

Section I

Notices of Development of Proposed Rules
and Negotiated Rulemaking**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ELDER AFFAIRS**Long-Term Care Ombudsman Program**

RULE NOS.:	RULE TITLES:
58L-1.001	Confidentiality and Disclosure
58L-1.005	Access
58L-1.006	Conflict of Interest
58L-1.007	Complaint Procedures

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to add additional language; incorporate conflict of interest language into this rule chapter, which is currently included in Rule Chapter 58L-2, F.A.C.; and add a new rule for complaint procedures, including two forms incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: Confidentiality and disclosure of information; access to information; conflict of interest; and complaint procedures, including two forms incorporated by reference.

SPECIFIC AUTHORITY: 400.0065(3), 400.0067(4), 400.0069(10), 400.0071, 400.0077(5), 400.0081(3), 400.0087 FS.

LAW IMPLEMENTED: 400.0077, 400.0081, 400.0065(1)(a), (3), 400.0067, 400.0069(4), (10), 400.0071, 400.0087, 400.0091 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: August 8, 2007, 9:00 a.m. – 12:00 Noon
PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000
IF NOT REQUESTED IN WRITING, THE WORKSHOP WILL NOT BE HELD.

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 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; Telephone Number: (850)414-2000, SunCom 994-2000; Email address:

crochethj@elderaffairs.org. 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: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, Telephone Number: (850)414-2000, SunCom 994-2000; Email address: crochethj@elderaffairs.org.

A COPY OF THE PRELIMINARY TEXT OF THE PROPOSED RULE (also listed below) AND THE FORMS REFERENCE IN RULE 58L-1.007, F.A.C., COMPLAINT PROCEDURES, MAY BE OBTAINED FROM THE DEPARTMENT'S WEB SITE AT: <http://elderaffairs.state.fl.us> under the title "DOEA RULEMAKING, OMBUDSMAN."

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58L-1.001 Confidentiality and Disclosure.

(1) Pursuant to Section 400.0077(5), F.S., the Department of Elder Affairs, in consultation with the Office of the State Long-Term Care Ombudsman ~~and the State Long-Term Care Ombudsman Council~~, hereby adopt and incorporate by reference herein Sections 400.0077(1)-(4), F.S., Confidentiality, and Section 712(d) of Section 201 of the Older Americans Act of 1965, 42 USC 3058g, Disclosure, as policy and procedure for the confidentiality of and the disclosure by any ombudsman and all ombudsman councils of files maintained by the Office of the State Long-Term Care Ombudsman, the State Long-Term Care Ombudsman Council, their representatives and their employees, and their district or area councils, representatives and employees as established in Chapter 400, Part I, F.S.

(2) Case records will not be released by the Long-Term Care Ombudsman Program until the case is closed as defined in subsection 58L-1.007(1), F.A.C.

Specific Authority 400.0077(5) FS. Law Implemented 400.0077 FS. History—New 7-25-95, Amended _____.

58L-1.005 Access.

(1) Pursuant to Section 400.0081~~(2)~~⁽³⁾, F.S., the Department of Elder Affairs, in consultation with the Office of the State Long-Term Care Ombudsman and the State Long-Term Care Ombudsman Council, hereby adopts and incorporates by reference herein Section subsection 400.0081(1) ~~and (2)~~, F.S., Access to facilities, residents and records, and Section 712(b) of Section 201 of the Older Americans Act of 1965, 42 USC 3058g, Procedures for Access, as policy and procedure to ensure access by the Office of the State Long-Term Care Ombudsman, the State Long-Term Care Ombudsman Council, the district or area long-term care councils, and their representatives as

established in Chapter 400, Part I, F.S., to long-term care facilities, facility records, facility licensure and certification records maintained by the state, residents, and resident records.

(2) The following terms within the above-incorporated statutory references are defined as follows:

(a) "Access" means the ability pursuant to Section 400.0073, F.S., to investigate. The denial of access constitutes an interference in the performance of official duties and is a violation of Section 400.0083, F.S.

(b) "Administrative records, policies, and documents to which the residents, or the general public, have access" means records maintained by the facility which concern, involve, or pertain to the residents' medications, diet, comfort, health, safety, or welfare.

(c) "Social records" means non-medical resident records and includes resident financial records.

Specific Authority 400.0081(3) FS. Law Implemented 400.0081 FS. History—New 7-31-95, Formerly 58L-3.001, Amended _____.

58L-1.006 Conflict of Interest.

(1) Definitions. All terms used in this rule and not defined herein are derived from and defined in Chapter 400, Part I, Florida Statutes, Long-Term Care Facilities; Ombudsman Program.

(a) "Conflict of Interest" means:

1. Having a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

2. Having a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

3. Having an ownership or investment interest (represented by equity, debt, or other financial relationship) in a long-term care facility or a long-term care service;

4. Employed by, or participating in the management of, a long-term care facility in the state of Florida; or

5. Receiving, or having the right to receive, directly or indirectly, remuneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility.

(b) "Department" means the Department of Elder Affairs.

(c) "District" means a geographic area in which the programs of the department are administered and services are delivered.

(d) "Immediate family" means father, mother, husband, wife, son, daughter, brother, sister, or an individual residing in the household.

(e) "Indirectly" means receiving remuneration from a company providing a service to a long-term care facility, such as a consulting pharmacist.

(f) "Long-term care facility" means a nursing home facility, assisted living facility, or an adult family care home as those terms are defined in Chapter 400 and Chapter 429, Florida Statutes.

(g) "Long-term care services" means services provided by a long-term care facility, home health agency, adult day care center, hospice, intermediate care facility, home for special services, or transitional living facility as those terms are defined in Chapter 400 and Chapter 429, Florida Statutes. Long term care services also includes services provided to residents of long term care facilities by geriatric care managers, guardians or representative payees who are not immediate family members.

