

## Section I

### Notices of Development of Proposed Rules and Negotiated Rulemaking

#### DEPARTMENT OF EDUCATION

##### State Board of Education

**RULE NO.:** 6A-4.0012  
**RULE TITLE:** Application Information

**PURPOSE AND EFFECT:** The purpose of this rule development is to review the current application fee (set in 1994) and possibly propose an increase in this fee. The effect will be a rule which aligns the cost of services relating to the certification process to the fee charged.

**SUBJECT AREA TO BE ADDRESSED:** Certification Application Fees.

**SPECIFIC AUTHORITY:** 1001.02, 1012.55, 1012.56, 1012.586, 1012.59 FS.

**LAW IMPLEMENTED:** 943.059, 1012.32, 1012.54, 1012.55, 1012.56, 1012.586, 1012.59, 1012.798 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:** Pam Stewart, Deputy Chancellor Educator Quality, Department of Education, 325 West Gaines Street, Room 514, Tallahassee, FL 32399; (850)245-0509

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

#### DEPARTMENT OF EDUCATION

##### State Board of Education

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
6A-6.03011	Special Programs for Students Who are Mentally Handicapped
6A-6.03014	Special Programs for Students Who are Visually Impaired
6A-6.03019	Special Programs for Students Who are Gifted

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to incorporate the revisions required for programs for students with disabilities by the amendments to the federal law, the Individuals with Disabilities Education Act (IDEA) 20 U.S.C. Chapter 33, and its implementing regulations and to update rule language to reflect current

knowledge in the field. The effect of these revisions will be consistency with the federal requirements and current knowledge in the respective fields.

**SUBJECT AREA TO BE ADDRESSED:** Federal and state requirements for programs for students with disabilities who are identified as mentally handicapped, visually impaired, and state requirements for exceptional students who are identified as gifted. Definitions, procedures for referral, procedures for student evaluation, and criteria for eligibility.

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

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

**RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:**

**DATE AND TIME:** November 28, 2006, 10:00 a.m. – 1:00 p.m. (Central Time); Public Comment

**PLACE:** Panhandle Area Educational Consortium (PAEC), 753 W. Boulevard, Chipley, FL 32428, phone: (850)638-6131; and

**DATE AND TIME:** November 29, 2006, 10:00 a.m. – 1:00 p.m.; Public Comment

**PLACE:** Nova Southeastern Student Educational Center, 9503 Princess Palm Avenue, Tampa, Florida 33619, phone (813)393-4999 and

**DATE AND TIME:** November 29, 2006, 10:00 a.m. – 1:00 p.m.; Public Comment

**PLACE:** Best Western Gateway, 4200 N.W. 97th Blvd., Gainesville, FL 32606, phone: (352)331-3336

**DATE AND TIME:** November 30, 2006, 10:00 a.m. – 1:00 p.m.; Public Comment

**PLACE:** Embassy Suites Ft. Lauderdale, 1100 S. E. 17th Street Causeway, Ft. Lauderdale, FL 33316, phone (954)527-2700

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS:** Bambi J. Lockman, Chief, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0475

**INDIVIDUALS NEEDING COMMUNICATIONS ACCOMODATIONS SHOULD CONTACT:** Cathy Bishop, Program Director, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Room 601, Tallahassee, Florida 32399-0400, (850)245-0478 at least two weeks prior to the meeting.

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

**COPIES WILL BE AVAILABLE AT THE RULE DEVELOPMENT WORKSHOP.** Written comment following the workshops will be accepted through close of business on December 15, 2006

**DEPARTMENT OF LAW ENFORCEMENT****Criminal Justice Standards and Training Commission**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

11B-14 Salary Incentive Program  
(Transferred from 9A-14; 11A-14)

RULE NOS.: RULE TITLES:

11B-14.002 General Program Provisions

11B-14.003 Authorized Salary Incentive  
Payments

PURPOSE AND EFFECT: Rule 11B-14.002: To revise the Higher Education for Salary Incentive Report form CJSTC-63 to reflect statutory revisions in Section 943.22(1)(a), F.S., regarding accrediting agencies or associations recognized by the database created by the U.S. Department of Education. To update the Department's web address. Rule 11B-14.003: Requirements for receiving educational salary incentive payments.

SUBJECT AREA TO BE ADDRESSED: Rule 11B-14.002: The Department's web address. Verification of agencies or associations through the U.S. Department of Education's database. Rule 11B-14.003: Educational salary incentive monies.

SPECIFIC AUTHORITY: 943.12(1), 943.22(2)(h) FS.

LAW IMPLEMENTED: 943.22 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: November 8, 2006, 10:00 a.m.

PLACE: 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, Florida 32308-1489

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 Donna Hunt at (850)410-8615. 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: Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-8516

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

**DEPARTMENT OF LAW ENFORCEMENT****Criminal Justice Standards and Training Commission**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

11B-18 Criminal Justice Standards and  
Training Trust Fund

RULE NOS.: RULE TITLES:

11B-18.0052 Development of Budgets

11B-18.0071 Development of Officer Training  
Monies Budgets and Required  
Reports

PURPOSE AND EFFECT: Rule 11B-18.005: To update Commission-certified training school name(s). Rule 11B-18.0052: To update state law enforcement agency name(s). To update the Department's web address. Rule 11B-18.0071: To make housekeeping revisions.

SUBJECT AREA TO BE ADDRESSED: Commission-certified training school names, state law enforcement agency names, and the Department's web address. SPECIFIC AUTHORITY: 943.03(4), 943.12(1), (2), 943.25(4), (5)(b) FS.

LAW IMPLEMENTED: 943.25(5) FS.

