

March 28, 2014

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.101

RULE TITLE: Employee Grooming, Uniform and Clothing Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to eliminate the need for health services staff to wear name plates as all required information can be put on the ID and to expand on the type of footwear these staff members are allowed to wear to reflect current industry standards.

SUMMARY: To eliminate the needs for health services staff to wear name plates and to update the type of footwear they are allowed to wear.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business and is not expected to directly or indirectly increase regulatory costs more than \$200,000 within a year of taking effect. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to these rules, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 944.09 FS

LAW IMPLEMENTED: 944.09 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED

RULE IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.101 Employee Grooming, Uniform and Clothing Requirements.

(1) – (5) No change.

(6) The following provisions shall apply to health services employees:

(a) All health services staff providing direct care to inmates at an institution shall wear the department issued ID card in a visible manner. The ID shall include that will identify the individual at all times while on duty and a nameplate with the employee's last name, first name initial, and initials of licensure or certification.

(b) – (c) No change.

(d) Employees in the position of registered nurse, LPN, correctional medical technician, correctional medical technician certified, medical technologist, radiology technician, UTR and "ward clerk" must wear shoes such as closed toe white leather or leather-like tennis shoes, or other closed toe, slip resistant work shoes, including clogs that have secure straps in the back.

(e) No change.

(7) – (8) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 2-27-85, Amended 6-19-85, Formerly 33-4.07, Amended 3-6-88, 8-15-89, 2-12-91, 10-13-91, 4-19-98, 12-7-98, Formerly 33-4.007, Amended 10-5-99, 3-21-00, 12-18-00, 4-30-02, 2-20-03, 6-26-03, 10-27-03, 12-28-03, 12-12-04, 9-11-06, 2-6-07, 10-8-07, 6-28-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Glory Parton, Director, Office of Human Resources

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 25, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 13, 2014