(h) "Program" refers to the Office of the State Long-Term Care Ombudsman, its representatives and employees, the State Long-Term Care Ombudsman Council, and the district or local Long-Term Care Ombudsman councils as established in Chapter 400, Part I, Florida Statutes.

(2) Purpose. The purpose of this chapter is to ensure that every effort is made to minimize any perception of conflicts of interest affecting the ombudsman program. It is promulgated to further the ability of ombudsmen to independently and fully carry out their functions, including the public perception of the program's independence. The Department shall vigorously monitor the program in this regard to ensure that the program and its representatives have the objectivity and independence required to qualify it for federal funding under the Older Americans Act of 1965, as amended, and to comply with and implement all state laws, rules and regulations relating to the program.

(3) Prohibitions.

(a) No officer, employee or representative of the Office of State Long-Term Care Ombudsman or of the State or District Long-Term Care Ombudsman Councils, nor any member of the immediate family of such officer, employee, or representative, may have a conflict of interest.

(b) No employee of the Agency for Health Care Administration, the Department of Business and Professional Regulation, the Department of Children and Family Services, the Department of Health, the Department of Elder Affairs, or medical director of a long-term care facility shall be a member of a District or State Long-Term Care Ombudsman Council.

(4) Procedures.

(a) Upon approval recertification, employment or affiliation with the program, each appointee, officer, employee or representative shall sign a conflict of interest certification form that:

1. Acknowledges receipt and understanding of these rules, and

2. States that such individual has no conflict of interest as defined by these rules. The Office of the State Long-Term Care Ombudsman will keep the statements on file at its headquarters.

(b) Deliberate failure to disclose any conflict of interest, whether upon affiliation with the program or which subsequently develops, or the violation of any prohibition set forth in this chapter shall be considered sufficient grounds for:

1. A recommendation to the State Long-Term Care Ombudsman that the representative be immediately disqualified pursuant to Section 400.0091, Florida Statutes, to carry out ombudsman activities on behalf of the office of the State Long Term Care Ombudsman;

2. Termination for cause of any such employee.

(c) The State Long-Term Care Ombudsman shall receive and review all violations and allegations of conflict of interest and if appropriate shall,

1. Request that the person resign from the council; or

2. Request that the person remove the conflict.

If the person does not resign from the council or remove the conflict, the State Long-Term Care Ombudsman shall disqualify the employee, or representative of the Office of the State Long Term Care Ombudsman from carrying out any authorized ombudsman duty or responsibility.

Specific Authority 400.0065(3), 400.0067(4), 400.0069(10), 400.0087(1) FS. Law Implemented 400.0065(3), 400.0067(4), 400.0069(10), 400.0087(1), 400.0091 FS. History—New _____.

58L-1.007 Complaint Procedures.

(1) Definitions.

(a) “Case” means an inquiry or allegation brought to, or initiated by, the Long-Term Care Ombudsman Program on behalf of a long-term care facility resident or group of residents involving one or more complaints or problems which requires opening a case file and which includes ombudsman investigation, fact gathering, development and implementation of a resolution strategy.

(b) “Closed Case” means a case where the complaints within the case do not require further action on the part of the ombudsman, every complaint has been assigned the appropriate resolution code, and the case has been peer-reviewed by the local council.

(c) “Complaint” means an allegation, made by a long-term care facility resident or someone on behalf of a resident, of a problem with resident care or a problem affecting the rights, health, safety, and/or welfare of the residents of a long-term care facility. One or more complaints constitute a case.

(d) “Resolved” means the complaint or problem was addressed to the satisfaction of the resident or the resident’s legal representative.

(e) “Visit” means going to a facility to listen to, observe, and interact with residents.

(2) Receiving complaints against a long-term care facility or an employee of a long-term care facility.

(a) A complaint may be made by any person and may be received by the Office of State Long-Term Care Ombudsman or its representatives through written or oral communication. A complaint generated by a representative of the Office of State Long-Term Care Ombudsman shall be considered a complaint. A complaint may be anonymous.

(b) All complaints made to the program will be directed to the district ombudsman manager for the district in which the facility involved in the complaint is located. Receipt of the complaint by the district ombudsman manager initiates the opening of an investigation.

(c) The district ombudsman manager will code complaints based on federal standards of the National Ombudsman Reporting System by the Administration on Aging, U.S. Department of Health and Human Services.

(d) After entering the complaint information into the database, the district ombudsman manager will print the DOEA Form LTCOP-001, (effective date), 2007, Case Investigation Form, which is incorporated herein by reference, and mail it to the ombudsman who will be investigating the case.

(3) Conducting investigations of a long-term care facility or an employee of a long-term care facility subsequent to receiving a complaint.

(a) An investigation is initiated when an ombudsman makes contact with the complainant or resident; which shall happen within five (5) business days after receipt of the complaint by the district ombudsman manager.

(b) At the beginning of the investigation, the ombudsman investigating the case must visit the resident or residents on whose behalf the case was filed.

(c) The case investigation shall focus on the rights, health, safety and welfare of the resident and may include direct observation, interviews with residents and other individuals, and review of records.

(d) Investigations shall be closed within 90 calendar days of receipt. The local council may grant a request for extension if 90 days is not sufficient time to close the case.

(e) At the conclusion of a case investigation, the ombudsman investigating the case will:

1. Complete DOEA Form LTCOP-0001 using resolution codes developed for the National Ombudsman Reporting System by the Administration on Aging, U.S. Department of Health and Human Services.

2. Contact the resident or the resident’s legal representative if possible, to inform them of the resolution.

3. Have an exit interview with the administrator or their designee to present the ombudsman’s findings.

(f) After the investigation is complete, the investigation process and the case information will be reviewed by the Quality Assurance Review Team of the local council.

(g) Within ten (10) business days of the closing of the case investigation, the district ombudsman manager will send a written summary of the case disposition to the resident or the resident's legal representative.

(h) If issues remain unresolved at the conclusion of the investigation, the ombudsman, the local council and the state council will proceed with actions pursuant to Section 400.0075, Florida Statutes in consultation with the State Ombudsman.