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**DEPARTMENT OF LAW ENFORCEMENT****Criminal Justice Standards and Training Commission**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

11B-20 Certification of Criminal Justice  
Training Instructors

RULE NOS.: RULE TITLES:

11B-20.001 Definitions and Minimum  
Requirements for General  
Certification of Instructors11B-20.0012 Denial and Revocation of Instructor  
Certification11B-20.0013 Commission Instructor Certification  
Categories11B-20.0014 Minimum Requirements for  
High-Liability and Specialized  
Topics Instructor Certification11B-20.0017 Maintenance and Duration of  
Instructor Certifications

PURPOSE AND EFFECT: Rule 11B-20.001: To remove human diversity training from the Instructor Certification Application form CJSTC-71 due to statutory revisions. Rule 11B-20.0012: To make housekeeping revisions. Rule 11B-20.0013: To add the Laser and Radar Instructor Certification category. Rule 11B-20.0014: To update the names of courses required to possess or maintain a valid CPR instructor certification and update the CMS First Aid Performance Evaluation form CJSTC-5 CMS accordingly. To allow Traditional First Responder instructors to request CMS First Aid Instructor Certification without completing additional training. To allow Commission Law Topics Instructors to instruct specific law topics in the CMS Curriculum. To list the laser and radar courses required for the new Laser and Radar Instructor Certification and create the Laser and Radar Operator Performance Report form CJSTC-11 to correspond with the new certification. To retire the current radar instructor course. Rule 11B-20.0017: To update rule references on the Instructor Compliance Application form CJSTC-84.

SUBJECT AREA TO BE ADDRESSED: Rule 11B-20.001: Human diversity training. Rule 11B-20.0012: Housekeeping revisions. Rule 11B-20.0013: Laser and radar instructor certification. Rule 11B-20.0014: CPR Instructor Certification, CMS First Aid Instructor Certification, Commission Law Topics Instructor Certification, Laser and Radar Instructor Certification, and laser and radar instructor courses and creation of related form. Rule 11B-20.0017: Instructor Compliance Application form CJSTC-84.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1), 943.14(3) FS.  
LAW IMPLEMENTED: 943.12(3), 943.12(9), 943.13(6), 943.14(3) FS.

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**DEPARTMENT OF LAW ENFORCEMENT****Criminal Justice Standards and Training Commission**

RULE CHAPTER NO.: RULE CHAPTER TITLE:

11B-21 Certification of Criminal Justice  
Training Schools

RULE NOS.: RULE TITLES:

11B-21.002 Criminal Justice Training Schools'  
Request for Certification,  
Expansion of Certification, and  
Re-certification11B-21.005 Criminal Justice Training School  
Requirements for Certification and  
Re-certification

PURPOSE AND EFFECT: Rule 11B-21.002: To correct a Scribner's error on training school recertification dates and to update the Department's web address. Rule 11B-21.005: To change reference from "Basic Abilities Test vendor" to "Basic Abilities Test provider."

SUBJECT AREA TO BE ADDRESSED: Rule 11B-21.002: Training school recertification dates and the Department's web address. Rule 11B-21.005: Basic Abilities Test.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1), 943.12(2) FS.  
LAW IMPLEMENTED: 943.12(3), 943.12(7), 943.14, 943.17(1)(g) FS.

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## DEPARTMENT OF LAW ENFORCEMENT

### Criminal Justice Standards and Training Commission

RULE CHAPTER NO.: RULE CHAPTER TITLE:

11B-27 Certification and Employment or Appointment

RULE NOS.: RULE TITLES:

11B-27.0011 Moral Character

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

11B-27.0021 High School Graduation or Equivalent

11B-27.00212 Maintenance of Officer Certification

11B-27.0022 Background Investigations

11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

11B-27.013 Canine Team Certification

PURPOSE AND EFFECT: Rule 11B-27.0011: To update the Department's web address. Rule 11B-27.002: To make housekeeping revisions. To make housekeeping revisions to the Physician's Assessment form CJSTC-75 and Affidavit of Applicant form CJSTC-68. To clarify the conditions for obtaining employment or appointment when an officer has not completed training within the specified time frame. Rule 11B-27.0021: To change requirement for a "standard high school diploma" to a "high school diploma." To clarify existing rule language regarding accrediting organizations and diplomas issued by private schools. To clarify that a transcript verification shall be verified by an institution accredited by an accrediting body. Rule 11B-27.00212: To revise the Mandatory Retraining Report form CJSTC-74 by removing the hourly requirement for human diversity training. To remove Weapons

of Mass Destruction training as part of an officer's mandatory retraining requirement. To substantially rewrite the Law Enforcement Officer Firearms Qualification Standard form CJSTC-86A. To make technical changes and rule reference updates to the Mandatory Firearms Training Report form CJSTC-86. Rule 11B-27.0022: To revise the Authority for Release of Information form CJSTC-58 to reflect statutory changes. Rule 11B-27.005: To clarify rule language concerning conduct that subverts or attempts to subvert the State Officer Certification Examination process. Rule 11B-27.013: To make housekeeping revisions to the Patrol Duty Canine Team Proficiency Examination and Equivalency form CJSTC-83.

SUBJECT AREA TO BE ADDRESSED: Rule 11B-27.0011: The Department's web address. Rule 11B-27.002: Housekeeping revisions to rules and forms and compliance with Commission rules regarding employment as an officer within four years of completing the required training and tests. Rule 11B-27.0021: Proof of compliance and authenticity of a high school diploma. Diplomas' issued by a private school. Transcript verification. The Department's web address. Rule 11B-27.00212: Human diversity training, weapons of mass destruction training, and firearms qualification standards. Rule 11B-27.0022: Authority for Release of Information for former "or current" employees. Rule 11B-27.005: Conduct that subverts or attempts to subvert the State Officer Certification Examination process. Rule 11B-27.013: Housekeeping revisions to the Patrol Duty Canine Team Proficiency Examination and Equivalency.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1), 943.133(3) FS.

LAW IMPLEMENTED: 943.12(3), 943.12(17), 943.13, 943.13(3), 943.13(7), 943.13(11), 943.133, 943.135, 943.139, 943.1395, 943.1395(3), 943.1395(7), 943.1395(8), 943.1701, 943.1715, 943.1716, 943.253 FS.

