

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-1.0391 Grading System for State-Approved
 Supplemental Educational Services
 Providers

PURPOSE AND EFFECT: The purpose of this rule development is to implement a grading system for state-approved supplemental educational services providers as required by the 2008 amendments to Section 1008.331, Florida Statutes. The effect is a rule that is consistent with Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Supplemental educational services in Title I schools.

SPECIFIC AUTHORITY: 1008.331 FS.

LAW IMPLEMENTED: 1008.331 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: December 16, 2008, 9:00 a.m. – 12:00 noon

PLACE: Orange County Public Schools, 445 West Amelia Street, Orlando, FL 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samantha Love, Policy Consultant, Bureau of Student Assistance, 325 West Gaines Street, Tallahassee, FL 32399, (850)245-9947

TO REQUEST A RULE DEVELOPMENT WORKSHOP, PLEASE CONTACT: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: RULE TITLE:
 9B-72.090 Product Approval by the
 Commission

PURPOSE AND EFFECT: To address the availability and conditions of self certification of compliance with an updated version of the Florida Building Code when documentation supporting a product approval to a preceding edition of the Code specifically refers to that earlier edition.

SUBJECT AREA TO BE ADDRESSED: Product approval and revisions as a result of an updated edition of the Florida Building Code.

SPECIFIC AUTHORITY: 553.77(1)(i), 553.842(1) FS.

LAW IMPLEMENTED: 553.842(1), (2) FS.

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

DATE AND TIME: December 15, 2008, 10:00 a.m., or as soon thereafter as the matter is brought before the Commission in accordance with its agenda

PLACE: Room 310M, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399 AND via communications media technology, specifically a telephone conference call. Please refer to the meeting notice for the Florida Building Commission for call-in information.

Any person requiring special accommodation at the workshop because of a disability or physical impairment should contact: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, LFlorida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at (800)955-8770 (Voice) or (800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399, (850)487-1824

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: RULE TITLE:
 9B-72.180 Equivalence of Standards

PURPOSE AND EFFECT: To review standards for equivalence to those referenced in the Florida Building Code and, if appropriate, authorize the use of analysis performed in accordance with the alternative standards for Florida Product Approval.

SUBJECT AREA TO BE ADDRESSED: Standards for the approval of products by the Florida Building Commission.

SPECIFIC AUTHORITY: 553.77(1)(i), 553.842(1) FS.

LAW IMPLEMENTED: 553.842(1), (2) FS.

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

DATE AND TIME: December 15, 2008, 10:00 a.m., or as soon thereafter as the matter is brought before the Commission in accordance with its agenda

PLACE: Room 310M, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399 AND via communications media technology, specifically a telephone conference call. Please refer to the meeting notice for the Florida Building Commission for call-in information.

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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824. 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: Ila Jones, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: 12D-16.002
RULE TITLE: Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed revisions to this rule is to list the proposed new and amended forms that will support the proposed new rules in: a) Rule Chapter 12D-9, Florida Administrative Code (Requirements for Value Adjustment Boards; Uniform Rules of Procedure For Hearings Before Value Adjustment Boards; Certification and Complaints); and, b) the proposed new and revised rules in Rule Chapter 12D-10, Florida Administrative Code (Requirements For Decisions by Value Adjustment Boards). Notices for rule development workshops for the proposed rules at which versions of these new and amended forms were also discussed were published on: July 11, 2008, for a workshop that was held in Ft. Lauderdale, FL, on July 28, 2008 (see Vol. 34, No. 28, pp. 3613-3614 of the Florida Administrative Weekly/F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; July 18, 2008, for a workshop that was held in Live Oak, FL., on August 6, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; July 18, 2008, for a workshop that was held in Tallahassee, FL. on August 12, 2008 (see Vol. 34, No. 29, p. 3668 of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; September 19, 2008, for a workshop that was held in Tampa, FL. on October 13, 2008 (see Vol. 34, No. 38, p. 4803, of the F. A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490;

September 19, 2008, for a workshop that was held in Panama City, FL. on October 17, 2008 (see Vol. 34, No. 38, p. 4803, of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-486, and DR-490; October 31, 2008, for a workshop that was held in Orlando, FL., on November 19, 2008 (see Vol. 34, No.44, pp. 5709-5711 of the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-485NC, DR-485R, DR-486, DR-486PC, DR-486PORT, DR-486XCO, DR-488, DR-490, DR-490PORT, and DR-529 (form DR-490PORT was adopted by Emergency Rule 12DER08-25, and forms DR-486PORT and DR-486XCO were adopted by Emergency Rule 12DER08-26, effective July 18, 2008); and, October 31, 2008, for a workshop that was held in Miami, FL on November 20, 2008 (see Vol. 34, No. 44, pp. 5709-5711 if the F.A.W.) on proposed forms DR-485, DR-485MAG, DR-485NC, DR-485R, DR-486, DR-486PC, DR-486PORT, DR-486XCO, DR-488, DR-490, DR-490PORT and DR-529 (form DR-490PORT was adopted by Emergency Rule 12DER08-25, and forms DR-486PORT and DR-486XCO were adopted by Emergency Rule 12DER08-26, effective July 18, 2008). Members of the public attended each of these workshops and made comments on the proposed rules and the proposed new and revised forms. In addition, written comments have been submitted to the Department by email, and to an Internet site at <http://dor.myflorida.com/dor/property/vabwb/vabws.html>, which was created specifically to give the public access to all revised versions of the proposed rules and forms, to give the public a site to submit comments, and to view the comments submitted by others.