(4) Conducting onsite administrative assessments of long-term care facilities.

(a) All long-term care facilities shall receive at least one onsite administrative assessment during each federal reporting year, beginning October 1 and ending September 30 of the following year.

(b) Consistent with minimum requirements by the U.S. Administration on Aging as detailed in the National Ombudsman Reporting System program instructions, each long-term care facility shall receive three visits during the federal reporting year in addition to the administrative assessment.

(c) Within 30 calendar days prior to the beginning of the federal reporting year, the district ombudsman manager will assign all facilities within the district to individual members of the local council for assessment.

(d) The ombudsman conducting an assessment shall review available facility surveys conducted by Agency for Health Care Administration prior to the onsite administrative assessment.

(e) Administrative assessments shall include interviews with residents and shall focus on issues from the residents' perspective, including but not limited to: posting of required brochures and licenses, physical plant, residents' physical space, residents' rights, staffing levels, medical care and services, food service, activities, and disaster preparedness.

(f) At the conclusion of the assessment, the ombudsman will have a brief exit interview with the facility administrator or his/her designee to discuss assessment findings.

(g) Problems identified during the administrative assessment shall be provided to the facility administrator in writing and may be coded as complaints by the district ombudsman manager and assigned to an ombudsman for investigation and resolution.

(h) The results of an administrative assessment shall be recorded on the DOEA Form LTCOP-0002, (effective date), 2007, Annual Assessment Form, which is incorporated herein by reference.

(i) The district ombudsman manager will keep the original completed Annual Assessment Forms in the district office and forward copies to Agency for Health Care Administration within 30 business days after receipt.

(j) If there are issues discovered during an assessment that remain unresolved, the ombudsman, the local council and the state council will proceed with actions pursuant to Section 400.0075, Florida Statutes in consultation with the State Ombudsman.

Specific Authority 400.0071 FS. Law Implemented 400.0071 FS. History--New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-3.2085
 RULE TITLE: Department and Services

PURPOSE AND EFFECT: The Agency proposes to adopt subsection 59A-3.2085(16), Florida Administrative Code, consistent with provisions of Section 408.0361, F.S. The statute provides for adoption of rules to establish a licensure process for adult cardiovascular programs in Florida hospitals. SUBJECT AREA TO BE ADDRESSED: The proposed rule establishes procedures for the licensure of hospital-based adult cardiovascular programs and will adopt standards for those programs.

SPECIFIC AUTHORITY: 408.0361 FS.

LAW IMPLEMENTED: 408.0361 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: August 14, 2007, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room D, Tallahassee, FL 32308

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: Dayle DeCastro, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, or call (850)922-0791. 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: Dayle DeCastro, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, or call (850)922-0791

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

**AGENCY FOR HEALTH CARE ADMINISTRATION
Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals**

RULE NOS.: RULE TITLES:
59E-8.001 Determination of Fees
59E-8.002 Price List

PURPOSE AND EFFECT: The proposed rule development will establish fees for information services of the Florida Center for Health Information and Policy Analysis. The fees will be based on time required to analyze the request and write the query, and the time required to access, merge, validate, and prepare the information for delivery to the requester. The proposed rule development will incorporate by reference the Florida Center for Health Information and Policy Analysis Price List.

SUBJECT AREA TO BE ADDRESSED: The agency is proposing a rule development that will establish new Rules 59E-8.001 and 59E-8.002, F.A.C., providing for the fees to be charged for information services provided by the Florida Center for Health Information and Policy Analysis.

SPECIFIC AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.05(7)(c) FS.

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

DATE AND TIME: August 2, 2007, 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Room, 2727 Mahan Drive, Tallahassee, Florida 32308

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 hours before the workshop/meeting by contacting: Beth Eastman at (850)922-3803. 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: Lisa Rawlins, Director, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, MS #16, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59E-8.001 Determination of Fees.

(1) The Florida Center for Health Information and Policy Analysis will periodically, but no less frequently than biannually, calculate the average time required to access, merge, validate, and prepare standard information sets for delivery to the requester. These average times will be used to establish the fees for information services described in the Price List.

(2) Requests for information not addressed in the Price List, ad hoc custom requests, will be priced based on the time required to analyze the request and write the query, and the time required to access, merge, validate and prepare the information for delivery to the requester.

Specific Authority 408.15(8) FS. Law Implemented 408.05(7)(c) FS. History--New _____.

59E-8.002 Price List.

(1) The Price List of the Florida Center for Health Information and Policy Analysis is posted at: www.floridahealthstat.com/order.shtml.

(2) The Price List dated 7.1.07 is incorporated by reference as AHCA Form FC4200-003.

Specific Authority 408.15(8) FS. Law Implemented 408.05(7)(c) FS. History--New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-12.011 Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to add additional definitions.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 489.103(5), 489.105(3), 489.108, 489.113(3) FS.

LAW IMPLEMENTED: 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-15.0021 Certification and Registration of Business Organizations

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of bond.

SUBJECT AREA TO BE ADDRESSED: Certification and Registration of Business Organizations.

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 455.213, 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.003 RULE TITLE: Public Liability Insurance

PURPOSE AND EFFECT: The Board proposes the rule amendment to review for consistency with other rules and for the addition of a requirement for new specialty contractor.

SUBJECT AREA TO BE ADDRESSED: Public Liability Insurance.

SPECIFIC AUTHORITY: 489.108, 489.115(5), 489.129(3) FS.

LAW IMPLEMENTED: 489.115(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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.012 RULE TITLE: Certification of Residential Solar Water Heating Specialty Contractors

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: Certification of Residential Solar Water Heating Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.015 RULE TITLE: Certification of Specialty Structure Contractors

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: Certification of Specialty Structure Contractors.

SPECIFIC AUTHORITY: 120.53, 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.017
 RULE TITLE: Certification of Gypsum Drywall Specialty Contractors

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: Certification of Gypsum Drywall Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.018
 RULE TITLE: Certification of Glass and Glazing Specialty Contractors

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: Certification of Glass and Glazing Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(5) FS.

