Rulemaking Specific Authority 379.244(2), 379.2431(1) FS. Law Implemented 379.244(2), 379.2431(1) FS. History–New 2-11-81, Formerly 16B-40.05, 16B-40.005, 16R-1.005, 62R-1.005, Amended 12-9-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, Florida 32399

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2012

# Section III Notices of Changes, Corrections and Withdrawals

# DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

# **Construction Industry Licensing Board**

RULE NO.: RULE TITLE:

61G4-16.0021 Written Examination for Swimming

Pool Specialty Contractors

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 9, March 2, 2012 issue of the Florida Administrative Weekly.

The incorrect date was printed for the Notice of Proposed Rule Development, the correct date is:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 3, 2012

#### DEPARTMENT OF HEALTH

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

RULE NO.: RULE TITLE:

64B4-5.001 Disciplinary Guidelines

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

The correction is as follows:

The Notice of Change which published on March 9, 2012, in Vol. 38, No. 10 of the Florida Administrative Weekly incorrectly stated, "The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee." It should have read, "The changes to subsections (1)(a), (1)(l), (1)(m) and (1)(ff) are in response to written comments submitted by the staff of the Joint

Administrative Procedures Committee. The change to subsection (1)(jj) is in response to a discussion of the rule and subsequent vote by the Board."

This correction does not affect the substance of the Notice of Change published on March 9, 2012.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE 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

#### **DEPARTMENT OF HEALTH**

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

RULE NO.: RULE TITLE:
64B4-5.001 Disciplinary Guidelines
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and by a vote by the Board. This Notice of Change does not affect the previous Notice of Change for the rule that published on March 9, 2012 in Vol. 38, No. 10 of the Florida Administrative Weekly. The changes are as follows:

- 1. Subsection (1)(q) shall now read as follows:
- (q) Violating provisions of Chapter 491 or 456, F.S., or any rule adopted pursuant thereto.

(Sections 456.072(1)(dd) & 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST	\$250 fine and	\$1,000 fine and/or probation; 1
OFFENSE:	reprimand	year suspension then probation;
		permanent revocation;
SECOND	\$1,000 fine and 1	\$5,000 fine and 2 year
OFFENSE:	year probation	suspension followed by
		probation; permanent
		revocation
THIRD	\$1,000 fine and 1	denial or \$5,000 fine and/or
OFFENSE:	year suspension	permanent revocation;
	followed by	
	probation	

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE 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

#### DEPARTMENT OF HEALTH

# **Board of Massage**

RULE NO.: RULE TITLE: 64B7-25.004 Endorsements

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly has been withdrawn.

#### DEPARTMENT OF HEALTH

# **Board of Massage**

RULE NO.: RULE TITLE: 64B7-32.001 **Definitions** 

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly has been withdrawn.

### DEPARTMENT OF HEALTH

#### **Board of Nursing**

RULE NO.: RULE TITLE:

64B9-8.005 **Unprofessional Conduct** 

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 40, October 7, 2011 issue of the Florida Administrative Weekly.

The changes are due to concerns by the Joint Administrative Committee in their letter dated October 17, 2011. The changes are as follows:

When changed, the proposed subsection (15) shall read:

- (15) Practicing beyond the scope of the licensee's license, educational preparation or nursing experience, including but not limited to: administration or monitoring by a registered nurse or licensed practical nurse of the administration of any medication intended to create moderate or deep sedation for a surgical, diagnostic or therapeutic procedure; provided:
- (a) A registered nurse may, pursuant to a duly authorized practitioner's order, administer or monitor the administration of medications to achieve deep sedation: 1) to a patient as part of a life or limb threatening situation when a practitioner who has demonstrated competence in emergency airway management is physically present with the patient; or 2) to a patient who is continuously monitored and mechanically ventilated with a secured, artificial airway. Examples of medications used for deep sedation in this situation include, but are not limited to, propofol, penthothal and etomidate. Due the potential for rapid, profound changes in sedative/anesthetic depth and the lack of antagonist medications, even if moderate sedation is intended, patients receiving propofol shall receive care consistent with that required for deep sedation. Therefore the administration of propofol shall not be performed by a licensee who is not a duly

authorized practitioner with the exception of those limited instances outlined in this rule. When a duly authorized practitioner is actively managing a patient's sedation, a registered nurse may monitor the patient under deep sedation.

