organizations that are qualified and interested in providing pre-plated frozen meals for the Area Agency on Aging for North Florida, Inc. Nutrition Programs in Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Liberty, Madison, Taylor, Wakulla and Washington Counties. The Area Agency on Aging for North Florida, Inc. does not plan to award a contract or pay for information provided as a result of this request. This RFI is a preliminary step to the release of an Invitation to Bid package on or around September 8, 2006. Failure to respond by the deadline specified in this notice shall constitute a “not interested” response.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA06-OR-192
 STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: LAND DEVELOPMENT REGULATIONS ADOPTED
 BY CITY OF KEY WEST ORDINANCE
 NO. 06-12

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., (2005), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.

2. On July 7, 2006 the Department received for review City of Key West Ordinance No. 06-12, which was adopted by the City of Key West City Commission on July 6, 2006 ("Ord. 06-12"). Ord. 06-12 amends Chapter 122 of the Code of Ordinances entitled "Zoning" by amending Section 122-63 to provide for enforcement of violations of conditions established under conditional use or special exception approval procedures.
3. Ord. 06-12 is consistent with §§ 163.31777 and 163.3175, Fla. Stat. (2005).
4. Ord. 06-12 is consistent with the City's Comprehensive Plan.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. §§ 380.05(6) and 380.05(11), Fla. Stat., (2005).
6. The City of Key West is an Area of Critical State Concern. § 380.05, Fla. Stat. (2005) and Rule 28-36.001, Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2005). The regulations adopted by Ord. 06-12 are land development regulations.
8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for the particular area (the "Principles"). § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd., 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Fla. Admin. Code.
9. Ord. 06-12 promotes and furthers the following Principles in Rule 28-36.003(1), Fla. Admin. Code.
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (1) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
10. Ord. 06-12 is not inconsistent with the remaining Principles. Ord. 06-12 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 06-12 is found to be consistent with the Principles for Guiding Development of the City of Key West Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

Tracy D. Suber
 State Planning Administrator
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569, AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569, AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO

CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 15th day of August, 2006.

Paula Ford, Agency Clerk

By U.S. Mail:
The Honorable Morgan McPherson
Mayor, City of Key West
P. O. Box 1409
Key West, Florida 33041

Cheryl Smith
Clerk to the City Commission
P. O. Box 1409
Key West, Florida 33041

Robert Tischenkel
City Attorney
P. O. Box 1409
Key West, FL 33041

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Thunder Mountain Custom Cycles, Inc., intends to allow the establishment of Adamec Cycle Sales Co., Inc., d/b/a Adamec Harley-Davidson at Jacksonville, as a dealership for the sale of Thunder Mountain Custom motorcycles at 8909 Baymeadows Road, Jacksonville (Duval County), Florida 32256, on or after October 6, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Adamec Cycle Sales Co., Inc., d/b/a Adamec Harley-Davidson at Jacksonville are dealer operator(s): Mark A. Adamec, 1520 Wells Road, Orange Park, Florida 32073 and Chris R. Adamec, 1520 Wells Road, Orange Park, Florida 32073; principal investor(s): Mark A. Adamec, 1520 Wells Road, Orange Park, Florida 32073 and Chris R. Adamec, 1520 Wells Road, Orange Park, Florida 32073.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Susan Fister, Accounting Department, Thunder Mountain Custom Cycles, Inc., 760 Southeast Frontage Road, Fort Collins, Colorado 80524.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Hitong Motors Corporation intends to allow the establishment of Beachside Scooter & Cycle World, Inc., as a dealership for the sale of Kaitong motorcycles at 323 North 2nd Street, Flagler Beach (Flagler County), Florida 32136, on or after August 14, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Beachside Scooter & Cycle World, Inc., are dealer operator(s): Dennis Jones, 323 North 2nd Street, Flagler Beach, Florida 32136; principal investor(s): Dennis Jones, 323 North 2nd Street, Flagler Beach, Florida 32136.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Company LLC, intends to allow the establishment of Ferman on 54, Inc. d/b/a Ferman Chrysler Jeep Dodge at Cypress

