

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: RULE TITLE:
6E-4.001 Fees and Expenses

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to institute a more equitable fee structure.

SUBJECT AREA TO BE ADDRESSED: Fees assessed for regulation of institutions under the jurisdiction of the Commission for Independent Education.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS.

LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37, 1005.38 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Equity and Access, (850)245-0511 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: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-4.001 Fees and Expenses.

(1) The Base Fee and the Workload Fee shall be assessed at one of four levels based upon the student enrollment (per license issued) for the last reported fiscal year. If an institution that holds an existing license has not submitted enrollment data to the Commission (using the CIE Annual Data Collection) they shall be assessed at the highest level.

- (a) Level 1 = less than 100 students
- (b) Level 2 = 101-500 students
- (c) Level 3 = 501-1000 students
- (d) Level 4 = over 1000 students

~~(2)(4)~~ Base Fee. All nonpublic institutions and centers of out-of-state institutions under the jurisdiction of the Commission derive benefit from the services performed by the Commission. Such services include but are not limited to administration of the fair consumer practices program and the data collection and dissemination program. To defray the cost of such general services, each institution holding a provisional or annual license, or a license by means of accreditation, with an enrollment at Level 1 shall pay \$500, enrollment at Level 2 shall pay \$1000, enrollment at Level 3 shall pay \$1500, and enrollment at Level 4 shall pay \$2000 ~~of less than 100, shall submit annually a Base Fee of \$300, and each such institution with an enrollment of 100 or more shall submit annually a Base Fee of \$900.~~ Enrollment shall be determined by the institution's data submission to the CIE Annual Data Collection during the previous fiscal year total student headcount in Florida, full-time and part-time, reported by each institution in its annual data report; or for a new institution, by its anticipated enrollment in Florida during its first year of operation. The Base Fee shall be due and collected at the time of application for provisional licensure, initial application for annual licensure, initial application for Licensure by Means of Accreditation, annual review of licensure, or annual Licensure by Means of Accreditation.

(2) Workload Fees. Each ~~licensed Florida location of each~~ institution receives technical assistance from the Commission, along with help in developing and implementing institutional articulation agreements and achieving candidacy status with accrediting agencies; and significant amounts of staff and administrative time are spent on evaluating applications, traveling to institutions for onsite visits, assisting institutions which are experiencing problems with financial aid or financial stability, and making reviews. The following workload fees are assessed in addition to the Base Fee, and must be received prior to Commission consideration of each action. Initial Application for License, or Moving from Nondegree to Degree:

New Nondegree Institutions	\$2,000 + \$200 per program + cost of visit
New Degree-Granting Institutions	\$3,000 + \$200 per program + cost of visit
Annual Review of Licensure:	
Level 1	= \$2000
Level 2	= \$4000
Level 3	= \$6000
Level 4	= \$8000
Nondegree Institutions	\$1,500 + \$50 per program
Degree-Granting Institutions	\$2,500 + \$50 per program
Review of Extended Annual License or Substantive Change Review	\$1,000
Licensure by Means of Accreditation; Annually	\$1,250
Level 1	= \$2000

Level 2 = \$4000

Level 3 = \$6000

Level 4 = \$8000

Provisional or Annual Licensure Extension (first) \$500
 Provisional or Annual Licensure Extension (second) \$750
 Provisional or Annual Licensure Extension (third) \$1,500
 New Program or Program Modifications, Less than Substantive Change or More than One Minor Modification per Year:

Nondegree Programs \$500
 Degree Programs \$1,000

Site Visits:

One Visit per Year Included in licensure fee
 Subsequent Visits directed by Commission \$1500

Expenses + Costs + \$200 per day

Approval to Use "College" or "University", First Time or Special Review \$500

Annual Licensure of Recruiting Agents (nontransferable) \$200

Criminal Justice Information Investigation \$50

Copy of Student Academic Transcript on File \$10

(3) Fines and disciplinary oversight:

Fine for Probation Requiring Oversight Up to \$5,000 depending on level and length of oversight required
 Continuing Activity after Cease and Desist Letter, Per Day \$1,000

Monitoring Institution under Probable Cause, Per Calendar Quarter \$1,000

(4) Licensure application fees, base fees and program fees shall be paid annually.

(5) Student Protection Fund: Nondegree institutions will be charged a fee for the Student Protection Fund. The fees are specified in Rule 6E-4.005, F.A.C.

(6) Investigations and Resolution of Complaints. In cases where the Commission must investigate complaints pertaining to fair consumer practices, initiate Probable Cause proceedings, render findings of fact, and issue decisions, the institution shall be assessed a fee of no less than \$500 and no more than \$2,000, according to the administrative time required for the specific case, which is payable within 14 days of the official action being taken by the Commission.