- (b) A registered nurse may administer prescribed pharmacologic agents to mechanically ventilated and non-mechanically ventilated patients for the purpose of moderate sedation in anticipation of anxiety and or discomfort during a time-limited surgical, diagnostic or therapeutic procedure. The registered nurse must continuously monitor the patient throughout the procedure and have no other responsibilities that would require leaving the patient unattended or would compromise continuous monitoring during the procedure. The registered nurse must document the non-mechanically ventilated patient's level of consciousness at least every five minutes during the procedure. In the event a deeper level of sedation (such as deep sedation or general anesthesia) unintentionally results from the administration of prescribed pharmacologic agents to the non-mechanically ventilated patient, the registered nurse must immediately notify the duly authorized practitioner and document the actions taken until the patient's level of sedation returned to moderate sedation with the assistance of the duly authorized practitioner. Pharmacologic agents that may be administered by a registered nurse pursuant to this subsection shall not include medications that intended to result in loss of consciousness such as propofol, penthothal, etomidate, or any medication which the manufacturer's package insert states should be administered only by individuals trained in the administration of general anesthesia. When a duly authorized practitioner is actively managing a patient's sedation, a registered nurse may monitor the patient under moderate sedation.
- (c) A registered nurse or licensed practical nurse may, pursuant to duly authorized practitioner's order, administer or monitor the administration of medications for palliative sedation in a hospice program.
- (d) In order to administer or monitor any pharmacologic agents to achieve deep sedation in accordance with paragraph (a) above, a registered nurse must:
- 1. Prior to any administration or monitoring of any pharmacologic agents, successfully demonstrate competence which reflects the extent of privileges requested, including a criteria-based competency evaluation. The evaluative criteria for the competency demonstration will cover knowledge and psychomotor skills in physical assessment and monitoring of sedated patients, principles of pharmacodynamics and pharmacokinetics (onset, duration, distribution, metabolism, elimination, intended and adverse effects, interactions, dosages and contraindications) of the pharmacologic agents being administered or monitored, basic and difficult airway management, mechanical ventilation, and cardiopulmonary

resuscitation. The registered nurse must also be certified in advanced cardiac life support that is appropriate for the patient's age;

- 2. Complete a patient assessment and ensure that the practice setting requires that the duly authorized practitioner prescribing the pharmacologic agent has evaluated the patient based on established criteria;
- 3. Ensure that the practice setting requires that the prescribing practitioner, or in a hospital licensed under Chapter 395, Florida Statutes, a practitioner who has demonstrated competence in emergency airway management is physically present throughout the procedure and immediately available during the recovery period unless the patient is mechanically ventilated;
- 4. Ensure that the practice setting has in place a quality assurance and performance improvement process that measures patient, process and structural outcome indicators; and
- 5. Evaluate the patient for discharge readiness based on specific discharge criteria and ensure that the practice setting requires that the physician approves of the patient discharge.
- (e) In order to administer or monitor any pharmacologic agents to achieve moderate sedation in accordance with subsection (b) above, a registered nurse must:
- 1. Ensure that the practice setting requires that the prescribing practitioner, or in a hospital licensed under Chapter 395, Florida Statutes, a practitioner who has demonstrated competence in emergency airway management is physically present throughout the procedure and immediately available during the recovery period unless the patient is mechanically ventilated;
- 2. Ensure that written policies and procedures for managing patients who receive moderate sedation are reviewed periodically and are readily available within the practice setting;
- 3 Ensure that the practice setting has in place a quality assurance and performance improvement process that measures patient, process and structural outcome indicators; and
- 4. Evaluate the patient for discharge readiness based on specific discharge criteria and ensure that the practice setting requires that the physician approves of the patient discharge.
- (f) Administration or monitoring of the administration of medication to achieve moderate or deep sedation is beyond the scope of practice of licensed practical nurses, except as described in paragraph (c) above.
- (g) The following definitions apply for purposes of this rule:
- 1. Deep sedation means a medication-induced depression of consciousness that allows patients to respond purposefully only after repeated or painful stimulation. The patient cannot be aroused easily, and the ability to maintain a patent airway

independently may be impaired with spontaneous ventilation possibly inadequate. Cardiovascular function usually is adequate and maintained.