Creek as a dealership for the sale and service of new Chrysler motor vehicles at the southwest corner of State Road 54 and Oak Grove Blvd., Lutz (Pasco County) Florida 33559. The legal description of this property is as follows: A tract of land being part of Section 33, Township 26 South, Range 19 East, Pasco County, Florida, being more particularly described as follows: for a point of beginning commence at the northwest corner of Oak Grove Boulevard per Plat Book 35, page 19 of the public records of Pasco County, Florida, said point also being on the south right-of-way line of State Road 54; thence along the west right-of-way line of said Oak Grove Boulevard the following three (3) courses: (1) South 26 degrees 32 minutes 49 seconds East, a distance of 22.46 feet; (2) South 00 degrees 00 minutes 11 seconds West, a distances of 421.82 feet to; (3) a point of curvature to the left having a radius of 660.00 feet and a central angle of 19 degrees 17 minutes 36 seconds; thence southerly along the arc of said curve a distance of 222.24 feet (subtended by a chord bearing of South 9 degrees, 38 minutes, 37 seconds East and a chord distances of 221.20 feet); thence departing said right-of-way line run North 89 degrees 59 minutes 00 seconds West, a distance of 656.32 feet; thence North 00 degrees 00 minutes 45 seconds East, a distances of 160.10 feet; thence South 89 degrees 59 minutes 15 seconds East, a distance of 120.00 feet; thence North 00 degrees 00 minutes 45 seconds East, a distance of 400.00 feet; thence South 89 degrees 59 minutes 15 seconds East, a distance of 20.00 feet; North 00 degrees 00 minutes 45 seconds East, a distances of 99.93 feet to a point on the south right-of-way line of State Road 54; thence along said south right-of-way, South 89 degrees 58 minutes 31 seconds East, a distance of 469.10 feet to the point of beginning, containing 8.01 acres, more or less.

The name and address of the dealer-operator of Ferman on 54, Inc. d/b/a Ferman Chrysler Jeep Dodge at Cypress Creek is James L. Ferman, Jr., 1306 W. Kennedy Boulevard, Tampa, Florida 33606. The names and addresses of the principal investors are: James L. Ferman, Jr., 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Cecelia D. Ferman, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Preston L. Farrior, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Laura Ferman Farrior, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Stephen B. Straske II, 1306 W. Kennedy Boulevard, Tampa, Florida 33606 and Janice Ferman Straske, 1306 W. Kennedy Boulevard, Tampa, Florida. The dealership will open on or after December 1, 2006.

The notice indicates intent to establish the dealership in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gordy Nevers, Dealer Network Development Manager, DaimlerChrysler Motors Company, LLC., Southeast Business Center, 10300 Boggy Creek Road, CIMS 200-01-20, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Company LLC, intends to allow the establishment of Ferman on 54, Inc. d/b/a Ferman Chrysler Jeep Dodge at Cypress Creek as a dealership for the sale and service of new Jeep motor vehicles at the southwest corner of State Road 54 and Oak Grove Blvd., Lutz (Pasco County) Florida 33559. The legal description of this property is as follows: A tract of land being part of Section 33, Township 26 South, Range 19 East, Pasco County, Florida, being more particularly described as follows: for a point of beginning commence at the northwest corner of Oak Grove Boulevard per Plat Book 35, page 19 of the public records of Pasco County, Florida, said point also being on the south right-of-way line of State Road 54; thence along the west right-of-way line of said Oak Grove Boulevard the following three (3) courses: (1) South 26 degrees 32 minutes 49 seconds East, a distance of 22.46 feet; (2) South 00 degrees 00 minutes 11 seconds West, a distance of 421.82 feet to; (3) a point of curvature to the left having a radius of 660.00 feet and a central angle of 19 degrees 17 minutes 36 seconds; thence southerly along the arc of said curve a distance of 222.24 feet (subtended by a chord bearing of South 9 degrees, 38 minutes, 37 seconds East and a chord distances of 221.20 feet); thence departing said right-of-way line run North 89 degrees 59 minutes 00 seconds West, a distance of 656.32 feet; thence North 00 degrees 00 minutes 45 seconds East, a distance of 160.10 feet; thence South 89 degrees 59 minutes 15 seconds East, a distance of 120.00 feet; thence North 00 degrees 00 minutes 45 seconds East, a distance of 400.00 feet; thence South 89 degrees 59 minutes 15 seconds East, a distance of 20.00 feet; North 00 degrees 00 minutes 45 seconds