LAW IMPLEMENTED: 120.53, 455.217(1), 489.113(6), 489.115(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: G. W.

Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.021
 RULE TITLE: Certification of Solar Contractors

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: Certification of Solar Contractors.

SPECIFIC AUTHORITY: 489.105(12), 489.108, 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 489.105(3)(o), (12), 489.113(6) 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.026
 RULE TITLE: Certification of Gas Line Specialty Contractors

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: Certification of Gas Line Specialty Contractors.

SPECIFIC AUTHORITY: 120.53, 455.217(1), 489.113(6), 489.115(4) FS.

LAW IMPLEMENTED: 120.53, 455.213, 455.217(1), 489.113(6), 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.027 RULE TITLE: Pollutant Storage System Specialty Contractors

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: Pollutant Storage System Specialty Contractors.

SPECIFIC AUTHORITY: 489.108, 489.113(3), (7), 489.129(3), 489.133 FS.

LAW IMPLEMENTED: 455.213, 489.113(3), (7), (8), 489.115(4), (5), 489.133 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.028 RULE TITLE: Precision Tank Testers

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: Precision Tank Testers.

SPECIFIC AUTHORITY: 489.108, 489.113(3), (7), 489.129(3), 489.133 FS.

LAW IMPLEMENTED: 455.213, 489.113(3), (7), (8), 489.115(4), 489.133 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: 61G4-15.029 RULE TITLE: Tank Lining Applicators

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: Tank Lining Applicators.

SPECIFIC AUTHORITY: 489.108, 489.113(3), (7), 489.129(3), 489.133 FS.

LAW IMPLEMENTED: 455.213, 489.113(3), (7), (8), 489.115(4), 489.133 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-15.031 Medical Gas Certification

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: Medical Gas Certification.

SPECIFIC AUTHORITY: 455.213, 489.108, 489.1136 FS.

LAW IMPLEMENTED: 489.1136 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-18.001 Continuing Education Requirements
 for Certificateholders and
 Registrants

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of the definition of business practices; for the addition of wind mitigation as required credit; and to change laws and rules credit requirement to be consistent with new legislation.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements for Certificateholders and Registrants.

SPECIFIC AUTHORITY: 455.213, 455.2177, 455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 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: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 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 Professional Geologists

RULE NO.: RULE TITLE:
61G16-3.001 Schedule of Fees Adopted by the
 Board

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language clarifying fees for reinstatement of a null and void license.

SUBJECT AREA TO BE ADDRESSED: Schedule of fees.

SPECIFIC AUTHORITY: 455.213(2), 455.217, 455.219, 455.271, 492.104, 492.1101 FS.

LAW IMPLEMENTED: 455.217, 455.219, 455.271, 492.104, 492.1101, 192.111 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: Rick Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0764

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 Professional Geologists

RULE NO.: RULE TITLE:
61G16-8.001 License and Certification Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify reinstatement of null and void license as provided in Rule 61G16-4.004, F.A.C.

SUBJECT AREA TO BE ADDRESSED: License and certification renewal and reinstatement.

SPECIFIC AUTHORITY: 455.02(2), 455.271(6)(b), (9), 468.4315(3) FS.

LAW IMPLEMENTED: 455.02(2), 455.271(6)(b), (9) 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: Rick Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0764

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS 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 JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-3.001	Purpose and Scope
63E-3.002	Definitions
63E-3.003	Administration
63E-3.004	Sanitation
63E-3.005	Safety and Security
63E-3.006	Continuity of Operations
63E-3.007	Youth Admission
63E-3.008	Intake
63E-3.009	Orientation
63E-3.010	Case Management
63E-3.011	Behavior Management
63E-3.012	Youth Services
63E-3.013	Construction
63E-3.014	Program Monitoring and Evaluation
63E-3.015	Research Projects

PURPOSE AND EFFECT: The rule implements standards and requirements described in Section 985.47, Florida Statutes, pertaining to serious or habitual juvenile offender programs.

SUBJECT AREA TO BE ADDRESSED: Standards and requirements are established for serious or habitual juvenile offender programs, including administration, operations, safety and security, intake and orientation, case management, behavior management, program monitoring and research.

SPECIFIC AUTHORITY: 20.316, 985.47 FS.

LAW IMPLEMENTED: 985.47 FS.

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

DATE AND TIME: Friday, August 3, 2007, 10:00 a.m.

PLACE: DJJ Headquarters. 2737 Centerview Drive, General Counsel's Conference Room 312, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-6.002	Definitions
63E-6.003	Admission Criteria

PURPOSE AND EFFECT: The amendment changes the admission criteria for Sheriff's Training and Respect programs pertaining to substance abuse and psychiatric disorders.

SUBJECT AREA TO BE ADDRESSED: Amending admission criteria and associated definitions.

SPECIFIC AUTHORITY: 985.4891, 985.64 FS.

LAW IMPLEMENTED: 985.4891(2), (7)(a) FS.

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

DATE AND TIME: Friday, August 3, 2007, 10:00 a.m.

PLACE: DJJ Residential Services, Central Region Office, 4524 Oak Fair Blvd., Ste. 200, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100; e-mail, lydia.monroe@djj.state.fl.us

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

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.012	Transfer, Release and Discharge
63E-7.014	Staff Training
63E-7.015	Research Projects

PURPOSE AND EFFECT: The rule establishes the requirements for the administration and operation of state operated and contracted residential commitment programs for juvenile offenders.

SUBJECT AREA TO BE ADDRESSED: The rule sections address the transfer and discharge of youth, the training of staff, and the procedure for conducting research projects in residential facilities.

SPECIFIC AUTHORITY: 20.316, 985.601, 985.64 FS.