The effect of these proposed rules is that taxpayers who petition property tax matters to Value Adjustment Boards, including property tax assessments, denials of classifications, and denials of exemptions, have an opportunity to comment on, and to have access to, the forms that support the procedures that govern the hearing of their petitions, that document certification by the board regarding compliance with such procedures, and that provide a standard form for submitting complaints regarding noncompliance with such procedures.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed by these proposed revisions to Rule 12D-16.002, Florida Administrative Code, is the new and revised forms that support the proposed new and amended rules on value adjustment board (the board) procedures. These proposed board procedures are contained in new Rule Chapter 12D-9 and revised Rule Chapter 12D-10, Florida Administrative Code.

SPECIFIC AUTHORITY: 194.011(5), 194.034, 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: ss. 3, 4, 5, and 6, Ch. 2008-197, L.O.F., 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011,

196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 197.182, 197.222, 197.253, 197.304, 197.3041, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66, Ch. 475, Part II 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 2 days before the workshop/meeting by contacting: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Janice Forrester, Tax Auditor IV, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, telephone (850)922-7945, ForrestJ@dor.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

12D-16.002 Index to Forms.

(1) The following paragraphs list the forms utilized by the Department of Revenue. A copy of these forms may be obtained by writing to: Director, Property Tax Administration Program, Department of Revenue, Post Office Box 3000, Tallahassee, Florida 32315-3000. The Department of Revenue adopts, and hereby incorporates by reference in this rule, the following forms and instructions:

Form Number	Title	Effective Date
(2) through (23)	No change.	
(24)(a) DR-485	Final Decision Record of Decision and Notice of the Value Adjustment Board (r. 3/09 12/96)	12/96
(b) DR-485MAG	Recommended Decision of Special Magistrate (n. 3/09)	—
(c) DR-485NC	Notice of Noncompliance – Value Adjustment Board (n. 3/09)	—
(d) DR-485R	Value Adjustment Board Remand To Property Appraiser (n. 3/09)	—

(25)(a) DR-486	Petition to <u>The Value Adjustment Board-Request for Hearing</u> (r. 3/09 12/96)	12/96
(b) DR-486PC	<u>Value Adjustment Board Procedural Complaint</u>	—
(c) DR-486PORT	<u>Petition to Value Adjustment Board-Transfer of Homestead Assessment Difference</u> (n. 7/08)	—
(d) DR-486XCO	<u>Cross-County Notice of Appeal and Petition-Transfer of Homestead Assessment Difference</u> (n. 7/08)	—
DR-486T	<u>Petition to Value Adjustment Board-Tangible Personal Property</u> (r. 2/92)	12/94
(e) DR-487	Certification of Compliance (r. 12/99)	12/96
(26) DR-488	<u>Certification Certificate of Value Adjustment Board</u> (r. 3/09 3/92)	1/00
(27) through (28)(d)	No change.	
(29)(a) DR-490	Notice of Disapproval of Application for Property Tax Exemption or <u>Agricultural or High Water Recharge Classification of Lands</u> by The County Property Appraiser (r. 3/09 12/03)	1/04
(b) DR-490PORT	<u>Notice of Denial of Transfer of Homestead Assessment Difference</u> (n. 7/08)	—
(b) DR-491	<u>Notice of Denial of Application for Agricultural or High Water Recharge Classification of Lands</u> (r. 12/96)	12/96
(30)(a) through (50)(b)	No change.	
(c) DR-529	Notice – of Tax Impact of Value Adjustment Board (r. 3/09 12/96)	12/96
(51)(a) through (56)(d)	No change.	
(57)(a) DR-572	<u>Petition to Value Adjustment Board— Homestead Tax Deferral</u> (r. 6/91)	6/91
(b) DR-572WF	<u>Petition to Value Adjustment Board Recreational and Commercial Working Waterfronts</u> (n. 12/05)	1/06
(a)(e) DR-584	Tax Collectors Budget Schedule (r. 2/94)	12/94
(b)(d) DR-585	Minimum Standards Contract (n. 8/77)	8/77

(58) through (61)(b) No change.