East, a distances of 99.93 feet to a point on the south right-of-way line of State Road 54; thence along said south right-of-way, South 89 degrees 58 minutes 31 seconds East, a distance of 469.10 feet to the point of beginning, containing 8.01 acres, more or less.

The name and address of the dealer-operator of Ferman on 54, Inc. d/b/a Ferman Chrysler Jeep Dodge at Cypress Creek is James L. Ferman, Jr., 1306 W. Kennedy Boulevard, Tampa, Florida, 33606. The names and addresses of the principal investors are: James L. Ferman, Jr., 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Cecelia D. Ferman, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Preston L. Farrior, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Laura Ferman Farrior, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Stephen B. Straske II, 1306 W. Kennedy Boulevard, Tampa, Florida 33606 and Janice Ferman Straske, 1306 W. Kennedy Boulevard, Tampa, Florida. The dealership will open on or after December 1, 2006.

The notice indicates intent to establish the dealership in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gordy Nevers, Dealer Network Development Manager, DaimlerChrysler Motors Company, LLC., Southeast Business Center, 10300 Boggy Creek Road, CIMS 200-01-20, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Company LLC, intends to allow the establishment of Ferman on 54, Inc. d/b/a Ferman Chrysler Jeep Dodge at Cypress Creek as a dealership for the sale and service of new Dodge motor vehicles at the southwest corner of State Road 54 and

Oak Grove Blvd., Lutz (Pasco County) Florida 33559. The legal description of this property is as follows: A tract of land being part of Section 33, Township 26 South, Range 19 East, Pasco County, Florida, being more particularly described as follows: for a point of beginning commence at the northwest corner of Oak Grove Boulevard per Plat Book 35, page 19 of the public records of Pasco County, Florida, said point also being on the south right-of-way line of State Road 54; thence along the west right-of-way line of said Oak Grove Boulevard the following three (3) courses: (1) South 26 degrees 32 minutes 49 seconds East, a distance of 22.46 feet; (2) South 00 degrees 00 minutes 11 seconds West, a distances of 421.82 feet to; (3) a point of curvature to the left having a radius of 660.00 feet and a central angle of 19 degrees 17 minutes 36 seconds; thence southerly along the arc of said curve a distance of 222.24 feet (subtended by a chord bearing of South 9 degrees, 38 minutes, 37 seconds East and a chord distances of 221.20 feet); thence departing said right-of-way line run North 89 degrees 59 minutes 00 seconds West, a distance of 656.32 feet; thence North 00 degrees 00 minutes 45 seconds East, a distances of 160.10 feet; thence South 89 degrees 59 minutes 15 seconds East, a distance of 120.00 feet; thence North 00 degrees 00 minutes 45 seconds East, a distance of 400.00 feet; thence South 89 degrees 59 minutes 15 seconds East, a distance of 20.00 feet; North 00 degrees 00 minutes 45 seconds East, a distances of 99.93 feet to a point on the south right-of-way line of State Road 54; thence along said south right-of-way, South 89 degrees 58 minutes 31 seconds East, a distance of 469.10 feet to the point of beginning, containing 8.01 acres, more or less.