LAW IMPLEMENTED: 985.610, 985.04, 985.441, 985.03 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: Friday, August 3, 2007, 10:00 a.m.
 PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 312, Tallahassee, Florida
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Monroe, 2737 Centerview Dr., Ste. 312, Tallahassee, FL 32399-3100, e-mail: lydia.monroe@djj.state.fl.us
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
 64B10-11.002 Eligibility for Licensure
 PURPOSE AND EFFECT: To clarify the eligibility requirements for licensure.
 SUBJECT AREA TO BE ADDRESSED: Eligibility for Licensure
 SPECIFIC AUTHORITY: 468.1685(1), 468.1695(1) FS.
 LAW IMPLEMENTED: 456.017, 468.1695(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.
 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-11.002 Eligibility for Licensure Examination for Licensure.

(1) Required Examinations:

(a) The Board approves the Nursing Home Administrators Examination developed and administered by the National Association of Boards of Examiners of Nursing Home Administrators.

(b)(2) In addition to the national examination referenced in subsection (1) above, each applicant for licensure shall also be required to take an examination on the laws and regulations of the State of Florida which govern the practice of nursing home administrators.

(2) To establish eligibility for licensure as a nursing home administrator by examination under Section 468.1695, F.S., the applicant must successfully pass the required examinations in subsection (1), and must provide that the applicant holds:

(a) A baccalaureate degree from an accredited college or university with a major in health care administration or has credit for at least 60 semester hours in subjects as defined under Rule 64B10-11.007, F.A.C., and

1. Completed a college-affiliated or university-affiliated internship; or

2. Completed a 1,000-hour nursing home administrator-in-training program approved by the Board.

(b) A baccalaureate degree from an accredited college or university, and

1. Completed a 2,000-hour nursing home administrator-in-training program approved by the Board; or

2. Has one year of management experience by performing executive duties and skills, including the staffing, budgeting, and directing of resident care, dietary, and bookkeeping departments within a skilled nursing facility, hospital, hospice, assisted living facility with a minimum of 60 licensed beds, or geriatric residential treatment program. If, however, such experience is not in a skilled nursing facility, the applicant must complete the requirements of a 1,000-hour nursing home administrator-in-training program approved by the Board.

(3) To establish eligibility for licensure as a nursing home administrator by endorsement under Section 468.1705, F.S., the applicant must successfully pass the required examinations in subsection (1), and

(a) Hold a valid active license to practice nursing home administration in another state, provided that the current requirements for licensure in the state are substantially equivalent to, or more stringent than, the current requirements in the state of Florida; and

(b) Have practiced as a nursing home administrator for 2 years within the 5-year period immediately preceding the application by endorsement.

Specific Authority 468.1685(1), 468.1695(1) FS. Law Implemented 456.017, 468.1695(1)(d) FS. History—New 12-26-79, Amended 3-1-82, 7-29-82, Formerly 21Z-11.02, Amended 1-18-87, 6-2-87, 12-3-90, Formerly 21Z-11.002, 61G12-11.002, Amended 7-16-95, Formerly 59T-11.002, Amended 5-15-00, 11-6-02, 8-30-05, _____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
 64B10-14.006 Citations

PURPOSE AND EFFECT: To clarify that citation regards practice on delinquent rather than inactive license; to modify amount of fines for falsely certifying compliance with continuing education hours; to delete requirement to make up

missing continuing education units; to delete subsection regarding first-time failure to comply with Rule 64B10-15.001; F.A.C., add subsection imposing a fine and payment requirements for tendering a check that is dishonored, to delete requirements that prior to issuance of the citation for the investigator to confirm the status or correction of the violation and to remove certain potential for harm.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.073, 456.077 FS.

LAW IMPLEMENTED: 456.077 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-14.006 Citations.

(1) through (2) No change.

(3) The following violation with accompanying fines may be disposed of by citation:

(a) Practice on an delinquent inactive license or certificate for less than six months. The fine shall be \$50 for each month of practice

(b) Falsely certifying compliance with continuing education hours required for renewal of licensure or certification. If the individual has no documentation, the fine shall be \$1,500.00 ~~500.00~~. If the individual has some documentation, the fine shall be \$500 ~~penalty is \$25 per missing hour, to a maximum of \$500. For failing to provide documentation of the HIV/AIDS course, the fine shall be \$100.00. All missing CEUs shall be made up within six months of the date the citation becomes a Final Order.~~

(c) Failure to comply with Rule 64B10-11.012, F.A.C. (change of address). The fine shall be \$100.00.

(d) Paperwork deficiencies that have been corrected and have no patient harm (violation of Section 468.1755(1)(m), F.S.). The fine shall be \$250.00.

~~(e) First time failure to comply with Rule 64B10-15.001, F.A.C. The fine shall be \$500.00. For each hour of continuing education not completed or completed late, the licensee shall be required to complete one (1) additional hour of continuing education within six (6) months of the issuance of the citation.~~

~~(e)(f)~~ Failing to report to the Board within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. The fine shall be \$500.00.

~~(f)(g)~~ Failure to comply with Rule 64B10-12.018, F.A.C. (Special Assessment). The fine shall be \$500.00.

(4) Tendering a check that is dishonored by the institution upon which it is drawn shall result in a fine of \$100 and payment of the check within 30 days. Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected. If the violation is a substantial threat to the public health, safety and welfare, such potential for harm must be removed prior to issuance of the citation.

(5) No change.

Specific Authority 456.073, 456.077 FS. Law Implemented 456.077 FS. History—New 3-1-92, Formerly 21Z-14.006, 61G12-14.006, Amended 7-21-97, Formerly 59T-14.006, Amended 5-15-00, 8-23-00, 2-23-06,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.001
 RULE TITLE: Continuing Education for Licensure Renewal

PURPOSE AND EFFECT: To delete existing requirement that license holder is not permitted to receive more than 15 continuing education hours in one topic.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Licensure Renewal.

SPECIFIC AUTHORITY: 456.033, 468.1685(1), 468.1715(3), 468.1725 FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 468.1715(3), 468.1725 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-15.001 Continuing Education for Licensure Renewal.

(1) No change.

