

**Section I**

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-7.0710  
**RULE TITLE:** Instructional Materials Policies and Procedures

**PURPOSE AND EFFECT:** The purpose and effect of this rule is to prescribe the procedures governing the adoption of instructional materials for use by Florida school districts.

**SUBJECT AREA TO BE ADDRESSED:** Adoption of instructional materials.

**RULEMAKING AUTHORITY:** 1001.02(1), 1006.34(1) FS.

**LAW IMPLEMENTED:** 1006.29, 1006.30, 1006.31, 1006.32, 1006.33, 1006.34, 1006.38, 1006.36 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:** Dr. Frances Haithcock, Chancellor, Division of Public Schools, 325 W. Gaines Street, Suite 1502, Tallahassee, FL 32399, (850)245-0509. 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](mailto: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.**

**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 ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Residential Services**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63E-7.002	Definitions
63E-7.003	Youth Admission
63E-7.009	Behavior Management
63E-7.010	Residential Case Management Services
63E-7.011	Delinquency Intervention and Treatment Services
63E-7.016	Program Administration

**PURPOSE AND EFFECT:** The rule amendments update and clarify conditions of confinement for delinquent youth in residential commitment programs.

**SUBJECT AREA TO BE ADDRESSED:** The rule amendments eliminate the use of behavior management units, clarify a definition pertinent to visitation by counsel, and incorporate outcome-based standards in residential programs.

**RULEMAKING AUTHORITY:** 985.64 FS.

**LAW IMPLEMENTED:** 985.601(3) FS.

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

**DATE AND TIME:** Tuesday, December 21, 2010, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: [john.milla@djj.state.fl.us](mailto:john.milla@djj.state.fl.us)

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

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

**RULE NO.:** 64B14-5.005  
**RULE TITLE:** Mandatory Courses

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to educate licensees on proper recordkeeping to help prevent medical errors.

**SUBJECT AREA TO BE ADDRESSED:** Mandatory Courses.

**RULEMAKING AUTHORITY:** 468.802 FS.

**LAW IMPLEMENTED:** 468.802, 468.803, 468.806, 468.808, 468.809 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-5.005 Mandatory Courses.

(1) Mandatory courses consist of the following:

(a) No change.

(b) Two hours relating to the prevention of medical errors, which shall include a study of root cause analysis, error reduction and prevention, and patient safety and, beginning on December 1, 2011, medical records training; and

(c) through (d) No change.

(2) through (6) No change.

Rulemaking Authority 468.802 FS. Law Implemented 468.802, 468.803, 468.806, 468.808, 468.809 FS. History—New 4-12-10,\_\_\_\_\_.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-7.002 RULE TITLE: Patient Records

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide guidance to licensees concerning proper medical records.

SUBJECT AREA TO BE ADDRESSED: Standards of Practice.

RULEMAKING AUTHORITY: 456.057(16), 468.802 FS.

LAW IMPLEMENTED: 456.057(16), 468.802 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-7.002 Patient Records.

(1) Licensees and Registrants shall prepare and maintain in a timely manner patient records which include, at a minimum, the following:

(a) through (f) No change.

(g) Progress notes for each session must include the treatment provider's name and signature, and date of occurrence. In the event the treatment provider is a Resident or Intern as defined in subsection 64B14-7.001(5), F.A.C., the licensed supervisor shall countersign each progress note.

(h) Progress notes shall be typed or handwritten in black or blue ink and in such a manner that all material is clearly legible, including the treatment provider's name and signature.

(2) through (3) No change.

Rulemaking Authority 456.057(16), 468.802 FS. Law Implemented 456.057(16), 468.802 FS. History—New 7-1-98, Amended 6-22-09,\_\_\_\_\_.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.103 RULE TITLE: Continuing Education Credits; Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide additional avenues to obtain continuing education credit.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Credits; Renewal.

RULEMAKING AUTHORITY: 456.033, 465.009 FS.

LAW IMPLEMENTED: 456.013(7), (9), 456.033, 465.009 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: Kelli Ferrell, RPh., Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.108 RULE TITLE: All Permits – Labels and Labeling of Medicinal Drugs

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for the storage of drugs.

SUBJECT AREA TO BE ADDRESSED: All Permits – Labels and Labeling of Medicinal Drugs.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022(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, IF AVAILABLE, IS: Kelli Ferrell, RPh., Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-28.1081  
 RULE TITLE: Regulation of Daily Operating Hours  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to provide exceptions to the required operating hours.

SUBJECT AREA TO BE ADDRESSED: Regulation of Daily Operating Hours.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022(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, IF AVAILABLE, IS: Kelli Ferrell, RPh., Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-28.303  
 RULE TITLE: Destruction of Controlled Substances All Permittees (excluding Nursing Homes)

PURPOSE AND EFFECT: The Board proposes the rule amendment to include consultant pharmacists of record in the destruction of controlled substances.