(7) Failure to Submit Materials in a Timely Manner. In cases where the Commission has set a specific date for the filing of materials regarding licensure or other matters under its purview, and the institution has not filed said materials within 14 calendar days of the specified date, the Commission shall assess the institution \$100 per working day until the materials are received by the Commission. The postal date on the envelope or package containing the materials shall serve as the date of receipt.

(8) All fees, and any fines imposed for probation or other violations shall be paid to the Chief Financial Officer of the Department of Education for deposit into the Institutional Assessment Trust Fund as established in Section 1010.83, F.S., and identified as a separate revenue account for the authorized expenses of the Commission under the provisions of Section 1010.83, F.S.

Specific Authority 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS. Law Implemented 1005.22, 1005.35, 1005.37, 1005.38 FS. History--New 1-7-03, Amended 7-27-04.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-1.060
 RULE TITLE: Registration

PURPOSE AND EFFECT: The purpose of this rule development is to establish procedures and criteria pursuant to Section 212.14(4), F.S., for when the Department will require a cash deposit, cash bond, surety bond, or irrevocable letter of credit as a condition for any person to obtain, retain, or renew a dealer's certificate of registration in order to ensure compliance with the provisions of Chapter 212, F.S., and for determining the amount of the required cash deposit, cash bond, surety bond, or irrevocable letter of credit.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the procedures and criteria proposed by the Department, for determining when cash deposits, cash bonds, surety bonds, or irrevocable letters of credit are required, and for determining the amount of any required cash deposit, cash bond, surety bond, or irrevocable letter of credit.

THE AGENCY ANTICIPATES CONDUCTING A RULE DEVELOPMENT WORKSHOP AT A FUTURE DATE. THE WORKSHOP WILL BE NOTICED IN THE FLORIDA ADMINISTRATIVE WEEKLY AND WILL INCLUDE, IF AVAILABLE, A PRELIMINARY DRAFT OF ANY PROPOSED RULE TEXT.

SPECIFIC AUTHORITY: 212.17(6), 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.14(4) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas K. Butscher, Senior Counsel, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4710

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CITRUS

RULE NO.: 20-3.002
RULE TITLE: Processed Product Report
PURPOSE AND EFFECT: Amendment clarifying the categories of citrus fruit dealers required to report and clarifying the information required to be reported.
SUBJECT AREA TO BE ADDRESSED: Clarifying the categories of citrus fruit dealers required to report and clarifying the information required to be reported.
SPECIFIC AUTHORITY: 601.10(1), (8), 601.15(1), (2), (4), (10), 601.155(7), 601.28(4), 601.69, 601.701 FS.
LAW IMPLEMENTED: 601.10(8), 601.15(1), 601.155(7), 601.69 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: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: 40C-3.035
RULE TITLE: Agreements
PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate by reference the water new well permitting delegation agreement between the Florida Department of Health-Volusia County Health Department and the St. Johns River Water Management District and delete by reference the existing water well permitting delegation agreement between Volusia County and the St. Johns River Water Management District dated April 21, 1996.
SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the permitting of the construction, repair, and abandonment of water wells by the Florida Department of Health-Volusia County Health Department and termination of the existing Water Well Agreement with Volusia County dated April 21, 1996.
SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.
LAW IMPLEMENTED: 373.046, 373.083, 373.309 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Norma Messer, (386)329-4459 or (386)329-4450 (TDD). 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: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, Suncom 860-4459 or email address nmesser@sjrwm.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents:

(1) through (5) No change.

(6) An agreement between Florida Department of Health-Volusia County Health Department and St. Johns River Water Management District entitled Water Well Permitting Delegation Agreement dated (effective date). ~~An agreement between Volusia County and St. Johns River Water Management District regarding water well permitting dated April 21, 1996.~~

Specific Authority 373.044, 373.113, 373.171, FS. Law Implemented 373.046, 373.083, 373.309, FS. History-New 10-14-84, Amended 12-5-85, Formerly 40C-3.035, 40C-3.0035, Amended 1-8-96, 4-21-96, 7-21-96, 12-22-96, 3-10-97, 1-3-00, 9-06-01, 6-25-02, 7-25-02, 1-11-06, 5-18-06, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: 40E-7.669, 40E-7.670, 40E-7.674
RULE TITLES: Definitions, Competitive Solicitation Preferences, Certification Review Procedures
PURPOSE AND EFFECT: Since the implementation of the Small Business Enterprise Rule, staff has discovered several areas of the rule that require clarification of the intent of the rule and so that the public will clearly understand the elements of the rule and its procedure. Therefore, staff is seeking to initiate rulemaking to clarify these inconsistencies.
SUBJECT AREA TO BE ADDRESSED: The revisions to Chapter 40E-7, Part VI, of the F.A.C., concerning small businesses, participating in the district's procurement and contracting activities.
SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.
LAW IMPLEMENTED: 373.1135 FS.