The name and address of the dealer-operator of Ferman on 54, Inc. d/b/a Ferman Chrysler Jeep Dodge at Cypress Creek is James L. Ferman, Jr., 1306 W. Kennedy Boulevard, Tampa, Florida, 33606. The names and addresses of the principal investors are: James L. Ferman, Jr., 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Cecelia D. Ferman, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Preston L. Farrior, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Laura Ferman Farrior, 1306 W. Kennedy Boulevard, Tampa, Florida 33606; Stephen B. Straske II, 1306 W. Kennedy Boulevard, Tampa, Florida 33606 and Janice Ferman Straske, 1306 W. Kennedy Boulevard, Tampa, Florida. The dealership will open on or after December 1, 2006.

The notice indicates intent to establish the dealership in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gordy Nevers, Dealer Network Development Manager, DaimlerChrysler Motors Company, LLC., Southeast Business Center, 10300 Boggy Creek Road, CIMS 200-01-20, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Patriot Motor Corporation ("Patriot"), intends to allow the establishment of Florida Family Motor Sports, Inc., as a dealership for the sale of Patriot motorcycles at 19200 Southwest 106th Avenue, Bay 4, Miami (Dade County), Florida 33157, on or after August 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Florida Family Motor Sports, Inc., are dealer operator(s): Yvian Romo, 19200 Southwest 106th Avenue, Bay 4, Maimi, Florida 33157 and Oscar Romo, 19200 Southwest 106th Avenue, Bay 4, Miami, Florida 33157 ; principal investor(s): Yvian Romo, 19200 Southwest 106th Avenue, Bay 4, Maimi, Florida, 33157 and Oscar Romo, 19200 Southwest 106th Avenue, Bay 4, Miami, Florida 33157.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joseph Hibbs, Director of Regulatory Compliance and Risk, Patriot Motor Corporation, 1062 Calle Negocio, Suite F, San Clemente, California 92673.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that American Honda Motor Co., Inc. intends to permit the relocation of Holler Imports of Winter Park, Inc. d/b/a Holler Honda, as a dealership for the sale of Honda automobiles and light trucks, from its present location at 1150 North Orlando Avenue, Winter Park, Florida 32789, to a proposed location at 2211 North Semoran Boulevard, Orlando, Florida 32807. The relocation will take place on or after October 1, 2006.

The relocated dealership will be at a location that does not qualify for any of the exemptions provided in Section 320.642, Florida Statutes.

The name and address of the dealer operator is Roger W. Holler, III, whose address is 1011 North Wymore Road, Winter Park, Florida. The names and addresses of the principal investors of Holler Imports of Winter Park, Inc., d/b/a Holler Honda are as follows. Holler Imports of Winter Park, Inc. d/b/a Holler Honda is a wholly owned subsidiary of The Holler Holding Company. The president of The Holler Holding Company is Juliette A. Holler, and the principal investors of The Holler Holding Company are: Juliette A. Holler and Roger W. Holler, III. The address of The Holler Holding Company, Juliette A. Holler and Roger W. Holler, III, is 1011 North Wymore Road, Winter Park, Florida 32789.

The notice indicates intent to relocate the dealership to a location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by mail to: Bill Green, Market Planning Manager, American Honda Motor Co., Inc., 1919 Torrance Boulevard, Torrance, California 90501.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), STR Motorsports, Inc., intends to allow the establishment of Scooter-Worx, Inc., as a dealership for the sale of KYMCO motorcycles at 2311 Thomas Street, Hollywood (Broward County), Florida 33020, on or after August 11, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Scooter-Worx, Inc., are dealer operator(s): Pete Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Pete Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bruce Ramsey, VP of Sales/Marketing, STR Motorsports, Inc., 1770 Campton Road, Inman, South Carolina 29349.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Auto Easy Finance, Inc., d/b/a Daelim Motor USA, intends to allow the establishment of Stock, Mild to Wild, Inc., as a