- 2. General anesthesia means the patient cannot be aroused, even by painful stimulation, during this medication-induced loss of consciousness. Patients usually require assistance in airway maintenance and often require positive pressure ventilation due to depressed spontaneous ventilation or depression of neuromuscular function. Cardiovascular function may also be impaired.
- 3. Moderate sedation means a minimally depressed level of consciousness that allows a patient to retain the ability to maintain a patent airway independently and continuously and respond appropriately to verbal commands and physical stimulation.
- 4. Immediately available means having a health care provider trained in advanced cardiac life support and resuscitation skills available to assist with patient care within five minutes.
- 5. Palliative sedation means the use of medications intended to provide relief of intractable or refractory symptoms by inducing varying degrees of unconsciousness in imminently dying patients.
- 6. Refractory symptoms means symptoms that cannot be adequately controlled in a tolerable time frame despite use of alternate therapies, and seem unlikely to be controlled by further invasive or noninvasive therapies without excessive or intolerable acute or chronic side effects or complications.
- 7. Duly authorized practitioner means a physician licensed under Chapter 458 or Chapter 459, a dentist licensed under Chapter 466 who is authorized to order and administer anesthesia or sedation, a podiatrist who is authorized under Chapter 461, a certified registered nurse anesthetist authorized under Chapter 464, and by protocol to order and administer anesthesia or sedation, or a certified nurse midwife authorized under Chapter 464 and by protocol to order or administer anesthetics.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

#### DEPARTMENT OF HEALTH

#### **Division of Environmental Health**

RULE NOS.:

64E-15.002

RULE TITLES:

Sites – Mobile Home, Lodging, and Recreational Vehicle Parks

64E-15.004

64E-15.005

Sanitary Facilities

64E-15.009

Recreational Camp Standards

# NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 13, March 30, 2012 issue of the Florida Administrative Weekly.

The Florida Department of Health provides this correction to a Notice of Petition for Emergency Variance. The previously published notice inadvertently stated comments should be filed within 14 days of publication. The correct language reads, within 5 days of publication of this notice.

# DEPARTMENT OF CHILDREN AND FAMILY **SERVICES**

#### **Economic Self-Sufficiency Program**

RULE NO.: RULE TITLE:

65A-1.712 SSI-Related Medicaid Resource

Eligibility Criteria

NOTICE OF PUBLIC HEARING

The Department of Children and Family Services announces a change of hearing regarding the above rule, as noticed in Vol. 38, No. 13, March 30, 2012 Florida Administrative Weekly.

DATE AND TIME: April 13, 2012, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455,

Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Proposed rule as published.

# DEPARTMENT OF CHILDREN AND FAMILY **SERVICES**

#### **Substance Abuse Program**

RULE NO.: RULE TITLE:

65D-30.008 Standards for Day or Night

Treatment with Host Homes

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 8, February 24, 2012 issue of the Florida Administrative Weekly.

The notice of proposed rule did not state what information was relied upon in determining that the proposed rule is not expected to require legislative ratification. The information expressly relied upon is: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

# DEPARTMENT OF CHILDREN AND FAMILY **SERVICES**

# **Agency for Persons with Disabilities**

RULE NO.: RULE TITLE:

65G-2.016 Residential Fee Collection

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 2, January 13, 2012 issue of the Florida Administrative Weekly.

The Agency determined that the proposed rule is not expected to require legislative ratification and that no SERC is required. This determination was based on the Agency's analysis performed for the Office of Fiscal Accountability and Regulatory Reform, the current accounting practices of representative payees for individuals in facilities licensed pursuant to Section 393.067, Florida Statutes, and normal reporting expenses. A SERC has not been prepared by the

# DEPARTMENT OF CHILDREN AND FAMILY SERVICES

# **Agency for Persons with Disabilities**

RULE NO.: RULE TITLE:

65G-2.016 Residential Fee Collection

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 12, March 23, 2012 issue of the Florida Administrative Weekly.

65G-2.016 Residential Fee Collection.