Specific Authority 195.027(1), 213.06(1) FS. Law Implemented 92.525, 95.18, 136.03, 192.001(18), 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.461, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 195.095, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 197.182, 197.222, 197.253, 197.304, 197.3041, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.66 FS. History–New 10-12-76, Amended 4-11-80, 9-17-80, 5-17-81, 1-18-82, 4-29-82, Formerly 12D-16.02, Amended 12-26-88, 1-9-92, 12-10-92, 1-11-94, 12-27-94, 12-28-95, 12-25-96, 12-30-97, 12-31-98, 2-3-00, 1-9-01, 12-27-01, 1-20-03, 1-26-04, 12-30-04, 1-16-06, 10-2-07,

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-10.006
RULE TITLE: Additional Permitting Criteria
PURPOSE AND EFFECT: A new subsection (9) is added to Rule 14-10.006, F.A.C., to define the term “Changed Conditions.”
SUBJECT AREA TO BE ADDRESSED: A new subsection (9) is added to Rule 14-10.006, F.A.C., is added to define the term “Changed Conditions” as it relates to Section 479.01(14), F.S.

SPECIFIC AUTHORITY: 334.044(2), 479.02(1), (7) FS.
LAW IMPLEMENTED: 339.05, 479.01(14), 479.02, 479.07(9), 479.08, 479.11 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: December 16, 2008, 1:30 p.m.
PLACE: Department of Transportation, Haydon Burns Building, Suwannee Room (Room 250), 606 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-10.006 Additional Permitting Criteria.
 Each application for an outdoor advertising sign permit shall meet the requirements of Sections 479.07(9) and 479.11, F.S. In addition, an application must comply with the requirements of the agreement between the state and the United States Department of Transportation referenced in Section 479.02(1),

F.S., which have not been duplicated in Sections 479.07(9) and 479.11, F.S., or superseded by stricter provisions in those statutes. The requirements are:

(1) through (8) No change.

(9) The term “changed conditions” referenced in Section 479.01(14), F.S., defining nonconforming signs, means only the actions of a governmental entity, as defined by Section 11.45, F.S., which includes for example: Rezoning of a commercial area to a noncommercial area, reclassifying a secondary highway as a primary highway, or altering a highway’s configuration causing a preexisting sign to become subject to the Department’s jurisdiction.

Specific Authority 334.044(2), 479.02(7) FS. Law Implemented 339.05, 479.01(14), 479.02, 479.07(9), 479.08, 479.11 FS. History–New 3-28-77, Amended 12-10-77, 1-1-86, Formerly 14-10.06, Amended 12-26-95, 6-28-98, 8-19-01, 12-31-06,

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NOS.:	RULE TITLES:
15A-11.001	Definitions
15A-11.002	Licenses Generally
15A-11.003	Licensee Requirements and Limitations
15A-11.004	Licenses; Business and Instruction Facilities
15A-11.0045	Program of Instruction; Content; Conduct of Program
15A-11.005	Schools; Records Required to be Kept
15A-11.006	Schools; Contracts; Contents
15A-11.007	Motor Vehicle; Identification Certificate; Signs
15A-11.008	Soliciting and Advertising
15A-11.009	Instructor Certificates Qualifications
15A-11.010	General Regulations and Policies
15A-11.011	Denial, Revocation, Etc, of License or Certificate

PURPOSE AND EFFECT: A new rule is proposed to regulate businesses and their instructors that teach people to drive motor vehicles. Truck driving schools are regulated elsewhere, however, the rule will also provided for truck instructor certification and for registering vehicles used in truck driving schools.

SUBJECT AREA TO BE ADDRESSED: The proposed rule action provides for licensure of a business (school) and their instructors, including registration of vehicles used to teach students how to drive. Similar provisions apply to truck driving school instructors and the vehicles those schools use.

SPECIFIC AUTHORITY: 488.02 FS.

LAW IMPLEMENTED: Ch. 488 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: December 17, 2008, 3:00 p.m.

PLACE: Neil Kirkman Building, Executive Conference Room, 2900 Apalachee Parkway, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike McGlockton, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B214, Tallahassee, FL 32399-0500, (850)617-2505

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Driver Licenses

RULE NO.: RULE TITLE:
15A-12.001 Definitions

PURPOSE AND EFFECT: A new rule is proposed to provide recognition of the Department’s Florida Rider Training Program (FRTP) contract that currently governs organizations that teach the Basic Rider Course, the Experienced Rider Course and the Riders Edge training for motorcycle operators.

SUBJECT AREA TO BE ADDRESSED: The proposed rule action adopts the FRTP contract by reference. The contract provides for contractor and Rider Coach criteria, course curriculum and course presentation. There is not a current rule on the program.