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Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-8516

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## DEPARTMENT OF LAW ENFORCEMENT

### Criminal Justice Standards and Training Commission

RULE CHAPTER NO.: RULE CHAPTER TITLE:

11B-30	Examinations
RULE NOS.:	RULE TITLES:
11B-30.006	State Officer Certification Examination General Eligibility Requirements
11B-30.007	Application for the State Officer Certification Examination and Notification Process
11B-30.0071	Examination Accommodations for Applicants with Disabilities
11B-30.008	State Officer Certification Examination Site Administration
11B-30.009	Applicant Conduct at Test Site and Notice of Protection of Program Privileges
11B-30.011	Examination Scoring and Grade Notification
11B-30.012	Post Review of Examination Questions, Answers, Papers, Grades, and Grading Key

PURPOSE AND EFFECT: Rule 11B-30.006: To update the Department's web address. Rule 11B-30.007: To update the State Officer Certification Examination (SOCE) web site. To allow a debit card to be used to pay for the SOCE. To clarify that rescheduling of the SOCE does not constitute a re-examination. Rule 11B-30.0071: To update the Application for Individuals Request Special Test Accommodations form CJSTC-502 to incorporate rule revisions. To make housekeeping revisions. To allow the test booklet to be produced in large print versus high quality regular print or read aloud. To disallow reading of the SOCE or the Basic Abilities Test. To revise the list of accommodations that are not permissible when taking the SOCE. To revise the definition/example of a person with physical disabilities. Rule 11B-30.008: To remove unnecessary rule language. To add rule language regarding individuals who arrive late to take the SOCE and compliance with Rule 11B-30.007. Rule 11B-30.009: To require violations to be documented in writing and submitted to the FDLE/CJPP program director. To require dismissal of an applicant from the SOCE test site for engaging in conduct intended to subvert the SOCE process and to list the conduct that subverts the SOCE process. To list the sanctions the Commission shall impose for conduct intended to subvert

the SOCE process. To list the conduct that violates the standards of the SOCE test administration. To list sanctions the Commission shall impose for acts that violate the SOCE test administration. To require that an applicant's existing certification shall be subject to disciplinary action upon violation of the SOCE Test Administration standards. Rule 11B-30.011: To remove redundant language on the Applicant State Officer Certification Examination Overall Test Results form CJSTC-516. Rule 11B-30.012: To clarify the "missed examination items review process" for individuals who have failed the SOCE. To increase the number of days from 45 to 120 for an individual to review their SOCE and to revise the State Officer Certification Examination Grade Review Request form CJSTC-510 accordingly. To allow participants in the examination review session to review the SOCE for each discipline one time. To revise the State Officer Certification Examination Review form CJSTC-511 to include additional document to the review packet contents list.

SUBJECT AREA TO BE ADDRESSED: Rule 11B-30.006: The Department's web address. Rule 11B-30.007: SOCE web site, method of payment for taking the SOCE, and SOCE re-examination process. Rule 11B-30.0071: Examination accommodations for applicants with disabilities. Rule 11B-30.008: Test accommodations at the test site. Rule 11B-30.009: Applicant conduct at the test site that is intended to subvert the SOCE and consequences thereof. Rule 11B-30.011: SOCE overall test results form. Rule 11B-30.012: Examination grade review process and related forms.

SPECIFIC AUTHORITY: 943.03(4), 943.12(1), 943.12 (17), 943.1397, 943.173(3) FS.

LAW IMPLEMENTED: 943.12(17), 943.13(7), 943.131(2), 943.1397, 943.1397(1), 943.1397(3), 943.173 FS.

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## DEPARTMENT OF LAW ENFORCEMENT

### Criminal Justice Standards and Training Commission

RULE CHAPTER NO.: RULE CHAPTER TITLE:

11B-35	Training Programs
RULE NOS.:	RULE TITLES:
11B-35.001	General Training Programs;
	Requirements and Specifications
11B-35.0011	Basic Abilities Requirements for
	Applicant Admission into a Law
	Enforcement, Correctional, and
	Correctional Probation Basic
	Recruit Training Program
11B-35.002	Basic Recruit Training Programs for
	Law Enforcement, Correctional,
	and Correctional Probation
11B-35.0021	High-Liability Proficiency Courses
	for Basic Recruit Training and
	Instructor Training
11B-35.0024	Student Performance in
	Commission-approved
	High-Liability Basic Recruit
	Training Courses and
	High-Liability Instructor Training
	Courses
11B-35.003	Basic Recruit Training Programs for
	Law Enforcement, Correctional,
	and Correctional Probation
	Auxiliary Training
11B-35.006	Advanced Training Program
11B-35.007	Specialized Training Program
11B-35.009	Exemption from Basic Recruit
	Training

PURPOSE AND EFFECT: Rule 11B-35.001: To add the "time of the course" to the list of requirements for notifying Commission staff of a scheduled course when cancellation of that course is under 30 days. To exempt instructors from the CMS or Traditional General Instructor Certification who teach the dart-firing stun gun component of the Law Enforcement Basic Recruit Training Program and reincorporate form CJSTC-82 into paragraph 11B-35.001(3)(c), F.A.C. To require that training records maintained at a training school include a list of course instructors with their full name and the expiration of their certificate. To require that, in order for a student to pass the SOCE, the training center director shall issue to a student an Examination Admission Voucher form CJSTC-517, in addition to the student's certificate of completion. To incorporate into Rule 11B-35.001, F.A.C, form CJSTC-517. To update the Department's web address.