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

DATE AND TIME: May 10, 2007, 8:30 a.m.

PLACE: South Florida Water Management District Headquarters B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

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 2 days before the workshop/meeting by contacting: 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: Frank Hayden, South Florida Water Management District, Post Office Box 24680, Mail Stop Code 6611, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6043 or (561)682-6043 (internet:fhayden@sfwmd.gov).

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact District Clerk, at (561)686-8800 at least two business days in advance to make appropriate arrangements.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.:	RULE TITLE:
61G1-22.003	Education Requirements for Interior Designers

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: Education Requirements for Interior Designers.

SPECIFIC AUTHORITY: 481.203(8), 481.209(2), 481.2055 FS.

LAW IMPLEMENTED: 481.203(8), 481.209(2), 481.2055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF 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 NOS.:	RULE TITLES:
62-303.360	Primary Contact and Recreation Use Support
62-303.370	Fish and Shellfish Consumption Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health
62-303.460	Primary Contact and Recreation Use Support
62-303.470	Fish and Shellfish Consumption Use Support
62-303.480	Drinking Water Use Support and Protection of Human Health
62-303.720	Delisting Procedure

PURPOSE AND EFFECT: The rule revisions change the assessment methodology for impairment due to elevated fecal coliform levels, including how individual samples are assessed under the binomial method, how many exceedances of the monthly average criteria are needed to list waters as impaired, and how samples are assessed for representativeness.

SUBJECT AREA TO BE ADDRESSED: Assessment of fecal coliform data in surface waters.

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.062, 403.067 FS.

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

DATE AND TIME: May 1, 2007, 2:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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: Daryll Joyner, TMDL Program Administrator, 2600 Blair Stone Road, Mail Station 3510, Tallahassee, FL 32399-2400, telephone (850)245-8431

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Draft rule text is currently not available, but will be placed on the Department's TMDL Program website (www.dep.state.fl.us/water/tmdl/index.htm).

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-5.002
 RULE TITLE: Continuing Education Programs
 PURPOSE AND EFFECT: The rule amendment will clarify requirements for medical errors and HIV courses.
 SUBJECT AREA TO BE ADDRESSED: Continuing Education Programs.
 SPECIFIC AUTHORITY: 456.013(6)-(9), 484.044, 484.047(4) FS.

LAW IMPLEMENTED: 456.013(6)-(9), 484.047(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 IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B6-5.002 Continuing Education Programs.

(1) Programs approved by the International Institute of Hearing Instrument Studies shall automatically be approved for continuing education credit.

(2) Providers of programs which are not automatically approved pursuant to subsection (1) of this rule may request approval of individual programs upon a showing that they are relevant to and that they enhance the licensee's ability to dispense hearing aids. Such request shall specifically state whether program attendance will be restricted in any way.

(3) A continuing education program shall only be considered for approval if the sponsor meets the Board's criteria by providing all of the following:

(a) A statement of the educational goals and objectives of the program.

(b) A detailed course outline or syllabus, including method of instruction, written materials, and any testing materials.

(c) A current curriculum vitae of each speaker or lecturer appearing in the program.

(d) A sample certificate of completion.

(4) When attending an approved program, the licensee's attendance must be certified by the program's registrar and submitted to the Board office as verification.

(5) Attendees attending a program not approved pursuant to the above subsections of this rule may request approval of the program attended. Such request must include sufficient information to demonstrate that the program meets the requirements of this rule.

(6) Notwithstanding the above, a program may not be approved by the Board if during the prior three years, the sponsor represented that a continuing education program was approved by the Board, and the program content substantially departed from the content approved by the Board, except in emergency cases.

(7) Two hours of continuing education per year may be granted for attendance at a regularly scheduled board meeting. Licensees appearing before the board on any disciplinary proceeding shall not be entitled to claim two hours of continuing education for that particular board meeting. Any licensee claiming two hours of continuing education under this section shall prepare a written statement detailing the date and location of said board meeting, and the hours attended at said board meeting. Said written statement shall be used to report continuing education attendance pursuant to Rule 64B6-5.003, F.A.C.