SPECIFIC AUTHORITY: 322.0255, 322.02 FS.

LAW IMPLEMENTED: 322.0255, 322.02 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: December 17, 2008, 4:00 p.m.

PLACE: Neil Kirkman Building, Executive Conference Room, 2900 Apalachee Parkway, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Natalie Renfroe, Bureau of Driver Education and DUI Programs, 2900 Apalachee Parkway, Room B211-D, Tallahassee, FL 32399-0500; (850)617-2505

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.”

ADMINISTRATION COMMISSION

RULE NOS.:	RULE TITLES:
28-18.100	Purpose and Effect
28-18.200	Comprehensive Plan

PURPOSE AND EFFECT: Proposal to adopt a new rule for the City of Marathon Comprehensive Plan to implement the Section 380.0552(4), Florida Statutes, requirements for annual reporting to the Administration Commission describing the progress of the City of Marathon in accomplishing the remaining tasks under the Work Program as set forth in Rule 28-20.110, F.A.C., and to determine whether substantial progress has been achieved for removal of the Florida Keys Area of Critical State Concern designation.

SUBJECT AREA TO BE ADDRESSED: The protection of the natural environment of the Florida Keys, and the identification of and progress in accomplishing the tasks under Work Program (as set out in Rule 28-20.110, F.A.C.) to be reported in the Department of Community Affairs written annual report to the Administration Commission. The Work Program task includes the continued implementation of the Wastewater Master Plan and the construction of wastewater treatment and collection facilities; the continued implementation of the Florida Keys Carrying Capacity Study; the identification and completion of stormwater projects; and the analysis of hurricane evacuation issues in the Florida Keys.

SPECIFIC AUTHORITY: 380.0552(9), 380.05(22) FS.

LAW IMPLEMENTED: 380.0552 FS.

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

DATE AND TIME: December 17, 2008, 4:00 p.m. – 6:00 p.m.

PLACE: Marathon Fire Rescue Department, 8900 Overseas Highway, Marathon, 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 7 days before the workshop/meeting by contacting: Barbara Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone (850)922-1782. 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: Barbara

Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone (850)922-1782

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

ADMINISTRATION COMMISSION

RULE NO.: 28-19.300
 RULE TITLE: Comprehensive Plan

PURPOSE AND EFFECT: Proposal to adopt a new rule for the Islamorada, Village of Islands Comprehensive Plan to implement the Section 380.0552(4), Florida Statute, requirements for annual reporting to the Administration Commission describing the progress of the Village of Islamorada in accomplishing the remaining tasks under the Work Program as set forth in Rule 28-20.110, F.A.C., and to determine whether substantial progress has been achieved for removal of the Florida Keys Area of Critical State Concern designation.

SUBJECT AREA TO BE ADDRESSED: The protection of the natural environment of the Florida Keys, and the identification of and progress in accomplishing the tasks under Work Program (as set out in Rule 28-20.110, F.A.C.) to be reported in the Department of Community Affairs written annual report to the Administration Commission. The Work Program task includes the continued implementation of the Wastewater Master Plan and the construction of wastewater treatment and collection facilities; the continued implementation of the Florida Keys Carrying Capacity Study; the identification and completion of stormwater projects; and the analysis of hurricane evacuation issues in the Florida Keys.

SPECIFIC AUTHORITY: 380.0552(9), 380.05(22) FS.

LAW IMPLEMENTED: 380.0552 FS.

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

DATE AND TIME: December 16, 2008, 4:00 p.m. – 6:00 p.m.
 PLACE: Islamorada Fire Station 20, Second Floor, 81500 Overseas Highway, Islamorada, 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 7 days before the workshop/meeting by contacting: Barbara Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone (850)922-1782. 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: Barbara

Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Telephone (850)922-1782

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

ADMINISTRATION COMMISSION

RULE NO.: 28-20.130
 RULE TITLE: Comprehensive Plan

PURPOSE AND EFFECT: Proposal to adopt a new rule for the Monroe County Comprehensive Plan to implement the Section 380.0552(4), Florida Statute, requirements for annual reporting to the Administration Commission describing the progress of Monroe County in accomplishing the remaining tasks under the Work Program as set forth in Rule 28-20.110, F.A.C., and to determine whether substantial progress has been achieved for removal of the Florida Keys Area of Critical State Concern designation.

SUBJECT AREA TO BE ADDRESSED: The protection of the natural environment of the Florida Keys, and the identification of and progress in accomplishing the tasks under Work Program (as set out in Rule 28-20.110, F.A.C.) to be reported in the Department of Community Affairs written annual report to the Administration Commission. The Work Program task includes the continued implementation of the Wastewater Master Plan and the construction of additional wastewater treatment and collection facilities; the continued implementation of the Florida Keys Carrying Capacity Study; the identification and completion of stormwater projects; and the analysis of hurricane evacuation issues in the Florida Keys.