(2) Each license-holder shall complete forty (40) contact hours of continuing education in accordance with these rules. ~~A license holder shall not be permitted to receive more than fifteen (15) continuing education hours in any one topic for a single program.~~

(3) through (6) No change.

Specific Authority 456.033, 468.1685(1), 468.1715(3), 468.1725 FS. Law Implemented 456.013(6), 456.033, 468.1715(3), 468.1725 FS. History—New 12-11-80, Amended 2-20-83, 5-2-84, Formerly 21Z-15.01, Amended 12-31-86, 2-26-89, 11-19-91, Formerly 21Z-15.001, 61G12-15.001, Amended 9-4-96, 10-20-96, 7-21-97, Formerly 59T-15.001, Amended 5-15-00, 11-4-02, 5-7-06, 4-8-07,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.002
 RULE TITLE: Criteria for Approved Continuing Education

PURPOSE AND EFFECT: Clarification that this subsection applies to continuing education courses that are approved (rather than offered) by the National Association of Boards of Examiners of Long Term Care Administrators.

SUBJECT AREA TO BE ADDRESSED: Criteria for Approved Continuing Education.

SPECIFIC AUTHORITY: 468.1685(1), 468.1725(3) FS.

LAW IMPLEMENTED: 456.013, 468.013, 468.1715, 468.1725 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 Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-15.002 Criteria for Approved Continuing Education.

(1) through (7) No change.

(8) Continuing education courses ~~offered and~~ approved by the National Association of Boards of Examiners of Long Term Care Administrators are accepted as long as the requirements are similar to or more stringent than those required by the Board in subsection 64B10-15.002(1) and Rule 64B10-16.005, F.A.C.

(9) through (10) No change.

Specific Authority 468.1685(1), 468.1725(3) FS. Law Implemented 456.013, 468.013, 468.1715, 468.1725 FS. History—New 12-11-80, Amended 2-20-83, Formerly 21Z-15.02, Amended 6-22-87, 2-26-89, 12-6-89, 11-11-92, Formerly 21Z-15.002, 61G12-15.002, 59T-15.002, Amended 10-12-97, 12-2-02, 8-11-03, 8-9-04, 2-23-06,_____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-16.001
 RULE TITLE: General Information

PURPOSE AND EFFECT: Amend to revise forms; to add requirement for applicant to indicate to which AIT program applicant is applying; and to clarify requirements of each AIT program.

SUBJECT AREA TO BE ADDRESSED: General Information.

SPECIFIC AUTHORITY: 468.1685(1), 468.1695(2) FS.

LAW IMPLEMENTED: 468.1695(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B10-16.001 General Information.

(1) No change.

(2) An applicant for the AIT program must meet those qualifications established by Section 468.1695, F.S., at the time of application, including completion of an Administrator in Training Application, form DH-MQA-NHA003 (Revised 03/2007 ~~10/2005~~), and incorporated herein by reference and pay the application fee specified in Rule 64B10-12.013 Form DH-MQA-NHA003 (Revised 03/2007 ~~10/2005~~) can be obtained from the Board of Nursing Home Administrators' website or the Division of Medical Quality Assurance Call Center by calling (850)488-0595. The applicant is required to indicate on form DH-MQA-NHA (Revised 03/2007) whether the applicant is applying for the AIT 1000-hour program or the AIT 2000-hour program.

(a) The applicant may qualify for the AIT 1000-hour program provided that the applicant holds a baccalaureate degree from an accredited college or university with a major in health care administration; or

(b) The applicant may qualify for the AIT 2000-hour program provided that the applicant holds a baccalaureate degree from an accredited college or university with a major in non-health care administration.

(3) through (13) No change.

Specific Authority 468.1685(1), 468.1695(2) FS. Law Implemented 468.1695(2) FS. History–New 9-24-81, Formerly 21Z-16.01, Amended 12-18-88, 1-22-90, 11-11-92, Formerly 21Z-16.001, Amended 8-29-93, Formerly 61G12-16.001, Amended 6-2-96, Formerly 59T-16.001, Amended 10-12-97, 6-5-07,_____.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-2.011 RULE TITLE: Definition of Supervised Fieldwork Experience

PURPOSE AND EFFECT: To clarify that supervision is of an occupational therapist student.

SUBJECT AREA TO BE ADDRESSED: Definition of Supervised Fieldwork Experience.

SPECIFIC AUTHORITY: 468.204 FS.

LAW IMPLEMENTED: 468.209 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: Susan Love, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-2.011 Definition of Supervised Fieldwork Experience.

The term “supervised fieldwork experience” as provided for in Section 468.209(1)(c), F.S., shall mean experience at an occupational therapist level occurring in a clinical setting affiliated with an educational institution in occupational therapy for a minimum of at least 6 months, with the fieldwork experience supervised by a licensed occupational therapist. Supervision, for purposes of this rule, shall mean that the occupational therapist student has daily direct contact at the worksite with his or her supervisor.

Specific Authority 468.204 FS. Law Implemented 4468.204 FS. History–New 12-4-95, Amended 12-11-96, Formerly 59R-61.015, Amended 6-6-07,_____.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-3.010 RULE TITLE: Definition of Supervised Fieldwork Experience

PURPOSE AND EFFECT: Amend to also allow a licensed occupational therapy assistant to supervise an occupational therapy assistant student.

SUBJECT AREA TO BE ADDRESSED: Definition of Supervised Fieldwork Experience.

SPECIFIC AUTHORITY: 468.204 FS.

LAW IMPLEMENTED: 468.204, 468.207, 468.209(1)(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: Susan Love, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-3.010 Definition of Supervised Fieldwork Experience.

The term “supervised fieldwork experience” as provided for in Section 468.209(1)(c), F.S., shall mean experience at an occupational therapy assistant level occurring in a clinical setting affiliated with an educational institution in occupational therapy for a minimum of at least 2 months, with the fieldwork experience supervised by a licensed occupational therapist or by a licensed occupation therapy assistant under the supervision of a licensed occupational therapist. Supervision, for purposes of this rule, shall mean that the occupational therapy assistant student has daily direct contact at the worksite with his or her supervisor.