(8) Effective for the biennium beginning in 2001, each Hearing Aid Specialist shall attend and certify attending two hours and may take up to four (4) hours per biennium of continuing education which includes the topics of Human Immunodeficiency Virus, Acquired Immune Deficiency Syndrome, and other communicable illness to protect both the recipient and dispenser; modes of transmission, infection control procedures, clinical management, and prevention of any communicable illness. Such continuing education shall be accepted by the Board toward the continuing education requirement prescribed in Rule 64B6-5.001, F.A.C. Up to four hours of continuing education relating to these topics shall be accepted for the 1999-2001 biennium. Dually-licensed individuals, under Chapter 456, F.S., shall only be required to take one HIV/AIDS course to satisfy the continuing education requirements for this Board.

(9) Each Hearing Aid Specialist shall attend and certify attending a Board approved two hour continuing education course relating to the prevention of medical errors. Licensees must attend a live presentation of a medical errors course that is presented by a Board-approved provider. The medical errors course cannot be taken as a home study course. Licensees who are licensed under other professions regulated by Chapter 456, F.S., shall be exempt from this requirement. Dually-licensed individuals, under Chapter 456, F.S., shall only be required to

take one medical errors course to satisfy the continuing education requirements for this Board. The 2-hour course shall count toward the total number of continuing education hours required for license renewal.

Specific Authority 456.013(6)-(9), 484.044, 484.047(4) FS. Law Implemented 456.013(6)-(9), 484.047(4) FS. History—New 4-1-85, Formerly 21JJ-15.002, Amended 8-5-87, 2-16-89, 6-21-89, 1-10-90, 8-19-91, 10-21-91, Formerly 21JJ-5.006, Amended 11-20-95, Formerly 61G9-5.006, Amended 9-23-99, 11-9-00, 3-24-02, 11-18-02,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:
64B8-30.005 Physician Assistant Licensure
 Renewal and Reactivation

64B8-30.019 Fees Regarding Physician Assistants
PURPOSE AND EFFECT: The Board proposes the development of rules to address statutory changes regarding CME; the criteria for reactivation of retired status license; and the fee for reactivation of a retired status license with regard to physician assistants.

SUBJECT AREA TO BE ADDRESSED: Continuing medical education requirements and reactivation of retired status criteria and fees.

SPECIFIC AUTHORITY: 456.013, 456.031(1)(a), 456.033(1) 456.036, 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.031(1), 456.033, 456.036, 458.347 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-30.005 Physician Assistant Licensure Renewal and Reactivation.

- (1) No change.
- (2) Requirements for Renewal.
 - (a) through (b) No change.
 - (c) Submission of a notarized written statement attesting to completion of 100 hours of Continuing Medical Education in the previous two (2) years. A minimum of 50 hours must be Category I Continuing Medical Education. The remaining 50 hours may be Category II Continuing Medical Education. If requested by the Council, the Physician Assistant must submit

a notarized copy of a current license issued by the National Commission on Licensure of Physician Assistants or must be able to produce evidence that the ~~100 CME~~ hours have been approved by the American Academy of Physician Assistants and logged with either the American Academy of Physician Assistants or the National Commission of Licensure of Physician Assistants for the relevant biennium.

- (d) through (f) No change.
- (3) through (8) No change.

(9) Reactivation of a retired status license. To reactivate the license of a retired status licensee whose license has been on retired status for more than five (5) years or a licensee from another state who has not been in the active practice of medicine within the past five (5) years shall be required to appear before the Council and establish the ability to practice with the care and skill sufficient to protect the health, safety, and welfare of the public. At the time of such appearance, the physician assistant must:

- (a) Surrender to the Department the original retired status license;
- (b) Provide the Department with licensure verification from each state in which the licensee is licensed to practice as a physician assistant, or a statement that the licensee is licensed only in Florida;
- (c) Provide to the Department a statement of medical activities from the date the licensee entered retired status to the present;
- (d) Provide documentation of successful completion of the 16 credit hour Graduate Clerkship offered by Nova Southeastern University (Physician Assistant Department) or an equivalent program approved by the Council;
- (e) Practice under the direct supervision of a supervising physician approved by the Council for one (1) year;
- (f) Submit proof of completion of the continuing medical education requirements in compliance with paragraphs 64B8-30.005(2)(c)-(f), F.A.C., for each biennium in which the license was inactive; and
- (g) Pay the appropriate fees set forth in Section 456.036(4)(b), F.S. and subsections 64B8-30.019(6) and (10), F.A.C.
- (h) In lieu of proof of completion of the Graduate Clerkship or the equivalent, the licensee may submit proof of recertification by NCCPA.

(10) The Department shall refuse to reactivate the license of a retired status physician assistant who is under investigation or prosecution in any jurisdiction for an action that would constitute a violation of this chapter or the professional practice acts administered by the department and the boards, until 15 days after the Department receives the final results of the investigation or prosecution.