dealership for the sale of Daelim motorcycles at 2012 Blanding Boulevard, Jacksonville (Duval County), Florida 32210, on or after August 4, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Stock, Mild to Wild, Inc., are dealer operator(s): Henry Kallina, 2012 Blanding Boulevard, Jacksonville, Florida 32210; principal investor(s): Henry Kallina, 2012 Blanding Boulevard, Jacksonville, Florida 32210.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Maria Maury, Dealer Development Department, Auto Easy Finance, Inc., d/b/a Daelim Motor USA, 12901 Southwest 122nd Avenue, Suite 105, Miami, Florida 33186.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Hitong Motors Corporation intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of Kaitong motorcycles at 853 U.S. Highway 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after August 15, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s) Douglas Fleming, 5009 Pocatella Avenue, North Port, Florida 34287; principal investor(s): Douglas Fleming, 5009 Pocatella Avenue, North Port, Florida 34287.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Hong Wang, President, Hitong Motors Corporation, 16507 Northwest 8th Avenue, Miami, Florida 33169.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), JMSTAR Powersports, Inc., intends to allow the establishment of Trance Energy, LLC, d/b/a Hot Ride, as a dealership for the sale of Kaitong motorcycles at 5227 East Colonial Drive, Suite A, Orlando (Orange County), Florida 32807, on or after August 15, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Trance Energy, LLC, d/b/a Hot Ride, are dealer operator(s): Eugeni I. Karlov, 5227 East Colonial Drive, Suite A, Orlando, Florida 32807; principal investor(s): Eugeni I. Karlov, 5227 East Colonial Drive, Suite A, Orlando, Florida 32807.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Yenong Xie, President, JMSTAR Powersports, Inc., 400 Northwest 141st Avenue, #207, Pembroke Pines, Florida 33028.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Power Sports Factory, Inc. intends to allow the establishment of VIP Scooters, Inc., as a dealership for the sale of Yaman and Qianjiang motorcycles, at 739 Fifth Avenue, Miami (Dade County), Florida 33139, on or after August 5, 2006.

The name and address of the dealer operator(s) and principal investor(s) of VIP Scooters, Inc., are dealer operator(s): Yani Levi, 739 Fifth Avenue, Miami, Florida 33139.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Steve Rubaka, President, Power Sports Factory, 6950 Central Highway, Pennsauken, New Jersey 08109.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), JMSTAR Powersports, Inc., intends to allow the establishment of USA Wholesale Scooters, Inc., as a dealership for the sale of Kaitong motorcycles at 2902 East Sunrise Boulevard, Fort Lauderdale, (Broward County), Florida 33304, on or after August 15, 2006.

The name and address of the dealer operator(s) and principal investor(s) of USA Wholesale Scooters, Inc., are dealer operator(s): Noel Farbman, 2902 East Sunrise Boulevard, Fort Lauderdale, Florida 33304; principal investor(s): Noel Farbman, 2902 East Sunrise Boulevard, Fort Lauderdale, Florida 33304.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Yenong Xie, President, JMSTAR Powersports, Inc., 400 Northwest 141st Avenue, #207, Pembroke Pines, Florida 33028.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**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."

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Healthcare Administration has received an application for services exemption from Pasco Regional Medical Center, 13100 Fort King Road, Dade City, Florida, pursuant to Section 395.1041(3), Florida Statutes and Rule

59A-3.207, Florida Administrative Code. The service category requested is Orthopedic. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Donna Sharp, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)414-0360, or e-mail sharpd@ahca.myflorida.com.