Rule 11B-35.0011: To require that the Basic Abilities Test (BAT) can only be taken three times within a 12-month period. To require that an entity verify each applicant's eligibility prior to the applicant taking the BAT. To deny the applicant access to the BAT if the entity discovers the applicant has taken the BAT more than three times. To require that the vendor providers only allow access to the BAT for student's who have produced a valid photo identification. To require the vendor provider to validate the students name, date of birth, etc., and other personal identification information as proposed in rule. To reword rule language concerning applicants who violate the Commission's rules and to list the sanctions that will be imposed for such violations. To require that accommodations, pursuant to the American with Disabilities Act, are governed by subsection 11B-30.0071(4), F.A.C. To require that BAT vendors shall determine eligibility accommodations on a case-by-case basis. Rule 11B-35.002: To update the course names and numbers for the Commission's criminal justice training programs. To remove course information, course names and course numbers for retired basic recruit and basic recruit cross-over training programs. To add program numbers to the Commission's basic recruit training programs. To add new programs to the CMS Law Enforcement Basic Recruit Cross-Over Training Programs. To add the 6-hour Dart-Firing Stun Gun training to CMS, Traditional, Cross-Over and Auxiliary Basic Recruit Training Programs. Rule 11B-35.0021: To update the course names required to possess and maintain a valid CPR Instructor Certification in order for an instructor to teach the CMS First Aid for Criminal Justice Officers Course, CMS First Aid Instructor Course, or CMS First Aid Instructor Transition Course. Rule 11B-35.0024: To add rule language that requires an instructor student to successfully demonstrate cognitive knowledge and proficiency skills during the initial qualification, unless the instructor student qualifies for one of the three exceptions. To update the CMS First Aid Performance Evaluation form CJSTC-5 CMS including addition of association affiliation check-off boxes. To make housekeeping revisions to the CMS Vehicle Operations Performance Evaluation form CJSTC-7 CMS. Rule 11B-35.003: To add the 6-hour dart-firing stun gun training to the Law Enforcement Auxiliary Officer Basic Recruit Training Program and update the minimum hours for certain topic areas. Rule 11B-35.006: To add new Advance Training Program Courses and revise existing course names. To create the Laser and Radar Operator Performance Report form CJSTC-11 to be completed for the Laser Speed Measurement Operator's Course for Law Enforcement. To repeal the Laser Operator Performance Report form CJSTC-9. Rule 11B-35.007: To add the Laser and Radar Speed Measurement Instructor Course for Law Enforcement Officers, and the Dart-Firing Stun Gun training course, and revise existing specialized training program course names. Rule 11B-35.009: To clarify that any appeal for denial of exemption from basic recruit training shall be governed by Section 120.57, F.S. To clarify that

demonstration of proficiency in the high-liability areas and passing the State Officer Certification Examination shall be completed within one year after receiving an exemption. To clarify that a training school shall provide to the officer a completed form CJSTC-76A and form CJSTC-517, upon the officer's demonstration of proficiency.

**SUBJECT AREA TO BE ADDRESSED:** Rule 11B-35.001: Requirements and specifications for general training programs. Rule 11B-35.0011: BAT requirements for applicant admission into Commission-approved criminal justice training programs. Rule 11B-35.002: Addition, deletion, and update of basic recruit training programs for law enforcement, correctional, and correctional probation. Rule 11B-35.0021: Instruction of CMS First Aid for Criminal Justice Officers Course, CMS First Aid Instructor Course, or CMS First Aid Instructor Transition Course. Rule 11B-35.0024: Requirements for demonstration of cognitive knowledge and proficiency skills for instructor students. Rule 11B-35.003: Dart-firing stun gun training and course updates for Law Enforcement Auxiliary Officer Basic Recruit Training Program. Rule 11B-35.006: Advanced Training Program Courses, specifically the Dart-Firing Stun Gun course. Rule 11B-35.007: Specialized Training Program Courses, specifically the Laser and Radar Speed Measurement Instructor Course for Law Enforcement Officers and Dart-Firing Stun Gun training course. Rule 11B-35.009: Exemption from basic recruit training regarding demonstration of proficiency requirements and the required forms.

**SPECIFIC AUTHORITY:** 943.03(4), 943.12(1), 943.12(2), 943.14(3), 943.17 FS.

**LAW IMPLEMENTED:** 943.12, 943.12(5), 943.131(2), 943.17, 943.17(1), 943.17(1)(a), 943.175, 943.25 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:** November 8, 2006, 10:00 a.m.

**PLACE:** 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, Florida 32308-1489

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 Donna Hunt at (850)410-8615. 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:** Donna Hunt, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-8516

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

## **DEPARTMENT OF LAW ENFORCEMENT**

### **Division of Criminal Justice Information Systems**

**RULE CHAPTER NO.:** RULE CHAPTER TITLE:

11C-4 Crime Information Bureau; Criminal History Records; Fingerprinting and Reports

**RULE NOS.:** **RULE TITLES:**

11C-4.003 Arrest Fingerprint Card Submission

11C-4.004 Criminal Justice Information

Services Procedural Manual

**PURPOSE AND EFFECT:** Removes a reference to an obsolete manual, and updates fingerprint submission procedures.

**SUBJECT AREA TO BE ADDRESSED:** Fingerprint card submissions.

**SPECIFIC AUTHORITY:** 943.03(4), 943.05(2)(d), 943.051(2) FS.

**LAW IMPLEMENTED:** 943.05, 943.051 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:** November 8, 2006, 10:00 a.m.

**PLACE:** 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, Florida 32308-1489

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 Martha Wright at (850)410-7000. 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:** Martha Wright, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7000

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

## **DEPARTMENT OF LAW ENFORCEMENT**

### **Division of Criminal Justice Information Systems**

**RULE NO.:** **RULE TITLE:**

11D-6.001 Definitions

**PURPOSE AND EFFECT:** To update the statute references in subsection 11D-6.001(3), F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** The definition of offender as it applies to the collection of specimens.

**SPECIFIC AUTHORITY:** 943.03(4), 943.325(9)(d) FS.

**LAW IMPLEMENTED:** 943.325 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:** November 8, 2006, 10:00 a.m.

**PLACE:** 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, Florida 32308-1489

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 Lisa Bohl at (850)410-7000. 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:** Lisa Bohl, Florida Department of Law Enforcement, DNA Database Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7000

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

## **DEPARTMENT OF LAW ENFORCEMENT**

### **Medical Examiners Commission**

**RULE NOS.:** **RULE TITLES:**

11G-2.002 Identification

11G-2.006 Practice Guidelines

**PURPOSE AND EFFECT:** Rule 11B-2.002: Revises procedures regarding the identification of a deceased body. Rule 11B-2.006: Revises the duties and standards of care for Medical Examiners.