Specific Authority 456.013, 456.031(1)(a), 456.033(1), 458.309, 458.347 FS. Law Implemented 456.013, 456.031(1), 456.033, 456.036, 458.347 FS. History—New 5-13-87, Amended 1-9-92, Formerly 21M-17.0035, Amended 9-21-93, Formerly 61F6-17.0035, Amended 11-30-94, Formerly 59R-30.005, Amended 6-7-98, 3-3-02, 10-12-03, 7-27-04, 10-19-04, 2-25-07, _____.

64B8-30.019 Fees Regarding Physician Assistants.

The following fees are prescribed by the Council and adopted by the Boards:

(1) through (5) No change.

(6) The reactivation fee for an inactive or retired status physician assistant license licensure pursuant to Section 458.347(7) or 459.022(7), F.S., shall be \$100. Reactivation shall require payment of all the applicable renewal fees and the reactivation fee.

(7) The duplicate license licensure fee shall be \$25.00.

(8) through (9) No change.

(10) The fee for a retired status license shall be \$50.00 for a physician assistant.

Specific Authority 456.036, 458.309, 458.347 FS. Law Implemented 456.036(5), (7), 458.347 FS. History—New 8-11-98, Amended 7-30-03, 12-6-04, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:

64B8-30.011

Advertising

64B8-30.0111

Disclosure of Licensure Status

PURPOSE AND EFFECT: The Board proposes the development of rules to address appropriate disclosure of licensure status to patients.

SUBJECT AREA TO BE ADDRESSED: Requirements for appropriate disclosure of licensure status to patients.

SPECIFIC AUTHORITY: 458.347 FS.

LAW IMPLEMENTED: 456.072(1)(t), 458.331(1)(d) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-30.011 Advertising.

(1) Advertising by physician assistants is permitted so long as such information is in no way false, deceptive, or misleading.

(2) Physician assistant advertisements shall disclose the name of the primary supervising physician of the physician assistant advertising his or her services.

(3) Physician assistants may not claim any type of specialty board certification.

(4) Only physician assistants certified by the National Commission on Certification of Physician Assistants (NCCPA) may claim certification and employ the abbreviation “PA-C” next to his or her name.

(5) No person licensed pursuant to Section 458.347, F.S., shall disseminate or cause the dissemination of any advertisement or advertising that contains the licensee’s name without clearly identifying the licensee as a physician assistant (P.A.).

(6)(5) Failure to abide by the provisions of this rule shall constitute a violation of Sections 458.331(1)(d) and (nn) and 456.072(1)(cc), F.S.

Specific Authority 458.347(13) FS. Law Implemented 456.072(1)(t), 458.331(1)(d) FS. History—New 9-25-03, Amended _____.

64B8-30.0111 Disclosure of Licensure Status.

All persons licensed pursuant to Section 458.347, F.S., and not exempt pursuant to Section 456.072(1)(t), F.S., shall identify the license under which he or she practices in one of the following manners:

(1) The wearing of a name tag which identifies the licensee as a physician assistant (P.A.);

(2) The wearing of an article of clothing on the upper body which identifies the licensee as a physician assistant (P.A.);

(3) By orally disclosing to the patient, upon the licensee’s initial in-person contact with the patient, that the licensee is a physician assistant;

(4) By providing, upon the licensee’s initial in-person contact with the patient, a business card or similar document which identifies the licensee as a physician assistant (P.A.);

(5) By placing notification in the lobby or waiting area of the location where the licensee practices, which contains a photo of the licensee and which identifies the licensee as a physician assistant (P.A.).

Specific Authority 458.347, 456.072(1)(t) FS. Law Implemented 456.072(1)(t) FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-31.0051

Disclosure of Licensure Status

PURPOSE AND EFFECT: The Board proposes the development of a new rule to address recent legislation requiring appropriate notification to patients with regard to licensure status with regard to anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Appropriate disclosure of licensure status.

SPECIFIC AUTHORITY: 458.3475, 456.072(1)(t) FS.

LAW IMPLEMENTED: 456.072(1)(t) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-31.0051 Disclosure of Licensure Status.

All persons licensed pursuant to Section 458.3475, Florida Statutes, and not exempt pursuant to Section 456.072(1)(t), Florida Statutes, shall identify the license under which he or she practices in one of the following manners:

(1) The wearing of a name tag which identifies the licensee as an anesthesiologist assistant (A.A.);

(2) The wearing of an article of clothing on the upper body which identifies the licensee as an anesthesiologist assistant (A.A.);

(3) By orally disclosing to the patient, upon the licensee's initial in-person contact with the patient, that the licensee is an anesthesiologist assistant;

(4) By providing, upon the licensee's initial in-person contact with the patient, a business card or similar document which identifies the licensee as an anesthesiologist assistant (A.A.);

(5) By placing notification in the lobby or waiting area of the location where the licensee practices, which contains a photo of the licensee and which identifies the licensee as an anesthesiologist assistant (A.A.).