- (1) This rule applies to all clients, as defined in section 393.063, Florida Statutes, who are eighteen years of age or older, who receive residential habilitation services, and who live in a foster care facility, group home facility, residential habilitation center, or comprehensive transitional education program, licensed pursuant to Section 393.067, Florida Statutes, that receives a room and board payment on the client's behalf.
- (2) Definitions. For the purposes of this rule, the following terms shall be defined as follows:
  - (a) Agency. As defined in Section 393.063, F.S.
  - (b) Benefit Payments. As defined in Section 402.33, F.S.
  - (c) Client. As defined in Section 393.063, F.S.
- (d) Gross income. For the purposes of this rule Gross income includes the sum of the client's benefit payments and third party benefits less any deduction authorized in writing by the Social Security Administration or the Agency for Persons with Disabilities. Deductions may only be authorized by the Agency for Persons with Disabilities if the client is using benefit payments or third party benefits to offset a voluntary reduction in the client's Medicaid Waiver services or if the benefit payments or third party benefits are used as a required payment, co-payment, or co-insurance for Medicare or Medicaid services, including, but not limited to prescribed drugs. This term does not include the client's earned income.
- (e) Personal Needs Allowance. A portion of the benefit payments and third party benefits that must be set aside and used for the direct benefit of the client. For purposes of this rule, a client's personal needs allowance is \$93.58 per month.

- (f) Residential Habilitation. Supervision and specific training activities that assist the client to acquire, maintain or improve skills related to activities of daily living. The service focuses on personal hygiene skills such as bathing and oral hygiene; homemaking skills such as food preparation, vacuuming and laundry; and on social and adaptive skills that enable the client to reside in the community. This training is provided in accordance with a formal implementation plan, developed with direction from the client and reflects the client's goal(s) from their current support plan.
- (f)(g) Room and Board Payment. Reimbursement to the operators of facilities or programs licensed pursuant to section 393.067, Florida Statutes, to cover the cost of providing food and shelter to Agency clients who also receive residential habilitation services in accordance with Chapter 65G-2 of the Florida Administrative Code. For purposes of this rule, a client's room and board payment is \$543.42 per month.

(g)(h) Third party benefits. As defined in Section 402.33, F.S.

- (3) Room and Board Payment Rates. Providers serving clients who receive residential habilitation services within a facility licensed pursuant to Section 393.067, Florida Statutes, will receive a room and board payment which is dependent upon the amount of benefit payments and third party benefits the client receives.
  - (4) Payments to Providers:

The room and board payment is calculated by subtracting a personal needs allowance (\$93.58 per month) from the client's monthly benefit payments and third party benefits. The room and board (\$543.42) payment is then subtracted from the remaining total. If any benefit payments or third party benefits remain after subtracting the personal needs allowance and room and board payment, the remaining balance shall be subject to the provisions in subsection (5) below.

- (5) Fees assessed for Residential Habilitation services:
- (a) If a client resides receives residential habilitation services in a facility licensed pursuant to Section 393.067, Florida Statutes, and the client's monthly gross income exceeds the client's personal needs allowance and the client's room and board payment, the client must send the excess gross income to the Agency for Persons with Disabilities.
- (b) Payments made pursuant to paragraph (5)(a) must be sent to the local APD area office by the 15th day of the month after receipt of the third party benefit payments. If the 15th of the month falls on a weekend, state holiday, or national holiday, then the payment due date will be the next business day immediately thereafter. Checks or money orders should be made payable to Agency for Persons with Disabilities (or APD). Individuals or organizations serving as the representative payee for multiple clients may submit a single check or money order to the Agency each month.

- (c) Clients or representative payees for clients shall submit an accounting for any deductions in the calculation of the fees assessed pursuant to this subsection.
  - (6) Mandatory Monthly Reports to the Agency.
- (a) Every client or representative payee for a client, including a facility or program licensed pursuant to Section 393.067, Florida Statutes, must report to the appropriate APD area office by the 15th day of the month. The report must include a calculation for each client that includes:
  - 1. The total gross income that the client receives;
- 2. The amount to be subtracted for payment of the client's room and board and for the client's personal needs allowances;
- 3. The total amount owed to the provider pursuant to subsection (4) of this rule or the total amount of the fee assessed pursuant to subsection (5) of this rule.
- (b) If the monthly report described in this subsection indicates that a fee should be assessed to the client's third party benefits pursuant to subsection (5) of this rule, the client or representative payee for the client must also include a payment of the assessed fee with the monthly report.
- (c) If the 15th day of the month falls on a weekend, state holiday, or national holiday, then the payment due date will be the next business day immediately thereafter.
  - (7) Review of Assessed Fees
- (a) Substantially affected individuals may request a review of the fees assessed upon their gross income by submitting a request for review to the applicable area office. The client or responsible party must notify the agency, in writing, of the request for review of the fee assessed, and must submit any receipts, tax records, bills, certified statements or other documentation needed to substantiate the request for a review
- (b) If the substantially affected individuals still disagree with the fees assessed upon their third party benefit payments after their request for review, they may request an administrative hearing pursuant to Section 393.125, Florida

Rulemaking Authority 393.501(1), 402.33 FS. Law Implemented 402.33 FS. History-New\_\_\_

# FISH AND WILDLIFE CONSERVATION **COMMISSION**

RULE NO.: RULE TITLE:

68-1.003 Florida Fish and Wildlife

**Conservation Commission Grants** 

Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 7, February 17, 2012 issue of the Florida Administrative Weekly.