SPECIFIC AUTHORITY: 380.0552(9), 380.05(22) FS.

LAW IMPLEMENTED: 380.0552 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: December 16, 2008, 2:00 p.m. – 4:00 p.m.
 PLACE: Islamorada Fire Station 20, Second Floor, 81500 Overseas Highway, Islamorada, Florida

Additional Workshops will be held as follows:

DATE AND TIME: December 17, 2008, 12:00 Noon – 2:00 p.m.

PLACE: Marathon Fire Rescue Department, 8900 Overseas Highway, Marathon, Florida

DATE AND TME: December 18, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Monroe County Courthouse, 302 Fleming Street, Key West, 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 7 days before the workshop/meeting by contacting: Barbara Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1782. 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: Barbara Powell, Community Planner, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, telephone (850)922-1782

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:
40B-3.101 Content of Application

PURPOSE AND EFFECT: The purpose of the rule development is to update this section of Chapter 40B-3, Florida Administrative Code, to require proof of real property ownership and tax parcel identification numbers on water well construction permit applications. The effect of the proposed rule amendments will assist staff in ensuring that permits are issued for the correct parcel, and will provide for better identification of wells for public inquiries.

SUBJECT AREA TO BE ADDRESSED: This proposed rule development will require proof of real property ownership and tax parcel identification numbers on water well construction permit applications, thereby ensuring that permits are issued for the correct parcel, and providing better identification of wells in the future.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.309, 373.313, 373.326, 373.324, 373.0877 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: Linda Welch, Administrative Assistant, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only).

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: RULE TITLES:
40E-2.010 Review of Consumptive Use Permit Applications
40E-2.011 Policy and Purpose

40E-2.031 Implementation
40E-2.041 Permits Required
40E-2.051 Exemptions
40E-2.061 No-Notice General Permit by Rule
40E-2.091 Publications Incorporated by Reference
40E-2.101 Content of Application
40E-2.301 Conditions for Issuance of Permits
40E-2.321 Duration of Permit
40E-2.331 Modification of Permits
40E-2.341 Revocation of Permits
40E-2.351 Transfer of Permits
40E-2.381 Limiting Conditions
40E-2.441 Temporary Permits
40E-2.451 Emergency Authorization
40E-2.501 Permit Classification

PURPOSE AND EFFECT: To assure water necessary for the protection of fish and wildlife in the Kissimmee River, the Floodplain and the Upper Chain of Lakes.

SUBJECT AREA TO BE ADDRESSED: Water reservation for the portions of the Kissimmee River (upstream of S-65E), Floodplain and Upper Chain of Lakes in volumes, locations and seasons of the year as is necessary for the protection of fish and wildlife.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS.

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

DATE AND TIME: December 11, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Osceola County Commission Chambers, Administration Building, 1 Courthouse Square, Fourth Floor, Kissimmee, FL 34741

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: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. 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: Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 4224 or (561)682-4224, email: sburns@sfwmd.gov; Elizabeth D. Ross, Senior Specialist Attorney, P. O. Box 24680, West Palm Beach,

FL 33416-4680, (800)432-2045, ext. 6257 or (561)682-6257, email: bross@sfwmd.gov. For procedural questions, contact Jan Sluth, Senior Paralegal, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-10.011	Purpose and General Provisions
40E-10.021	Definitions
40E-10.031	Implementation Tools
40E-10.221	Protected Natural Systems Water Bodies
40E-10.321	Regional Wetland Systems
40E-10.421	Water Reservations
40E-10.461	Water Reservation Areas: Kissimmee Planning Area

PURPOSE AND EFFECT: To assure water necessary for the protection of fish and wildlife in the Kissimmee River, the Floodplain and the Upper Chain of Lakes.

SUBJECT AREA TO BE ADDRESSED: Water reservation for the portions of the Kissimmee River (upstream of S-65E), Floodplain and Upper Chain of Lakes in volumes, locations and seasons of the year as is necessary for the protection of fish and wildlife.

SPECIFIC AUTHORITY: 373.106, 373.044, 373.103(1), 373.113, 373.171, 373.216, 373.219, 373.223, 373.229, 373.233 FS.

LAW IMPLEMENTED: 373.216, 373.219, 373.223, 373.229, 373.233, 373.239, 373.249 FS.