Specific Authority 458.3475, 456.072(1)(t) FS. Law Implemented 456.072(1)(t) FS. History-New

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.:	RULE TITLES:
64B15-6.0035	Physician Assistant Licensure Renewal and Reactivation
64B15-6.013	Physician Assistant Fees

PURPOSE AND EFFECT: The Board proposes the development of rules to address statutory changes regarding CME; the criteria for reactivation of retired status license; and the fee for reactivation of a retired status license with regard to physician assistants.

SUBJECT AREA TO BE ADDRESSED: Continuing medical education requirements and reactivation of retired status criteria and fees.

SPECIFIC AUTHORITY: 456.013, 456.033(1), 456.036, 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 456.036, 459.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-6.0035 Physician Assistant Licensure Renewal and Reactivation.

(1) No change.

(2) Requirements for Renewal.

(a) through (b) No change.

(c) If requested by the Council, the Physician Assistant must submit a notarized copy of a current certificate issued by the National Commission on Certification of Physician Assistants or must be able to produce evidence that the 100 CME hours have been approved by the American Academy of Physician Assistants and logged with either the American Academy of Physician Assistants or the National Commission of Certification of Physician Assistants for the relevant biennium. Of the 100 CME hours, a minimum of 50 hours must be Category I CME. The remaining 50 hours may be Category II CME.

(d) through (f) No change.

(3) through (8) No change.

(9) Reactivation of a retired status license. To reactivate the license of a retired status licensee whose license has been on retired status for more than five (5) years or a licensee from another state who has not been in the active practice of osteopathic medicine within the past five (5) years shall be required to appear before the Council and establish the ability to practice with the care and skill sufficient to protect the health, safety, and welfare of the public. At the time of such appearance, the physician assistant must:

(a) Surrender to the Department the original retired status license;

(b) Provide the Department with licensure verification from each state in which the licensee is licensed to practice as a physician assistant, or a statement that the licensee is licensed only in Florida;

(c) Provide to the Department a statement of medical activities from the date the licensee entered retired status to the present;

(d) Provide documentation of successful completion of the 16 credit hour Graduate Clerkship offered by Nova Southeastern University (Physician Assistant Department) or an equivalent program approved by the Council;

(e) Practice under the direct supervision of a supervising physician approved by the Council for one (1) year;

(f) Submit proof of completion of the continuing medical education requirements in compliance with paragraphs 64B15-6.0035(2)(c)-(f), F.A.C., for each biennium in which the license was inactive; and

(g) Pay the appropriate fees set forth in Section 456.036(4)(b), F.S. and subsections 64B15-6.013(6) and (10), F.A.C.

(h) In lieu of proof of completion of the Graduate Clerkship or the equivalent, the licensee may submit proof of recertification by NCCPA.

(10) The Department shall refuse to reactivate the license of a retired status physician assistant who is under investigation or prosecution in any jurisdiction for an action that would constitute a violation of this chapter or the professional practice acts administered by the department and the boards, until 15 days after the Department receives the final results of the investigation or prosecution.

Specific Authority 456.013, 456.033(1), 459.005, 459.022 FS. Law Implemented 456.013, 456.031, 459.022(7)(b), (c) FS. History—New 10-28-87, Amended 4-21-88, 1-3-93, Formerly 21R-6.0035, Amended 11-4-93, 3-29-94, Formerly 61F9-6.0035, 59W-6.0035, Amended 6-7-98, 10-16-01, 3-10-02, 7-13-04, 7-27-04, 2-25-07, _____.

64B15-6.013 Physician Assistants Fees.

The following fees are prescribed by the Council and adopted by the Boards:

- (1) through (5) No change.
- (6) The reactivation fee for an inactive or retired status physician assistant license certification pursuant to Section 458.347(7) or 459.022(7), F.S., shall be \$100. Reactivation shall require payment of all the applicable renewal fees and the reactivation fee.
- (7) The duplicate license certification fee shall be \$25.00.
- (8) through (9) No change.
- (10) The fee for a retired status license shall be \$50.00 for a physician assistant.

Specific Authority 456.036(5),(7), 459.005, 459.009, 459.022(7) FS. Law Implemented 456.036(5),(7), 459.009, 459.022(7) FS. History—New 11-4-93, Amended 2-20-94, Formerly 61F9-6.013, 59W-6.013, Amended 8-11-98, 2-23-04, 7-27-04, 12-6-04, _____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.015
 RULE TITLE: Disclosure of Licensure Status
 PURPOSE AND EFFECT: The Board proposes the development of a rule to address appropriate disclosure of licensure status to patients.