Proposed amendment to Rule 68-1.003, F.A.C., has been changed to update the guidelines and application forms dates to reflect changes in the guidelines due to proposed minor changes received by the Joint Administrative Procedures Committee. Changes are being made to the Florida Boating Improvement Program Guidelines to: 1) clarify pre-award costs are allowable; 2) clarify when pre-agreement costs are allowable; 3) allow recipients to request more than 90 days to execute a grant agreement; 4) clarify when a recipient must request an amendment to a grant agreement; 5) specify permitting requirements for uniform waterway markers and mooring buoy projects.

The Proposed amendment to Rule 68-1.003 is changed as follows:

(9) Florida Boating Improvement Program grants shall meet all additional program requirements set forth in the Florida Boating Improvement Program Guidelines (Mar. 2012 Feb. 2012), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/FBIP-A, Florida Boating Improvement Program Grant Application for Recreational Channel Markers and Other Uniform Waterway Markers, 03/12 02/12; FWC/FBIP-B, Florida Boating Improvement Program Grant Application for Boating Access Facilities, <u>03/12</u> <del>02/12</del>; FWC/FBIP-C, Florida Boating Improvement Program Grant Application for Derelict Vessel Removal, 03/12 02/12; FWC/FBIP-D, Florida Boating Improvement Program Boater Education Grant Application, 03/12 02/12; FWC/FBIP-E, Florida Boating Improvement Program Grant Application for Economic Initiatives and Other Local Boating Related Projects, <u>03/12</u> <del>02/12</del>.

# FISH AND WILDLIFE CONSERVATION COMMISSION

# Manatees

RULE NOS.: **RULE TITLES:** 

68C-22.012 Volusia and Associated County (Parts

of Putnam, Lake, Seminole, and

Flagler) Zones

Flagler County Zones 68C-22.028

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 5, February 3, 2012, issue of the Florida Administrative Weekly:

The date of the final public hearing has been changed to be as follows. The location is the same. Additional information on the proposed rule is available at: http://myfwc.com/ wildlifehabitats/managed/manatee/rulemaking/.

THE FINAL PUBLIC HEARING WILL BE HELD BY THE COMMISSION AT THE DATES, TIME, AND PLACE SHOWN BELOW:

DATES AND TIME: May 2-3, 2012, 8:30 a.m. start each day

PLACE: Plantation Golf Resort and Spa, 9301 West Fort Island Trail, Crystal River, FL 34429

The Commission's agenda for this meeting will indicate the specific day when this item is scheduled to be addressed. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 5 days before the hearing by contacting the FWC at (850)488-6411. 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).

# Section IV **Emergency Rules**

#### DEPARTMENT OF THE LOTTERY

RULE TITLE: RULE NO.:

53ER12-28 Replacement of Obsolete

**Emergency Rules** 

SUMMARY: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

#### THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-28 Replacement of Obsolete Emergency Rules.

The following Department of the Lottery emergency rules relating to Lottery games, promotions or retailer programs are being replaced because the games, promotions or programs have concluded, or the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER09-18, 53ER09-73, 53ER10-23, 53ER10-28, 53ER10-31, 53ER10-37, 53ER10-58, 53ER10-62, 53ER10-64, 53ER11-05, 53ER11-07, 53ER11-16, 53ER11-17, 53ER11-18, 53ER11-27, 53ER11-28, 53ER11-41, 53ER11-62, 53ER12-05, F.A.C.

Rulemaking Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History-New 3-23-12, Replaces 53ER09-18, 53ER09-73, 53ER10-23, 53ER10-28, 53ER10-31, 53ER10-37, 53ER10-58, 53ER10-62, 53ER10-64, 53ER11-05, 53ER11-07, 53ER11-16, 53ER11-17, 53ER11-18, 53ER11-27. 53ER11-28. 53ER11-41, 53ER11-62, 53ER12-05, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 23, 2012