SUBJECT AREA TO BE ADDRESSED: Destruction of Controlled Substances All Permittees (excluding Nursing Homes).

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022, 465.018 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: Kelli Ferrell, RPh., Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NOS.:	RULE TITLES:
64D-3.029	Diseases or Conditions to be Reported
64D-3.031	Notification by Laboratories

PURPOSE AND EFFECT: The purpose of these changes is to remove lower-priority diseases that are currently reportable to the Department of Health by physicians, hospitals and/or laboratories. Cases of reportable diseases are tracked and investigated by the Department of Health for the purposes of preventing additional cases and disease outbreaks.

SUBJECT AREA TO BE ADDRESSED: Communicable disease monitoring.

RULEMAKING AUTHORITY: 381.0031 (6) FS.

LAW IMPLEMENTED: 381.0031 (6) 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 20, 2010, 11:00 a.m. EST  
 PLACE: Florida Department of Health, 2855 Merchants Row Blvd., Prather Bldg., Room 320P, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet J Hamilton, Surveillance and Reporting Section Administrator, Florida Department of Health, Bureau of Epidemiology, 4052 Bald Cypress Way, Bin #A-12, Tallahassee, FL 32399, (850)245-4401

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

**BOARD OF GOVERNORS**

**RULE NO.:** 72-1.001  
**RULE TITLE:** Residency for Tuition Purposes  
**PURPOSE AND EFFECT:** Section 1009.21, F.S. governing the determination of resident status for tuition purposes was revised during the 2009 and 2010 legislative sessions. A rule must be adopted to implement the statutory revisions.  
**SUBJECT AREA TO BE ADDRESSED:** Residency for Tuition Purposes.  
**RULEMAKING AUTHORITY:** 1009.21(13) FS.  
**LAW IMPLEMENTED:** 1009.21 FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**  
**DATE AND TIME:** December 17, 2010, 10:00 a.m. – 12:00 Noon  
**PLACE:** State University System Board of Governors, 325 West Gaines Street, Room 1605, Tallahassee, Florida 32399-0400  
 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: Monoka Venters, State University System Board of Governors, 325 West Gaines Street, Suite 1614, Tallahassee, Florida 32399-0400, (850)245-9718 or e-mail: Monoka.Venters@flbog.edu. 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:** Monoka Venters, State University System Board of Governors, 325 West Gaines Street, Suite 1614, Tallahassee, Florida 32399-0400, (850)245-9718 or e-mail: Monoka.Venters@flbog.edu  
**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 HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Driver Licenses – DUI PROGRAMS**

**RULE NOS.:** 15A-10.001, 15A-10.002, 15A-10.003  
**RULE TITLES:** Purpose, Definitions, Reciprocity

- 15A-10.004 Application for Licensure to Conduct a Driving Under the Influence Program
- 15A-10.005 Licensure: Requirements and Limitations
- 15A-10.006 Relinquishment of Licensure
- 15A-10.007 Review Board and Monitoring
- 15A-12.008 Organizational Structure
- 15A-10.009 Program Jurisdiction
- 15A-10.010 Operating Policies and Procedures Manual(s)
- 15A-10.011 Board of Directors or Governing Board and Advisory Committee
- 15A-10.012 Financial Audit
- 15A-10.013 Financial Procedures and Reporting Requirements
- 15A-10.014 Cost Standards and Allocation
- 15A-10.0141 DUI Services Fees
- 15A-10.0142 Revenue Limitation
- 15A-10.015 Fee Waiver
- 15A-10.016 Ancillary Fees
- 15A-10.017 Personnel Policies and Procedures
- 15A-10.018 Client Files
- 15A-10.019 Client Transfer Procedure
- 15A-10.021 Client Conduct
- 15A-10.022 Personnel Certification
- 15A-10.0221 Clinical Supervision
- 15A-10.023 Education
- 15A-10.024 Level I Course
- 15A-10.025 Level II Course
- 15A-10.0251 Level I and Level II Combined Course
- 15A-10.026 Certificates of Completion and Client Status Reporting
- 15A-10.027 Client Evaluation
- 15A-10.028 Treatment Referral
- 15A-10.029 Special Supervision Services (SSS) and Statutory Eligibility
- 15A-10.030 SSS Application and Evaluation Process
- 15A-10.031 SSS Appeal Process
- 15A-10.032 SSS Case Management Plan
- 15A-10.033 SSS Military Leave
- 15A-10.034 SSS Frequency of Periodic Update Appointments
- 15A-10.035 SSS Missed Periodic Update Appointments
- 15A-10.036 SSS Violation of Restricted Licenses
- 15A-10.037 SSS Transfer Procedures
- 15A-10.038 SSS Fees
- 15A-10.039 SSS Referrals to Treatment
- 15A-10.040 Case Monitoring Services