SUBJECT AREA TO BE ADDRESSED: Requirements for appropriate disclosure of licensure status to patients.

SPECIFIC AUTHORITY: 456.072(1)(t), 459.022 FS.

LAW IMPLEMENTED: 456.072(1)(t) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-6.015 Disclosure of Licensure Status.

All persons licensed pursuant to Section 459.022, Florida Statutes, and not exempt pursuant to Section 456.072(1)(t), Florida Statutes, shall identify the license under which he or she practices in one of the following manners:

- (1) The wearing of a name tag which identifies the licensee as a physician assistant (P.A.);
- (2) The wearing of an article of clothing on the upper body which identifies the licensee as a physician assistant (P.A.);
- (3) By orally disclosing to the patient, upon the licensee's initial in-person contact with the patient, that the licensee is a physician assistant;
- (4) By providing, upon the licensee's initial in-person contact with the patient, a business card or similar document which identifies the licensee as a physician assistant (P.A.);
- (5) By placing notification in the lobby or waiting area of the location where the licensee practices, which contains a photo of the licensee and which identifies the licensee as a physician assistant (P.A.).

Specific Authority 459.022, 456.072(1)(t) FS. Law Implemented 456.072(1)(t) FS. History—New _____.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.013
RULE TITLE: Disclosure of Licensure Status
PURPOSE AND EFFECT: The Board proposes the development of a new rule to address recent legislation requiring appropriate notification to patients with regard to licensure status with regard to anesthesiologist assistants.
SUBJECT AREA TO BE ADDRESSED: Appropriate disclosure of licensure status.
SPECIFIC AUTHORITY: 459.023, 456.072(1)(t) FS.
LAW IMPLEMENTED: 456.072(1)(t) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela King, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B15-7.013 Disclosure of Licensure Status.

All persons licensed pursuant to Section 459.023, Florida Statutes, and not exempt pursuant to Section 456.072(1)(t), Florida Statutes, shall identify the license under which he or she practices in one of the following manners:

- (1) The wearing of a name tag which identifies the licensee as an anesthesiologist assistant (A.A.);
- (2) The wearing of an article of clothing on the upper body which identifies the licensee as an anesthesiologist assistant (A.A.);
- (3) By orally disclosing to the patient, upon the licensee's initial in-person contact with the patient, that the licensee is an anesthesiologist assistant;
- (4) By providing, upon the licensee's initial in-person contact with the patient, a business card or similar document which identifies the licensee as an anesthesiologist assistant (A.A.);
- (5) By placing notification in the lobby or waiting area of the location where the licensee practices, which contains a photo of the licensee and which identifies the licensee as an anesthesiologist assistant (A.A.).

Specific Authority 459.023, 456.072(1)(t) FS. Law Implemented 456.072(1)(t) FS. History-New _____.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-6.007
RULE TITLE: Continuing Education Requirements for Reactivation of License
PURPOSE AND EFFECT: This rule amendment will clarify requirements for continuing education as it relates to the HIV course.
SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements for Reactivation of License.
SPECIFIC AUTHORITY: 456.036, 468.353 FS.
LAW IMPLEMENTED: 468.363 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: Susie Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B32-6.007 Continuing Education Requirements for Reactivation of License.

The continuing education requirements for reactivation of a license shall be:

- (1) Those requirements specified in subsection 456.036(10), Florida Statutes; and
- (2) Documented proof of completion of 24 hours of approved continuing education as provided in this rule chapter and including HIV/AIDS and medical error prevention, for the preceding biennium during which the licensee held an active license.

Specific Authority 456.036, 468.353 FS. Law Implemented 468.363 FS. History-New 10-11-04, Amended _____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-6.001	General
64E-6.002	Definitions
64E-6.003	Permits
64E-6.004	Application for System Construction Permit
64E-6.005	Location and Installation
64E-6.006	Site Evaluation Criteria
64E-6.008	System Size Determinations
64E-6.009	Alternative Systems

64E-6.010	Septage and Food Establishment Sludge
64E-6.0101	Portable Restrooms and Holding Tanks
64E-6.011	Abandonment of Systems
64E-6.012	Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units
64E-6.013	Construction Materials and Standards for Treatment Receptacles
64E-6.014	Construction Standards for Grainfield Systems
64E-6.015	Permitting and Construction of Repairs
64E-6.0151	Additive Use
64E-6.016	U.S. Department of Agriculture Soil Textural Classification System
64E-6.017	Definitions
64E-6.018	System Location, Design and Maintenance Criteria
64E-6.0181	Cesspit and Undocumented System Replacement and Interim System Use
64E-6.0182	Coordinated Permitting
64E-6.019	Requirements for Registration
64E-6.020	Master Septic Tank Contractors
64E-6.021	Issuance of Registration Certificates and Renewal
64E-6.022	Standards of Practice and Disciplinary Guidelines
64E-6.023	Certification of Partnerships and Corporations
64E-6.025	Definitions
64E-6.026	Applications for Innovative System Permits and System Construction Permits
64E-6.027	Permits
64E-6.028	Location and Installation
64E-6.029	Monitoring
64E-6.0295	Innovative System Reclassification
64E-6.030	Fees