**SUBJECT AREA TO BE ADDRESSED:** Rule 11B-2.002: In order to identify a deceased body, provides the types of information that Medical Examiners shall determine and record in performance of their statutory duties. Rule 11B-2.006: Practice Guidelines to be followed by Medical Examiners in performance of their statutory duties.

**SPECIFIC AUTHORITY:** 406.04 FS.

**LAW IMPLEMENTED:** 406.075, 406.11, 406.13, 406.145 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:** November 8, 2006, 10:00 a.m.

**PLACE:** 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, Florida 32308-1489

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 Bureau Chief Vickie Marsey at (850)410-8600. 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:** Bureau Chief Vickie Marsey, Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-8609

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

## **DEPARTMENT OF LAW ENFORCEMENT**

### **Office of Inspector General**

**RULE NOS.:** **RULE TITLES:**

11N-1.002 Criteria

11N-1.0031 Limitations on Matching Drug

Control Investigative Funding

11N-1.004 Procedures for Emergency Violent

Crime Investigative Funding

11N-1.005 Procedures for Formal Funding

Requests for Violent Crime

Investigative Reimbursement

Funding

11N-1.0051 Procedures for Funding Requests for

Matching Drug Control

Investigative Funding

11N-1.007 Annual Audit

11N-1.009 Victim/Witness Protection Program

**PURPOSE AND EFFECT:** To update program and contact information, creates and revises forms to capture budgetary information from agencies and provide documentation for audits, and expands funding request deadline to provide more time to process requests.

**SUBJECT AREA TO BE ADDRESSED:** Violent Crime and Drug Control Council Funding.

**SPECIFIC AUTHORITY:** 943.03(4), 943.042 FS.

**LAW IMPLEMENTED:** 943.031, 943.042 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:** November 8, 2006, 10:00 a.m.

**PLACE:** 2331 Phillips Road, Elevator Conference Room, Quad C, 3rd Floor, Tallahassee, Florida 32308-1489



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 Joyce Gainous-Harris at (850)410-7096. 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: Joyce Gainous-Harris, Florida Department of Law Enforcement, Office of Statewide Programs, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7096

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

### 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: 060668-TP

RULE NO.: 25-4.0161  
 RULE TITLE: Regulatory Assessment Fees; Telecommunications Companies

PURPOSE AND EFFECT: To increase the minimum annual regulatory assessment fees that regulated telecommunications companies pay the Commission.

SUBJECT AREA TO BE ADDRESSED: Minimum regulatory assessment fees for telecommunications companies.

SPECIFIC AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 350.113, 364.285, 364.336 FS.

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

DATE AND TIME: Thursday, November 9, 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 IS: Ray Kennedy, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6584

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.

(1) As applicable and as provided in Sections 350.113, 364.02(13) and 364.336, F.S., each company shall remit a fee based upon its gross operating revenue as provided below. This fee shall be referred to as a regulatory assessment fee, and each company shall pay a regulatory assessment fee in the amount of 0.0020 of its gross operating revenues derived from intrastate business. For the purpose of determining this fee, each telecommunications company shall deduct from gross operating revenues any amount paid to another telecommunications company for the use of any telecommunications network to provide service to its customers. Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee ~~of \$50~~ shall be imposed as follows:

(a) Local Exchange Company – \$1,000;

(b) Pay Telephone Service Provider – \$100;

(c) Shared Tenant Service Provider – \$100;

(d) Interexchange Company – \$700;

(e) Alternative Access Vendor – \$600;

(f) Competitive Local Exchange company – \$600.

(2) through (3) No change.

(4) Commission Form PSC/CMP 25 (~~xx/xx~~ ~~01/05~~), entitled "Local Exchange Company Regulatory Assessment Fee Return"; Form PSC/CMP 26 (~~xx/xx~~ ~~01/05~~), entitled "Pay Telephone Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 34 (~~xx/xx~~ ~~01/05~~), entitled "Shared Tenant Service Provider Regulatory Assessment Fee Return"; Form PSC/CMP 153 (~~xx/xx~~ ~~01/05~~), entitled "Interexchange Company Regulatory Assessment Fee Return"; Form PSC/CMP 1 (~~xx/xx~~ ~~01/05~~), entitled "Alternative Access Vendor Regulatory Assessment Fee Return"; and Form PSC/CMP 7 (~~xx/xx~~ ~~01/05~~), entitled "Competitive Local Exchange Company Regulatory Assessment Fee Return" are incorporated into this rule by reference and may be obtained from the Commission's Division of the Commission Clerk and Administrative Services.

(5) through (13) No change.

Specific Authority 350.127(2) FS. Law Implemented 350.113, 364.285, 364.336 FS. History—New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-26-95, 7-7-96, 11-11-99, 12-7-04, 10-6-05,\_\_\_\_\_.

# AGENCY FOR HEALTH CARE ADMINISTRATION

## Health Facility and Agency Licensing

RULE CHAPTER NO.: RULE CHAPTER TITLE:

59A-34 Carrier Report of Overutilization and Initiation of Investigation

PURPOSE AND EFFECT: The purpose of the proposed rule is to 1) set forth the requirements for carriers to report an instance or instances of overutilization to the Agency pursuant to Section 440.13(8)(a), Florida Statutes and initiate an Agency investigation pursuant to Section 440.13(8)(b), (11), Florida Statutes; 2) establish the criteria for identifying the responsible party for overutilization of services and determine if a pattern or practice of overutilization or other violations of Chapter 440, F.S. have occurred; and 3) to establish the criteria for imposing administrative sanctions and fines in accordance with Section 440.13(8)(a), (11), (13), F.S.

SUBJECT AREA TO BE ADDRESSED: The Agency's Overutilization Review and Initiation of Investigation Process.

SPECIFIC AUTHORITY: 440.591 FS.