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

DATE AND TIME: December 11, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Osceola County Commission Chambers, Administration Building, 1 Courthouse Square, Fourth Floor, Kissimmee, FL 34741

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: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. 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: Scott Burns, Director, Everglades Water Supply Policy, South

Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 4224 or (561)682-4224, email: sburns@sfwmd.gov; Elizabeth D. Ross, Senior Specialist Attorney, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6257 or (561)682-6257, email: bross@sfwmd.gov. For procedural questions, contact: Jan Sluth, Senior Paralegal, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-20.010	Review of General Water Use Permit Applications
40E-20.011	Policy and Purpose
40E-20.061	Delegation of Authority Pertaining to General Water Use Permits
40E-20.091	Publications Incorporated by Reference
40E-20.101	Content of General Water Use Permit Applications
40E-20.141	Request for Additional Information
40E-20.301	Conditions for Issuance of General Water Use Permits
40E-20.302	Types of General Water Use Permits
40E-20.321	Duration of General Water Use Permits
40E-20.331	Modification of General Water Use Permits
40E-20.341	Revocation of General Water Use Permits
40E-20.351	Transfer of General Water Use Permits
40E-20.381	Limiting Conditions
40E-20.391	Publication

PURPOSE AND EFFECT: To assure water necessary for the protection of fish and wildlife in the Kissimmee River, the Floodplain and the Upper Chain of Lakes.

SUBJECT AREA TO BE ADDRESSED: Water reservation for the portions of the Kissimmee River (upstream of S-65E), Floodplain and Upper Chain of Lakes, in volumes, locations and seasons of the year as is necessary for the protection of fish and wildlife.

SPECIFIC AUTHORITY: 373.044, 373.083, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.083, 373.103(4), 373.118, 373.219 FS.

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

DATE AND TIME: December 11, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Osceola County Commission Chambers, Administration Building, 1 Courthouse Square, Fourth Floor, Kissimmee, FL 34741

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: South Florida Water Management District Clerk, (800)432-2045, ext. 2087 or (561)682-2087. 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: Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 4224 or (561)682-4224, email: sburns@sfwmd.gov; Elizabeth D. Ross, Senior Specialist Attorney, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6257 or (561)682-6257, email: bross@sfwmd.gov. For procedural questions, contact: Jan Sluth, Senior Paralegal, P. O. Box 24680, West Palm Beach, FL 33416-4680, (800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NOS.:	RULE TITLES:
59G-4.105	Freestanding Dialysis Center Services
59G-4.106	Freestanding Dialysis Center Fee Schedule

PURPOSE AND EFFECT: The purpose of the proposed rule amendment to Rule 59G-4.105, F.A.C., is to incorporate by reference the Florida Medicaid Freestanding Dialysis Center Coverage and Limitations Handbook, January 2009. The revised handbook includes updated policy for billing for dialysis treatments and injectable medications and updated references to the new Medicaid fiscal agent’s Web Portal. The effect will be to incorporate by reference in rule the Florida Medicaid Freestanding Dialysis Center Coverage and Limitations Handbook, January 2009.

The purpose of Rule 59G-4.106, F.A.C., is to incorporate by reference in the Freestanding Dialysis Center Fee Schedule, January 2009. The effect will be to incorporate by reference in rule the Freestanding Dialysis Center Fee Schedule, January 2009.

SUBJECT AREA TO BE ADDRESSED: Freestanding Dialysis Center Services and Freestanding Dialysis Center Fee Schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908 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: Thursday, December 11, 2008, 10:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jamie Simpson, Program Analyst, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. #20, Tallahassee, Florida 32308, (850)922-7308, simpsonj@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.105 Freestanding Dialysis Center Services.

(1) No change.

(2) All freestanding dialysis center service providers enrolled in the Medicaid program must comply with the Florida Medicaid Freestanding Dialysis Center Coverage and Limitations Handbook, January 2009 ~~November 1998~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, UB-04 92, which is incorporated by reference in Rule 59G-4.003 ~~59G-4.160~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent’s Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New 8-24-99, Amended _____.

59G-4.106 Freestanding Dialysis Center Fee Schedule.

(1) This rule applies to all freestanding dialysis center services providers enrolled in the Medicaid program.

(2) All freestanding dialysis center services providers enrolled in the Medicaid program must be in compliance with the Freestanding Dialysis Center Fee Schedule, January 2009, which is incorporated by reference. The Fee Schedule is available from the Medicaid fiscal agent’s Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NOS.:	RULE TITLES:
59G-13.130	Traumatic Brain and Spinal Cord Injury Services
59G-13.132	Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule

PURPOSE AND EFFECT: The purpose of the rule amendment to Rule 59G-13.130, F.A.C., is to incorporate by reference in rule the revised Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Coverage and Limitations Handbook, January 2009. The handbook was updated to remove Appendix A, TBI/SCI Waiver Services Procedure Codes, Reimbursement and Maximum Limits. The procedure codes, reimbursement and maximum limits are being incorporated by reference in new Rule 59G-13.131, F.A.C. The revised handbook also includes a revised Prioritization Screening Instrument, AHCA-Med Serv Form 042; clarification that services cannot be reimbursed through the waiver if they are available through another funding source; and updated references for the new Medicaid fiscal agent. The rule was also amended to replace references to the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081, with the Florida Medicaid Provider Reimbursement Handbook, CMS-1500. The effect will be to incorporate by reference in rule the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Coverage and Limitations Handbook, January 2009.