CERTIFICATE OF NEED
LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the September 13, 2006, application filing date for Hospital Beds and Facilities batching cycle:

County: Citrus District: 3
Date Filed: 8/14/2006 LOI #: H0608001
Facility/Project: Seven Rivers Regional Medical Center
Applicant: Citrus HMA, Inc.
Project Deion: Establish up to a 20-bed comprehensive medical rehabilitation unit
County: Lake District: 3
Date Filed: 8/14/2006 LOI #: H0608002
Facility/Project: Leesburg Regional Medical Center, Inc.
Applicant: Leesburg Regional Medical Center, Inc.
Project Deion: Establish a long-term care hospital of up to 50 beds
County: Lake District: 3
Date Filed: 8/14/2006 LOI #: H0608003
Facility/Project: Promise Healthcare of Florida III, Inc.
Applicant: Promise Healthcare of Florida III, Inc.
Project Deion: Establish a long-term care hospital of up to 80 beds
County: Levy District: 3
Date Filed: 7/10/2006 LOI #: H0608004
Facility/Project: Ameris Health System, L.L.C.
Applicant: Ameris Health System, L.L.C.
Project Deion: Establish a Class I acute care hospital of up to 100 beds
County: Sumter District: 3
Date Filed: 8/14/2006 LOI #: H0608005
Facility/Project: Wildwood Medical Center, Inc.
Applicant: Wildwood Medical Center, Inc.
Project Deion: Establish a Class I acute care hospital of up to 100 beds
County: Orange District: 7
Date Filed: 8/14/2006 LOI #: H0608006
Facility/Project: Orlando Regional Lucerne Hospital
Applicant: Orlando Regional Healthcare System, Inc.

Project Deion: Add 18 CMR beds to Orlando Regional Lucerne Hospital through the delicensure of 18 CMR beds from Orlando Regional Sand Lake Hospital
County: Orange District: 7
Date Filed: 8/11/2006 LOI #: H0608007
Facility/Project: The Nemours Foundation
Applicant: The Nemours Foundation
Project Deion: Establish a Level II NICU of up to 15 beds
County: Orange District: 7
Date Filed: 8/11/2006 LOI #: H0608008
Facility/Project: The Nemours Foundation
Applicant: The Nemours Foundation
Project Deion: Establish a Level III NICU of up to 10 beds
County: Orange District: 7
Date Filed: 8/11/2006 LOI #: H0608009
Facility/Project: The Nemours Foundation
Applicant: The Nemours Foundation
Project Deion: Establish a Class II children's hospital of up to 100 acute care beds
County: Martin District: 9
Date Filed: 8/14/2006 LOI #: H0608010
Facility/Project: Promise Healthcare of Florida IX, Inc.
Applicant: Promise Healthcare of Florida IX, Inc.
Project Deion: Establish a long-term care hospital of up to 80 beds
County: Palm Beach District: 9
Date Filed: 8/14/2006 LOI #: H0608011
Facility/Project: Delray Medical Center
Applicant: Delray Medical Center, Inc.
Project Deion: Establish up to a 90-bed CMR unit at Delray Medical Center through delicensure of up to 90 CMR beds at Pinecrest Rehabilitation Hospital
County: St. Lucie District: 9
Date Filed: 8/14/2006 LOI #: H0608012
Facility/Project: Martin Memorial Medical Center, Inc.
Applicant: Martin Memorial Medical Center, Inc.
Project Deion: Establish a Class I acute care hospital of up to 80 beds
County: Broward District: 10
Date Filed: 8/14/2006 LOI #: H0608013
Facility/Project: Promise Healthcare of Florida X, Inc.
Applicant: Promise Healthcare of Florida X, Inc.
Project Deion: Establish a long-term care hospital of up to 80 beds
County: Dade District: 11
Date Filed: 8/14/2006 LOI #: H0608014
Facility/Project: Promise Healthcare of Florida XI, Inc.
Applicant: Promise Healthcare of Florida XI, Inc.
Project Deion: Establish a long-term care hospital of up to 80 beds

County: Dade District: 11
 Date Filed: 8/3/2006 LOI #: H0608015
 Facility/Project: Mount Sinai Medical Center of Florida, Inc.
 Applicant: Mount Sinai Medical Center of Florida, Inc.
 Project Deion: Establish a Class I acute care hospital of up to 120 beds

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after October 18, 2006, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on September 29, 2006.