Specific Authority 468.204 FS. Law Implemented 468.204, 468.207, 468.209(1)(c) FS. History–New 6-6-07, Amended _____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.002 RULE TITLE: Penalties

PURPOSE AND EFFECT: The Board proposes the rule amendment to add additional penalties for licensees who fail to provide their last known address or fail to notify the Board of changes in their supervisor.

SUBJECT AREA TO BE ADDRESSED: Penalties.

SPECIFIC AUTHORITY: 456.039(3), 456.072, 456.073(3), 456.079, 461.003, 461.005, 461.013 FS.

LAW IMPLEMENTED: 456.033, 456.053, 456.062, 456.063, 456.067, 456.072, 456.073(3), 456.079, 461.012, 461.013 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, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.002 Penalties.

(1) No change.

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

(uu) Failure to provide the last known address of record pursuant to Section 456.035, F.S., shall impose a penalty of suspension until compliance and payment of fine from \$500 to \$2,000.

(vv) Failure to notify the Board of changes in supervisor pursuant to Section 461.0135, F.S., shall impose suspension to revocation and a fine of \$1,000 to \$4,000.

Specific Authority 456.039(3), 456.072, 456.073(3), 456.079, 461.003, 461.005, 461.013 FS. Law Implemented 456.033, 456.053, 456.062, 456.063, 456.067, 456.072, 456.073(3), 456.079, 461.012, 461.013 FS. History—New 11-21-79, Amended 8-31-81, Formerly 21T-14.02, Amended 10-14-86, 12-8-88, 1-19-92, 4-26-93, Formerly 21T-14.002, 61F12-14.002, Amended 2-25-96, 5-29-97, Formerly 59Z-14.002, Amended 11-17-97, 8-24-00, 8-13-02, 4-26-04, 6-14-06, 10-10-06,_____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-14.009 Minor Violations; Notices of Noncompliance

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete the requirement for obtaining an education course on HIV within six months of licensure.

SUBJECT AREA TO BE ADDRESSED: Minor Violations; Notice of Compliance.

SPECIFIC AUTHORITY: 456.072(3), 456.073, 461.005 FS.

LAW IMPLEMENTED: 456.073 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, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.009 Minor Violations; Notices of Compliance.

(1) through (3) No change.

(4)(a) through (r) No change.

~~(s) Failure to obtain an education course on human immunodeficiency virus and acquired immune deficiency syndrome within six (6) months of licensure as required by Section 456.033, F.S.~~

(5) No change.

Specific Authority 456.072(3), 456.073, 461.005 FS. Law Implemented 456.073 FS. History—New 4-1-91, Formerly 21T-14.009, 61F12-14.009, Amended 2-25-96, 6-17-97, Formerly 59Z-14.009, Amended 8-8-99,_____.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-14.010 Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and penalties.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.072, 456.077, 461.005 FS.

LAW IMPLEMENTED: 456.057, 456.062, 456.072, 456.077, 461.012, 461.013(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: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B18-14.010 Citations.

(1) through (2) No change.

(3) The following violations may be disposed of by the Department by citation with the specified penalty:

VIOLATIONS

(a) CME violations. Podiatrist

(Section 456.077(2) and 461.013(1)(w), F.S.).

1. Failure to document 40 of the 40 required hours.

2. Failure to document required

two (2) hour medical errors, HIV/AIDS, Florida laws and rules, or risk management CME.

3. Documentation of some, but not all 40 hours of required CME for license renewal.

3. Failure to document any of the required hours.

(b) CME violations: Podiatric X-ray Assistant

Failure to document required eight (8) hour recertification course.

(c)(b) Practice on a delinquent license for a period of up to three months.

(Sections 461.012(1)(a) and 461.013(1)(w), F.S.).

(d)(e) Failure to notify Department of change of current mailing address and Place of practice.

(Sections 461.013(1)(h) and 456.035(1), F.S.)

(e)(d) Failure to provide medical record of one patient in a timely manner. (Section 456.057, F.S.)

(f)(e) Failure to provide the disclaimer required for free or discounted services.

(Sections 456.062, 456.077(2) and 461.013(1)(w), F.S.)

(g)(f) Soliciting patients.

(Sections 456.072(1)(x), 456.077(2), 461.013(1)(k), and 461.013(1)(w), F.S.)

(h)(g) Failure to comply with the requirements of profiling or credentialing.

(Section 456.072(1)(v) and 456.077(2), F.S.)

(i)(h) Failure to pay the one time assessment fee of \$375.00

(j)(i) Failure to timely pay required costs and fines. (Section 456.077(2), F.S.)

(k)(j) Failure to comply with Sections 381.026 and

(l)(k) Failure to comply with Section 456.039(3)(b)

(Section 456.077(2), F.S.) 381.0261, F.S., referencing patients bill of rights. (Section 456.077(2), F.S.)

PENALTY

\$5,000 fine and reprimand

~~Within one year of the date of the citation is issued, Respondent must submit certified documentation of completion of all CME requirements for the period for which the citation was issued; prior to renewing the license for the next biennium, Respondent must document compliance with the CME requirements for the relevant period; AND~~

~~\$500 fine per category~~

\$125 fine for each hour not documented

\$5,000 fine and reprimand

\$150 fine

\$500 fine for Podiatrist;

\$150 fine for Podiatric X-ray Assistant

\$500 fine for Podiatrist;

\$150 fine for Podiatric X-ray Assistant

\$500 fine and proof records were provided

\$500 fine

\$500 fine

\$500 fine

Citation fine of \$500.00 plus payment of cost and the \$375.00 assessment fee.

\$2,500 fine and compliance of outstanding costs and fines within sixty days

\$250 fine and compliance within ten days a fine of \$50.00 per day

(4) through (5) No change.