The purpose of the new Rule 59G-13.132, F.A.C., is to incorporate by reference in rule the Traumatic Brain and Spinal Cord Injury Waiver Services Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule and Quality Standards that are effective January 2009. The effect will be to incorporate by reference in rule the Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule and Quality Standards, January 2009.

SUBJECT AREA TO BE ADDRESSED: Traumatic Brain and Spinal Cord Injury Waiver Services and Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.912 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: Thursday, December 11, 2008, 1:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Arlene Walker, Bureau of Medicaid Services, 2727 Mahan Drive, MS #20, Tallahassee, Florida 32308-5403, (850)410-1570, walkerar@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.130 Traumatic Brain and Spinal Cord Injury Services

(1) No change.

(2) All traumatic brain and spinal cord injury waiver services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Coverage and Limitations Handbook, January 2009 ~~April 2006~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500 Non-Institutional 081, which is incorporated by reference in Rule 59G-4.001 ~~59G-13.001~~, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

(3) The following forms that are included in the Florida Medicaid Traumatic Brain and Spinal Cord Injury Waiver Services Coverage and Limitations Handbook are incorporated by reference:

(a) Appendix B ~~C~~ contains the Home and Community-Based Waiver Referral Agreement, AHCA Med-Serv Form 039, April 2006, seven pages. The form is available by photocopying it from the handbook.;

(b) Appendix C ~~D~~ contains the Brain and Spinal Cord Injury Program Request for Level of Care, AHCA Med Serv Form 040, April 2006, two pages. The form is available by photocopying it from the handbook.;

(c) Appendix D ~~E~~ contains the Notification of Level of Care, DOEA-CARES Form 603 (Revised March 2003), which is incorporated by reference in Rule 59G-13.030, F.A.C. The form is mailed to the provider by the Department of Elder Affairs, CARES Unit.;

(d) Appendix E ~~F~~ contains the Brain and Spinal Cord Injury Program Waiting List Policy for the Traumatic Brain/Spinal Cord Injury Medicaid Waiver Program, April 2006, five pages, and the Home and Community-Based Medicaid Waiver Referral Prioritization Screening Instrument, AHCA-Med Serv Form 042, January 2009 ~~April 2006~~, four pages. The form is available by photocopying it from the handbook.;

(e) Appendix F ~~G~~ contains the Notice of Decision, AHCA-Med Serv Form 043, April 2006, two pages. The form is mailed to the recipient by the Medicaid Waiver Specialist.;

(f) Appendix G H contains the Brain and Spinal Cord Injury Program Medicaid Home and Community-Based Waiver Service Plan, AHCA-Med Serv Form 044, April 2006, one page. The form is available by photocopying it from the handbook.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.912 FS. History–New 5-31-06, Amended _____.

59G-13.032 Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule.

(1) This rule applies to all traumatic brain and spinal cord injury waiver services providers enrolled in the Medicaid program.

(2) All traumatic brain and spinal cord injury waiver services providers enrolled in the Medicaid program must be in compliance with the Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule, January 2009, and Quality Standards, January 2009, which are incorporated by reference. The Traumatic Brain and Spinal Cord Injury Waiver Disposable Incontinence Medical Supplies Procedure Codes and Fee Schedule and Quality Standards are available from the Medicaid fiscal agent’s Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-6.008 Audit of Continuing Education Providers

PURPOSE AND EFFECT: The Board proposes the rule development to delete unnecessary language and to add language to clarify the duration of hours for the programs the provider offered.

SUBJECT AREA TO BE ADDRESSED: Audit of continuing education.

SPECIFIC AUTHORITY: 491.004(5), 491.0085 FS.

LAW IMPLEMENTED: 491.0085(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: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-6.008 Audit of Continuing Education Providers.

(1) through (2) No change.

(3) Each provider selected for audit is required to respond within 21 days and provide the Board with the original records maintained pursuant to subsection 64B4-6.004(3), F.A.C., for ~~one each~~ continuing education program the provider offered during that biennium, ~~that was no less than three (3) and no more than sixteen (16) hours in duration. If no programs were offered, the provider must provide a written statement to that effect in response to the audit request.~~

(4) through (8) No change.

Specific Authority 491.004(5), 491.0085 FS. Law Implemented 491.0085(1) FS. History–New 10-2-94, Formerly 59P-6.008, Amended _____.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:
64B24-2.004 Licensure by Endorsement

PURPOSE AND EFFECT: To update and limit the length of time when a temporary certificate is in effect.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

SPECIFIC AUTHORITY: 467.005 FS.

