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THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

August 22, 2007

Pat Whitford
ACCESS Florida
Department of Children and Family Services
1317 Winewood Boulevard
Building 3, Room 454
Tallahassee, Florida 32399

RE: Department of Children & Family Services Rule 65A-1.712

Dear Ms. Whitford:

I have reviewed the third Notice of Change for proposed rule 65A-1.712 published in the July 27, 2007 edition of the Florida Administrative Weekly. I have also reviewed a summary of the public hearing held on July 2, 2007. The Notice of Change provides that no period of ineligibility shall be imposed if an applicant's "total countable resources (including the transferred resources) are below the program limits." Please explain how the change was made in response to comments made at the hearing, as this is not readily apparent from the hearing summary.

Additionally, I have not yet received a response to my letter regarding the second Notice of Change published in the June 15, 2007 edition of the Florida Administrative Weekly. As soon as possible, please explain why the Department has decided to remove from rule 65A-1.712(3)(b)3. the language requiring the State to be named as a remainder beneficiary.

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

Sincerely,

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

Jowanna N. Oates
Senior Attorney