Specific Authority 456.072, 456.077, 461.005 FS. Law Implemented 456.057, 456.062, 456.072, 456.077, 461.012, 461.013(7) FS. History–New 1-19-92, Formerly 21T-14.010, 61F12-14.010, Amended 3-26-95, 2-25-96, 6-17-97, Formerly 59Z-14.010, Amended 11-23-00, 8-13-02, 7-26-04, 6-14-06, 10-11-06.

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: RULE TITLE:
64F-21.001 Infant Mortality

PURPOSE AND EFFECT: The Department proposes to institute a rule to implement study and evaluation of black infant mortality per Section 383.2162, F.S. (2007). There will be additional rules added to this chapter.

SUBJECT AREA TO BE ADDRESSED: The rule addresses a study and evaluation on black infant mortality.

SPECIFIC AUTHORITY: 383.2162(9) FS.

LAW IMPLEMENTED: 383.2162 FS.

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

DATE AND TIME: August 6, 2007, 10:00 a.m.

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Room 180, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Family Health Services at (850)245-4444, Extension 2959. 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: Adam Reeves, Infant Maternal and Reproductive Health, 4052 Bald Cypress Way, Bin A-13, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: RULE TITLE:
64H-1.001 Biomedical Research Grant
 Applications

PURPOSE AND EFFECT: To update the existing rule regarding applications for biomedical research funding under the James and Esther King Biomedical Research Program. To add text regarding applications for biomedical research funding under the newly created William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program.

SUBJECT AREA TO BE ADDRESSED: Applications for biomedical research funding under the James and Esther King Biomedical Research Program and the William G. “Bill” Bankhead, Jr., and David Coley Cancer Research Program.

SPECIFIC AUTHORITY: 215.5602(9) FS.

LAW IMPLEMENTED: 215.5602(5), 381.922(3)(a) 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: Biomedical Research Programs, Office of Public Health Research, 4052 Bald Cypress Way, Bin A-24, Tallahassee, FL 32399-1749, FAX: (850)245-4371, EMAIL: FBRP@doh.state.fl.us

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

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: RULE TITLE:
64H-2.002 Institutional Review Board
 Applications

PURPOSE AND EFFECT: The purpose of this rule is to provide an application mechanism and fee schedule for requesting Institutional Review Board review, pursuant to the provisions of Section 381.86(5), F.S.

SUBJECT AREA TO BE ADDRESSED: Institutional Review Board.

SPECIFIC AUTHORITY: 381.86 FS.

LAW IMPLEMENTED: 381.86(5) FS.

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

DATE AND TIME: Friday, August 3, 2007, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: Department of Health, 4030 Esplanade Way, 2nd Floor, Room 280N, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sylvia McDaniel, Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Mail Bin #A24, Tallahassee, FL 32399, (850)245-4585

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64H-2.002 Institutional Review Board Applications.

(1) Applications for Institutional Review Board review shall be submitted electronically using the IRB Wise system available at the program’s website <http://FLpublichealth.ETHICS.net/>. The website address is also available by contacting: Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Bin #A-24, Tallahassee, Florida 32399, (850)245-4585.

(2) An application fee shall be charged according to the following schedule for researchers not affiliated with the Department of Health: Initial Applications \$350, Amendments \$350, and Continuing Reviews \$350. Continuing Review Applications are due 60 days prior to study expiration; late applications will be assessed a \$700 fee. Application fees are due at the time of submission and applications will not be processed until payment is received by the department. Application fees are waived for any student who is a candidate for a degree at a university located in this state.

Specific Authority 381.86 FS. Law Implemented 381.86(5) FS. History–New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:

69K-9.004 Consumer Brochure

PURPOSE AND EFFECT: Section 497.282(9), F.S., requires licensees to display and provide to all potential customers a brochure explaining how and by whom cemeteries and preneed sales are regulated, summarizing consumer rights, and providing the address and phone number of the Division of Funeral, Cemetery, and Consumer Services. The format and content of the brochure shall be prescribed by rule. Section 497.282(9), F.S., authorizes the Department to publish such brochures and to require cemetery and preneed licensees to purchase and make such brochures available in the licensee's offices to all potential customers. The proposed rule implements this statutory provision by adopting the consumer brochure as a form.

SUBJECT AREA TO BE ADDRESSED: Consumer brochure to be displayed by cemetery and preneed licensees.

SPECIFIC AUTHORITY: 497.103(5)(b), 497.167(5), 497.282(9) FS.

LAW IMPLEMENTED: 497.167(5), 497.282(9) 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, August 7, 2007, 2:00 p.m.

PLACE: Alexander Building, 2020 Capital Circle S. E., 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-9.004 Consumer Brochure.

Each cemetery and preneed licensee offering to provide burial rights, merchandise, or services to the public shall display in its offices for free distribution to all potential customers, and provide to all customers before the contract is signed by the purchaser, a brochure entitled “Pre-Need Funeral & Cemetery Arrangements,” Form DFS-N1-1698, effective 10-06. This brochure is incorporated by reference in Rule 69K-1.001, F.A.C. The brochures must be obtained from the Department and cannot be printed by a licensee or a private vendor for a licensee. Brochures can be obtained, at Department cost, by written request mailed to the Department of Financial Services, Division of Funeral, Cemetery and Consumer Services, 200 East Gaines Street, Tallahassee, FL 32399-0361. Brochures will be provided in increments of 100 with a minimum order of 100 brochures.

Specific Authority 497.103(5)(b), 497.167(5), 497.282(9) FS. Law Implemented 497.167(5), 497.282(9) FS. History–New _____.

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09401 Student Performance Standards

PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to adopt the 2007 Sunshine State Standards for Mathematics as authorized by Section 1001.03, Florida Statutes, to ensure adequate rigor, relevance, and student progression are maintained.

SUMMARY: Section 1001.03, Florida Statutes, provides for the adoption of a set of student performance standards (Sunshine State Standards) and requires that the standards be reviewed periodically to ensure their continued rigor and relevance, among other things.

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