

June 2, 2016

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-601.800 Close Management

PURPOSE AND EFFECT: The purpose and effect of the amendment is to allow inmates in close management to grow and maintain half-inch beards, and to amend a form incorporated in the rule.

SUMMARY: The proposed rule would allow inmates in close management to grow half-inch beards and would update the codes on a form incorporated in the rule to be in ICD-10 format.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

RATIFICATION: The Department 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 Department. The Department has determined that the proposed rule is not expected to require legislative ratification based on the SERC or, if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to the rule, 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

LAWS 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: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.800 Close Management.

(1) through (6) No change

(7) Individualized Service Plan (ISP).

(a) The multi-disciplinary services team will develop an ISP, Form DC4-643A, when deemed necessary by mental health staff. Form DC4-643A is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399,

<http://www.flrules.org/Gateway/reference.asp?No-Ref 01964>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>. The effective date of the form is _____-12-12.

(b) through (g) No change

(8) through (9) No change

(10) Conditions and Privileges in CM Units.

(a) through (d) No change

(e) Personal Hygiene- Inmates in close management shall meet the same standards in regard to personal hygiene as required of the general inmate population.

1. No change

2. Any male inmate who elects to be clean shaven shall be clipper shaved three times per week. Any male inmate who elects to grow and maintain a half-inch beard shall have his beard maintained in accordance with Rule 33-602.101(4), F.A.C. Male inmates shall be required to shave at least three times per week. The possession and use of shaving powder in close management is prohibited. An inmate housed in close management who is medically exempt from using shaving razors will be clipper shaved at least three times per week.

3. No change

(f) through (n) No change

(11) through (18) No change

Rulemaking Authority 944.09 FS. Law implemented 944.09 FS. History-New 2-1-01, Amended 12-16-01,4-8-04, 3-10-05,4-9-06, 8-23-07,4-27-08,6-28-10,4-6-11,7-31-11, 1-4-12, 12-9-12, 12-24-13, 3-6-14.._____

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard D. Comerford, Director of Institutional Support

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 23, 2016