LAW IMPLEMENTED: 467.0125 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: Christy Robinson, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-6.005
 RULE TITLE: Criteria for Continuing Education Programs

PURPOSE AND EFFECT: To update the rule to add continuing education programs that are acceptable for credit.

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

SPECIFIC AUTHORITY: 467.005, 467.012 FS.

LAW IMPLEMENTED: 456.013, 456.031, 467.012 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: Christy Robinson, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-7.004
 RULE TITLE: Risk Assessment

PURPOSE AND EFFECT: To update the rule with regard to physician consultations for patients with higher risk scores.

SUBJECT AREA TO BE ADDRESSED: Risk Assessment.

SPECIFIC AUTHORITY: 456.004(5), 467.005 FS.

LAW IMPLEMENTED: 467.015 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: Christy Robinson, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: 67-21.002, 67-21.003
 RULE TITLES: Definitions, Application and Selection Process for Developments

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

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

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the development of the 2009 application and program requirements for the MMRB Program, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

SPECIFIC AUTHORITY: 420.507, 420.508 FS.

LAW IMPLEMENTED: 420.509 FS.

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

DATE AND TIME: December 11, 2008, 3:00 p.m.

PLACE: Trianon Bonita Bay Hotel, 3401 Bay Commons Drive, Bonita Springs, Florida 34134. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197.

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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Len Stirrat, Multifamily Bonds Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197.
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE ON FLORIDA HOUSING'S WEB SITE: www.floridahousing.org
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Application Ranking and Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing

67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Termination of Extended Use Agreement and Disposition of Housing Credit Developments

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

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2009 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation's 2008 Qualified Allocation Plan (QAP).

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

DATE AND TIME: December 11, 2008, 3:00 p.m.

PLACE: Trianon Bonita Bay Hotel, 3401 Bay Commons Drive, Bonita Springs, Florida 34134. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197.

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: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Deborah Dozier Blinderman, Deputy Development Officer.

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

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-170.0155
 RULE TITLE: Forms

PURPOSE AND EFFECT: This rule is being amended to adopt revised versions of Office of Insurance Regulation forms OIR-B1-1655, “Notice of Premium Discounts for Hurricane Loss Mitigation”, and OIR-B1-1802, “Uniform Mitigation Verification Inspection Form”. The forms are being revised based on changes to the My Safe Florida Home program and the experience of the Office of Insurance Regulation, insurers and policyholders with the forms since their last revisions in July 2007.

SUBJECT AREA TO BE ADDRESSED: Section 627.711, Florida Statutes, required the Office to develop two forms. The first, OIR-B1-1655, is used by insurers to provide policyholders information about available windstorm mitigation discounts. The second, OIR-B1-1802, is used by home inspectors to verify the presence of windstorm-mitigation features on policyholder’s property so the insurer can calculate appropriate discounts. Because the free inspections and the grants offered by the My Safe Florida Home program are no longer available, form OIR-B1-1655 is being revised to remove references to these programs. Form OIR-B1-1802 is being revised to use terminology commonly used in the construction industry in describing the construction features to be inspected and to require the inspector and homeowner to verify the inspector actually conducted the inspection.

SPECIFIC AUTHORITY: 624.308, 627.711 FS.

LAW IMPLEMENTED: 215.5586, 627.711 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: December 15, 2008, 9:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flair.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flair.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69O-170.0155 Forms.

The following forms are hereby adopted and incorporated by reference:

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

(k) OIR-B1-1655, “Notice of Premium Discounts for Hurricane Loss Mitigation,” (Rev. ~~12/08~~ ~~7/07~~).

(l) OIR-B1-1802, “Uniform Mitigation Verification Inspection Form,” (Rev. ~~12/08~~ ~~New 7/07~~).

(m) through (n) No change.

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

Specific Authority 624.308(1), 627.711, 627.736 FS. Law Implemented 215.5586, 624.307(1), 624.424, 627.062, 627.0629, 627.0645, 627.711, 627.736 FS. History–New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, 12-26-06, 6-12-07, 7-17-07, 9-5-07, 3-13-08,_____.

**Section II
 Proposed Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-4.019	Records and Reports in General
25-4.020	Location and Preservation of Records
25-4.022	Complaints
25-4.034	Tariffs
25-4.069	Maintenance of Plant and Equipment
25-4.112	Termination of Service by Customer
25-4.115	Directory Assistance
25-4.117	Toll Free Service
25-4.200	Application and Scope

PURPOSE AND EFFECT: The purposes of the rule amendments and repeals are to simplify, streamline, and clarify the rules. Redundancies among rules are eliminated for simplicity. Some rules concerning tariffs and tariff filings are streamlined by having incumbent local exchange companies’