PURPOSE AND EFFECT: Develop rules to incorporate necessary technical changes and incorporate modifications proposed through the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Onsite sewage treatment and disposal system design, permitting, construction, modification, repair and maintenance; Septic Tank Contractor registration and training standards; Septage treatment and disposal; and Performance-based treatment standards.

SPECIFIC AUTHORITY: 381.0011(4), (13), 381.0065(3)(a), 489.553 (3), 489.557(1) FS.

LAW IMPLEMENTED: 381.0065, 381.0066, 381.0067, 381.0069, 386.041, 489.552, 489.553, 489.557 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: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-38.001	Purpose
67-38.002	Definitions
67-38.0026	General Program Requirements and Restrictions
67-38.003	Application Submission Procedures
67-38.004	Incomplete Applications and Rejection Criteria
67-38.005	Application Evaluation and Award Guidelines
67-38.007	Terms of the PLP Loan
67-38.008	Eligible Uses for the Loan
67-38.010	Credit Underwriting Procedures
67-38.011	Fees
67-38.014	Disbursement Procedures

PURPOSE AND EFFECT: This Rule establishes the procedures by which the Florida Housing Finance Corporation shall administer the Predevelopment Loan Program (PLP) which helps to fund the initial and up front costs associated with the building or rehabilitation of affordable housing. These funds may be requested by any unit of government, public housing authority established pursuant to Chapter 421, F.S., community-based or not-for-profit organization, for-profit entity wholly owned by one or more qualified not-for-profit organizations, or limited partnership with the community-based or not-for-profit organization that holds at least 51% of the ownership not owned by a for-profit entity and must materially participate in the development and operation of the Development. Revisions to the Rule are required to implement technical and clarifying changes. The adoption of these revisions will increase the efficiency and effectiveness for program service delivery and will provide greater clarification of the program.

SUBJECT AREA TO BE ADDRESSED: A Rule Development Workshop will be held to receive comments and suggestions from interested persons relative to program requirements as specified in Rule Chapter 67-38, Florida Administrative Code.

SPECIFIC AUTHORITY: 420.528 FS.

LAW IMPLEMENTED: 420.507, 420.521-.529 FS.

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

DATE AND TIME: April 16, 2007, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, Seltzer Room, Sixth Floor, 227 North Bronough Street, Tallahassee, Florida 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Robert Dearduff, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: The preliminary text of the proposed rule development will be available on Florida Housing Finance Corporation's web site, www.floridahousing.org

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NOS.:	RULE TITLES:
6E-1.003	Definition of Terms
6E-1.0032	Fair Consumer Practices

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to clarify existing definitions and provide additional definitions for terms used in the institutional licensing and oversight process, and to clarify provisions related to evaluation of institutions, advertising, and disclosures to students.

SUMMARY: These rules are amended to clarify existing definitions and provide additional definitions for terms used in the institutional licensing and oversight process, and to clarify provisions related to evaluation of institutions, advertising, and disclosures to students.

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

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

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.34 FS.

LAW IMPLEMENTED: 1005.04, 1005.22, 1005.31, 1005.32(5), 1005.34 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Equity and Access at (850)245-0511. 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 RULES IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULES IS:

6E-1.003 Definition of Terms.

Terms used in these rules are defined in Section 1005.02, F.S. In addition, as used in the rules of this Commission, unless the context clearly indicates otherwise:

(1) through (5) No change.

(6) "Applied General Education" means courses directly related and applicable to a specific occupation, fulfilling the general education requirements for an occupational associate degree as described in subparagraph 6E-2.004(4)(n)1., F.A.C., in natural and physical sciences, social and behavioral sciences, language, ~~composition~~ and ~~writing skills~~, and humanities and the arts.

(7) through (9) No change.

(10) Change in Control means any change in the organization of an institution which affects the authority to establish or modify institutional policies, standards, and procedures. A change in control occurs when a person acquires or loses control of an institution or of the parent corporation that owns the institution, whether by means of the sale of the institution, sale of the assets, transfer of the controlling interest of stock, conversion of the institution from nonprofit to for-profit or vice versa, or similar transaction. A change in control does not occur upon the retirement or death of the