LAW IMPLEMENTED: 440.13(8), 440.13(11), 440.13(13) 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: November 7, 2006, 9:00 a.m. – 12:00 Noon

PLACE: 2012 Capital Circle, S.E., 104-J Hartman Building, Tallahassee, FL.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT: Beverly Williams, Medical Health Care Program Analyst, (850)413-1939, williamsb3@dfs.state.fl.us

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

# 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 CHAPTER NO.: RULE CHAPTER TITLE:

62-252 Gasoline Vapor Control

RULE NOS.: RULE TITLES:

62-252.100 Purpose and Scope

62-252.200 Definitions

62-252.300 Gasoline Dispensing Facilities –

Stage I Vapor Recovery

62-252.400 Gasoline Dispensing Facilities –

Stage II Vapor Recovery

62-252.500 Gasoline Tanker Trucks

62-252.900 Form

PURPOSE AND EFFECT: The proposed rule development involves amendments to Chapter 62-252, F.A.C., to revise rules that address requirements for gasoline vapor control from gasoline dispensing facilities, bulk plants, terminals, and tanker trucks. The proposed rule development would eliminate Stage II vapor recovery requirements for new and upgraded gasoline dispensing facilities in Miami-Dade, Broward and Palm Beach counties and phase out Stage II vapor recovery requirements for existing facilities in those counties. The proposed rule development would also apply Stage I vapor recovery requirements statewide to new and upgraded gasoline dispensing facilities and new bulk plants, and phase in Stage I vapor control requirements statewide for existing facilities.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address air pollution regulatory requirements statewide for gasoline dispensing facilities, bulk plants, terminals, and tanker trucks.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087 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: Ms. Terri Long at Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, or [terri.long@dep.state.fl.us](mailto:terri.long@dep.state.fl.us), phone (850)921-9556

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

**DEPARTMENT OF HEALTH****Board of Orthotists and Prosthetists**

RULE NO.: 64B14-1.004  
 RULE TITLE: Address of Record and Place of Practice

PURPOSE AND EFFECT: The purpose and effect of this rule development is to implement the provisions of Section 456.035, F.S.

SUBJECT AREA TO BE ADDRESSED: Address of Record and Place of Practice.

SPECIFIC AUTHORITY: 456.035 FS.

LAW IMPLEMENTED: 456.035 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-1.004 Address of Record and Place of Practice.

(1) Each person holding a license issued pursuant to Chapter 468, Part XIV, F.S., must maintain on file with the Board of Orthotists and Prosthetists the current address at which any notice required by law may be served by the Board or its agent. Within 30 days of changing this address, whether or not within this state, the licensee shall change his or her address at the Board's website [www.doh.state.fl.us/mqa/OrthPros/index.html] or notify the Board by e-mail or in writing of the new address at which the licensee may be served with notices or other documents.

(2) Each person holding a license issued pursuant to Chapter 468, Part XIV, F.S., must maintain on file with the Board of Orthotists and Prosthetists the current primary place of practice.

Specific Authority 456.035 FS. Law Implemented 456.035 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF HEALTH****Board of Orthotists and Prosthetists**

RULE NO.: 64B14-3.001  
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of this rule development is to limit approved supervisors to those licensees who have not had disciplinary action taken against their licenses.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-3.001 Definitions.

(1) through (24) No change.

(25) Qualified Supervisor – an individual licensed or certified as required by the applicable rule who has not had action taken against his or her license or certification by a licensing jurisdiction or certifying body.

(26)(25) Residency – a training program that meets the requirements of Rule 64B14-4.100, F.A.C.

(27)(26) Shoe Modification – additions to footwear that alter the forces applied to the foot, making the footwear therapeutic.

(28)(27) Soft – composed of materials such as fabric or foams having a porous cellular structure without any rigid support either internal or external other than flexible supports used to maintain proper fit.

(29)(28) Therapeutic – applying forces to the body to modify structural alignment, correct a deformity or alleviate pain.

Specific Authority 468.802 FS. Law Implemented 468.802, 468.803 FS. History--New 10-21-99, Amended 2-19-04, 5-5-04, \_\_\_\_\_.

**DEPARTMENT OF HEALTH****Board of Orthotists and Prosthetists**

RULE NOS.:	RULE TITLES:
64B14-4.100	Requirements for Prosthetic or Orthotic Residency or Internship
64B14-4.110	Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic

PURPOSE AND EFFECT: In Rule 64B14-4.100, F.A.C., the purpose and effect of the rule development is to provide a more comprehensive description of the elements of approved training for applicants for licensure as orthotists and prosthetists, and to set a limit on the amount of time an intern/resident can practice without a license in the state of Florida. In Rule 64B14-4.110, F.A.C., the purpose and effect of the rule development is to delete references to specific

providers of the approved education for orthotic fitter and orthotic fitter assistant candidates, because the previously identified providers have changed titles and other providers are anticipated who will meet the statutory and rule requirements for training programs.

SUBJECT AREA TO BE ADDRESSED: Requirements for Prosthetic or Orthotic Residency or Internship; Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic.

SPECIFIC AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) To meet the requirements for licensure as an orthotist or prosthetist, the applicant must document an internship that meets the requirements of this rule, or must complete a residency program accredited by NCOPE. An applicant for combined licensure as a prosthetist/orthotist must document a discrete internship or residency in each field.

(2) An internship must consist of ~~1900 hours~~ of orthotic or prosthetic clinical experience practicing under the supervision of a licensed or ABC-certified orthotist or prosthetist, respectively. The internship must consist of a minimum of 1900 hours and may not exceed 2700 hours. The intern is eligible to take the approved licensure examination upon completion of 1900 hours. If the intern has not taken and passed the applicable licensure examination at the expiration of 2700 hours of clinical experience, the intern may not practice as an orthotist or prosthetist in the state.

(3) Internships must be completed at facilities primarily engaged in providing orthotic and prosthetic patient care. Interns must provide direct patient care, but only under the supervision of a licensed orthotist or prosthetist; the educational mission must not be compromised by an excessive reliance on residents to fulfill facility service obligations. Students should progress from observing to actually providing direct patient care. Sufficient amounts of lab and technical experience must accompany the clinical training.