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 HEALTH

On August 10, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of James S. Pendergraft, M.D., license number ME 59702. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 10, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Mark D. Schreiber, M.D., license number ME 51335. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 9, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Jody A. LeBlanc, L.P.N. license number PN 5160408. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6),

Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 9, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of John Strickland, C.N.A. license number CNA 21920. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 10, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Marilyn M. Militello Sullivan, L.P.N. license number PN 964141. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 14, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Adriane Inette Hudon, L.P.N. license number PN 1105681. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 9, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Julie Schindler, D.O., license number 6891. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN August 7, 2006
 and August 11, 2006

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

5E-3.003	8/11/06	8/31/06	32/24	32/29
----------	---------	---------	-------	-------

Division of Standards

5F-13.001	8/7/06	8/27/06	32/24	32/28
-----------	--------	---------	-------	-------

DEPARTMENT OF CORRECTIONS

33-601.313	8/8/06	8/28/06	32/26	
------------	--------	---------	-------	--

AGENCY FOR HEALTH CARE ADMINISTRATION

Office of Licensure and Certification

59A-33.001	8/8/06	8/28/06	32/2	32/23
59A-33.002	8/8/06	8/28/06	32/2	32/23
59A-33.003	8/8/06	8/28/06	32/2	32/23
59A-33.004	8/8/06	8/28/06	32/2	32/23
59A-33.005	8/8/06	8/28/06	32/2	32/23
59A-33.006	8/8/06	8/28/06	32/2	32/23
59A-33.007	8/8/06	8/28/06	32/2	32/23
59A-33.008	8/8/06	8/28/06	32/2	32/23
59A-33.009	8/8/06	8/28/06	32/2	32/23
59A-33.010	8/8/06	8/28/06	32/2	32/23
59A-33.011	8/8/06	8/28/06	32/2	32/23
59A-33.012	8/8/06	8/28/06	32/2	32/23
59A-33.013	8/8/06	8/28/06	32/2	32/23

Medicaid Program Office

59G-4.140	8/7/06	8/27/06	32/20	
-----------	--------	---------	-------	--

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

61B-23.0021	8/8/06	8/28/06	32/18	32/26
-------------	--------	---------	-------	-------

Board of Professional Surveyors and Mappers

61G17-6.003	8/11/06	8/31/06	32/24	
-------------	---------	---------	-------	--

61G17-6.004	8/11/06	8/31/06	32/24	
-------------	---------	---------	-------	--

Board of Accountancy

61H1-20.0053	8/8/06	8/28/06	32/27	
--------------	--------	---------	-------	--

61H1-26.004	8/8/06	8/28/06	32/27	
-------------	--------	---------	-------	--

61H1-29.002	8/8/06	8/28/06	32/27	
-------------	--------	---------	-------	--

61H1-29.0025	8/8/06	8/28/06	32/27	
--------------	--------	---------	-------	--

Florida Real Estate Appraisal Board

61J1-4.007	8/9/06	8/29/06	32/27	
------------	--------	---------	-------	--

61J1-9.001	8/9/06	8/29/06	32/27	
------------	--------	---------	-------	--

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

64B6-3.041	8/11/06	8/31/06	32/27	
------------	---------	---------	-------	--

64B6-7.006	8/11/06	8/31/06	32/27	
------------	---------	---------	-------	--

64B6-8.003	8/11/06	8/31/06	32/27	
------------	---------	---------	-------	--

Board of Medicine

64B8-8.001	8/9/06	8/29/06	32/17	32/22
------------	--------	---------	-------	-------

Board of Occupational Therapy

64B11-5.001	8/10/06	8/30/06	32/26	
-------------	---------	---------	-------	--

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-6.028	8/11/06	8/31/06	32/24	
-----------	---------	---------	-------	--