

NOTICE OF DEVELOPMENT OF PROPOSED RULES

FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

DIVISION OF AGRICULTURAL ENVIRONMENTAL SERVICES

RULE NO.: 5E-14.150 RULE TITLE: Customer Contact Centers

PURPOSE AND EFFECT: Establish a license for the operation of pest control customer contact centers.

SUBJECT AREA TO BE ADDRESSED: Business licensing.

RULEMAKING AUTHORITY: 482.051, 482.072, F.S.

LAW IMPLEMENTED: 482.072, F.S.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: November 18, 2011; 9:00 A.M. – 5:00 P.M.

PLACE: Florida Atlantic University, Davie West Campus; 3233 College Avenue, Room 103, Davie, Florida 33314; (954) 236-1283. Please park in the IFAS Extension office parking lot.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE

DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Mr. Michael J. Page, Chief of Entomology and Pest Control; 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961; (850) 617-7997.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-14.150 Customer Contact Centers.

- (1) Customer Contact Center business license application: In accordance with Section 482.072(2)(a), F.S., an applicant for a customer contact center business license shall submit a completed Pest Control Customer Contact Center License Application form,

DACS 13686 (rev. 08/11), and application fee of \$600 in the form of a check or money order payable to the Florida Department of Agriculture and Consumer Services (FDACS) to the address indicated on the form. Form DACS 13686 (rev. 08/11), is hereby adopted and incorproated by reference and may be obtained by visiting <http://www.flrules.org/Gateway/reference>.

- (2) In accordance with Section 482.072(3)(a), F.S., the following requirements and procedures for recordkeeping and monitoring of customer contact center operations are established.
- (a) Each licensed customer contact center shall maintain a digital audio, compact disk, or tape recording of inbound and outbound telephone calls between the customer contact center and consumers located in Florida. These records must be retained for a minimum period of (3) years and are subject to inspection by Department representatives upon request.
 - (b) A licensed customer contact center premises shall be made available to Department representatives upon request for inspection purposes during normal business hours.
 - (c) Upon request by the Department, a licensed customer call center shall have a procedure in place that will allow Department representatives to conduct live monitoring of calls occurring between the call center and consumers located in Florida.
 - (d) A licensed customer contact center shall have a procedure in place to identify a specific telephone call by consumer name, date of call, or customer address.
 - (e) A licensed customer contact center shall have a procedure in place to identify which customer contact center employee handled a telephone call with a specific consumer identified by a Department representative.

- (f) A licensed customer contact center located outside of Florida shall have a procedure in place to provide records relating to customer contacts and the required procedures set forth in subparagraphs (c), (d), (e) and (f) above to Department representatives upon request.
 - (g) A licensed customer contact center shall maintain a monthly accounting of inbound and outbound calls with Florida consumers. The monthly accounting will also identify the number of outbound center initiated sales calls (cold calling).
 - (h) Each licensed customer contact center shall submit an annual report to the Department to include the total number of contacts with Florida consumers and statistics related to the numbers of in-bound customer calls and out-bound calls licensee calls, and the source of customer inquiry such as phone, email or website.
 - (i) Each licensed customer contact center shall designate a “Primary Contact Person” at the licensed location for purposes of communication with the Department. The name, email address (if any), and telephone number of the primary contact person shall be provided to the Department as part of the license application for adopted by subsection (1). If the Primary Contact person changes prior to license renewal, the new contact information shall be submitted to the Department by calling (850) 617-7997.
- (3) A Customer Contact Center License Renewal date shall be two years from the date of the original license issuance or renewal thereof. The renewal fee for each original license shall be \$600.
- (4) After a grace period of 30 days following the renewal date, a late fee of \$150 shall be assessed in addition to the renewal fee.