(4) The internship must require the intern to meet the following objectives:

(a) Clinical Assessment. Determine the orthotic or prosthetic needs of the patient by integrating the information obtained from history, examination, measurement and observation; develop a treatment protocol for the patient through review of patient data in order to formulate an orthotic or prosthetic recommendation and treatment plan.

(b) Patient Management. Apply a properly fitting prosthetic/orthotic device by using accepted prosthetic/orthotic techniques to achieve optimum outcomes; inform the patient of the various procedures to be performed by using appropriate communication skills; provide continuing patient care and periodic evaluation to ensure proper fit and function of the prosthetic/orthotic device.

(c) Professional Responsibility. Select the most appropriate course of action when faced with patient-related problems while adhering to the laws and rules applicable to practice in Florida and the standards of care of the profession.

(d) Practice Management. Demonstrate proper documentation of a patient's history and financial records by using established record-keeping techniques and demonstrate an understanding of the facility's financial and safety policies and procedures.

(e) Technical Implementation. Interpret patient data and modify a patient model to ensure optimal fit and function; demonstrate the ability to fabricate or repair a prescribed device, selecting appropriate materials and components based on patient criteria to ensure optimum strength, durability and function

(5) The objectives must include experience in the acute, rehabilitative and chronic phases of the care of pediatric, adult and geriatric populations, and shall include experience in lower and upper extremity and spinal orthoses or lower and upper extremity prostheses.

(6) Each intern shall keep a daily patient log, subject to review by the Board. Each intern shall be evaluated by his/her supervising practitioner on a quarterly basis and at the conclusion of the internship.

The internship must be of sufficient variety and volume to afford the intern adequate educational experience in orthotics or prosthetics to include clinical assessment, patient management, technical implementation, practice management and professional responsibility in the acute, rehabilitative and chronic phases of the care of pediatric, adult and geriatric populations. This shall include experience in lower extremity, upper extremity and spinal orthoses, or upper and lower extremity prostheses. Each intern shall keep a daily patient log, subject to audit by the Board.

(7)(3) Clinical experience in prosthetics and orthotics, to satisfy the requirements of internship or to satisfy the experience requirements of Section 468.803(4), F.S., may not be achieved concurrently.

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History--New 11-1-99, Amended.

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthic.

(1) Requirements for Licensure as an Orthotic Fitter. The applicant must demonstrate:

(a) Successful completion of 40 hours of training in orthotics that meets the requirements of Rule 64B14-4.111, F.A.C. the 32-hour Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination, and completion of an approved eight hour course in custom molded shoes.

(b) No change.

(2) Requirements for Licensure as an Orthotic Fitter Assistant. The applicant must demonstrate successful completion of 40 hours of training in orthotics that meets the requirements of Rule 64B14-4.111, F.A.C. the 32-hour Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination, and completion of an approved eight hour course in custom molded shoes.

(3) No change.

Specific Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History—New 11-1-99, Amended 1-16-06, 9-21-06,\_\_\_\_\_.

## DEPARTMENT OF CHILDREN AND FAMILY SERVICES

### Agency for Persons With Disabilities

RULE CHAPTER NO.: RULE CHAPTER TITLE:

65G-1 Waiver Enrollment for Children in the Child Welfare System

PURPOSE AND EFFECT: During the 2006 legislative session (Ch. 2006-227, Laws of Florida), Section 393.065, Florida Statutes, was amended to direct the Agency for Persons with Disabilities to place children with developmental disabilities who are in the child welfare system at the top of the waitlist for Home and Community-Based Services (HCBS) Medicaid waiver after persons deemed to be in a crisis status who shall have the highest priority. The purpose of the proposed rule development is, therefore, to provide a procedure and criteria for enrolling such children on a HCBS waiver

SUBJECT AREA TO BE ADDRESSED: Enrollment of children in the child welfare system on the Florida Supported Living or Developmental Disabilities Home and Community-Based Medicaid waivers.

SPECIFIC AUTHORITY: 393.501(1), 393.065 FS.

LAW IMPLEMENTED: 20.197(3), 393.065 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: Terri McGarrity, Senior

Management Analyst Supervisor, Division of Operations, Suite 360, 4030 Esplanade Way, Tallahassee, Florida 32399-0950; e-mail: terri\_mcgarrity@apd.state.fl.us

## DEPARTMENT OF FINANCIAL SERVICES

### Division of Worker's Compensation

RULE NOS.:

RULE TITLES:

69L-7.100

Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)

69L-7.501

Florida Workers' Compensation Reimbursement Manual for Hospitals

PURPOSE AND EFFECT: To adopt the new versions of the Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers and the Florida Workers' Compensation Reimbursement Manual for Hospitals, 2006 Editions, to implement the reimbursement rates authorized by the Three-Member Panel pursuant to Section 440.13(12), F.S., at its meeting on April 11, 2006. In addition, the proposed Rule 69L-7.100, F.A.C., will adopt updated versions of the Current Procedural Terminology (CPT®) Manual and the American Medical Association "Healthcare Common Procedure Coding System, Medicare's National Level II Codes Manual", and the Current Dental Terminology (CDT-2005), Copyright 2004, American Dental Association, and the Healthcare Common Procedure Coding System (HCPCS) 2006, Eighteenth Edition, Copyright 2005.

SUBJECT AREA TO BE ADDRESSED: Proposed revisions to workers' compensation reimbursement manuals incorporated by reference into the rules, including amendments to the uniform schedules of maximum reimbursement allowances.

SPECIFIC AUTHORITY: 440.13(14), 440.591 FS.

LAW IMPLEMENTED: 440.13(7), (12), (14) 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: November 6, 2006, 10:00 a.m.

PLACE: 104J Hartman Building, 2012 Capital Circle, S.E., Tallahassee, FL

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: Don Davis, (850)413-1711. 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: Don Davis, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, phone (850)413-1711 or DON.DAVIS@FLDFS.COM

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-7.100 Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs).

