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THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

September 10, 2010

Ms. Nancy Tamariz
Quality Assurance Program Administrator
Office of Data Collection & Quality Assurance
Agency for Health Care Administration
2727 Mahan Drive MS #16
Tallahassee, Florida 32308-5403

RE: Agency for Health Care Administration Rules 59B-9.031,.032, .034, & .038

Dear Ms. Tamariz:

I have reviewed the above-referenced rules and offer the following comments for your consideration and response:

The rule package did not include a copy of the statement of facts and circumstances justifying the proposed rules and the federal standards statement required by section 120.54(3)(a)4., Florida Statutes. Please forward the missing items to me as soon as possible.

59B-9.034(1) The numbering for this subsection appears to be incorrect. Although the rule indicates that there is "no change" for subparagraphs (1)(a)1.-3., subsection (1) of the existing rule does not contain subparagraphs (1)(a)1.-3.

59B-9.038 This rule is not coded properly; I cannot determine whether the Agency deleted various sentences from the rule. See 1B-30.003(3)(c), F.A.C. (providing instructions for coding rule notices). Please publish a notice of correction to fix this error.

Should you have any questions, please do not hesitate to contact me. Otherwise, I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Jowanna N. Oates".

Jowanna N. Oates
Senior Attorney