(1) The Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers, ~~2006~~ 2005 Edition, (ASC Reimbursement Manual) is incorporated ~~adopted~~ by reference as part of this rule. The ~~ASC Reimbursement Manual~~ contains the Maximum Reimbursement Allowances determined by the Three-Member Panel, pursuant to Section 440.13(12), Florida Statutes and establishes reimbursement policies, guidelines, codes and maximum reimbursement allowances (MRAs) for ambulatory surgical facility services, which are items and services provided to an injured worker in connection with a surgical procedure performed in an Ambulatory Surgical Center. The ~~ASC Reimbursement Manual~~ is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com/wc>. ~~contains basic instructions and information for all ambulatory surgical centers and insurers concerning reimbursement of claims for ambulatory surgical facility services.~~

(2) The ~~ASC division has incorporated in the Florida Workers' Compensation Reimbursement Manual~~ refers to a number of for Ambulatory Surgical Centers, 2005 Edition, procedure codes and modifiers that are consistent with the Physicians' Current Procedural Terminology (CPT®), developed and published by the American Medical Association. When a service or procedure is performed that does not have a code listed in the ASC Reimbursement Manual, the Ambulatory Surgical Center shall refer to the Current Procedural Terminology (CPT®), 2006 Professional Edition, Copyright 2005, American Medical Association, 2005 Profession Edition, Copyright 2004, American Medical Association. This which is hereby incorporated publication is adopted by reference as part of this rule. ~~When a procedure is performed which is not listed in the manual, the ambulatory surgical center must use the appropriate code and descriptor contained in the Physicians' Current Procedural Terminology (CPT®), 2005 Professional Edition, Copyright 2004, American Medical Association.~~

(3) The Current Dental Terminology (CDT-2005), Copyright 2004, American Dental Association, and the Healthcare Common Procedure Coding System (HCPCS) 2006, Eighteenth Edition, Copyright 2005, Ingenix Publishing Group, are incorporated by reference as part of this rule, for dental D codes, injectable J codes, and other medical services or supply codes as specified in the ASC Reimbursement Manual. The Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers, 2005 Edition, incorporated above, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com>.

(4) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2006, incorporated by reference into Rule 69L-7.020, F.A.C., is also incorporated by reference into this rule. The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2006, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com/wc>.

Specific Authority 440.13(4), (14), 440.591 FS. Law Implemented 440.13(7), (12), (14) FS. History--New 8-7-91, Amended 12-31-92, Formerly 38F-7.100, 4L-7.100, Amended 9-4-05,\_\_\_\_\_.

69L-7.501 Florida Workers' Compensation Reimbursement Manual for Hospitals.

(1) The Florida Workers' Compensation Reimbursement Manual for Hospitals, ~~2006~~ 2004, Second Edition, is adopted by reference as part of this rule. The ~~Hospital Manual~~ contains the Maximum Reimbursement Allowances (MRAs) determined by the Three Member Panel, pursuant to Section 440.13(12), Florida Statutes, and establishes reimbursement policies, procedures, principles and standards for implementing statutory provisions regarding reimbursement for medically necessary services and supplies provided to injured workers in a hospital setting and per diem rates for hospital services and supplies. The policy, procedures, principles and standards in the Manual are in addition to the requirements established by the Florida Workers' Compensation Medical Services Billing, Filing and Reporting Rule, Rule 69L-7.602, F.A.C. The Reimbursement Manual for Hospitals is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or may be obtained free of charge by print or download from the Department's website at <http://www.fldfs.com/wc>.

(2) The Florida Workers' Compensation Health Care Provider Reimbursement Manual [HCP RM], 2006, incorporated by reference into Rule 69L-7.020, F.A.C.; and the

Workers' Compensation Medical Services Billing, Filing and Reporting Rule, Rule 69L-7.602, F.A.C., are also incorporated by reference into this rule. Both rules and the HCP RM are available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.fldfs.com/wc>. Form DFS-F5-DWC-90, Uniform Bill (rev. 1992), also known as the UB-92, or HCFA-1450, is hereby incorporated by reference as part of this rule. The Florida Workers' Compensation Health Care Provider Reimbursement Manual 2004, Second Edition, is incorporated by reference as part of this rule also. The reimbursement policies, billing codes and maximum reimbursement allowances for physical therapy, occupational therapy, speech therapy, radiology and clinical laboratory services contained in the manual shall be applied to hospital services provided on an outpatient basis only.

~~(3) The Florida Workers' Compensation Reimbursement Manual for Hospitals, incorporated in subsection (1) above, and Form DWC-90 are available for inspection during normal business hours at the State of Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's website at <http://www.fldfs.com/wc>.~~

Specific Authority 440.13(12), (14), 440.591 FS. Law Implemented 440.13(7), (12), (14) FS. History—New 6-9-87, Amended 6-1-92, 10-27-99, 7-3-01, Formerly 38F-7.501, 4L-7.501, Amended 12-4-03, 1-1-04, 7-4-04,\_\_\_\_\_.

## **FINANCIAL SERVICES COMMISSION**

### **Office of Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-204.010	Purpose and Scope
69O-204.020	Definitions
69O-204.030	Forms Incorporated by Reference
69O-204.040	Prohibited Practices
69O-204.050	Verification of Coverage

**PURPOSE AND EFFECT:** To implement the provisions of Chapter 626, Part X – Viatical Settlement Providers.

**SUBJECT AREA TO BE ADDRESSED:** Viatical Settlement Providers.

**SPECIFIC AUTHORITY:** 624.308(1), 626.9925 FS.

**LAW IMPLEMENTED:** 624.307(1), 626.9911, 626.9912, 626.9913, 626.9914, 626.9916, 626.9928 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:** November 17, 2006, 9:30 a.m.

**PLACE:** Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bernie Stoffel, Specialty Product Administration, Office of Insurance Regulation, E-mail: [Bernie.Stoffel@fldfs.com](mailto:Bernie.Stoffel@fldfs.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

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

## **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**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
33-103.019	Inmate Grievances – Forms

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to modify Form DC2-901, Training Attendance Report, to remove documentation of social security number.

**SUMMARY:** Amends the rule to modify Form DC2-901, Training Attendance Report, to remove documentation of social security number.

**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: