

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

RULE NO.: 1-2.0031
 RULE TITLE: Public Records Requests: Special Service Charge

PURPOSE AND EFFECT: This rule is being amended to change the way labor cost is calculated for special service charges for extensive public records requests.

The amended rule will make the calculation based on the actual cost of wages and benefits instead of the pay grade of the personnel providing the service. This change is consistent with a recent opinion from the Second District Court of Appeal which held that the cost of labor used in calculating special service charges for responding to extensive public records requests may include both salary and benefits.

The rule amendment also specifies that the calculation of wages and benefits must be based on the lowest paid personnel who has the necessary skill and training to perform the public records request.

SUBJECT AREA TO BE ADDRESSED: Special service charge for public records requests.

SPECIFIC AUTHORITY: 20.10(3), 119.07(4)(d) FS.

LAW IMPLEMENTED: 119.07(4)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

TIME AND DATE: June 2, 2008, 2:00 p.m.

PLACE: R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kevin Gotfredson, (850)245-6513

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1-2.0031 Public Records Requests: Special Service Charge.

(1) When a public records request is of the nature described in Section 119.07(4)(d), F.S., the following will apply:

(a) The term “extensive” means more than 15 minutes expended by personnel to complete all tasks defined in paragraphs (b) and (c) below.

(b) The term “clerical or supervisory assistance” includes searching for and or locating the requested record, reviewing for statutorily exempt information, deletion of statutorily exempt information, and preparing, copying and re-filing of the requested record.

(c) The term “use of information technology resources” includes the setup and implementation of an information technology defined in Section 282.0041(7), F.S.

(2)(a) The Department will determine which personnel are appropriate to provide assistance in fulfilling the request. The special service charge will be computed to the nearest quarter of an hour exceeding 15 minutes based on the cost of wages and benefits of the lowest paid personnel who, in the discretion of the Department, has the necessary skill and training to perform the request ~~current pay grade of the personnel who performed the service~~. The special service charge shall be in addition to the duplication charge as provided in Sections 119.07(4)(a) and (b), F.S., and will be assessed regardless of the number of individual copies made. Payment for special services shall also be imposed where extensive use of personnel or information technology is necessary to determine whether the public record exists or is exempt from public disclosure.

(b) The requestor shall be required to pay any estimated special service charges, as determined by the Department, prior to personnel rendering such services. The Department will refund to the requestor any monies deposited with the Department in excess of the actual costs incurred to fulfill a request, or, in the alternative, the requestor shall be required to remit additional monies to pay for any costs in excess of the deposit. In the event the requestor fails to remit additional monies to cover costs in excess of the monies deposited, the Department shall withhold releasing any public records identified pursuant to that request until those amounts are paid in full.

Specific Authority 20.10(3), 119.07(4)(d) FS. Law Implemented 119.07(4)(d) FS. History—New 3-21-06, Amended _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.052	Dropout Prevention Programs
6A-6.0521	Definitions and Requirements Which Apply to All Dropout Prevention Programs
6A-6.0524	Educational Alternatives Programs
6A-6.0525	Teenage Parent Programs
6A-6.0527	Disciplinary Programs
6A-6.05291	Course Modification

PURPOSE AND EFFECT: The purpose of the rule developments is to review the rules to align with current governing statutes. The effect will be rules which are consistent with Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Dropout Prevention and Academic Intervention Program, Teenage Parent Programs, Disciplinary Programs, and Course Modification.

SPECIFIC AUTHORITY: 1003.53, 1003.54 FS.

LAW IMPLEMENTED: 1003.53, 1003.54 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 8, 2008, 9:00 a.m.

PLACE: Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kimberly Davis, Director, Dropout Prevention Programs, K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.381	Standard Permit Conditions
40D-2.401	Identification Tags

PURPOSE AND EFFECT: The District proposes to amend Rules 40D-2.381 and 40D-2.401, F.A.C., and Section 6.1 of the District's Water Use Permit Information Manual Part B, Basis of Review (BOR) concerning the requirement to attach identification tags to all wells from which water is withdrawn under a District-issued Water Use Permit. The effect will be to limit the requirement for a well tag to those wells or other withdrawal facilities that are required to be metered or for which withdrawal quantities are required to be reported to the District. Rule 40D-2.091, F.A.C., is amended to adopt by reference the revised BOR Section 6.1.

SUBJECT AREA TO BE ADDRESSED: Water use permit conditions.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.224, 373.226, 373.229, 373.239, 373.243, 373.244 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

(1) Water Use Permit Information Manual Part B, "Basis of Review" (_____) (~~5/08~~) and Part D, "Requirements for the Estimation of Permanent and Temporal Service Area Populations in the Southern Water Use Caution Area" (1/07);

(2) through (5) No change.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, _____.

**WATER USE PERMIT INFORMATION MANUAL
PART B, BASIS OF REVIEW**

6.1 STANDARD PERMIT CONDITIONS

The following conditions are placed on all Water Use Permits:

1. through 14. No change.

15. A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.

16. through 19. No change.

New 1-1-03, Amended 1-1-07, _____.

40D-2.381 Standard Permit Conditions.

(1) through (2) No change.

(3) Every permit acquired under this Chapter shall include the following standard conditions which impose certain limitations on the permitted water withdrawal:

(a) through (n) No change.

(o) A District identification tag shall be prominently displayed at each withdrawal point that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, by permanently affixing the tag to the withdrawal facility.

(p) through (r) No change.

(4) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.219, 373.223, 373.244 FS. History--New 6-7-78, Amended 9-9-80, 10-21-80, Formerly 16J-2.112, Amended 10-1-89, 2-10-93, 5-2-93, 4-14-02, 1-1-03, 10-19-05,_____.

40D-2.401 Identification Tags.

(1) When a Water Use Permit is issued, the Governing Board will issue a permanent tag bearing a use identification number for each withdrawal facility that is required by the District to be metered or for which withdrawal quantities are required to be reported to the District, which tag shall be prominently displayed at the site of withdrawal by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility. If the Water Use Permit covers several facilities, such as a well field, a tag will be issued for each facility.

(2) Failure to display a permit tag as prescribed herein shall constitute a violation of these rules and may be grounds for suspension or revocation of the permit. The permittee shall be allowed 10 days after notice to obtain a replacement tag. Upon failure of the permittee to display such tag within 10 days, the Governing Board may cause the replacement of such tag and charge the permittee one hundred dollars (\$100) for such service.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.216, 373.249 FS. Law Implemented 373.219, 373.223, 373.224, 373.226 FS. History--Readopted 10-5-74, Formerly 16J-2.05, Amended 10-1-89,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.200
 RULE TITLE: Nursing Facility Services

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, July 2008, and delete the reference to the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, which will be obsolete July 1, 2008. The revised Nursing Facility Handbook includes updated Pre-Admission Screening

and Resident Review (PASRR) requirements and forms, revised Medical Certification for Nursing Facility/Home and Community Based Services Form and instructions, and updated Medicare Part A crossover policy. The revised handbook reiterates the nursing facility's requirement to enter the recipient's responsibility on the claim.

The rule was revised to require nursing facility services providers to comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, UB-04, which replaces the Florida Medicaid Provider Reimbursement Handbook, Institutional 021. The authorization policies for supplemental payments for medically-fragile recipients under the age of 21 and recipients with AIDS and the Client Discharge/Change Notice, CF-ES 2506, that were in Chapter 2 of the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, were moved to the revised Nursing Facility Handbook.

The effect will be to incorporate by reference in rule the revised Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, July 2008; deleted the reference to the Florida Medicaid Provider Reimbursement Handbook, Institutional 021; and requires providers to comply with the provisions of the Florida Medicaid Provider Reimbursement Handbook, UB-04.

This Notice of Rule Development replaces the Notice of Rule Development that was published in Vol. 33, No. 27, July 6, 2007, Florida Administrative Weekly.

SUBJECT AREA TO BE ADDRESSED: Nursing Facility Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.908 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

TIME AND DATE: Tuesday, June 3, 2008, 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Rinaldi, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)487-3028, rinaldis@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.200 Nursing Facility Services.

(1) No change.

(2) All participating nursing facility providers must comply with the provisions of the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook, July 2008, October 2003, updated July 2004, erratum to the July 2004 update, which is incorporated by reference, and the corresponding Florida Medicaid Provider Reimbursement Handbook, UB-04, Institutional 021, October 2003, which is incorporated by reference in Rule 59G-4.003, F.A.C. Both handbooks are available from the Medicaid fiscal agent's website at <http://mymedicaid-florida.com>. Paper copies of the handbook may be obtained by calling the Medicaid fiscal agent at 800-289-7799 and selecting option 4.

(3) The following forms that are included in the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook are incorporated by reference:

(a) In Appendix A, AHCA Form 5210-001, August 2000, Nurse Aide Training and Competency Evaluation Program Invoice, two pages, available from the Medicaid area offices;

(b) In Appendix B, CF-ES 2506, Feb. 2003, Client Discharge/Change Notice, one page, available from the Department of Children and Family Services district offices or photocopying the form in Appendix B;

(c) In Appendix B, CF-ES 2506A, May 2003, Client Referral/Notice, one page, available from the Department of Children and Family Services district offices or photocopying the form in Appendix B;

(d) In Appendix C, Level I PASRR Screen and Determination Checklist, AHCA-Med Serv Form 004, Part A, March 2008, October 2003, three pages, and Request for Level II PASRR Evaluation and Determination, AHCA-Med Serv Form 004, Part B, March 2008, one page, available from the Department of Elder Affairs website at <http://elderaffairs.state.fl.us/english/cares.html> or photocopying the form in Appendix C the Florida Medicaid Nursing Facility Services Coverage and Limitations Handbook;

(e) In Appendix D, Medical Certification for Nursing Facility/Home and Community Based Services Form AHCA-Med Serv Form 3008, five pages, and Informed Consent Form, AHCA-Med Serv Form 2040, one page, available from the Department of Elder Affairs website at <http://elderaffairs.state.fl.us/english/cares.html> and AHCA Form 5000-3300, April 02, Medicaid Nursing Facility/ICF-DD Contribution Notice available or from the Medicaid area offices.

Specific Authority 409.919 FS. Law Implemented Chapter 400 Part II, 409.902, 409.905, 409.908 FS. History--New 1-1-77, Amended 6-13-77, 10-1-77, 1-1-78, 2-1-78, 12-28-78, 2-14-80, 4-5-83, 1-1-84, 8-29-84, 9-1-84, 9-5-84, 7-1-85, Formerly 10C-7.48, Amended 8-19-86, 6-1-89, 7-2-90, 6-4-92, 8-5-92, 11-2-92, 7-20-93, Formerly 10C-7.048, Amended 11-28-95, 5-9-99, 10-15-00, 10-4-01, 2-10-04, 9-28-04, 8-31-05, 7-23-06,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-10.0014
 RULE TITLE: Requirements for Evidence of Workers' Compensation Coverage
 PURPOSE AND EFFECT: The Board will hold a rules workshop in order to discuss the above-referenced rule and afford the public an opportunity for comment.
 SUBJECT AREA TO BE ADDRESSED: The specific parameters associated with the requirement that employee leasing companies maintain workers compensation coverage.
 SPECIFIC AUTHORITY: 468.522 FS.
 LAW IMPLEMENTED: 468.529 FS.

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

DATE AND TIME: June 17, 2008, 12:00 Noon
 PLACE: The Four Seasons Resort, 2800 South Ocean Boulevard, Palm Beach, Florida 33480

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board's Call Center at (850)487-9517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-45.002
 RULE TITLE: Continuing Education Approval
 PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the number of continuing education credits to be awarded per college semester credit hour.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Approval.

SPECIFIC AUTHORITY: 468.507 FS.

LAW IMPLEMENTED: 468.514, 468.515 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.003	Application and Selection Process for Developments
67-21.0035	Applicant Administrative Appeal Procedures

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes; the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; the Multifamily Revenue Mortgage Bond Program authorized by Section 420.509, Florida Statutes; the Elderly Housing Community Loan Program authorized by Section 420.5087(3)(d), Florida Statutes; the Homeownership Pool Program authorized by Section 420.5088, Florida Statutes; the Homeownership Loan Program authorized by Section 420.5088, Florida Statutes; and the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the procedures by which the Corporation administers returned awards of funding or tax credit allocation.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.507(23), 420.5087, 420.5088, 420.5089, 420.5099 FS.

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

DATE AND TIME: June 3, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel, 101 S. Adams St. Tallahassee, FL, 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie Blinderman, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.:	RULE TITLE:
67-32.007	Scoring, Ranking, and Funding Guidelines

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes; the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; the Multifamily Revenue Mortgage Bond Program authorized by Section 420.509, Florida Statutes; the Elderly Housing Community Loan Program authorized by Section 420.5087(3)(d), Florida Statutes; the Homeownership Pool Program authorized by Section 420.5088, Florida Statutes; the Homeownership Loan Program authorized by Section 420.5088, Florida Statutes; and the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the procedures by which the Corporation administers returned awards of funding or tax credit allocation.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.507(23), 420.5087, 420.5088, 420.5089, 420.5099 FS.

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

DATE AND TIME: June 3, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel, 101 S. Adams St., Tallahassee, FL 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Sheila Freaney (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie Blinderman, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.004	Application and Selection Procedures for Developments
67-48.005	Applicant Administrative Appeal Procedures

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes; the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; the Multifamily Revenue Mortgage Bond Program authorized by Section 420.509, Florida Statutes; the Elderly Housing Community Loan Program authorized by Section 420.5087(3)(d), Florida Statutes; the Homeownership Pool Program authorized by Section 420.5088, Florida Statutes; the Homeownership Loan Program authorized by Section 420.5088, Florida Statutes; and the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the procedures by which the Corporation administers returned awards of funding or tax credit allocation.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.507(23), 420.5087, 420.5088, 420.5089, 420.5099 FS.

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

DATE AND TIME: June 3, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel, 101 S. Adams St., Tallahassee, FL 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney (850)488-4197. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie Blinderman, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-50.040	General Program Restrictions
67-50.070	Application and Selection Procedures

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes; the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; the Multifamily Revenue Mortgage Bond Program authorized by Section 420.509, Florida Statutes; the Elderly Housing Community Loan Program authorized by Section 420.5087(3)(d), Florida Statutes; the Homeownership Pool Program authorized by Section 420.5088, Florida Statutes; the Homeownership Loan Program authorized by Section 420.5088, Florida Statutes; and the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to the procedures by which the Corporation administers returned awards of funding or tax credit allocation.

SPECIFIC AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.507(23), 420.5087, 420.5088, 420.5089, 420.5099 FS.

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DATE AND TIME: June 3, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel, 101 S. Adams St., Tallahassee, FL 32301

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie Blinderman, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: RULE TITLES:
67-57.030 Membership Application Procedures
67-57.050 HOP Program Restrictions

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall administer the return of funding or allocation awarded under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes; the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; the Multifamily Revenue Mortgage Bond Program authorized by Section 420.509, Florida Statutes; the Elderly Housing Community Loan Program authorized by Section 420.5087(3)(d), Florida Statutes; the Homeownership Pool Program authorized by Section 420.5088, Florida Statutes; the Homeownership Loan Program authorized by Section 420.5088, Florida Statutes; and the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

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DATE AND TIME: June 3, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel, 101 S. Adams St., Tallahassee, FL 32301

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Debbie

Blinderman, Deputy Development Officer, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-6.0011	Possession of Wildlife in Captivity; Permit Requirements
68A-6.002	Categories of Captive Wildlife
68A-6.0021	Possession or Transfer of Class I Wildlife as Personal Use Wildlife; Transfer of Wildlife
68A-6.0022	Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements
68A-6.0023	General Regulations Governing Possession of Captive Wildlife
68A-6.0024	Commercialization of Wildlife; Public Contact; Bonding or Financial Responsibility Guarantee
68A-6.0025	Captive Wildlife Sanctuaries; Retired Performing Wildlife Identification Facility and Structural Caging Requirement for Class I, II and III Wildlife
68A-6.004	Standard Caging Requirements for Captive Wildlife
68A-6.0041	Exceptions to Standard Caging Requirements for Captive Wildlife
68A-6.005	Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals
68A-6.007	Possession, Transportation, Exhibition and Caging Venomous Animals
68A-6.0071	Record Keeping and Reporting Requirements

PURPOSE AND EFFECT: The purpose and effect of this rule development is to address the possession, housing and transportation of captive wildlife. The proposed rules will clarify record keeping, documentation of experience, and housing requirements for the possession of captive wildlife. The proposed rules will address changes in classification of captive wildlife and public contact with captive wildlife. Additionally, the proposed new rule establishes requirements for the operation of captive wildlife sanctuaries.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be covered in the proposed rules include possession, transportation and housing of captive wildlife; public contact with captive wildlife; and captive wildlife sanctuaries.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution, 372.021, 372.86, 372.88, 372.92, 372.921, 372.922 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution, 372.021, 372.16, 372.86, 372.87, 372.88, 372.92, 372.921, 372.922 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: June 9, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: South Florida Water Management District, Building B-1 (1st Floor Auditorium), 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: June 10, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: State of Florida, Department of Management Services, Joseph D'Alessandro Building (Room 165), 2295 Victoria Avenue, Fort Myers, FL

DATE AND TIME: June 11, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, FL 34741

DATE AND TIME: June 12, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Florida Department of Agriculture, Division of Plant Industry (1st Floor Auditorium), 1911 S.W. 34th Street, Gainesville, FL 32608

DATE AND TIME: June 13, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission, Bryant Building, 2nd Floor Auditorium (Room 272), 620 S. Meridian Street, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Captain Linda Harrison, Division of Law Enforcement, Investigations Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:

RULE TITLE:

68A-9.006

Wildlife Rehabilitation Permit

PURPOSE AND EFFECT: The purpose and effect of this rule development is to address the rehabilitation of injured, orphaned or otherwise impaired wildlife. The proposed rule will clarify the length of time wildlife may be possessed for rehabilitation purposes and final disposition of such wildlife. The rule will be considered together with proposed changes to Rule Chapter 68A-6, F.A.C., relating to wildlife in captivity.

SUBJECT AREA TO BE ADDRESSED: Subject area to be covered in the proposed rule includes the rehabilitation of native wildlife.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: June 9, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: South Florida Water Management District, Building B-1 (1st Floor Auditorium), 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: June 10, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: State of Florida, Department of Management Services, Joseph D'Alessandro Building (Room 165), 2295 Victoria Avenue, Fort Myers, FL

DATE AND TIME: June 11, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Kissimmee Civic Center, 201 E. Dakin Avenue, Kissimmee, FL 34741

DATE AND TIME: June 12, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Florida Department of Agriculture, Division of Plant Industry (1st Floor Auditorium), 1911 S.W. 34th Street, Gainesville, FL 32608

DATE AND TIME: June 13, 2008, 7:00 p.m. – 8:45 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission, Bryant Building, 2nd Floor Auditorium (Room 272), 620 S. Meridian Street, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Captain Linda Harrison, Division of Law Enforcement, Investigations

Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-6253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:	RULE TITLES:
69A-62.002	Uniform Minimum Firefighter Employment Standards; Adoption of National Fire Protection Association Standards
69A-62.003	Uniform Minimum Firefighter Employment Standards; Adoption of 29 C.F.R. 1910.134(g)(3) and 1910.134(g)(4), Including Notes One and Two and Additional Requirements Applicable to Fire Scenes
69A-62.007	Minimum Requirements for Class 9 Protection
69A-62.021	General Guidelines for Firefighter Employer Comprehensive Safety and Health Programs

PURPOSE AND EFFECT: To remove references to Firefighter I and II categories and adopt Parts I and II of the latest National Fire Protection Association standards for training.

SUBJECT AREA TO BE ADDRESSED: Firefighter I and II.

SPECIFIC AUTHORITY: 633.45(1)(a), 633.804, 633.805, 633.808, 633.821 FS.

LAW IMPLEMENTED: 633.45(1)(a), 633.802, 633.804, 633.805, 633.807, 633.808, 633.821 FS.

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

DATE AND TIME: June 4, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: William E. Clark Assembly Hall, Florida State Fire College, 11655 NW Gainesville Rd., Ocala, FL 34482-1486; telephone: (352)369-2800

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lesley Mendelson, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399 (850)413-3604. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: See above

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69A-62.002 Uniform Minimum Firefighter Employment Standards; Adoption of National Fire Protection Association Standards.

(1) The Department of Financial Services, Division of State Fire Marshal, adopts and incorporates as rules of the Division of State Fire Marshal the following standards as they pertain solely to firefighters and firefighter employers: The National Fire Protection Association, Inc., Standard 1500, Paragraph 5-8 (Personal Alert Safety System [PASS]), ~~2007~~ 1997 edition. A PASS device shall be worn each time a Self-Contained Breathing Apparatus is required.

(2) No change.

Specific Authority 633.01(1), 633.45(1)(a), 633.821 FS. Law Implemented 633.45(1)(a), 633.802, 633.821 FS. History—New 9-6-04, Amended _____.

69A-62.003 Uniform Minimum Firefighter Employment Standards; Adoption of 29 C.F.R. 1910.134(g)(3) and 1910.134(g)(4), Including Notes One and Two and Additional Requirements Applicable to Fire Scenes.

(1) through (2) No change.

(3) With respect to 29 C.F.R. Section 1910.134(g)(4), the two individuals located outside the immediately dangerous to life and health atmosphere may be assigned to an additional role, such as incident commander, pumper operator, engineer, or driver, so long as such individual is able to immediately perform assistance or rescue activities without jeopardizing the safety or health of any firefighter working at an incident.

(a)1. Except as provided in subparagraphs 2., 3., and 4., no firefighter or any other person under the authority of the firefighter employer at the scene of a fire is permitted to participate in any operation involving two-in, two-out as one of the two or more persons inside the IDLH atmosphere or as one of the two or more persons outside of the IDLH atmosphere unless such firefighter or other person at the scene of a fire has completed the training set forth in Part I of paragraph 69A-37.055(2)(a), F.A.C. of is certified in this state by the division as a Firefighter I or a Firefighter II, as established in subsections (1) and (2) of Rule 69A-37.055, F.A.C. Such training shall consist of the training described in subsection (6) of Rule 69A-37.055, F.A.C. This requirement specifically applies to volunteer fire departments and volunteer firefighters but is also applicable to any other person working under the authority of the Firefighter Employer at the scene of a fire.

2.a. A volunteer firefighter who possesses the State Basic Volunteer certificate previously issued by the division is exempt from the ~~Firefighter I and Firefighter II~~ requirement in subparagraph ~~(3)~~ (3)(a)1. The training encompassed in the basic volunteer certificate in itself may not meet “trained commensurate to duty” as defined depending upon duties or tasks assigned or undertaken in the exclusionary zone.

b. A volunteer firefighter who provides evidence of having completed curriculum equivalent to the training set forth in Part I of Rule 69A-37.055(2)(a), F.A.C. Florida Firefighter I course of study as provided in subsection 69A-37.055(6), F.A.C., prior to January 1, 2004, is exempt from the ~~Firefighter I and Firefighter II~~ requirement in subparagraph 3)(a)1., if:

(I) The fire chief or other chief administrative officer of the fire department of which the firefighter is a member files with the State Fire Marshal form DFS-K4-1594, "~~Firefighter I Training Exemption Application,~~" which is hereby adopted and incorporated by reference, and

(II) The ~~said~~ form is accepted by the State Fire Marshal after confirmation of the evidence provided. Form DFS-K4-1594 may be obtained by writing the Bureau of Fire Standards and Training, 11655 Northwest Gainesville Road, Ocala, Florida 34482-1486.

~~e. Any volunteer exempted by sub-subparagraph a. or b. is permitted to take the Florida Firefighter I examination until December 31, 2005, upon the completion and filing with the division of form DFS K4 1380, "Firefighter I Training Record," Rev. 03/00, adopted in Rule 69A-37.039, F.A.C., by a Florida certified instructor that verifies equivalent training and demonstration of competency.~~

~~d. If:~~

~~(I) The fire chief or other chief administrative officer of the fire department fails or refuses to file form DFS-K4-1380 with the division, or~~

~~(II) The division is unable to accept such form because the evidence provided cannot be confirmed, the volunteer firefighter is not permitted to take the Firefighter I examination without first having successfully completed the Firefighter I course.~~

3. United States Department of Defense firefighters responding in their capacity as U.S. Department of Defense firefighters meeting equivalent U.S. Department of Defense qualifications are exempt from the ~~Florida Firefighter I and Firefighter II~~ requirement in subparagraph 3)(a)1.

4. Volunteer firefighters having NWCG S-130, S-190, and Standards for Survival certification by the Florida Division of Forestry are permitted to participate in wild land fire suppression without meeting the requirement of subparagraph 3)(a)1. the Firefighter I certification.

(b) No change.

(4)(a) In addition to the prohibition in subsection (3), no firefighter employer, regardless of whether such firefighter employer employs firefighters certified under Section 633.34, F.S. (2003), or utilizes volunteer firefighters, is permitted to allow any firefighter or other person at the scene of a fire to participate in any activity which is included in the standards adopted in Sections 633.801-.821, F.S. (2003), or pursuant to this rule chapter unless such firefighter or other person at the scene of a fire has completed the training set forth in Part I of Rule 69A-37.055(2)(a), F.A.C. is a Florida certified Firefighter

~~I as established in subsections (1) and (2) of Rule 69A-37.055, F.A.C. Such training shall consist of the training described in subsection (6) of Rule 69A-37.055, F.A.C. This requirement specifically applies to volunteer fire departments and volunteer firefighters, but is also applicable to any other person operating in the exclusionary zone of a scene that would require the use of breathing apparatus, protective clothing, or specialized training required under Section 633.821(2), F.S.~~

(b) No change.

Specific Authority 633.01(1), 633.821 FS. Law Implemented 633.45(1)(a), 633.821 FS. History—New 11-21-01, Formerly 4A-62.003, Amended 9-6-04,_____.

69A-62.007 Minimum Requirements for Class 9 Protection.

(1) through (3) No change.

(4)(a) The chief of any fire department that includes volunteer firefighters shall annually submit a Roster of Volunteer Firefighters to the State Fire Marshal utilizing form DFS-K4-1581, effective 05/04, which is hereby adopted and incorporated by reference, or utilizing the online database found at www.floridastatefirecollege.org, using the online version of the form DFS K4 1581, effective 05/04, which is hereby adopted and incorporated by reference, no later than June 30 of each year. Form DFS-K4-1581 may be obtained by contacting the Division of State Fire Marshal, Bureau of Fire Standards and Training, 11655 Northwest Gainesville Road, Ocala, Florida 34482-1486 or at the division's website located at <http://www.fldfs.com/SFM/>. The roster ~~shall~~ includes:

1. The fire department name,
2. The fire department identification number (FDID),
3. The complete fire department address,
4. The fire department contact person, telephone number and the fire department fax number, if any,
5. The certification level for each firefighter reported and, if any equivalency exemption has been issued, the number of persons for whom such exemption has been issued, and
6. The firefighter certification number, the issue date of the certification, the status of the certification, i.e., volunteer or career, and the status of each firefighter who has been issued an equivalency exemption, i.e., volunteer or career, if any.

(b) Form DFS-K4-1581 shall be completed by the Fire Chief or the designee of the chief ~~The personnel roster need not be in any particular form; however, a personnel roster form containing the above information is available for the fire department's convenience and may be submitted if the chief of the fire department chooses. Such convenience form may be obtained at the division's website located at <http://www.fldfs.com/SFM/> or by writing to the Division of State Fire Marshal, Bureau of Fire Standards and Training, at 11655 Northwest Gainesville Road, Ocala, Florida 34482-1486.~~

Specific Authority 633.01(1), 633.821 FS. Law Implemented 633.45(1)(a), 633.821 FS. History--New 9-6-04, Amended

Section II Proposed Rules

69A-62.021 General Guidelines for Firefighter Employer Comprehensive Safety and Health Programs.

(1) through (2) No change.

(3)(a) through (c) No change.

(d) Each Basic Life Support (BLS) and each Advanced Life Support (ALS) provider, as described in Rules 64E-2.002 and 64E-2.003, F.A.C., respectively, shall document that each driver has completed at least a 16-hour course of instruction on driving an authorized emergency vehicle, as defined by Section 316.003(1), F.S., which includes, at a minimum, classroom and behind-the-wheel training as outlined below:

1. Classroom Training.

a. Legal aspects of authorized emergency vehicle operators.

b. Selecting routes and reporting emergency operation.

c. The practice of defensive driving.

d. Accident avoidance.

e. Principles of vehicle control.

f. Routine safety checks of vehicle.

2. Practical.

a. Braking and control braking.

b. Backing; road position, fender judgment and steering technique.

c. Slalom; steering technique and chassis set.

d. Steering technique during a skid; a skid pad is optional.

e. Turn-around-steering technique; fender judgment, road position, controlled braking, controlled acceleration, understeer, oversteer and chassis set.

A list of approved courses/providers is posted on the "Firefighter Safety and Health" webpage at <http://www.fldfs.com/sfm/bfst/SafetyHealth/SafetyForms.htm> ~~http://www.fldfs.com/sfm~~ or may be obtained from the Safety Program Office of the Bureau of Fire Standards and Training at (352)369-2800. Fire Department or Training Center requests for the approval of other courses must be directed to the same office.

(f) through (m) No change.

(4) through (7) No change.

Specific Authority 633.804, 633.805, 633.808, 633.821 FS. Law Implemented 633.804, 633.805, 633.807, 633.808, 633.821 FS. History--New 9-6-04, Amended 6-6-07, _____.

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.:

RULE TITLE:

IT-1.001

Division of Cultural Affairs

PURPOSE AND EFFECT: This amendment to Rule IT-1.001, F.A.C., provides for a description of the reporting responsibilities of state agencies as regards the Art in State Buildings Program.

SUMMARY: Administration of the art selection process will be the responsibility of the state agency that receives funding from the legislature for construction of facilities that provide public access. These agencies shall submit notification of funding and documentation of each art selection process to the Florida Arts Council through the Division of Cultural Affairs before acquiring artwork.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), (f), 265.2865(6), 265.51, 265.605(1), 265.608(1), 265.609(1), (4), 265.701(5), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 9, 2008, 9:00 a.m.

PLACE: Room 307, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Morgan Lewis, Division of Cultural Affairs, (850)245-6356. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lee Modica, Division of Cultural Affairs, (850)245-6476

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.001 Division of Cultural Affairs.

(1) through (2) No change.

(a) Art in State Buildings Program. This program acquires artwork for public display in the interior or exterior of state buildings, in accordance with section 255.043, *Florida Statutes*. State agencies that receive funding from the legislature for construction of new "public access" facilities shall set aside one-half of one percent (.5%) of their appropriation or \$100,000, whichever is less, to purchase or commission artwork. Each agency shall follow the art selection process and forms contained in the Department of State's *Art in State Buildings Handbook* (CA2E120, eff. 6/30/08), and in doing so, shall report funding appropriations and submit documentation supporting its art selection process to the Florida Arts Council through the Division of Cultural Affairs. The following Arts in State Buildings Forms are hereby incorporated by reference: Administrator Designation Form (CA2E121, eff. 6/30/08), Construction Appropriation Notification Form (CA2E122, eff. 6/30/08), Project Checklist (CA2E123, eff. 6/30/08), User Agency Representative Designation Form (CA2E124, eff. 6/30/08), Orientation Meeting Report (CA2E125, eff. 6/30/08), Image Review Meeting Report (CA2E126, eff. 6/30/08), Implementation Expenses Authorization Form (CA2E127, eff. 6/30/08), Artist's Declaration Form (CA2E128, eff. 6/30/08), Artist's Representative Designation Form (CA2E129, eff. 6/30/08), Recommendation Reports (CA2E130, eff. 6/30/08), Finalist Review Meeting Report (CA2E131, eff. 6/30/08), Selection Detail Report (CA2E132, eff. 6/30/08), Selection Approval Form (CA2E133, eff. 6/30/08), Artwork Inventory Sheet (CA2E134, eff. 6/30/08), and Project Completion Form (CA2E135, eff. 6/30/08). The Art in State Buildings Handbook and forms are available on the Division's web site at www.Florida-Arts.org or may be obtained from the Director of the Division of Cultural Affairs, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250. section provides guidelines and procedures by which artworks are acquired through the Art in State Buildings Program. The Division shall administer the art selection process in conjunction with the DMS, Board of Regents, the Florida Arts Council, and other state agencies. The State of Florida Art in State Buildings Program Guide (Form CA1E063, eff. 2/96) provides the eligibility criteria and art selection procedures.

(b) through (20) No change.

Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), (f), 265.2865(6), 265.51, 265.605(1), 265.608(1), 265.609(1), (4), 265.701(5), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25, 288.0656, 288.06561 FS. History--New 11-23-82, Formerly IT-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03(17), 10-14-03(20), 11-16-03, 2-5-05, 5-16-05, 6-21-05, 12-20-05, 5-22-06, 6-5-06, 6-27-07, 8-20-07, 9-16-07, 1-8-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee Modica, Division of Cultural Affairs

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy, Director, Division of Cultural Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 6, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NOS.:	RULE TITLES:
5C-24.001	Definitions
5C-24.002	General Requirements
5C-24.003	Official Certificate of Veterinary Inspection (OCVI)

PURPOSE AND EFFECT: The purpose and effect of this rule is to update references to the current code of federal regulations referenced in current rules, to revise the definition of official certificate of veterinary inspection (OCVI) to be consistent with Florida Statues, to delete unnecessary language in current rules, and to clarify the OCVI required for the intrastate sale of dogs and cats in Florida. This rule also corrects an erroneous form number contained in the current rules.

SUMMARY: Revises definitions relating to veterinarians and livestock to reference to the most current versions of the code of federal regulations. This rule deletes obsolete language relating to general requirements for the Department to provide certain forms, and this rule revises language to clarify the OCVI that is required to transfer the ownership of a dog or cat by sale within Florida.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 570.07(23) FS.

LAW IMPLEMENTED: 585.08, 585.145 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Dr. William Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 S. Calhoun Street, Tallahassee, FL 32399-0800; Phone: (850)410-0900; FAX: (850)410-0957

THE FULL TEXT OF THE PROPOSED RULES IS:

5C-24.001 Definitions.

(1) Accredited Veterinarian. A veterinarian licensed in the state of origin and approved by the Deputy Administrator, United States Department of Agriculture, Animal and Plant Health Inspection Service, to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 CFR 160-162 (2007 1998).

(2) Cattle. Cattle shall include any bull, steer, ox, cow, heifer, calf, or any other bovine animal.

(3) Department. The Florida Department of Agriculture and Consumer Services.

(4) Division. The Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

(5) Domestic Animal. Any equine or bovine animal, goat, sheep, swine, domestic cat, dog, poultry, ostrich, rhea or emu, or other domesticated beast or bird. The term "animal" shall include wild or game animals whenever necessary to effectively control or eradicate dangerous transmissible diseases or pests which threaten the agricultural interests of the state.

(6) Domesticated Fowl. Any member of the Class Aves that is propagated or maintained under control of a person for commercial, exhibition or breeding purposes, or as pets.

(7) Horses. Any horse, mule, ass, zebra or other Equidae.

(8) Licensed Veterinarian. Any veterinarian who has a current license with the Florida Board of Veterinary Medicine.

(9) Livestock. Any grazing animals, such as cattle, horses (equidae), sheep, swine, goats, cervidae and other hoofed animals and ratites which are raised for private use or commercial purposes.

(10) National Poultry Improvement Plan (NPIP). A cooperative state-federal-industry program for prevention and control of certain hatchery disseminated diseases and for improvement of poultry and poultry products as provided in 9 CFR 145 - and 147 (2007 1998).

(11) Official Certificate of Veterinary Inspection (OCVI). Official certificate of veterinary inspection means a legible certificate of veterinary inspection signed by the examining veterinarian licensed by the state of origin and accredited by the United States Department of Agriculture. An official form provided by the Division to licensed and accredited veterinarian for the purpose of certifying the identification, test

~~requirements, and health of specific animals for movement, exhibition, and other designated purposes for the species of animal.~~

(12) Ratites. Ostriches, emus, and rheas.

(13) Materials: Title 9 CFR 161-162 (2007), 145, - and 147 (2007 1998) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 585.002(4), 585.08(2)(a) FS. Law Implemented 585.08(2)(a), 585.145(1), (2), 828.29(3) FS. History--New 7-13-99, Amended.

5C-24.002 General Requirements.

(1) Forms Provided. The Division of Animal Industry, Department of Agriculture and Consumer Services will provide forms when required by statute or rule for certification of identification, required tests, and health as required for movement, exhibition, and other designated purposes for the species of animal.

~~(2) Request for Forms. The OCVI will be provided to licensed and accredited veterinarians only, unless otherwise provided in this rule. The forms may be obtained by written request to the Florida Department of Agriculture and Consumer Services, Health Form Request, Post Office Box 6710, Tallahassee, Florida 32314 6710. The form number and name, and the quantity of forms must be included in the written request.~~

~~(2)(3) Fees for Forms. A fee will be charged for the forms as provided in Rule 5C-24.003, F.A.C. the specific section of this rule. The fee must be submitted with the request for forms, as a check or money order made payable to the Florida Department of Agriculture and Consumer Services.~~

~~(3)(4) Deposit of Fees. The fees collected shall be deposited in the Department's General Inspection Trust Fund.~~

Specific Authority 585.002(4), (5) FS. Law Implemented ~~ch. 94 339, Laws of Florida;~~ 585.002(5), 828.29(3)(b) FS. History--New 7-13-99, Amended.

5C-24.003 Official Certificate of Veterinary Inspection (OCVI).

(1) Horses.

(a) OCVI. The OCVI for horses is the Official Equine Certificate of Veterinary Inspection, DACS_09002 ~~(SN-6001) (Rev. 04/06 10/97).~~

(b) The fee for the OCVI, DACS_09002 ~~(SN-6001) (Rev. 04/06 10/97)~~ is \$65 per book of 25.

(2) Livestock.

(a) The OCVI for cattle, goats, sheep, swine, cervidae, ratites, and other hoofed animals, excluding horses, is the Official Certificate of Veterinary Inspection, DACS_09004 ~~(SN-6000) (Revised 06/07 1/98).~~

(b) The fee for the OCVI, DACS-090004 (SN-6000) (Revised 06/07 4/98) is \$65 per book of 25.

(3) Domesticated Fowl.

(a) OCVI. The OCVI for domesticated fowl originating from other than NPIP participating flocks, hatcheries or dealers is the Official Certificate of Veterinary Inspection, DACS-090004 (SN-6000) (Revised 06/07 4/98).

1. The OCVI, DACS-090004 (SN-6000) (Revised 06/07 4/98) will be provided to licensed and accredited veterinarians.

2. The fee for the OCVI, DACS-090004 (SN-6000) (Revised 06/07 4/98) is \$65 per book of 25.

(b) NPIP Participating Flocks, Hatcheries, and Dealers. The certification of health status for interstate shipment of flocks, hatcheries, and dealers participating in the NPIP is the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (AUG 2005 8/95).

1. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (AUG 2005 8/95) will be certified by a Division representative and provided to an NPIP participating flock, hatchery, or dealer.

2. The certification and processing fee for the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (AUG 2005 8/95) is \$50 for 25 certified forms.

(c) Official Health Certificate Avian, DACS-09023 (Rev. 07/07 8/95). The Official Health Certificate Avian, DACS-09023 (Rev. 07/07 8/95) is the OCVI for NPIP participating flocks, hatcheries, and dealers which are required by the country or state of destination to provide an OCVI in addition to the Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (AUG 2005 8/95).

1. The Official Health Certificate Avian, DACS-09023 (Rev. 07/07 8/95) is certified by a Division veterinarian and is provided to the NPIP participating flock, hatchery or dealer.

2. The fee for the Official Health Certificate Avian, DACS-09023 (Rev. 07/07 8/95) is \$100 per 100 certificates.

3. Special Certifications. The fee for individual OCVI including, but not limited to, certificates requiring individual identification numbers of domesticated fowl, vaccination status, or the Florida Department of Agriculture seal, is \$30 for each certificate.

(4) Dogs, Cats and Other Non-Livestock Species.

(a) OCVI for Interstate Movement. The OCVI for dogs, cats and other non-livestock species, including but not limited to zoo animals and domesticated non-native wildlife, is Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-livestock Species, DACS-09086 (SN-6002) (Rev. 04/06 4/98).

(b) OCVI for Sale of Dog or Cat. The OCVI required to transfer the ownership of a dog or cat by sale within Florida is the Official Certificate of Veterinary Inspection for Intrastate Sale of Dog or Cat, DACS-09085 (SN-6003) (Rev. 01/08 10/97) must accompany any dog or cat sold, or offered for sale, in the state of Florida.

(c) The fee for the OCVI, DACS-09086 (SN-6003) (Rev. 04/06 4/97) or DACS 09085 (SN-6002) (Rev. 01/08 10/97) is \$65 per package of 25.

(5) Forms. The Official Equine Certificate of Veterinary Inspection, DACS-09002 (SN-6004) (Rev. 04/06 4/97); the Official Certificate of Veterinary Inspection, DACS-090004 (SN-6000) (Revised 06/07 4/98); the Official Certificate of Veterinary Inspection for Interstate Movement of Dogs, Cats, and Other Non-Livestock Species, DACS 090865 (SN-6002) (Rev. 04/06 4/98); the Official Certificate of Veterinary Inspection for Intrastate Sale of a Dog or Cat, DACS-090856 (SN-6003) (Rev. 01/08 10/97); and the Official Health Certificate Avian, DACS-09023 (Rev. 07/07 8/95) are hereby incorporated by reference. Copies may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Animal Industry, 407 South Calhoun Street, Room 323, Mayo Building, Tallahassee, Florida 32399-0800. The Report of Sales of Hatching Eggs, Chicks, and Poults, VS Form 9-3 (AUG 2005 8/95) is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 585.002(4), (5), 585.08(2)(a), 585.145(2), 585.15 FS. Law Implemented 585.002(5), 585.08(1), (2), 585.145(1), (2), (3), 585.155, 828.29 FS. History—New 7-13-99, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. William Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 S. Calhoun Street, Tallahassee, FL 32399-0800; phone: (850)410-0900; fax: (850)410-0957

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Thomas J. Holt, State Veterinarian/Director of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, FL 32399-0800

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE NO.: 5C-28.001
 RULE TITLE: Dog and Cats – Intrastate Transfer of Ownership

PURPOSE AND EFFECT: The purpose and effect of this rule is to adopt the requirements necessary to transfer the ownership of a dog or cat by sale within Florida.

SUMMARY: Section 585.145(2), Florida Statutes, provides that the Department shall specify by rule the health tests, official certificates of veterinary inspection, or other

certificates and documents that must first be obtained prior to the owner, broker, or transferor transferring ownership of an animal by sale. This rule is being promulgated to adopt the specific official certificate of veterinary inspection (OCVI) that must be obtained before ownership of a dog or cat can be transferred by sale within Florida. This rule further provides that the original OCVI shall be provided to the person to whom ownership is transferred.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 585.002(4) FS.

LAW IMPLEMENTED: 585.145(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dr. William Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 S. Calhoun Street, Tallahassee, FL 32399-0800; phone (850)410-0900; FAX: (850)410-0957

THE FULL TEXT OF THE PROPOSED RULE IS:

5C-28.001 Dog and Cats – Intrastate Transfer of Ownership.

(1) Prior to the transfer of ownership by sale of a dog or cat within this state, the owner, broker or transferor of the dog or cat shall first obtain an official certificate of veterinary inspection which meets the requirements of Section 828.29, F.S., and utilizes the form DACS-09085 (Rev. 01/08), Official Certificate of Veterinary Inspection For Intrastate Sale of Dog Or Cat, adopted in Rule 5C-27.001, F.A.C.

(2) As evidence of compliance with subsection (1) of this rule, the original of DACS-09085, Official Certificate of Veterinary Inspection For Intrastate Sale Of Dog Or Cat, shall be provided to the owner or agent to whom ownership is being transferred.

(3) County-operated or city-operated animal control agencies and registered nonprofit humane organizations are exempt from this rule.

Specific Authority 585.002(4) FS. Law Implemented 585.145(2) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dr. William C. Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, FL 32399-0800; telephone (850)410-0900; fax: (850)410-0915

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dr. Thomas J. Holt, State Veterinarian/Director of Animal Industry, Florida Department of Agriculture and Consumer Services, 407 South Calhoun Street, Tallahassee, FL 32399-0800

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 18, 2008

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-14.142
 RULE TITLE: Responsibilities and Duties – Records, Reports, Advertising, Applications

PURPOSE AND EFFECT: The purpose and effect of the proposed rules are to add an amendment that will accommodate newer phone communication technology in the conduct of pest control by removing a requirement for a phone terminating in the licensed business location, while providing for accountability for pest control sales calls. This will allow the use of cell phones which are increasingly important for pest control operators.

SUMMARY: Addition of an amendment that will accommodate newer phone communication technology in the conduct of pest control by removing a requirement for a phone terminating in the licensed business location, while providing for accountability for pest control sales calls. This will allow the use of cell phones which are increasingly important for pest control operators.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 482.051 FS.

LAW IMPLEMENTED: 482.051, 482.21(21) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael J. Page, Chief of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301-2961, (850)921-4177

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) through (2) No change.

(3) Advertising:

(a) Pest control advertising on service vehicles, in telephone directories or other advertising media shall in all cases be factual and shall be set forth only under the licensee's name or trade name registered with the Department. Unregistered fictitious names are prohibited.

(b) All pest control telephone directory advertising, including ~~direct dial~~ long distance lines shall in all cases show the licensee's name or trade name registered with the Department, complete licensed business location address from where services will be performed and telephone numbers. ~~Blind (unidentified) telephone numbers are prohibited. All telephone numbers used in the solicitation and acceptance of pest control shall terminate in the licensed business location.~~

(c) Solicitation and acceptance of pest control must be performed by an identification card holder whether performed in person or by telephone.

(4) through (8) No change.

Specific Authority 482.051 FS. Law Implemented 482.021(21), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.226(1), (6) FS. History–New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Michael J. Page

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Anderson H. "Andy" Rackley

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 30, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09942
RULE TITLE: State Uniform Transfer of Students in the Middle Grades

PURPOSE AND EFFECT: The purpose of this rule is to ensure consistency for students who transfer to a Florida public school after grade 6. The effect of this rule will be to provide consistency for students who enter a Florida public middle school at the seventh or eighth grade from out of state or from a foreign country by not requiring them to spend additional time in a Florida public school in order to meet the middle grades promotion requirements if the student has met all of the promotion requirements of the school district, state or country from which he or she is transferring.

SUMMARY: General requirements for middle grades promotion.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1003.4156(3) FS.

LAW IMPLEMENTED: 1003.4156 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 17, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Iris Wilson, Deputy Chancellor, K-12 Public Schools, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09942 State Uniform Transfer of Students in the Middle Grades.

The purpose of this rule is to establish procedures relating to the completion of the middle grades promotion requirements by students who transfer to a Florida public school after grade 6. The procedures shall be as follows:

(1) Students who enter a Florida public school composed of middle grades in grade 7, from out of state or from out of country, who met all promotion requirements during the previous school year of the school district, state, or country from which he or she is transferring, shall be considered to have successfully completed one (1) English course, one (1) mathematics course, one (1) social studies course, and one (1) science course in order to satisfy the General Requirements for Middle Grades Promotion pursuant to Section 1003.4156, Florida Statutes.

(2) Students who enter a Florida public school composed of middle grades in grade 8, from out of state or from out of country, who met all promotion requirements during the previous school year of the school district, state, or country from which he or she is transferring, shall be considered to have successfully completed two (2) English courses, two (2) mathematics courses, two (2) social studies courses, and two (2) science courses in order to satisfy the General Requirements for Middle Grades Promotion pursuant to Section 1003.4156, Florida Statutes.

Specific Authority 1003.4156(3) FS. Law Implemented 1003.4156 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Iris Wilson, Deputy Chancellor, K-12 Public Schools,
Department of Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Frances Haithcock, Chancellor,
K-12 Public Schools, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 2, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: May 9, 2008

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-3.0291 RULE TITLE: Specifications for New School Buses

PURPOSE AND EFFECT: The purpose of the rule amendment is to implement Florida’s statutory requirements to effect safe and efficient transportation of Florida public school students by county school districts and charter schools. The effect is the adoption of the Florida School Bus Specifications, 2008, with required changes reflecting public expectations and higher benchmarks among student transportation providers for the safety of students.

SUMMARY: This rule is amended to adopt the revised school bus specifications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1006.25 FS.

LAW IMPLEMENTED: 1006.22, 1006.25 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 17, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charlie Hood, Office of School Transportation, Department of Education

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-3.0291 Specifications for New School Buses.

(1) School buses purchased each year shall conform to current National School Transportation Specifications and Procedures of the National Conference on School Transportation, current Federal Motor Vehicle Safety Standards and to specifications prescribed by the State Board for body, chassis and special equipment as provided in Section 1006.25, Florida Statutes. Each school bus as defined by Section 1006.25(1), Florida Statutes, shall meet the

requirements of the Florida School Bus Specifications applicable for the year the bus was manufactured or the previous year if specifications were not revised and approved for a given year. Specifications shall incorporate the specific standards as approved by the State Board prior to and including the following years: 1965, 1966, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1992, 1993, 1995, 2000, 2002, 2004, and 2006, and 2008 revised. Copies of the above specifications are on file and available from the School Transportation Management Section, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399. Specifications may vary for different sizes and types of buses to meet specific needs and conditions. Bid forms prepared under the direction of the Commissioner shall incorporate basic specifications and equipment.

(2) Any school district may, at its option, upgrade any school bus or buses with equipment meeting specifications which are current at the time of the upgrade.

(3) The Chief Financial Officer may approve special equipment differing from or not prescribed in Florida School Bus Specifications for the specific purpose of limited pilot testing to determine if such equipment provides substantive improvements in safety or cost effectiveness. Pilot testing of equipment shall not be approved until the Chief Financial Officer has determined to the extent practical that the equipment will not compromise safety.

Specific Authority 1006.25 FS. Law Implemented 1006.22, 1006.25 FS. History—Amended 9-17-72, 7-20-74, Repromulgated 12-5-74, Amended 11-10-83, 3-28-84, 10-8-84, 10-8-85, Formerly 6A-3.29, Amended 8-19-86, 9-30-87, 10-4-88, 12-11-89, 12-18-90, 11-10-92, 9-5-93, 11-15-94, 10-18-95, Formerly 6A-3.029, Amended 6-11-00, Formerly 6-3.029, Amended 4-21-03, 2-22-05, 11-26-06, _____.

Cf. Florida School Bus Specifications Revised, January 1965; Florida School Bus Specifications Revised, Chassis – 1966; Body – 1966;

- Florida School Bus Specifications Revised, January 1966;
- Florida School Bus Specifications Revised, 1968;
- Florida School Bus Specifications Revised, 1969;
- Florida School Bus Specifications Revised, 1970;
- Florida School Bus Specifications Revised, 1971;
- Florida School Bus Specifications Revised, 1972;
- Florida School Bus Specifications Revised, 1973;
- Florida School Bus Specifications Revised, November 1974;
- Florida School Bus Specifications Revised, January 1975;
- Florida School Bus Specifications Revised, Chassis – October 1976;
- Body – October 1976, No Type A; No Exceptional Child; Florida School Bus Specifications Revised, Body, Chassis, Type A, and Exceptional Child, March 1977;
- Florida School Bus Specifications Revised, 1978;
- Florida School Bus Specifications Revised, Amended, 1979;
- Florida School Bus Specifications Revised, November 1980;
- Florida School Bus Specifications Revised, 1982;
- Florida School Bus Specifications Revised, 1983;
- Florida School Bus Specifications Revised, January 1984;

Florida School Bus Specifications Revised, September 1984;
 Florida School Bus Specifications Revised, September 1985;
 Florida School Bus Specifications Revised, July 1986;
 Florida School Bus Specifications Revised, October 1987;
 Florida School Bus Specifications Revised, 1988;
 Florida School Bus Specifications Revised, 1989;
 Florida School Bus Specifications Revised, 1990;
 Florida School Bus Specifications Revised, 1992;
 Florida School Bus Specifications Revised, 1993;
 Florida School Bus Specifications Revised, 1995;
 Florida School Bus Specifications Revised, 2000;
 Florida School Bus Specifications Revised, 2002;
 Florida School Bus Specifications Revised, 2004;
 Florida School Bus Specifications Revised, 2006;
Florida School Bus Specifications Revised, 2008.
 NAME OF PERSON ORIGINATING PROPOSED RULE:
 Charlie Hood, Office of School Transportation, Department of
 Education
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Linda Champion, Deputy
 Commissioner for Finance and Operations
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: April 14, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: May 2, 2008

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0571
 RULE TITLE: Career and Technical Education and
 Adult General Education Standards
 and Industry-Driven Benchmarks

PURPOSE AND EFFECT: The purpose of the rule amendment
 is to adopt the revised standards, benchmarks, and curriculum
 frameworks, delete obsolete language, and correct statutory
 citations. The effect will be a rule which incorporates the
 current standards, benchmarks, and curriculum frameworks
 and is consistent with current statutes.

SUMMARY: This rule is amended to adopt revised standards,
 benchmarks, and curriculum frameworks.

SUMMARY OF STATEMENT OF ESTIMATED
 REGULATORY COSTS: No Statement of Estimated
 Regulatory Cost was prepared.

Any person who wishes to provide information regarding a
 statement of estimated regulatory costs, or provide a proposal
 for a lower cost regulatory alternative must do so in writing
 within 21 days of this notice.

SPECIFIC AUTHORITY: 1004.92(2)(b)3. FS.

LAW IMPLEMENTED: 1004.92(2)(b)4. FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND
 PLACE SHOWN BELOW:

DATE AND TIME: June 17, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE
 PROPOSED RULE IS: Andy Anderman, Director, Career and
 Technical Education, Division of Workforce Education, 325
 West Gaines Street, Tallahassee, Florida; (850)245-9020

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0571 Career and Technical Education and Adult
 General Education Vocational and Workforce Development
 Standards and Industry-Driven Benchmarks.

Section 1004.92, 239.229, Florida Statutes, requires the
 Department of Education to develop program standards and
 industry-driven benchmarks for career and technical education
~~vocational~~, adult and community education programs. The
 criteria for qualification of individual courses for inclusion in
 the classification of secondary career education programs
 prescribed in Section 1011.80, 236.081(1)(e), Florida Statutes,
 or Workforce Development Education programs as prescribed
 in Section 1011.62, 239.145, Florida Statutes, are annually
 adopted by the State Board and shall be published by the
 Commissioner in a document titled, “Standards, Benchmarks,
 and Frameworks Career and Technical Education Curriculum
 Frameworks, Academic Year 2008/2009.” ~~“Vocational
 Education Program Courses Standards, July 1999”;~~ or in the
 document “Curriculum Frameworks Adult General Education,
 2007/2008.” ~~“Adult Education Program Courses Standards,
 July 1999.”~~ These criteria are hereby incorporated by this rule
 and made a part of the rules of the State Board of Education to
become effective with the effective date of this rule. Copies of
 these publications may be obtained from the Division of
 Workforce Education ~~Development,~~ Department of Education,
 The Turlington Building, 325 West Gaines Street, Tallahassee,
 Florida 32399 ~~at a cost to be established by the Commissioner
 but which shall not exceed actual cost.~~ or from the
 Department’s website at [http://www.fldoe.org/workforce/
 dwdframe](http://www.fldoe.org/workforce/dwdframe).

(1) District school boards and community colleges boards
 of trustees variance authority. District school boards of
 education and community college boards of trustees are
 authorized, to vary up to ten (10) percent of the intended
 outcomes of each framework included in the document
“Standards, Benchmarks, and Frameworks Career and
 Technical Education Curriculum Frameworks, Academic Year
 2008/2009.” ~~“Vocational Education Program Courses
 Standards, July 1999”;~~ and “Curriculum Frameworks Adult
 General Education, 2007/2008.” ~~the “Adult Education
 Program Courses Standards, July 1999.”~~ The variance does not
 apply to frameworks identifying occupations requiring state or
 federal licensure, certification or registration.

(2) Commissioner of Education waiver authority. The
 Commissioner of Education may approve a school’s waiver
 request submitted by a district school board to allow the school
 to substitute locally approved intended outcomes for State
 Board approved outcomes included in the documents

“Standards, Benchmarks, and Frameworks Career and Technical Education Curriculum Frameworks, Academic Year 2008/2009” and “Curriculum Frameworks Adult General Education, 2007/2008.” “Vocational Education Program Courses Standards, July 1999” provided that:

(a) The framework does not identify occupations requiring state or federal licensure, certification or registration;

(b) Locally approved outcomes specified for the state approved program adequately address the major concepts/content contained in the curriculum framework;

(c) The waiver request fulfills the provisions of Section 1001.10, ~~229-592(9)~~, Florida Statutes.

Specific Authority 1004.92(2)(b)3. FS. Law Implemented 1004.92(2)(b)4. FS. History—New 10-30-78, Amended 10-23-79, 5-29-80, 7-9-81, 7-6-82, 5-29-83, 6-14-84, 7-10-85, Formerly 6A-6.571, Amended 7-9-86, 7-22-87, 8-30-88, 7-31-90, 7-31-91, 7-31-92, 7-31-93, 7-31-94, 4-30-96, 1-23-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Andy Anderman, Director, Career and Technical Education,
Division of Workforce Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Lucy Hadi, Chancellor, Workforce
Education

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 18, 2008

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.0784 Approval of Charter School
 Governance Training

PURPOSE AND EFFECT: This is a new rule to establish procedures for the approval of charter school governance training submitted to the Department of Education by potential training providers. The effect of this rule is to provide consistency to the instructional components, submission, review, and approval of charter school governance training.

SUMMARY: This rule provides for the implementation of Section 1002.33, Florida Statutes, relating to the requirement for governing bodies of charter schools in Florida to participate in governance training that has been approved by the Department of Education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1002.33(24) FS.

LAW IMPLEMENTED: 1002.33(9)(k) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 17, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Room 522, Tallahassee, Florida 32399-0400; (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0784 Approval of Charter School Governance Training.

The following provisions are established for the approval of charter school governing board training submitted to the Florida Department of Education for approval pursuant to Section 1002.33, Florida Statutes.

(1) General training requirements.

(a) Beginning with the effective date of this rule, every member of the governing body of a charter school operating in Florida shall participate annually in governance training on or before August 1 of each calendar year. The training must be delivered consistent with a training plan that has been submitted and approved by the Department as described in this rule.

(b) Training for charter school governing boards with one or more members who have had no previous board service or have served on the board for less than ninety (90) days must include a minimum of four (4) hours of instruction focusing on government in the sunshine, conflicts of interest, ethics, and financial responsibility as specified in Section 1002.33(9)(k), Florida Statutes.

(c) A minimum of two (2) hours of refresher instruction on the four (4) topics in Section 1002.33(9)(k), Florida Statutes, may be offered if a charter school’s governing board is composed entirely of members who have served continuously on the school’s board for ninety (90) days or more, and all board members have completed four (4) hours of instruction as described in paragraph (1)(b) of this rule.

(d) Instruction beyond the hours specified in paragraphs (1)(b) and (c) of this rule may be included in the training plan to address additional topics generally recognized and supported by research or practitioners as important for effective governing board operation.

(e) Each charter school is responsible for contracting with or providing a trainer who delivers governance training consistent with a governance training plan that has been approved by the Department.

(2) Governance training plans.

(a) For the purpose of this rule, a training plan is a written instructional document describing the instructional design for charter school governing board training which includes measurable performance objectives, instructional content, delivery strategies, learning activities, and assessment for training to fulfill the statutory requirements for charter school governing board instruction focusing on government in the sunshine, conflicts of interest, ethics, and financial responsibility as specified in Section 1002.33(9)(k), Florida Statutes. The training plan may include, but not be limited to, traditional instructional settings, individualized learning modules, and online education.

(b) A governance training plan submitted for review and approval by the Department shall address each of the following components:

1. Description of the content to be delivered that fulfills all topics identified in Section 1002.33(9)(k), Florida Statutes, and is consistent with the hours of instruction specified in paragraphs (1)(b) and/or (1)(c) of this rule,

2. Additional topics to be addressed during the training,

3. Measurable learning objectives that specify the performance required,

4. Description of instructional strategies, activities and presentation materials,

5. Methods to be used to measure the stated learning objectives, overall training performance, and provider effectiveness,

6. Length of time required for training,

7. References used in developing the training,

8. Certification that the training has been developed and is owned by the provider or that the provider is licensed to use the training for purposes pursuant to Section 1002.33, Florida Statutes, and

9. Qualifications and experience of all persons who will be actively involved in providing training.

(3) Submission and review of training plans.

(a) Potential training providers shall complete Form IEPC-9, Charter School Governance Training, Training Plan Approval Application, for submitting a charter school governance training plan for review and approval. Form IEPC-9 is hereby incorporated by reference to become effective with the effective date of this rule. Copies of the form may be obtained electronically on the Department's website at <http://www.floridaschoolchoice.org> or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(b) After completing and signing the form, a training provider seeking approval must submit the original and five (5) copies of the form to the Office of Independent Education and Parental Choice as described on the form.

(c) The Commissioner of Education shall appoint a committee to review charter school governance training plans. The review team shall be appointed by the Commissioner of Education and composed of individuals with knowledge in education, finance, governance, and law. A training plan submitted for approval to the Department will be reviewed within thirty (30) days of receipt to determine compliance with the components identified in paragraph (2)(b) of this rule.

(d) The review team's findings will be consolidated and provided as recommendations to the Commissioner or designee. Using the recommendations of the committee, the Commissioner shall determine if the provider has met the criteria for approval or denial. Within ten (10) working days following the Commissioner's determination, the Department shall send a written notification to the proposed provider regarding the outcome of the training plan review.

(e) The names of training providers whose training plans have been approved to meet requirements of Section 1002.33(9)(k), Florida Statutes, will be posted on the Department's website at <http://www.floridaschoolchoice.org> and will be available in hard copy upon request to the Office of Independent Education and Parental Choice. Governance training that was delivered between January 1, 2008, and the effective date of this rule will be considered to have met statutory requirements if it was delivered pursuant to a training plan subsequently approved by the Department and reported as described in subsection (5) of this rule.

(f) A notice of denial of approval shall be sent to proposed training providers who submitted plans that do not comply with the components identified in paragraph (2)(b) of this rule. The notice of denial will identify specific areas of program weakness that must be corrected prior to reconsideration for approval. The provider shall have sixty (60) days after receipt of the notice of denial to resolve any outstanding issues, including submission of a revised training plan for reconsideration and review pursuant to paragraphs (3)(b), (c), and (d) of this rule. If issues with the training plan have not been resolved within sixty (60) days after receipt of the original notice of denial or any subsequent notice of denial following reconsideration of the revised training plan, whichever is later, the application for approval shall be administratively closed. After sixty (60) days from the date the application is administratively closed, a new training plan may be submitted to the Department as described in paragraphs (3)(a) and (b) of this rule.

(4) Length of approval and renewal of training plans.

(a) Each approval or extension shall be granted for a period of time determined by the Department of Education, but shall not exceed two (2) years from the date of approval.

(b) No earlier than six (6) months prior to the expiration of approval, a training provider may submit a request for extension of an approved training plan by completing and submitting Form IEPC-10, Charter School Governance

Training. Application to Renew an Approved Training Plan. Form IEPC-10 is hereby incorporated by reference to become effective with the effective date of this rule and will be available electronically on the Department's website at <http://www.floridaschoolchoice.org> or may be obtained from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(c) A request for training plan renewal submitted for approval to the Department will be reviewed within thirty (30) days of receipt to determine continued compliance with the components identified in paragraph (1)(b) of this rule. Within ten (10) working days following the Commissioner's determination, the provider will be notified in writing of the Department's decision to renew the plan or not to renew. If a training plan is not renewed, a provider may submit a new training plan to the Department as described in paragraphs (3)(a) and (b) of this rule.

(5) Report of governing board training.

(a) Each training provider offering an approved training program in accordance with this rule shall submit a report of each governing board's training to the Department and a copy of the report to the charter school director within thirty (30) days of the training. The charter school director is responsible for providing a copy of the report to the school's sponsor within thirty (30) days of receiving the report from the trainer.

(b) Information to be reported shall include the name of the charter school governing board and individual members who received training, the date and location of the training, and whether or not the training objectives were achieved. The report shall be submitted electronically to the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(c) Each training provider offering an approved charter school governance training program shall provide a certificate of participation to every governing board member who completes the training and achieves the training objectives as stated in the training plan.

Specific Authority 1002.33(24) FS. Law Implemented 1002.33(9)(k) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Paulette Mainwood, Office of Independent Education and Parental Choice

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 29, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 11, 2008

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.040
RULE TITLE: Basic Skills Requirements for Postsecondary Career Certificate Education

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete obsolete tests. The effect will be a rule which accurately identifies current assessment instruments.

SUMMARY: The rule is amended to delete tests which are no longer available.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 1001.02(1), 1004.91(1), 1007.271(3) FS.

LAW IMPLEMENTED: 1004.91 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 17, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lucy Hadi, Chancellor, Workforce Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.040 Basic Skills Requirements for Postsecondary Career Certificate Education.

(1) Students who are enrolled in a postsecondary program offered for career education credit of 450 hours or more shall complete an entry-level basic skills examination within the first six (6) weeks after admission into the program. The assessment instruments listed in paragraphs (1)(a) through (1)(c)(e) of this rule (English version only) are designated to assess student mastery of basic skills and shall be used according to standards established for test administration and interpretation set forth in Standards for Educational and Psychological Testing (APA, AERA, NCME, 1992) and with appropriate accommodations for students with disabilities as specified in Rule 6A-1.0943, F.A.C.:

(a) Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 9 & 10, 2003;

(b) Florida College Entry-Level Placement Test or Multiple Assessment Placement Service (MAPS), where authorized;

~~(e) Tests of Adult Basic Education (TABE), Complete Battery or Survey Form, Forms 7 & 8, 1994;~~

~~(d) Tests of Adult Basic Education — Work Related (TABE WR), 1994; or~~

~~(c)(e)~~ Wonderlic Basic Skills Test (WBST), 1994.
(2) through (8) No change.

Specific Authority 1001.02(1), 1004.91(1), 1007.271(3) FS. Law Implemented 1004.91 FS. History—New 10-8-85, Formerly 6A-10.40, Amended 5-2-89, 9-5-93, 11-25-97, 1-24-99, 4-26-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lucy Hadi, Chancellor, Workforce Education

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Hadi, Chancellor, Workforce Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

**DEPARTMENT OF EDUCATION
State Board of Education**

RULE NOS.:	RULE TITLES:
6A-22.001	Definitions
6A-22.002	Rehabilitation Provider Qualifications
6A-22.003	Reemployment Status Review
6A-22.004	Notice Requirements
6A-22.006	Screening Process
6A-22.008	Reemployment Services and Programs
6A-22.009	Employee Responsibilities
6A-22.010	Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities
6A-22.011	List of Forms
6A-22.012	Expenditures from the Workers' Compensation Administrative Trust Fund

PURPOSE AND EFFECT: The purpose and effect of these rule amendments are to (a) mandate the electronic submission of DWC-21 (Reemployment Services Billing Form) and DWC-22 (Reemployment Status Review Form) data from the carriers to the Bureau of Rehabilitation and Reemployment Services, resulting in increased workers' compensation system efficiencies; (b) require qualified rehabilitation providers to have a business e-mail address thereby increasing efficiencies in the workers' compensation system; (c) allow for on-the-job training that is temporary, thereby expanding the opportunities for injured employees to receive training; (d) clarify various Bureau of Rehabilitation and Reemployment Services procedures for screening cases under Section 440.491(6), Florida Statutes; (e) provide for cost containment, capping all services provided by qualified rehabilitation providers to the

Bureau of Rehabilitation and Reemployment Services at \$55.00 per hour; and (f) permit certain vocational assessments to be conducted by certified rehabilitation counselors or certified disability management specialists.

SUMMARY: The rules are proposed for amendments to better align services and ensure consistency with current state and federal laws.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 440.491(5), (6), (7), (8) FS.

LAW IMPLEMENTED: 440.491 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 17, 2008, 8:30 a.m.

PLACE: Tampa Airport Marriott, Tampa, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Reginald L. Watkins, Bureau Chief, Vocational Rehabilitation, (850)245-3473

THE FULL TEXT OF THE PROPOSED RULES IS:

6A-22.001 Definitions.

~~(1) "Cooperative working agreement" means a written contractual agreement between the Department and a qualified rehabilitation provider or a public or private agency to provide comprehensive reemployment services such as on the job training development, job placement and follow up.~~

~~(1)(2)~~ "Customary residence" is the injured employee's place of permanent residence. Whenever the injured employee changes his or her permanent residence, the customary residence changes also.

(3) through (4) renumbered (2) through (3) No change.

~~(5) "Ergonomic job analysis" is the objective study of the relationship among job demands, environmental conditions and human functional characteristics.~~

(6) through (7) renumbered (4) through (5) No change.

~~(6)(8)~~ "Labor market" means an area not to exceed a fifty (50) mile radius of the injured employee's customary vicinity.

~~(7)(9)~~ "On-the-job training (OJT) contractor" is a qualified rehabilitation provider or employee of a public or private agency which has entered into a contract ~~cooperative working agreement~~ with the Department for the provision of on-the-job development and follow-up services.

~~(8)(10)~~ "On-the-job training (OJT) contract" is a contract between an employer, injured employee and the Department in which an employer agrees to hire an injured employee subject to the same working conditions and benefits as all other similarly situated employees. Pursuant to the contract, the

employer shall provide training and adequate supervision to enable the injured employee to achieve predetermined competencies to assist the injured employee to ensure a return to suitable gainful employment with the contract employer at the end of the contract period.

(11) through (13) renumbered (9) through (11) No change.

(12) “Unemployed” means that the injured employee is not receiving wages for services or labor performed for an employer.

(13)(14) A vocational evaluator is:

(a) a rehabilitation counselor as defined in paragraph 6A-22.002(1)(b), F.A.C., who is qualified thereby to make vocational assessments as herein defined and is employed by the Department; or

(b) a vocational evaluator as defined in paragraph 6A-22.002(1)(c), F.A.C., who is qualified thereby to perform vocational evaluations as herein defined and in Section 440.491(1)(i), Florida Statutes, and is employed by the Department; or

(c) a vocational evaluator as defined in paragraph 6A-22.002(1)(c), F.A.C., who is approved by the Department to perform vocational evaluations as herein defined and in Section 440.491(1)(i), Florida Statutes, and is employed privately. ~~“Vocational evaluator” is a qualified individual employed by the Department or who holds the designation of a certified vocational evaluator and is approved by the Department to perform vocational evaluations.~~

(14)(15) No change.

Specific Authority 440.491(5), (6), (7) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.001, Amended 5-5-04, _____.

6A-22.002 Rehabilitation Provider Qualifications.

(1) through (3) No change.

(4) Each applicant shall have a business e-mail address and must maintain that address during the period that the applicant is listed in the directory.

(5)(4) No change.

(6)(5) Employees of the Department are exempt from the requirements of subsections 6A-22.002(2) and (3), F.A.C.

Specific Authority 440.491(7) FS. Law Implemented 440.491(7) FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.002, Amended 5-5-04, 2-22-05, _____.

6A-22.003 Reemployment Status Review.

(1) The carrier shall conduct a reemployment status review by completing a reemployment status review form, ~~on the~~ DWC-22, which is incorporated by reference in Rule 6A-22.011, F.A.C..

(2) The carrier shall complete an electronic form DWC-22 within fifteen (15) days of the reporting requirement deadlines set forth in Section 440.491(3)(a), F.S., and

(a) Shall retain a copy in the carrier’s file, and

(b) Shall submit the electronic form DWC-22 to the Department’s website <https://wc-returntowork-vr.doe.state.fl.us/rehabforms/> within fifteen (15) business days of completion.

(c) Electronic form DWC-22 shall comply with the DWC-22 Reemployment Status Review Form File Layout for Electronic Submission, Revision A Record Length: 1000 Header Record Layout incorporated into this rule by reference.

(d) An electronic form DWC-22 filed with the Department which is not completed according to these rules will be returned by the Department to the employer or carrier. Upon receipt of the returned form, the employer or carrier shall properly complete and refile the form with the Department within fifteen (15) days.

Specific Authority 440.491(3), (4), (5), (6), (8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.005, Amended _____.

6A-22.004 Notice Requirements.

(1) No change.

(2) A carrier shall use the following written notice: “Your continuing disability indicates you may be unable to perform the duties of the job held at the time of your work-related injury. If this is correct and you are unable to return to work in any capacity with your current employer or find other employment which would allow you to earn your pre-injury wages, you may be eligible for a screening for reemployment services from the State of Florida, Department of Education. Upon receipt of your request, the Department will assess your case to determine what services are necessary to return you to suitable gainful employment. Reemployment services that you may be eligible for include job seeking skills training, counseling, referrals to other agencies, job market information, transferable skills analysis, job development, job placement, job analysis, job modification, vocational testing, vocational evaluation, on-the-job training, securing a general education diploma (GED), or formal training and education. Additionally, if you have reached maximum medical improvement and are unable to earn at least eighty (80) percent of your compensation rate, and subject to the overall limitation of one hundred four (104) weeks of temporary total disability benefits payable in a workers’ compensation case with a date of accident which falls on or after October 1, 2003, the carrier shall pay training and education temporary total disability benefits for a period up to twenty-six (26) weeks upon beginning a Department approved retraining program or the carrier may elect to pay temporary partial disability/wage loss benefits if you earn wages as the result of on-the-job training or work while enrolled in a program. An additional twenty-six (26) weeks may be approved if deemed necessary by the Judge of Compensation Claims. If your date of accident occurred on or after October 1, 2003, the above benefits shall not be in addition to the 104 weeks’ maximum number of weeks payable for temporary total disability benefits prior to reaching

maximum medical improvement. To request a screening, contact your local state Division of Vocational Rehabilitation District Office or the Central Office in Tallahassee at (850)245-3470 and ask to speak with a staff person in the Reemployment Services Section of the Bureau of Rehabilitation and Reemployment Services.” The carrier shall send a copy of this notification to the Bureau of Rehabilitation and Reemployment Services, Department of Education, 101A Forrest Building, 2728 Centerview Drive, Tallahassee, Florida 32399-0400 within ten days of mailing the notification to the injured employee.

Specific Authority 440.491(5), (6), (8) FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.006, Amended 3-1-05, _____.

6A-22.006 Screening Process.

(1) No change.

(2) The screening process shall consist of:

(a) A review of all available medical and vocational documentation relevant to the compensable injury to determine whether the injured employee is able to perform the duties of the pre-injury occupation; and

(b) A review of the documentation which supports the payment of temporary partial disability and wage loss benefits to determine the injured employee’s inability to obtain suitable gainful employment because of his injury; and

(c) An interview with the injured employee.

(d) A vocational assessment. The vocational assessment shall determine the relevance and weight of the following factors in the case: the permanent physical restrictions, if any, present in the case; the availability of employment with the employer at the time of the injury; the injured employee’s transferable skills and the labor market; whether the injured employee conducted an unsuccessful job search, and the reasons the job search was unsuccessful; the injured employee’s education and academic skills and vocational education; the injured employee’s motivation; the injured employee’s financial ability to complete training; and the availability of transportation to allow the injured employee to complete training. The vocational assessment shall determine whether the injured employee is ineligible to receive reemployment services, or is eligible to receive reemployment services. If the injured employee is eligible to receive services, the vocational assessment shall determine which of the following shall be offered to the injured employee: placement, and/or on-the-job training, and/or an evaluation, and/or a re-training program costing less than \$2,500 and lasting six (6) months or less.

(e) A rehabilitation counselor or vocational evaluator providing vocational assessments shall:

1. conduct an initial interview with the injured employee;

2. submit to the Department within thirty (30) calendar days of the initial interview a written report which shall address each of the vocational assessment factors enumerated above and discuss how the provision of the recommended service(s) will facilitate reemployment;

3. conduct an exit interview with the injured employee; and

4. submit to the Department within ten (10) days of submission of the written report a statement of acknowledgement of the vocational assessment signed by the injured employee and the rehabilitation counselor or vocational evaluator.

(3) through (4) No change.

(5) The Department may provide the following vocational assessment services as part of the screening process to determine eligibility: Orientation, employability skills training, counseling, vocational testing, transferable skills analysis, labor market surveys, vocational assessment services, job analysis and evaluation.

(5) through (6) renumbered (6) through (7) No change.

(8)(7) Following a Department screening the Department shall not provide any additional reemployment services or refer the injured employee for a vocational evaluation:

(a) If the injured employee has filed a claim for permanent total disability benefits under Section 440.15(1), F.S., which the carrier has denied, wherein either the injured employee’s medical condition or vocational capabilities are in dispute, until such time as an Office of the Judge of Compensation Claims adjudicates the injured employee’s claim; or

(a)(b) If the injured employee’s medical condition is unresolved or unstable, until such time as the medical condition becomes stable; or

(b)(e) If the injured employee has reached maximum medical improvement and returned to and maintained suitable gainful employment for at least ninety (90) calendar days; or

(c)(d) If the injured employee refuses to accept reemployment services from the Department.

(9)(8) The Department shall not refer the injured employee for a vocational evaluation if the injured employee:

(a) Has returned to suitable gainful employment as a result of placement services provided by the Department; or

(b) Has no documented permanent physical restrictions related to the injury; or

(c) Has transferable skills which would allow return to work in suitable gainful employment; or

(d) Was terminated by the employer for good cause unrelated to the injury or any restrictions or limitations resulting therefrom; or

(e) Terminated suitable gainful employment for reasons unrelated to the injury.

Specific Authority 440.491(5); (6) FS. Law Implemented 440.491 FS. History–New 7-1-96, Amended 6-26-01, Formerly 38F-55.009, Amended 5-5-04,_____.

6A-22.008 Reemployment Services and Programs.

(1) The Department shall approve sponsorship of reemployment services provided through an on-the-job training program, ~~vocational assessment~~, job placement or a training and education program when recommended in and approved as part of a Department reemployment plan.

(2) When the Department provides a vocational assessment or a vocational evaluation to the injured employee, the vocational assessment or vocational evaluation shall determine the reemployment services, such as are enumerated without limitation in Section 440.491(1)(f), Florida Statutes, necessary to return the injured employee to suitable gainful employment. The Department will approve and sponsor reemployment services if:

(a) The vocational assessment is completed by a qualified rehabilitation counselor or the vocational evaluation is completed by a vocational evaluator approved by the Department, as the case may be; and

(b) The vocational assessment is compliant with paragraph 6A-22.006(2)(d), F.A.C., or

(c) The vocational evaluation contains the information identified in paragraph 6A-22.010(2)(e), F.A.C., and

(d) The vocational evaluation demonstrates that the injured employee:

1. Has no transferable skills which would allow for return to suitable gainful employment with the same employer in the same, different or modified job or a new employer in the same, modified or different job; or

2. Requires additional Department sponsored reemployment services to enable the injured employee to return to suitable gainful employment.

~~The Department will approve and sponsor retraining services if:~~

~~(a) The vocational evaluation is completed by a Department approved vocational evaluator, and~~

~~(b) The vocational evaluation contains the information identified in paragraph 6A-22.010(2)(e), F.A.C.; and~~

~~(c) The vocational evaluation demonstrates that the injured employee:~~

~~1. Has no transferable skills which would allow for return to suitable gainful employment with the same employer, same job; same employer, different or modified job; new employer, same job; new employer, modified or different job; or~~

~~2. Requires additional Department sponsored reemployment services to enable the injured employee to return to suitable gainful employment.~~

(3) through (5) No change.

~~(6) The Department shall not sponsor reemployment services if the vocational evaluation does not recommend reemployment services.~~

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History–New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.011, Amended 3-1-05,_____.

6A-22.009 Employee Responsibilities.

(1) No change.

(2) An employee who refuses retraining and education after the recommendation of a vocational evaluator and approval by the Department, will forfeit his or her entitlement to further training and education benefits, as well as additional payment for lost wages under Chapter 440, Florida Statutes. The following shall not be deemed a refusal of training and education:

(a) Failure to participate in a recommended retraining program due to medical instability; or

(b) Failure to participate in a recommended retraining program due to an adverse change in the employee's medical status; or

(c) Failure to participate in a recommended retraining program due to the school's failure to offer the approved program; or and

(d) Failure to participate in a recommended retraining program due to a family medical emergency.

Specific Authority 440.491(5), (6) FS. Law Implemented 440.491 FS. History–New 7-1-96, Amended 6-26-01, Formerly 38F-55.012, Amended 3-1-05,_____.

6A-22.010 Reporting Services and Costs: Qualified Rehabilitation Provider and Employer or Carrier Responsibilities.

(1) A qualified rehabilitation provider providing employer or carrier sponsored reemployment services shall:

1. Reemployment services as a result of a reemployment assessment, or(a) Submit a properly completed individualized written rehabilitation program to the employer or carrier for approval within thirty (30) days of referral which specifies the recommended services and associated costs necessary to return the injured employee to suitable gainful employment, using terminology consistent with Department service code descriptions ~~to the employer or carrier for approval~~ when recommending:

2. Three or more counseling sessions, or

3. A vocational evaluation, or

4. A work evaluation, or

5. Training and education, including on-the-job training,

or

6. Placement services, or

7. Changes to the initial individualized written rehabilitation program.

(b) Maintain a copy of the properly completed individualized written rehabilitation program in the injured employee's file.

(2) A certified vocational evaluator providing Department sponsored vocational evaluations shall:

(a) Ensure any test site used for Department sponsored vocational evaluations meets the definition of "test site" set forth in subsection 6A-22.001(13), F.A.C.; and

(b) Be responsible for the administration, scoring and interpretation of all testing instruments and work samples used as part of the vocational evaluation process; and

(c) Remove or cure conditions that invalidate test results; and

(d) Provide adaptive evaluation tools or techniques to accommodate any physical or functional disability or language barrier; and

(e) Conduct an initial interview with the injured employee.

(f) Submit to the Department, within thirty (30) calendar days of Department approval of services, a written report which shall:

1. Include an interpretation of testing instruments and work samples used, specifying the form and level of tests, percentile scores, norm groups, grade levels, standard scores and stanine scores as applicable to the test instrument; and

2. Identify the injured employee's physical and intellectual capabilities, aptitudes, achievements, work related behaviors, and interests. The interests of the injured employee alone cannot be the only basis for the vocational evaluator's recommendation; and

3. Identify residual or transferable skills; and

4. Identify the most appropriate vocational objectives; and

5. Identify which reemployment service(s) are necessary for the injured employee to return to suitable gainful employment; and

6. Discuss how the provision of the recommended service(s) will facilitate reemployment; and

7. When a retraining program is recommended, include the rationale for the recommended program, the entrance, enrollment and exit requirements of the program, the anticipated program costs and the proximity of the program to the injured employee's customary residence; and

8. Include an individualized labor market survey which supports the injured employee's ability to compete for employment in the identified vocational goal(s) and shall include information documenting:

a. The potential wage earning capacity,

b. The physical demands of the identified vocational goal as identified by potential employers,

c. The minimum educational requirements and work experience required by potential employers, and

d. Each potential employer's job openings for the six (6) months prior to the survey and projected openings for the upcoming six (6) months.

(g)(f) Conduct an exit interview with the injured employee.

(h) Submit to the Department, within ten (10) days of submission of the written report, the original receipt statement signed by the injured employee and the vocational evaluator.

(3) Any qualified rehabilitation provider providing any employer or carrier ~~or Department~~ sponsored reemployment services, reemployment assessments or medical care coordination shall submit with each DWC-21, which is incorporated by reference into this rule, a written report which reports services provided and expected outcomes, covering the following points:

(a) Summary by date of contacts with the injured employee and other pertinent parties; and

(b) Problems or issues adversely affecting the reemployment process and the corrective actions taken in that process; and

(c) Continuing feasibility of the reemployment plan; and

(d) Vocational activities planned for the subsequent month; and

(e) Justification for change or modification of current plan.

(4) through (5) No change.

(6) A qualified rehabilitation provider providing either employer or carrier ~~or Department~~ sponsored reemployment services, reemployment assessments, medical care coordination ~~and vocational evaluations~~, shall:

(a) Report on electronic form DWC-21 only those services provided by or through the authorized qualified rehabilitation provider. Services not rendered by or through the qualified rehabilitation provider may not be billed or reimbursed.

(b) Submit a properly completed electronic form DWC-21 listing the specific service(s) provided, utilizing only valid service codes and descriptors for those direct services rendered to the injured employee. Direct services are those services provided or required by an individualized written rehabilitation program. Other services are to be billed in the manner agreed upon by the employer or carrier and the qualified rehabilitation provider.

1. The initial electronic form DWC-21 shall be submitted to the Department within thirty (30) days of the contract approval date for Department sponsored services or to the employer or carrier within thirty (30) days of the date of the referral for employer or carrier sponsored services.

2. An interim electronic form DWC-21 shall be submitted at thirty (30) day intervals thereafter during which the authorized services are provided. The DWC-21 should not be filed if services are not provided within any thirty (30) day period.

3. A final electronic form DWC-21 shall be submitted within thirty (30) days of the date of the last service provided or according to the terms of a contract with the Department for vocational evaluation services.

(c) Close a file and submit a final electronic form DWC-21 when attorney involvement interferes with the provision of direct services.

(7) through (8) No change.

(9) The employer or carrier shall:

(a) Ensure that the information required in this rule is provided on the form DWC-21 prior to payment and filing of the electronic form DWC-21 with the Department, and

(b) Approve or deny the provision of services recommended as part of an individualized written rehabilitation program within fifteen (15) calendar days of receipt of the same; and pay or deny form DWC-21 bills within forty-five (45) calendar days after receipt of a bill for services provided to an injured employee, and

(c) Complete items 20, 21 and 23 on every electronic form DWC-21 filed with the Department. In item 20 it is necessary to legibly enter the date the form DWC-21 was received. In item 21 it is necessary to legibly enter the date the form DWC-21 was reimbursed. In item 23 it is necessary to enter the amount reimbursed only if it is different from the amount billed by the qualified rehabilitation provider or facility, and

(d) File electronic form DWC-21 with the Department of Education ~~at its~~ on the Department's website at <https://wc-returntowork-vr.doe.state.fl.us/rehabforms/office-in-tallahassee-florida>, within thirty (30) days after the full or partial payment of form DWC-21 ~~(A DWC-21 filed with the Department shall have a date stamp in the upper right hand corner indicating the date the DWC-21 is sent to the Department)~~, and

(e) Be responsible for the legibility, accuracy and completeness of the social security number, date of accident, the employer or carrier's and servicing company/TPA's Department of Insurance, Division of Workers' Compensation's assigned four digit carrier code number and Federal Employer Identification Number (FEIN), and those areas that the employer or carrier completes on form DWC-21.

(10) No change.

(11) An electronic form DWC-21 filed with the Department which is not completed according to these rules will be returned by the Department to the employer or carrier. Upon receipt of the returned form, the employer or carrier shall properly complete and refile the form with the Department within fifteen (15) days.

(12) Form DWC-21 ~~as is~~ incorporated by reference in Rule 6A-22.011, F.A.C., shall comply with the DWC-21 Reemployment Services Claim Form File Layout for Electronic Submission, Revision C Record Length: 1200 Header Record Layout incorporated into this rule by reference.

Specific Authority 440.491(5), (6), (7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.013, Amended 5-5-04,_____.

6A-22.011 List of Forms.

(1) Forms DWC-21, DWC-22, DWC-23, DWC-24, ~~and DWC-96, DWC-22 Reemployment Status Review Form File Layout for Electronic Submission, Revision A Record Length: 1000 Header Record Layout, and DWC-21 Reemployment Services Claim Form File Layout for Electronic Submission, Revision C Record Length: 1200 Header Record Layout~~ and accompanying instructions are incorporated by reference as part of this rule to become effective with the effective date of this rule April 2004. Each form shall be typed or legibly completed in order for the form to be considered properly filed or submitted with the Department.

(a) ~~The carrier shall submit the form DWC-21 to the Department reemployment services billing form shall be submitted to the Department on form DWC-21.~~

(b) Reemployment status review form shall be submitted to the Department on form DWC-22.

(c) Request for screening form shall be submitted to the Department on form DWC-23.

(d) Department and student agreement for sponsorship of training and education form shall be completed on form DWC-24.

(e) Qualified rehabilitation provider application shall be submitted to the Department on form DWC-96.

(2) A copy of the forms and accompanying instructions incorporated by subsection 6A-22.011(1), F.A.C., may be obtained from the Department of Education, Bureau of Rehabilitation and Reemployment Services, 2728 Centerview Drive, Suite 101A, Forrest Building, Tallahassee, Florida 32399-0400. Copies are also available at the following Department web site: <http://www.rehabworks.org/index.cfm?fuseaction=Submain.WorkersComp> <http://www.firn.edu/doe/rules/rules.htm>.

Specific Authority 440.491(5), (6), (7) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 6-26-01, Formerly 38F-55.014, Amended 5-5-04,_____.

6A-22.012 Expenditures from the Workers' Compensation Administrative Trust Fund.

(1) ~~Upon receipt of the completed evaluation report, the~~ Department shall authorize reimbursement for reemployment services received from qualified rehabilitation providers the evaluation from the Workers' Compensation Administration Trust Fund at a maximum rate of \$55.00 per hour; The total reimbursement for an evaluation may not exceed \$1,100.00 per evaluation.

(2) through (8) No change.

Specific Authority 440.491(5), (6), (7), (8) FS. Law Implemented 440.491 FS. History--New 7-1-96, Amended 12-2-98, 6-26-01, Formerly 38F-55.015, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Reginald L. Watkins, Bureau Chief, Vocational Rehabilitation
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Bill Palmer, Director, Division of
Vocational Rehabilitation
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 22, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 22, 2007

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:	RULE TITLES:
12B-6.001	Scope; Definitions; Index Price
12B-6.0015	Imposition of the Gross Receipts Tax
12B-6.0021	Registration
12B-6.005	Payment of Tax; Reports; Public Use Forms
12B-6.0051	Public Service Tax Reporting Form
12B-6.008	Interest

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule Chapter 12B-6, Florida Administrative Code (F.A.C.), Gross Receipts Tax, is to implement: (1) the provisions of Sections 203.01 and 203.012, Florida Statutes (F.S.), as amended by Sections 1 and 2, Chapter 2005-148, Laws of Florida (L.O.F.), which, effective January 1, 2006, imposes a tax on utility services delivered to a retail consumer in Florida; and (2) the provisions of Section 2, Chapter 2007-60, L.O.F., which moves the due date of the payment of tax from the last day of the month to the 20th day of the month. When adopted, these proposed changes to Rule Chapter 12B-6, F.A.C., will provide for the administration of the gross receipts tax imposed on utility services.

SUMMARY: The substantial rewording of Rule 12B-6.001, F.A.C.: (1) changes the title to "Scope; Definitions; Index Price"; (2) provides that the rule chapter applies to the tax imposed under Chapter 203, F.S., on utility services delivered to a retail consumer in Florida; (3) defines the terms "cost price," "Department," "distribution company," "electricity index price," "gas index price," "gross receipts," "person," and "utility services" for purposes of the rule chapter; (4) provides that the gross receipts tax imposed on certain utility services delivered to a retail consumer in Florida is based on an index price; (5) provides how the Department will announce the annual index prices for electricity and for natural and manufactured gas; (6) provides that the index price applies to electricity only if the transportation of the electricity is sold independent of the sale of the electricity itself; and (7) provides when the calculation of the tax requires the use of an index price, the distribution company must use a reasonable methodology to apply the residential, commercial, and industrial classifications to its existing rate structure.

Proposed new Rule 12B-6.0015, F.A.C. (Imposition of the Gross Receipts Tax), provides: (1) that the 2.5 percent gross receipts tax is imposed on distribution companies' gross receipts from the privilege of selling and transporting natural or manufactured gas to retail consumers in Florida; (2) how the tax is computed based on the index price; (3) that the sale or transportation of natural or manufactured gas to public or private utilities for use as a fuel in the generation of electricity or for resale is not subject to tax and how to document such sales or charges; (4) that the sale or transportation of natural or manufactured gas to persons eligible for an exemption under Section 212.08(7)(ff)2., F.S., for use as an energy source or a raw material, is not subject to tax and how to document such sales or charges; (5) that the 2.5 percent gross receipts tax is imposed on distribution companies' gross receipts from the privilege of selling and transporting electricity to retail consumers in Florida and how the tax is to be calculated; (6) that the tax does not apply to receipts from customers for purposes of resale; (7) that receipts from separately itemized charges for the connection, disconnection, suspension, or restoration of utility services are not subject to tax; (8) that receipts from separately itemized fees for returned checks, late payments, and interest due on late payments are not subject to gross receipts tax; (9) that receipts from separately itemized charges for the sale, lease, rental, repair, or maintenance of customer premises equipment are not subject to gross receipts tax; (10) that the gross receipts tax applies to charges for utility services separately itemized to customers as an amount for services based on a standard rate amount with a separate rate adjustment; (11) that each and every fee imposed by a political subdivision of the State of Florida that is passed on to the customer as a separately itemized charge is included in the gross receipts subject to tax; (12) that any municipal public service tax and any sales tax separately itemized to the customer is not included in the gross receipts subject to tax; (13) that the sale or delivery of electricity as part of an electric interchange agreement or contract between utilities is not subject to tax and provides guidelines on how to document such sale or delivery; (14) that wholesale sales of electric transmission services and the loss of electricity from the generation, transmission, or distribution of electricity are not subject to tax; (15) that separately itemized charges for gross receipts tax on a customer's bill, invoice, statement, or other evidence of sale are a part of the gross receipts of a distribution company; (16) for the imposition of use tax on natural or manufactured gas imported into Florida for which the Florida gross receipts tax has not been paid; (17) the documentation requirements, including a suggested resale certificate, for tax-exempt sales of utility services for purposes of resale and when the Department will accept resale certificates to document tax-exempt sales for the purpose of resale; and (18) recordkeeping requirements for taxpayers who sell or deliver utility services.

The proposed amendments to Rule 12B-6.0021, F.A.C. (Registration), provide: (1) that prior to engaging in the business of selling, transporting, delivering, or importing utility services in Florida, every person is required to register with the Department; and (2) updated information on how to register with the Department.

The proposed amendments to Rule 12B-6.005, F.A.C. (Payment of Tax; Reports; Public Use Forms): (1) replace the term "utility provider" with the term "taxpayer"; (2) incorporate the provisions of Section 2, Chapter 2007-60, L.O.F., which move the due date for reporting and remitting the gross receipts tax from the last day of the month to the 20th day of the month; (3) provide when taxpayers may elect to pay the gross receipts tax on total billings for electricity each month or on the actual gross receipts for electricity received in that month; (4) remove obsolete provisions regarding the filing of an application for refund; (5) provide that persons engaged in the transportation of natural or manufactured gas must provide the Department with a list of customers to whom transportation services were provided in the prior year or post such list on a publicly-accessible Internet web site; and (6) adopt changes to Form DR-133, Gross Receipts Tax Return, and update information on how to obtain copies of the form from the Department.

The amendments to Rule 12B-6.0051, F.A.C. (Public Service Tax Reporting Form), update information on how to obtain Form DR-700001, Municipal Public Service Tax Data Base, from the Department.

The amendments to Rule 12B-6.008, F.A.C. (Interest), provide that interest shall not exceed one percent per month and remove obsolete provisions regarding interest for payments due prior to January 1, 2000.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 166.233, 203.01(3)(a)2., 213.06(1) FS.

LAW IMPLEMENTED: 166.233, 203.01, 203.012, 203.06, 213.235, 213.255(1), (2), (3), 213.37, 231.755, 215.26 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: June 10, 2008, 11:00 a.m.

PLACE: Room 118, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Larry Green. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Robert Babin, Deputy Director, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4842

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial Rewording of Rule 12B-6.001 follows. See Florida Administrative Code for present text.)

12B-6.001 Scope; Definitions; Index Price Imposition of the Gross Receipts Tax.

(1) SCOPE. This rule chapter applies to the tax imposed by Chapter 203, F.S., on utility services delivered to a retail consumer in Florida.

(2) DEFINITIONS. For purposes of this rule chapter:

(a) "Cost price" means the actual cost of articles of tangible personal property without any deductions therefrom on account of the cost of materials used, labor or service costs, transportation charges, or any expenses whatsoever.

(b) "Distribution company" means any person owning or operating local electric, or natural or manufactured gas utility, distribution facilities within this state for the transmission, delivery, and sale of electricity or natural or manufactured gas. The term does not include natural gas transmission companies that are subject to the jurisdiction of the Federal Energy Regulatory Commission.

(c) "Department" means the Florida Department of Revenue.

(d) "Electricity index price" means the applicable residential, industrial, or commercial price per kilowatt hour for retail consumers in Florida in the previous calendar year, as published in the United States Energy Information Administration Electric Power Monthly.

(e) "Gas index price" means the applicable residential, industrial, or commercial price per 1,000 cubic feet for retail consumers in Florida in the previous calendar year, as published in the United States Energy Information Administration Natural Gas Monthly.

(f) "Gross receipts" means the total payments received in money, goods, services, or other consideration.

(g) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate, or other group or combination acting as a unit and also includes any political subdivision, municipality, state agency, bureau, or department and includes the plural as well as the singular number.

(h) "Utility services" means electricity for light, heat, or power; and natural or manufactured gas for light, heat, or power, including transportation, delivery, transmission, and

distribution of the electricity or natural or manufactured gas. This paragraph does not broaden the definition of utility service to include separately stated charges for tangible personal property or services which are not charges for the electricity or natural or manufactured gas or the transportation, delivery, transmission, or distribution of electricity or natural or manufactured gas. Liquefied petroleum gas is sold in liquid form and transformed into gas when released from the container to be used for fuel. The term "utility services" does not include liquefied petroleum gas.

(3) INDEX PRICE. The calculation of the tax imposed on certain utility services delivered to a retail consumer in Florida is based on an index price.

(a) The Department will announce the residential, commercial, and industrial index prices for electricity and for natural and manufactured gas on June 1 of each year through issuance of a Taxpayer Information Publication and by posting the rates on the Department's Internet web site located on the Internet at www.myflorida.com/dor/taxes. The index prices announced by the Department on June 1 will be effective from the following July 1 through June 30, and will apply to any bill dated on or after July 1 in the year in which the change becomes effective.

(b) The electricity index prices only apply if the transportation of electricity is sold independent of the sale of the electricity itself. If electricity is sold to a retail consumer in Florida for a price that includes both a charge for the electricity and a charge for the transportation of the electricity, the tax imposed by Chapter 203, F.S., is calculated by using the distribution company's gross receipts multiplied by 2.5 percent, rather than through use of an index price.

(c) When the calculation of the tax imposed on utility services delivered to a retail consumer in Florida requires the use of an index price, the distribution company must use a reasonable methodology to apply the residential, commercial, and industrial classifications to their existing rate structure.

Specific Authority 203.01(3)(b); 213.06(1) FS. Law Implemented 203.01, 203.012, 213.37 FS. History--New 11-13-78, Amended 6-5-85, Formerly 12B-6.01, Amended 10-4-89, 1-8-90, 5-4-03.

12B-6.0015 Imposition of the Gross Receipts Tax.

(1) NATURAL OR MANUFACTURED GAS.

(a) A tax is imposed at the rate of 2.5 percent on distribution companies' gross receipts from the privilege of selling or transporting natural or manufactured gas to a retail consumer in this state. The gross receipts tax on the sale or transportation of natural or manufactured gas is calculated as follows: (number of cubic feet of gas sold or transported) ÷ 1,000 × (the applicable gas index price) × (2.5 percent).

(b) The tax imposed in paragraph (1)(a) does not apply to:

1. Subject to the documentation requirements outlined in subsection (5), the sale or transportation of natural or manufactured gas to a public or private utility, including a municipal corporation or agency thereof, or rural electric cooperative association for resale.

2. The sale or transportation of natural or manufactured gas to a public or private utility, including a municipal corporation, or agency thereof, or rural electric cooperative association for use as a fuel in the generation of electricity. Distribution companies may document this exclusion from tax by obtaining a certification from public or private utilities that purchase transportation of natural or manufactured gas for use as a fuel in the generation of electricity. The following is a suggested format of a certification to be issued by a public or private utility to a natural or manufactured gas distribution company:

CERTIFICATION

NATURAL OR MANUFACTURED GAS PURCHASED FOR USE AS FUEL TO GENERATE ELECTRICITY

This is to certify that I have purchased natural or manufactured gas for use as a fuel in the generation of electricity.

I understand that if such purchases of natural or manufactured gas do not qualify for the exclusion as indicated on this certification, I must pay the applicable tax directly to the Department of Revenue.

Under penalties of perjury, I declare that I have read the foregoing certificate and the facts stated herein are true.

_____	_____
Purchaser's Name (Print or Type)	Date
_____	_____
Signature of Authorized Person	Title

_____ Federal Employer Identification Number (FEI No.)

3. The sale or transportation to, or use of, natural or manufactured gas by any person eligible for an exemption under Section 212.08(7)(ff)2., F.S., for use as an energy source or a raw material. Possession by a seller of natural or manufactured gas or by any person providing transportation or delivery of natural or manufactured gas of a written certification by the purchaser, certifying the purchaser's entitlement to the exclusion permitted by this paragraph, relieves the seller or person providing transportation or delivery from the responsibility of remitting tax on the nontaxable amounts. The Department shall look solely to the purchaser for recovery of such tax if the Department determines that the purchaser was not entitled to the exclusion. The certification must include an acknowledgment by the purchaser that it will be liable for tax pursuant to Section 203.01(1)(f), F.S., if the requirements for exclusion are not met. The following is a suggested format of a certification to be issued by a manufacturer to a natural or manufactured gas distribution company:

CERTIFICATION

NATURAL OR MANUFACTURED GAS PURCHASED BY A PERSON ELIGIBLE FOR EXEMPTION UNDER INDUSTRIAL CLASSIFICATIONS IN SECTION 212.08(7)(ff)2., F.S.

This is to certify that I have purchased natural or manufactured gas for use as an energy source or raw material that is excluded from tax pursuant to Section 203.01(3)(d), F.S.

I certify that the applicable purchases were made by a company whose four-digit SIC Industry Number, as listed below, is classified under SIC Industry Major Group Number 10, 12 through 14, 20, or 22 through 39 or Group Number 212 in the Standard Industrial Classification (SIC) Manual, 1987, published by the Office of Management and Budget.

I acknowledge that I will be liable for tax pursuant to Section 203.01(1)(f), F.S., if the requirements for exclusion pursuant to Section 203.01(3)(d), F.S., are not satisfied.

I understand that if such purchases of natural or manufactured gas do not qualify for the exclusion as indicated on this certification, I must pay the applicable tax directly to the Department of Revenue.

Under penalties of perjury, I declare that I have read the foregoing certificate and the facts stated herein are true.

_____	_____
Purchaser's Name (Print or Type)	Date
_____	_____
Signature of Authorized Person	Title

_____ Federal Employer Identification Number (FEI No.)

(2) ELECTRICITY.

(a) A tax is imposed at the rate of 2.5 percent on a distribution company's gross receipts from the privilege of selling electricity that is delivered to a retail consumer in this state when the charge to the consumer includes charges for both the electricity and the transportation of the electricity. Tax imposed pursuant to this paragraph is calculated by multiplying the distribution company's gross receipts by 2.5 percent.

1. The tax imposed in paragraph (2)(a) does not apply to:

- a. Receipts from customers for separately itemized charges for the connection, disconnection, suspension, or restoration of electricity;
- b. Receipts from customers for separately itemized charges for returned checks or other forms of payment, late payments, or interest due on late payments; or
- c. Receipts from customers for separately itemized charges for the sale, lease, rental, repair, or maintenance of customer premises equipment.

2.a. When charges for utility services are separately itemized as an amount for services based on a standard rate amount with a separate rate adjustment on the same billing,

invoice, statement, or other evidence of sale for services, gross receipts tax is due on the receipts for utility services after the application of the rate adjustment.

b. Example: A customer purchases electricity from an electric utility under an energy management program. The customer is billed the standard residential rate. In addition, the customer receives load management monthly credits for allowing specified electrical equipment to be interrupted at the option of the electric utility. The charge for electric service after the load management credits are applied against the charge at the standard residential rate is the amount subject to the gross receipts tax.

c. Example: A customer purchases electricity from an electric utility at the standard residential service rate. The electric utility charges each residential customer in this rate class an additional energy cost recovery factor, called "energy charges," on a per kilowatt hour basis. The customer is billed for electricity at the standard residential rate, plus the applicable energy charges. The amount charged to the customer at the standard residential rate, plus the amount of the energy charges, is the amount subject to the gross receipts tax.

3. Each and every fee imposed by a political subdivision of the State of Florida on the distribution company, such as a franchise fee, is included in the charge upon which the gross receipts tax is computed, when the fees are passed on to the customer and separately itemized on a customer's bill, invoice, statement, or other evidence of sale.

4. Any municipal public service tax imposed under Section 166.231 or 166.232, F.S., or any sales tax imposed under Chapter 212, F.S., on the sale or purchase of electric power or energy is not included in the charge upon which the gross receipts tax is computed when the municipal tax or sales tax is separately itemized on a customer's bill, invoice, statement, or other evidence of sale.

(b) Each distribution company that receives payment for the delivery of electricity to a retail consumer in this state is subject to tax on the exercise of this privilege as provided by this paragraph, unless the payment is subject to tax under paragraph (a). Under this paragraph, the gross receipts tax on the delivery of electricity is calculated as follows: (number of kilowatt hours delivered) × (the applicable electricity index price) × (2.5 percent).

(c) The tax imposed in paragraphs (2)(a) and (b) does not apply to:

- 1. The sale or delivery of electricity to a public or private utility, including a municipal corporation or agency thereof, or rural electric cooperative association, for resale subject to the documentation requirements outlined in subsection (5);
- 2. The sale or delivery of electricity to a public or private utility, including a municipal corporation or agency thereof, or rural electric cooperative association, as part of an electric

interchange agreement or contract between such utilities for the purpose of transferring more economically generated power.

a. The electric utility is required to maintain a copy of the agreement or contract in its books and records and is not required to meet the provisions of this rule regarding sales for resale.

b. The internal use, including interdepartmental transfers, of the purchased power is not subject to tax.

3. Wholesale sales of electric transmission service.

4. The loss of electricity resulting from the generation, transmission, or distribution of electricity, including line losses, generation losses, and any other losses for which charges are not made to the electric utility's customers.

(3) SEPARATELY ITEMIZED CHARGES. A distribution company may wholly or partially separately itemize the gross receipts tax on the customer's bill, invoice, statement, or other evidence of sale. However, the gross receipts tax is imposed on the privilege of doing business, and it is an item of cost to the distribution company. The distribution company remains fully and completely liable for the payment of the tax, even when the tax is wholly or partially separately itemized on the customer's bill, invoice, statement, or other evidence of sale. When the tax is wholly or partially separately itemized, every person, including governmental units and charitable and religious organizations, is liable for the payment of the tax to the distribution company.

(4) USE TAX.

(a) Gross receipts tax is levied upon a person's cost price of electricity, or natural or manufactured gas, imported into this state or severed within this state for the person's own use or consumption as a substitute for purchasing utility, transportation, or delivery services taxable under Chapter 203, F.S., and who cannot demonstrate payment of the tax imposed by Chapter 203, F.S. The tax implemented pursuant to this paragraph is calculated by multiplying the cost price of the utility service by 2.5 percent.

(b) The tax implemented pursuant to paragraph (4)(a) does not apply to:

1. The use of natural gas in the production of oil or gas, or the use of natural or manufactured gas by a person transporting natural or manufactured gas, when used and consumed in providing such services;

2. The use of natural gas or manufactured gas by a person eligible for an exemption under Section 212.08(7)(ff)2., F.S., for use as an energy source or a raw material;

3. The use of natural gas or manufactured gas by a public or private utility as fuel in the generation of electricity; or

4. The loss of electricity resulting from the generation, transmission, or distribution of electricity, including line losses, generation losses, and any other losses for which charges are not made to the electric utility's customers.

(5) SALES FOR RESALE.

(a) The sale, transportation, or delivery of utility services for resale is only exempt from the tax imposed under Chapter 203, F.S., if the sale, transportation, or delivery is documented in strict compliance with this rule. Distribution companies must document sales for resale by obtaining resale certificates from customers who purchase transportation, delivery, or utility services for the purposes of resale. Resale certificates submitted during the protest period will be accepted by the Department as valid proof and documentation of the resale, but will not be accepted when submitted in any proceeding under Chapter 120, F.S., or any circuit court action instituted under Chapter 72, F.S.

(b) The distribution company is only required to obtain one certificate for sales made for the purposes of resale from each customer making purchases for the purposes of resale. The certificate must contain the purchaser's name and address, the purchaser's gross receipts tax registration number and its effective date, a statement that the purchases are for the purpose of resale, the signature of the purchaser or an authorized representative of the purchaser, and the date of issuance. The following is a suggested format of a resale certificate:

RESALE CERTIFICATE FOR GROSS RECEIPTS TAX ON UTILITY SERVICES

This is to certify that the electricity for light, heat, or power or the natural or manufactured gas for light, heat, or power purchased after (date) from (seller's name) is purchased for the purpose of resale pursuant to Chapter 203, F.S.

I understand that if I fraudulently issue this certificate to evade the payment of gross receipts tax I will be liable for payment of the tax directly to the Department and subject to the penalties imposed under Section 203.03(2), F.S.

I understand that I must disclose to the seller, or remit tax on, any purchase not for resale when tax was not paid to the seller and/or distribution company.

Under penalties of perjury, I declare that I have read the foregoing certificate and the facts stated herein are true.

Purchaser's Name _____

Purchaser's Address _____

Name and Title of Purchaser's Authorized Signature _____

Certificate of Registration Number _____

Effective Date of Registration _____

By _____ (authorized signature)

Date _____

(6) RECORDKEEPING REQUIREMENTS. Distribution companies that sell, transport, or deliver utility services to retail consumers in Florida and taxpayers that import utility services into Florida for their own use must maintain electrical interchange agreements or contracts, resale certificates, exemption certificates, and other documentation required under the provisions of this rule chapter in their books and

records until tax imposed under Chapter 203, F.S., may no longer be determined and assessed under Section 95.091, F.S. Electronic storage of required documentation through the use of imaging, microfiche, or other electric storage media will satisfy compliance with recordkeeping requirements.

Specific Authority 203.01(3)(a)2., 213.06(1) FS. Law Implemented 203.01, 203.012, 213.37 FS. History—New _____.

12B-6.0021 Registration.

(1) Prior to engaging in the business of ~~providing or selling, transporting, delivering, or importing~~ utility services, ~~as provided in Rule 12B-6.001, F.A.C., every person, distribution company, or other entity upon which the gross receipts tax is imposed~~ is required to register with the Department.

(2) Registration with the Department for gross receipts tax purposes is available by using one of the following methods:

(a) Registering through ~~the Department's Internet web site at the address shown inside the parentheses (www.myflorida.com/dor/)~~ using the Department's "e-Services" system located on the Department's Internet site at www.myflorida.com/dor; or

(b) Filing an Application to Collect and/or Report Tax in Florida (~~Form form~~ DR-1, incorporated by reference in Rule 12A-1.097, F.A.C.), with the Department as indicated on the form.

Specific Authority 203.01, 213.06(1) FS. Law Implemented 203.01 FS. History—New 6-5-85, Formerly 12B-6.021, Amended 5-4-03, _____.

12B-6.005 Payment of Tax; Reports; Public Use Forms.

(1)(a) Except as provided in Rule Chapter 12-24, F.A.C., and paragraph (c) below, all taxes imposed on utility services are due to the Department on or before the 20th last day of the month following the date of the sale or transaction. The payment and return must either reach the Department or be postmarked on or before the 20th last day of the month for receipts for utility services received in the preceding calendar month for a ~~taxpayer utility provider~~ to avoid penalty and interest for late filing. When the 20th last day of the month falls on a Saturday, Sunday, or a legal holiday, payments accompanied by returns will be accepted as timely if postmarked or delivered to the Department on the next succeeding day that is not a Saturday, a Sunday, or a legal holiday. A tax return is required to be filed on or before the 20th last day of each month even when no tax is due. The report is required to be signed by an officer or a representative duly authorized to act by the taxpayer. For this purpose, a legal holiday means a holiday that is observed by federal or state agencies as a legal holiday as this term is defined in Chapter 683, F.S., and Section 7503 of the 1986 Internal Revenue Code, as amended. A "legal holiday" pursuant to Section 7503 of the Internal Revenue Code of 1986, as amended, means a

legal holiday in the District of Columbia or a statewide legal holiday at a location outside the District of Columbia but within an internal revenue district.

(b) Form DR-133, Gross Receipts Tax Return (R. 07/07, hereby incorporated by reference), is the return to be used to report the gross receipts tax imposed on utility services. Copies of this form are available, without cost, by one or more of the following methods: 1) downloading selected forms from the Department's Internet site at www.myflorida.com/dor; or 2) calling the Department at (800)352-3671, Monday through Friday, 8 a.m. to 7 p.m., Eastern Time; or 3) visiting any local Department of Revenue Service Center; or 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or 5) visiting any local Department of Revenue Service Center to personally obtain a copy. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331 or (850)922-1115.

(c)(b) When quarterly, semiannual, or annual reporting is authorized by the Department pursuant to Section 203.01(1)(j)(f), F.S., the tax is due on or before the 20th last day of the month following the authorized reporting period and becomes delinquent on the ~~first day of the next succeeding day that is not a Saturday, a Sunday, or a legal holiday month.~~

(d)(e) Payments and returns for reporting tax must be submitted to the Department, as provided in Rule Chapter 12-24, F.A.C., when:

1. Payment of the tax is required to be made by electronic means;
2. Any return for reporting tax is required to be submitted by electronic means; or
3. No tax is due with a return for reporting tax.

(e)(d)1. For taxes levied pursuant to paragraph (2)(a) of Rule 12B-6.0015, F.A.C., the A taxpayer may elect to pay the gross receipts tax on total billings for electricity utility services for each month or on the actual gross receipts for electricity utility services received in that month.

2. When the ~~taxpayer utility provider~~ elects to pay gross receipts tax on total billings for electricity utility services, the ~~taxpayer provider~~ may take a credit for net uncollectibles for which gross receipts tax has been previously paid to the Department. The credit must be reported on the provider's return in accordance with the timing provisions of Section 215.26(2), F.S.

3. Instead of taking in lieu of a credit for net uncollectibles, the taxpayer provider may seek a refund of tax previously paid by filing an Application for Refund (Form form DR-26, incorporated by reference in Rule 12-26.008, F.A.C.) with the Department. The application for refund must be filed in accordance with the timing provisions of Section 215.26(2), F.S., and must meet the requirements of Sections 213.255(2) and (3), F.S., and Rule 12-26.003, F.A.C.

~~4.a. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after October 1, 1994, and prior to July 1, 1999, within 5 years after the date the tax was paid. Credits for tax paid on or after October 1, 1994, and prior to July 1, 1999, must be reported on the provider's return within 5 years after the date the tax was paid.~~

~~4.b. Form DR-26, Application for Refund, must be filed with the Department for tax paid on or after July 1, 1999, within 3 years after the date the tax was paid. Credits for tax paid on or after July 1, 1999, must be reported on the taxpayer's provider's return within 3 years after the date the tax was paid.~~

~~(2) Persons who engage in the transportation of natural or manufactured gas must provide the Department with a list of customers to whom transportation services were provided in the prior year. A person may satisfy the customer-reporting requirement by: 1) providing a written list of customers to the Department; or 2) maintaining a publicly-accessible customer list on the person's Internet web site. The person must provide the written list of customers or the Internet address of the publicly-accessible Internet web site by January 31 of each year to GFA Miscellaneous Tax Coordinator, c/o GFA Program Director, Florida Department of Revenue, 5050 W. Tennessee Street, Bldg D-1, Tallahassee, Florida 32399-0100. Persons who choose to satisfy the customer-reporting requirement by posting a list of customers on a publicly-accessible Internet web site must update the list by January 31 of each year. This reporting requirement does not apply to distribution companies. Any person required to furnish such a list may elect to identify only those customers who take direct delivery without purchasing interconnection services from a distribution company.~~

~~(2)(a) The following public-use forms and instructions are employed by the Department in its dealings with the public related to the administration of utility services. These forms are hereby incorporated by reference in this rule.~~

~~(b) Copies of these forms are available, without cost, by one or more of the following methods: 1) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at (850)922-2208; or, 3) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 4) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 5) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (www.myflorida.com/dor). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.~~

Form Number	Title	Effective Date
(3) DR-133	Gross Receipts Tax Return	09/04
	(R-06/04)	

Specific Authority 213.06(1) FS. Law Implemented 203.01, 203.012, 213.255(1), (2), (3), 213.37, 213.755, 215.26 FS. History-New 11-13-78, Amended 7-1-80, 8-26-81, Formerly 12B-6.05, Amended 10-4-89, 12-19-89, 5-4-03, 9-28-04, _____.

12B-6.0051 Public Service Tax Reporting Form.

(1)(a) The public-use form provided in this rule is to be utilized by each municipality or charter county to report to the Department services taxed under Sections 166.231 and 166.232, F.S., and to report any other required information. The public-use form is employed by the Department for this purpose, and it is hereby incorporated in this rule by reference.

(b) Copies of this form are available, without cost, by one or more of the following methods: 1) downloading the form from the Department's Internet site (www.myflorida.com/dor/forms); or, 2) calling the Department at (800)352-3671, Monday through Friday, 8 a.m. to 7 p.m., Eastern Time; or, 3) visiting any local Department of Revenue Service Center; or, 4) writing the Florida Department of Revenue, Distribution Center, 168A Blountstown Highway, Tallahassee, Florida 32304; or, 2) faxing the Distribution Center at (850)922-2208; or, 3) using a fax machine telephone handset to call the Department's automated Fax on Demand system at (850)922-3676; or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy; or, 5) calling the Forms Request Line during regular office hours at (800)352-3671 (in Florida only) or (850)488-6800; or, 6) downloading selected forms from the Department's Internet site at the address shown inside the parentheses (www.myflorida.com/dor). Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331 or (850)922-1115.

Form Number	Title	Effective Date
(2) DR-700001	Municipal Public Service Tax Database Report	05/03
	(R. 10/01)	

Specific Authority 166.233, 213.06(1) FS. Law Implemented 166.233 FS. History-New 4-5-98, Amended 5-4-03, _____.

12B-6.008 Interest.

(1) Interest shall accrue at the following rate:

(a) One percent per month (prorated dialing using the daily factor of .000328767) for payments due prior to January 1, 2000.

(b) For payments due on or after January 1, 2000, the rate of interest established pursuant to Section 213.235, F.S., and Rule 12-3.0015, F.A.C. (prorated daily), not to exceed one percent per month.

(2) Interest accrues from the date of the delinquency until paid.

Specific Authority 213.06(1) FS. Law Implemented 203.06, 213.235 FS. History-New 11-13-78, Amended 6-5-85, Formerly 12B-6.08, Amended 10-4-89, 4-2-00, 5-4-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Babin, Deputy Director, Technical Assistance and
Dispute Resolution, Department of Revenue, P. O. Box 7443,
Tallahassee, Florida 32314-7443, telephone (850)922-4842

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mark Zych, Director, Technical
Assistance and Dispute Resolution, P. O. Box 7443,
Tallahassee, Florida 32314-7443; telephone number
(850)488-2576

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 2, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: The proposed amendments to Rule
Chapter 12B-6, F.A.C. (Gross Receipts Tax), were noticed in
the Florida Administrative Weekly on October 28, 2005 (Vol.
31, No. 43, pp. 3825-3831) and on February 23, 2007 (Vol. 33,
No. 8, pp. 809-816). Rule development workshops were held
on November 16, 2005, and March 15, 2007. Comments were
received at the rule development workshop and changes have
been made by the Department to the proposed changes to Rule
Chapter 12B-6, F.A.C. A Notice of Rule Development to
incorporate the provisions of Chapter 2007-60, L.O.F., in
proposed Rule 12B-6.005, F.A.C. (Payment of Tax; Reports;
Public Use Forms) was noticed in the Florida Administrative
Weekly on November 21, 2007 (Vol. 33, No. 47, p. 5501).

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement
Trust Fund between December 28, 2001 and June 30, 2006, go
to <http://www.dep.state.fl.us/> under the link or button titled
"Official Notices."

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-102.201
RULE TITLE: Notice of Proposed Rules

PURPOSE AND EFFECT: The proposed rule is needed in
order to allow for posting of proposed rulemaking on the
department's website and provide consistency regarding the
posting of proposed rulemaking.

SUMMARY: The proposed rule amends Rule 33-102.201
F.A.C. to update the rule to allow for posting of proposed
rulemaking on the department's website and the locations for
posting proposed rulemaking are updated for consistency and
clarity.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COSTS: No Statement of Estimated
Regulatory Cost was prepared.

Any person who wishes to provide information regarding a
statement of estimated regulatory costs, or provide a proposal
for a lower cost regulatory alternative must do so in writing
within 21 days of this notice.

SPECIFIC AUTHORITY: 120.54(3)(a) FS.

LAW IMPLEMENTED: 120.54(3)(a) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF
THIS NOTICE, A HEARING WILL BE SCHEDULED AND
ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Jamie Leigh Jordan, Office of the
General Counsel, Department of Corrections, 2601 Blair Stone
Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-102.201 Notice of ~~Proceedings~~ and Proposed Rules.

(1) No change.

(2) Notice to those directly affected by a proposed rule
shall be by:

(a) through (b) No change.

(c) Posting notice of the intended action on the
Department of Corrections website ~~bulletin board in the
Central Office in Tallahassee.~~

(d) Posting by memorandum notice of the intended action
on the inmate ~~and personnel~~ bulletin boards of all major
institutions, annexes, work camps, road prisons, and work
release community correctional centers, community vocational
centers and offices throughout the state directing that complete
proposed rules are available in each institutional library or
office. A copy of the notice shall be circulated among the
inmates in all disciplinary, administrative and ~~or~~ close
management confinement areas of all facilities.

Specific Authority 120.54(3)(a) FS. Law Implemented 120.54(3)(a)
FS. History—New 10-8-76, Amended 5-2-85, Formerly 33-12.01,
Amended 8-13-97, Formerly 33-12.001, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Perri K. Dale, Deputy General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Richard D. Davison, Deputy
Secretary

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 28, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 11, 2008

**AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing**

RULE NOS.:	RULE TITLES:
59A-4.103	Licensure, Administration and Fiscal Management
59A-4.106	Facility Policies
59A-4.107	Physician Services
59A-4.1075	Medical Director
59A-4.108	Nursing Services
59A-4.109	Resident Assessment and Care Plan

59A-4.110	Dietary Services
59A-4.112	Pharmacy Services
59A-4.118	Medical Records
59A-4.122	Physical Environment and Physical Plant Maintenance
59A-4.123	Risk Management and Quality Assurance
59A-4.1235	Liability Claims
59A-4.126	Disaster Preparedness
59A-4.128	Evaluation of Nursing Homes and Licensure Status
59A-4.1285	Respite Care
59A-4.1288	Exception
59A-4.1295	Additional Standards for Homes That Admit Children 0 Through 20 Years of Age
59A-4.130	Fire Prevention, Fire Protection, and Life Safety
59A-4.133	Plans Submission and Review and Construction Standards
59A-4.134	Plans Submission and Fee Requirements
59A-4.150	Geriatric Outpatient Nurse Clinic
59A-4.165	Nursing Home Guide
59A-4.166	Nursing Home Consumer Satisfaction Survey

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to incorporate changes in the authorizing statute and revise technical errors and update references. The Agency proposes to amend Rule 59A-4.103, F.A.C., to include provisions for initial and change of ownership applications or suspension of a current license when licensure fees are returned to the Agency due to insufficient funds. This section also includes specifications regarding the issuance of partial inactive licenses for alternative uses pursuant to Section 400.0712, Florida Statutes (F.S.). Other changes to this section include the incorporation of modifications to the licensure application, technical changes clarifying the submission process for required reports to the Agency and defining days as “calendar” days. Proposed amendments to Rule 59A-4.106, F.A.C., include providing a web address for obtaining transfer and discharge forms, deleting a reference to services provided by the Department of Children and Families, presenting criteria for a Do Not Resuscitate Order (DNRO), incorporating references to federal guidelines and providing a specific address to obtain copies of a “Health Care Advance Directives.” Rule 59A-4.108, F.A.C., updates statutory references for facility staffing in accordance with state law, and establishes requirements for requesting the use of licensed nurses to perform licensed nursing and certified nursing assistant duties.

Proposed amendments to Rule 59A-4.110, F.A.C., include a technical change to the position title of director of food service and replaces the outdated references to the Dietary Managers

training and certification process. Amendments to Rule 59A-112, F.A.C., include technical changes for the terminology of the Emergency Drug Kit. Proposed amendment to Rule 59A-4.122, F.A.C., includes details for the placement of a resident’s bed and further defines the requirement for a closet and comfortable room temperatures. Changes to Rule 59A-4.123, F.A.C., incorporates revisions to the 1-day Adverse Incident Reporting Form, provides for electronic submission of this form and clarifies when events reported to law enforcement are considered adverse incidents.

Rule 59A-4.1235, F.A.C., is amended to incorporate revisions to the Liability Claims form and provides for the electronic submission of this form. Proposed amendment to Rule 59A-4.126, F.A.C., provides language regarding the submission of the emergency management plan, testing of this plan, and procedures and notifications for evacuation, overcapacity and re-occupancy of the nursing home structure during a disaster. An amendment to Rule 59A-4.128, F.A.C., removes the measurement of deficiencies in terms of scope and severity for state licensure. The establishment of Rule 59A-4.1285, F.A.C., provides requirements for developing and implementing a respite care program for nursing home licensees that choose to provide such a service. A proposed change to Rule 59A-4.1288, F.A.C., incorporates reference to federal regulations established since 1991. Amendments to Rule 59A-4.1295, F.A.C., include technical changes, clarification of requirements for the approval to initiate, expand or suspend pediatric services, and provides reference to Florida Building Code 2004 Edition, including all supplements in effect as of December 2006 and removal of language as required by statutory changes. Proposed amendments to Rule 59A-4.130, F.A.C., provides revised language to conform to code edition changes and retains language not included in the Florida Building Code. Proposed amendment Rule 59A-4.133, F.A.C., provides language to reference the Florida Building Code to conform to statutory changes, and deletes all other requirements. Proposed new Rule 59A-4.134, F.A.C., revises the requirements for construction plans submission to conform to codes and statutory changes. Amendments to Rule 59A-4.150, F.A.C., include the deletion or correction of several recurring or obsolete definitions and references throughout the section. Proposed changes to Rule 59A-4.165, F.A.C., replaces the reference for a 45-month reporting period in the Nursing Home Guide with language that cites the time period defined in Section 400.191, F.S. Rule 59A-4.166, F.A.C., regarding the Nursing Home Consumer Satisfaction Survey is abolished due to repeal of the statutory authority. Other revisions are made throughout the Chapter to correct technical errors and update references.

SUMMARY: This proposed rule includes provisions for recent changes in licensure regulations and disaster preparedness, incorporates new laws regarding alternate bed placement and

inactive licenses, reinstates provisions for respite care and amends technical errors and updates references throughout the Chapter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 400.23 FS.

LAW IMPLEMENTED: 400.011, 400.022, 400.141, 400.142, 400.23 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 9, 2008, 10:00 a.m.

PLACE: 2727 Mahan Drive, Building 3, AHCA Conference Room C, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Erin Smith (850)414-9707

THE FULL TEXT OF THE PROPOSED RULES IS:

59A-4.103 Licensure, Administration and Fiscal Management.

(1) The licensee or ~~applicant~~ ~~must~~ ~~prospective licensee~~ ~~shall~~ make application for an initial, renewal or change of ownership license to operate a nursing home facility and ~~must~~ ~~shall~~ provide:

a. ~~All~~ of the information required by this rule and ~~e~~Chapter 400, Part II, F.S., on AHCA Form 3110-6001, ~~October 2007, "Health Care Licensing Application – Nursing Homes" incorporated by reference. "Application for Nursing Home Licensure."~~

b. ~~AHCA Form 3001-6001, September 2005, Instructions for Completing Application for Nursing Home Licensure, which is incorporated by reference~~

c. ~~AHCA Forms 3110-0011, 3110-0011A, 3110-0011B, and 3110-0011C, and 3110-0011D, August 2001, "Controlling Interest Affidavit for Nursing Homes," which are incorporated by reference~~

b. AHCA Form 3100-0009, June 2007 4332-0001, January 2002, "Proof of Financial Ability to Operate Schedule," which is incorporated by reference, available from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or online at: <http://ahca.myflorida.com/>.

(2) The licensure fee ~~must~~ ~~shall~~ be included with the application. ~~A biennial~~ ~~An annual~~ fee of ~~\$100~~ ~~is~~ ~~\$50~~ per bed is required as described in Rule 400.062(3), Florida Statutes

(F.S.), plus the resident protection fee of ~~\$.50~~ ~~\$.25~~ per bed and the Data Collection and Analysis Assessment of ~~\$12.00~~ ~~\$6.00~~ per bed as authorized by Section 408.20(1)(b), F.S., ~~Assessments: Health Care Trust Fund Costs of Nursing Home Statistical Unit, March 9, 1994.~~ The Data Collection and Analysis Assessment is waived for facilities having a certificate of authority under ~~C~~chapter 651, F.S. A license for an initial or change of ownership application will not be issued until the application fee has been received by the Agency and all associated checks have cleared. If a check for the renewal licensure fee is dishonored and returned to the Agency, the licensee will have ten business days to pay the full amount plus any applicable fees as provided by law. Such payment must be made by cash, cashier's check, or money order. Failure to pay the licensure and processing fee will result in suspension of the license until all fees are paid in full.

(3) Single copies of AHCA forms incorporated by reference within this chapter may be obtained from the Agency for Health Care Administration, Long Term Care Section, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or web address: <http://ahca.myflorida.com/>. Information regarding the electronic submission of reports to the Agency may be found at: <http://ahca.myflorida.com/reporting/index.shtml>.

(4) A nursing home licensee may request an inactive license for part of a facility as specified in Section 400.0712, F.S., to use an unoccupied contiguous portion of the facility for an alternative use to meet the needs of elderly persons. Prior to providing alternative services, the facility must submit a written request to the Agency. A request may be submitted at any time during the licensure period and must include the intended use of the inactive portion; a schematic drawing of the floor plan of the building identifying the inactive area; the total number of inactive beds and the prospective date the beds will become inactive.

(a) Upon receipt of written approval by the Agency to continue with the plan for the partial inactive license, the licensee must submit to the Agency AHCA Form 3110-6001, October 2007, "Health Care Licensing Application – Nursing Homes" within 60 days of the approval and a bed change request form for beds certified through the Centers for Medicare and Medicaid Services. The appropriate licensure application for the alternative use must accompany this application, unless the space will be utilized for services authorized under the existing nursing home license.

(b) If the alternative service license is approved, a partial inactive license will be issued concurrently with the issuance of the license for the alternative use. The expiration date of the partial inactive license will coincide with the licensee's nursing home renewal. The licensee must indicate the intent to continue the partial inactive license at each nursing home licensure renewal. Licensure fees will remain at the standard

rate for nursing home beds, whether active or inactive, at the time of renewal and will not be assessed for another Agency license requested for the alternative use of the inactive beds.

(c) Notification to reactivate the inactive portion of the building must be submitted to the Agency at least 30 days prior to the planned date to admit residents to the previously inactive beds. The inactive portion will be reactivated upon the satisfactory completion of an onsite inspection.

~~(5)~~(4) Administration.

(a) The nursing home licensee shall have full legal authority and responsibility for the operation of the facility.

(b) The licensee of each facility ~~must shall~~ designate one person, who is licensed by the ~~Department of Health, Agency for Health Care Administration~~, Board of Nursing Home Administrators under ~~C~~chapter 468, Part II, F.S., as administrator who oversees the day-to-day administration and operation of the facility.

(c) Each nursing home ~~must shall~~ be organized according to a written Table of Organization.

(d) ~~By the 10th calendar day of each month, the~~ The licensee ~~must shall~~ submit ~~to the Agency the monthly vacant bed report reflecting the number of beds available for occupancy on the last day of the preceding month. The a~~ monthly vacant bed report ~~which~~ is incorporated by reference ~~by using as~~ AHCA Form 3110-0013, ~~August 2007~~ January, "Nursing Home Monthly Bed Vacancy Report," as authorized by Section 400.141, F.S. This form is available from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or ~~online at: http://ahca.myflorida.com/~~.

(e) Each nursing home licensee must submit to the Agency ~~semi-annually on or before April 15 and November 15 of each year, the~~ Submit Nursing Home Staffing Report which is incorporated by reference ~~as by using~~ AHCA Form 3110-0012, ~~August 2007, and updated biannually thereafter to reflect a new reporting period. January, 2002~~ "Nursing Home Staffing Report" as authorized by Section 400.141, F.S. This form is available from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or ~~online at: http://ahca.myflorida.com/~~.

~~(f) Information required in paragraphs (d) and (e) may be submitted electronically to the Agency at: ahca.myflorida.com/reporting/index.shtml.~~

~~(6)~~(5) Fiscal Management.

(a) The licensee ~~must shall~~ maintain fiscal records for each nursing home it operates in accordance with the requirements of ~~C~~chapter 400, Part II, F.S., and ~~this rule~~ these Rules.

(b) An accrual or cash system of accounting ~~must shall~~ be used to reflect transactions of the business. Records and accounts of transactions, such as general ledgers and disbursement journals, ~~must shall~~ be brought current no less

than quarterly and ~~must shall~~ be available for review by authorized representatives of appropriate ~~s~~State and ~~f~~Federal agencies.

(c) A licensee ~~must shall~~ obtain a surety bond as required by ~~C~~chapter 400, Part II, F.S. It ~~must shall~~ be based on twice the average monthly balance in the resident trust fund during the prior fiscal year or \$5,000, whichever is greater. A licensee who owns more than one nursing home may purchase a single surety bond to cover the residents' funds held in nursing homes located within the same ~~Agency geographic region as defined in the AHCA "Nursing Home Guide Performance Measures Algorithm" dated July 2000~~ AHCA service district. A surety bond ~~must shall~~ contain substantially the same language as is found in AHCA Form 3110-6002, ~~May 2008~~ July 2001, ~~Nursing Home Patient Trust Surety Bond, which is incorporated by reference, may be obtained from the Agency or online at: http://ahca.myflorida.com/~~. The surety bond ~~must, AHCA 3110-6002, July 2001, may be obtained from and shall~~ be filed with the Agency for Health Care Administration, 2727 Mahan Drive, ~~MS 33~~, Tallahassee, FL 32308.

(d) A self-insurance pool, which may be an interest bearing account, may be established to provide compensation to any resident suffering financial loss in accordance with the provisions of Section 400.162(5)(c), F.S., as the result of one or more of the member licensees violating any of the provisions of Section 400.162, F.S.

1. Such self-insurance pool ~~must shall~~ be administered under the direction of an elected board of trustees. The membership of the board of trustees ~~must shall~~ be composed of one representative from each participating licensee.

2. An application for establishing a self-insurance pool ~~must shall~~ be made by the trustees to ~~the Agency~~ AHCA. Such application ~~must shall~~ contain the following information: the names, complete addresses, and affiliation of the trustees; the name and complete address of each licensee participating in the pool; the total dollar amount of the pool; and the name and complete address of the bank in which the account is maintained, including the account number. The application ~~must shall~~ be accompanied by:

a. An individual application from each licensee applying for membership in the self-insurance pool. Such application ~~must shall~~ contain the following information: the name, telephone number, and complete address of the facility; the name, telephone number, and complete address of the licensee; the name of the facility's administrator, manager or supervisor; his ~~or her~~ license and renewal number; the names of all employees involved in the administration of the resident trust fund account; the average monthly balance in the resident trust fund account during the prior year; the total dollar amount the licensee has deposited in the self-insurance pool; and the name and complete address of the bank in which the account is maintained, including the account number.

b. Prima facie evidence showing that each individual member of the pool has deposited an amount equal to twice the average monthly balance of the trust fund account or \$5,000.00 dollars, whichever is greater, in a separate account maintained by the board of trustees in the name of the self-insurance pool in a ~~chartered commercial bank authorized under Chapter 658, F.S., that is a member of the Federal Reserve System,~~ in the State of Florida to secure performance of payment of all lawful awards made against any member or members of the self-insurance pool, Section 400.162(5), F.S., and this rule ~~these Rules~~.

3. After the inception date of the pool, prospective new members of the pool must shall submit an application for membership to the board of trustees. Such application must shall contain the information specified in ~~subparagraph (6)(d)(5)(b)2.~~ The trustees may approve the application for membership in accordance with this rule ~~these Rules~~. If so approved, the application for membership in accordance with this rule ~~these Rules~~ shall be filed with the Agency AHCA. Participation in a pool by a particular licensee must shall be approved by the Agency if the licensee indicates in its application that it does meet the requirements of Section 400.162(5), F.S., and this rule ~~these Rules~~ and verification is provided to document the financial status indicated on the application.

4. The amount deposited in such an account must shall be maintained at all times.

(e) If, at any time during the period for which a license is issued, a licensee who has not purchased a surety bond or entered into a self-insurance agreement is requested to hold funds in trust as provided in Section 400.162(5), F.S., the licensee must shall notify the Agency AHCA in writing ~~of the request~~ and make application for a surety bond or for participation in a self-insurance agreement within seven ~~calendar days~~ of the request, ~~exclusive of weekends and holidays~~. Copies of the application, along with written documentation of related correspondence with an insurance agency or group must shall be maintained and must shall be available for review. All notices required by this ~~rule~~ provision must shall be sent to the Agency for Health Care Administration AHCA, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308.

Specific Authority 400.23 FS. Law Implemented 400.022, 400.071~~2971~~, 400.102, 400.111, 400.1183, 400.121, 400.141, 400.147, 400.151, 400.162, 400.179, 400.18, 400.232, 408.20 FS. History—New 4-1-82, Amended 4-1-84, 8-1-85, 1-1-86, 11-12-89, 12-25-90, 10-6-91, Formerly 10D-29.103, Amended 4-18-94, 2-6-97, 5-5-02,_____.

59A-4.106 Facility Policies.

(1) Admission, retention, transfer, and discharge policies:

(a) Upon request and in a language the resident or his/~~her~~ or her representative understands, at the time of admission and as changes are being made, each resident must will receive:

1. A copy of the residents' bill of rights conforming to the requirements in Section 400.022, F.S.;
2. A copy of the facility's admission and discharge policies; and
3. Information regarding advance directives.

(b) Each resident admitted to the facility must shall have a contract in accordance with Section 400.151, F.S., which covers:

1. A list of services and supplies, complete with a list of standard charges, which are available to the resident but not covered by the facility's per diem or by Title XVIII and Title XIX of the Social Security Act, and the bed reservation and refund policies of the facility.

2. When a resident is in a facility offering continuing care and is transferred from independent living or assisted living to the nursing home section, a new contract need not be executed; an addendum must shall be attached to describe any additional services, supplies or costs not included in the most recent contract that is in effect.

(c) No resident who is suffering from a communicable disease shall be admitted or retained unless the medical director or attending physician certifies that adequate or appropriate isolation measures are available to control transmission of the disease.

(d) Residents must may not be retained in the facility if they that require services beyond those for which the facility is licensed or has the functional ability to provide as determined by the medical director and the director of nursing in consultation with the facility administrator.

(e) Residents must shall be assigned to a bedroom area and must shall not be assigned bedroom space in common areas except in an emergency. Emergencies must shall be documented and shall be for a limited, specified period of time.

(f) All resident transfers and discharges must shall be in accordance with the facility's policies and procedures, provisions of ~~s~~Sections 400.022 and 400.0255, F.S., this rule, and other applicable ~~s~~State and ~~f~~Federal laws and will include notices provided to residents which are incorporated by reference by using AHCA Form 3120-0002, 3120-0002A, ~~Revised, May 2001,~~ "Nursing Home Transfer and Discharge Notice," and 3120-0003, ~~Revised, May 2001,~~ "Fair Hearing Request For Transfer or Discharge From a Nursing Home," and 3120-0004, ~~December 2007 Revised, May, 2001,~~ "Long-Term Care Ombudsman Council Request for Review of Nursing Home Discharge and Transfer." These forms may be obtained from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive MS 33, Tallahassee, FL 32308 or at the web address: <http://ahca.myflorida.com/>.

~~The Department of Children and Family Services will assist in the arrangement for appropriate continued care, when requested.~~

(2) Each nursing home ~~licensee must facility shall~~ adopt, implement, and maintain written policies and procedures governing all services provided in the facility.

(3) All policies and procedures ~~must shall~~ be reviewed at least annually and revised, as needed with input from, at minimum, the facility administrator, medical director, and director of nursing.

(4) Each ~~licensee must facility shall~~ maintain policies and procedures in the following areas:

- (a) Activities;
- (b) Advance directives;
- (c) Consultant services;
- (d) Death of residents in the facility;
- (e) Dental services;
- (f) Staff education, including HIV/AIDS training in accordance with Section 381.0035, F.S.;

- (g) Diagnostic services;
- (h) Dietary services;
- (i) Disaster preparedness;
- (j) Fire prevention and control;
- (k) Housekeeping;
- (l) Infection control;
- (m) Laundry service;
- (n) Loss of power, water, air conditioning or heating;
- (o) Medical director/consultant services;
- (p) Medical records;
- (q) Mental health;
- (r) Nursing services;
- (s) Pastoral services;
- (t) Pharmacy services;
- (u) Podiatry services;
- (v) Resident care planning;
- (w) Resident identification;
- (x) Resident's rights;
- (y) Safety awareness;
- (z) Social services;
- (aa) Specialized rehabilitative and restorative services;
- (bb) Volunteer services; and

(cc) The reporting of accidents or unusual incidents involving any resident, staff member, volunteer or visitor. This policy ~~must shall~~ include reporting within the facility and to the Agency AHCA.

(5) Staff Education.

(a) Each nursing home ~~licensee must shall~~ develop, implement, and maintain a written staff education plan, which ensures a coordinated program for staff education for all facility employees. The staff education plan ~~must shall~~ be reviewed at least annually by the risk management and quality assurance committee and revised as needed.

(b) The staff education plan ~~must shall~~ include both pre-service and in-service programs.

(c) The staff education plan ~~must shall~~ ensure that education is conducted annually for all facility employees, at a minimum, in the following areas:

1. Prevention and control of infection;
2. Fire prevention, life safety, and disaster preparedness;
3. Accident prevention and safety awareness program;
4. Resident's rights;
5. Federal law, 42 CFR 483, Requirements for States and Long Term Care Facilities, October 1, 2006 September 26, 1991, including any amendments integrated since 2006, which is incorporated by reference and State Rules and Regulations, Chapter 400, Part II, F.S., and this rule;

~~6. The Florida "Right to Know" Hazardous Materials, Chapter 442, F.S.;~~

(d) The staff education plan ~~must shall~~ ensure that all non-licensed employees of the nursing home complete an initial educational course on HIV/AIDS in accordance with Section 381.0035, F.S. If the employee does not have a certificate of completion at the time they are hired, they must have two hours within six months of employment or before the staff provides care for an HIV/AIDS diagnosed resident. All employees ~~must shall~~ have a minimum of one hour biennially.

(6) Advance Directives.

(a) Each nursing home ~~licensee must shall~~ have written policies and procedures, which delineate the nursing home's position with respect to the state law and rules relative to advance directives. The policies ~~must shall~~ not condition treatment or admission upon whether or not the individual has executed or waived an advance directive. In the event of conflict between the facility's policies and procedures and the individual's advance directive, provision should be made in accordance with Section 765.308, F.S.

~~(b)(7) The facility's policy must shall~~ include:

~~1.(a) Providing each adult individual, at the time of the admission as a resident, with a copy of "Health Care Advance Directives – The Patient's Right to Decide," as prepared by the Agency for Health Care Administration, State Center for Health Statistics, April 2006, effective 1-11-93, which is hereby incorporated by reference, or with a copy of some other substantially similar document which is a written description of Florida's state law regarding advance directives. A copy of the "Health Care Advance Directives – The Patient's Right to Decide." may be obtained from the Florida Center for Health~~

Information and Policy Analysis at 2727 Mahan Drive, MS 16, Tallahassee, FL 32308, or electronically at ahca.myflorida.com/MCHO/Health Facility Regulation/HC Advance Directives/

2.(b) Providing each adult individual, at the time of the admission as a resident, with written information concerning the nursing home's policies respecting advance directives; and

3.(e) The requirement that documentation of the existence of an advance directive be contained in the medical record. A nursing home licensee that which is provided with the individual's advance directive must shall make the advance directive or a copy thereof a part of the individual's medical record.

(c) Pursuant to Section 400.142(3), F.S., a nursing home may honor a Do Not Resuscitate Order (DNRO) as follows:

1. Cardiopulmonary resuscitation may be withheld or withdrawn from a patient only if a valid DNRO is present and executed pursuant to Section 401.45, F.S.

2. Facility staff and nursing home licensees shall not be subject to criminal prosecution or civil liability, nor be considered to have engaged in negligent or unprofessional conduct for withholding or withdrawing cardiopulmonary resuscitation pursuant to such a DNRO and rules adopted by the Agency, pursuant to Section 400.142(3), F.S.

Specific Authority 400.141, 400.141(7), 400.142(3), 400.23, 765.110 FS. Law Implemented 400.022, 400.0255, 400.102, 400.141, 400.141(7), 400.151, 400.23, 765.110 FS. History—New 4-1-82, Amended 4-1-84, Formerly 10D-29.106, Amended 4-18-94, 1-10-95, 2-6-97, 5-5-02, _____.

59A-4.107 Physician Services.

(1) Each nursing home licensee must facility shall retain, pursuant to a written agreement, a physician licensed under Chapter 458 or 459, F.S., to serve as Medical Director. In facilities with a licensed capacity of 60 beds or less, pursuant to written agreement, a physician licensed under Chapter 458 or 459, F.S., may serve as Medical Consultant in lieu of a Medical Director.

(2) Each resident or legal representative, must shall be allowed to select his or her own private physician.

(3) Verbal orders, including telephone orders, must shall be immediately recorded, dated, and signed by the person receiving the order. All verbal treatment orders must shall be countersigned by the physician or other health care professional on the next visit to the facility.

(4) Physician orders may be transmitted by facsimile machine. It is not necessary for a physician to re-sign a facsimile order when he visits a facility.

(5) All physician orders must shall be followed as prescribed, and if not followed, the reason must shall be recorded on the resident's medical record during that shift.

(6) Each resident must shall be seen by a physician or another licensed health professional acting within their scope of practice at least once every 30 days for the first 90 days after admission, and at least once every 60 days thereafter. A physician visit is considered timely if it occurs not later than 10 days after the date the visit was required. If a physician documents that a resident does not need to be seen on this schedule and there is no other requirement for physician's services that must be met due to Title XVIII or XIX, the resident's physician may document an alternate visitation schedule.

(7) If the physician chooses to designate another health care professional to fulfill the physician's component of resident care, they may do so after the required visit. All responsibilities of a physician, except for the position of medical director, may be carried out by other health care professionals acting within their scope of practice.

(8) Each nursing home licensee must maintain facility shall have a list of physicians designated to provide emergency services to residents when the resident's attending physician, or designated alternate is not available.

Specific Authority 400.23 FS. Law Implemented 400.022, 400.102, 400.141, 400.23, 464.012 FS. History—New 4-1-82, Amended 4-1-84, Formerly 10D-29.107, Amended 10-5-92, 4-18-94, 1-10-95, _____.

59A-4.1075 Medical Director.

(1) Each nursing home licensee must facility will have only one physician who is designated as Medical Director.

(2)(a) The Medical Director must be a physician licensed under Chapter 458 or 459, F.S., the nursing home administrator may require that the Medical Director be certified or credentialed through a recognized certifying or credentialing organization.

(b) A Medical Director who does not have hospital privileges must shall be certified or credentialed through a recognized certifying or credentialing body, such as the Joint Commission on Accreditation of Healthcare Organizations, the American Medical Directors Association, the Healthcare Facilities Accreditation Program of the American Osteopathic Association, the Bureau of Osteopathic Specialists of the American Osteopathic Association, the Florida Medical Directors Association or a health Health maintenance organization licensed in Florida.

(c) A physician must have his or her principal office within 60 miles of all facilities for which he/she serves as Medical Director. The pPrincipal office is the office maintained by a physician pursuant to Section 458.351 or 459.026, F.S., and where the physician delivers the majority of medical services. The physician must specify the address of his/her or her principal office at the time of becoming Medical Director. The Agency may approve a request to waive this

requirement for rural facilities that exceed this distance requirement. A rural facility is a facility located in a county with a population density of no greater than 100 persons per square mile, which is at least 30 minutes of travel time, on normally traveled roads under normal traffic conditions, from any other nursing home facility within the same county.

(d) The ~~nursing home licensee must~~ ~~facility shall~~ appoint a Medical Director who ~~must shall~~ visit the facility at least once a month. The Medical Director ~~must shall~~ review all new policies and procedures; review all new incident and new accident reports from the facility to identify clinical risk and safety hazards. The Medical Director ~~must shall~~ review the most recent grievance logs for any complaints or concerns related to clinical issues. Each visit must be documented in writing by the Medical Director.

(3) A physician may be Medical Director of a maximum of ten nursing homes at any one time. The Medical Director, in an emergency where the health of a resident is in jeopardy and the attending physician or covering physician cannot be located, may assume temporary responsibility of the care of the resident and provide the care deemed necessary.

(4) The Medical Director ~~must appointed by the facility shall~~ meet at least quarterly with the quality assessment and assurance committee of the facility.

(5) The Medical Director ~~must appointed by the facility shall~~ participate in the development of the comprehensive care plan for the resident when he~~r~~ or she is also the attending physician of the resident.

Specific Authority 400.141 FS. Law Implemented 400.141(2) FS. History—New 8-2-01, Amended.

59A-4.108 Nursing Services.

(1) The administrator of each nursing home ~~must will~~ designate one full-time registered nurse as a director of nursing (DON) who shall be responsible and accountable for the supervision and administration of the total nursing services program. When a director of nursing is delegated institutional responsibilities, a full-time qualified registered nurse (RN) shall be designated to serve as assistant director of nursing. In a facility with a census of 121 or more residents, a registered nurse ~~an registered nursing~~ must be designated as an assistant director of nursing.

(2) Persons designated as director of nursing or assistant director of nursing ~~must shall~~ serve only one nursing home facility in this capacity, and shall not serve as the administrator of the nursing home facility.

(3) The director of nursing ~~must shall~~ designate one licensed nurse on each shift to be responsible for the delivery of nursing services during that shift.

(4) In addition to the requirements outlined in subsection 400.23(3)(a), F.S., the nursing home ~~licensee must~~ ~~facility shall~~ have sufficient nursing staff, on a 24-hour basis to provide

nursing and related services to residents ~~in order~~ to maintain the highest practicable physical, mental, and psychosocial well-being of each resident, as determined by resident assessments and individual plans of care. ~~The facility will staff, at a minimum,~~

~~1. an average of 1.7 hours of certified nursing assistant and 6 hours of licensed nursing staff time for each resident during a 24-hour period.~~

(5) In multi-story, multi-wing, or multi-station nursing home facilities, there ~~must shall~~ be a minimum of one nursing services staff person who is capable of providing direct care on duty at all times on each floor, wing, or station.

(6) No nursing services staff person shall be scheduled for more than 16 hours within a 24 hour period, for three consecutive days, except in an emergency. Emergencies ~~must shall~~ be documented and ~~must shall~~ be for a limited, specified period of time.

(7) A nursing home licensee may allow a licensed nurse that performs both licensed nurse and certified nursing assistant duties during the same shift to divide the hours of patient care provided between the licensed nurse and certified nursing assistant staffing ratio requirements consistent with services provided. Approval to utilize licensed nurses to perform certified nursing assistant duties must be requested upon license renewal as provided in section 10 of AHCA Form #3110-6001, March 2007, "Health Care Licensing Application – Nursing Homes". The licensee must document daily the time the licensed nurse performed personal care services to comply with minimum staffing requirements.

Specific Authority 400.022, 400.23 FS. Law Implemented 400.011, 400.022, 400.141, 400.23 FS. History—New 4-1-82, Amended 4-1-84, 8-1-85, 7-1-88, 7-10-91, Formerly 10D-29.108, Amended 4-18-94, _____.

59A-4.109 Resident Assessment and Care Plan.

(1) Each resident admitted to the nursing home facility ~~must shall~~ have a plan of care. The plan of care ~~must shall~~ consist of:

(a) Physician's orders, diagnosis, medical history, physical exam and rehabilitative or restorative potential.

(b) A preliminary nursing evaluation with physician's orders for immediate care, completed upon ~~on~~ admission.

(c) A complete, comprehensive, accurate and reproducible assessment of each resident's functional capacity which is standardized in the facility, and is completed within 14 days of the resident's admission to the facility and every 12 ~~twelve~~ months, thereafter. The assessment ~~must shall~~ be:

1. Reviewed no less than once every three ~~3~~ months,
2. Reviewed promptly after a significant change in the resident's physical or mental condition,
3. Revised as appropriate to assure the continued accuracy of the assessment.

(2) The ~~nursing home licensee must develop facility is responsible to develop~~ a comprehensive care plan for each resident that includes measurable objectives and timetables to meet a resident's medical, nursing, mental and psychosocial needs that are identified in the comprehensive assessment. The care plan must describe the services that are to be furnished to attain or maintain the resident's highest practicable physical, mental and social well-being. The care plan must be completed within seven 7 days after completion of the resident's assessment.

(3) At the resident's option, every effort ~~must shall~~ be made to include the resident and family or responsible party, including private duty nurse or nursing assistant, in the development, implementation, maintenance and evaluation of the resident's plan of care.

(4) All staff personnel who provide care, and at the resident's option, private duty nurses or ~~persons who are not non~~ employees of the facility, ~~must shall~~ be knowledgeable of, and have access to, the resident's plan of care.

(5) A summary of the resident's plan of care and a copy of any advanced directives ~~must shall~~ accompany each resident discharged or transferred to another health care facility, licensed under Chapter 400, Part II, F.S., or ~~must shall~~ be forwarded to the receiving facility as soon as possible consistent with good medical practice.

Specific Authority 400.23 FS. Law Implemented 400.022, 400.102, 400.141, 400.23 FS. History—New 4-1-82, Amended 4-1-84, Formerly 10D-29.109, Amended 4-18-94, 1-10-95,_____.

(Substantial rewording of Rule 59A-4.110 follows. See Florida Administrative Code for present text.)

59A-4.110 Dietary Services.

(1) The licensee must have a qualified dietitian on staff or through consultation services. A qualified dietitian is one who:

(a) Is a registered dietitian as defined in subsection 468.503(11), F.S. and is currently registered with the American Dietetic Association; or

(b) Has a baccalaureate degree with major studies in food and nutrition, dietetics, or food service management, in a program accredited by Commission on Accreditation for Dietetics Education (CADE), of the American Dietetic Association as found on www.eatright.org/cps/rde/xchg/ada/hs.xsl/CADE.html, which is incorporated by reference; has one year of supervisory experience in the dietetic service of a health care facility, and participates annually in continuing dietetic education.

(2) The administrator must designate one full-time person as a director of food services. In a facility with a census of 61 or more residents, the duties of the director of food services must not include food preparation or service on a regular basis.

(3) The director of food services must be a qualified dietitian or he/she must meet one of the following requirements and be certified through the Certifying Board for Dietary Managers and maintain continuing education as set forth by the certifying board on or before December 31, 2010:

(a) Successfully complete a dietetic assistant correspondence or class room training program, approved by the American Dietetic Association. This training program is the dietary managers' course formerly administered by the Dietary Managers Association; or

(b) Successfully complete a course offered by an accredited college or university that provided 90 or more hours of correspondence or classroom instruction in food service supervision, and has prior work experience as a dietary supervisor in a health care institution with consultation from a qualified dietitian; or

(c) Have training and experience in food service supervision and management in the military service equivalent in content to the programs described in this subsection; or

(d) Successfully complete an associate degree program which meets the education standard established by the American Dietetic Association.

(4) A one-week supply of a variety of non-perishable food and supplies, that represents a nourishing diet of generally accepted standards of proper nutrition, must be maintained in the facility.

Specific Authority 400.022(1)(a), (f), (g), 400.141(5), 400.23 FS. Law Implemented 400.022, 400.102, 400.141, 400.23 FS. History—New 4-1-82, Amended 4-1-84, 7-1-88, 7-10-91, Formerly 10D-29.110, Amended 4-18-94, 2-6-97,_____.

59A-4.112 Pharmacy Services.

(1) The ~~nursing home licensee must facility shall~~ adopt procedures that assure the accurate acquiring, receiving, dispensing, and administering of all drugs and biologicals, to meet the needs of each resident.

(2) The ~~nursing home licensee must facility shall~~ employ, or obtain, the services of a state licensed consultant pharmacist. A consultant pharmacist is a pharmacist who is licensed by the ~~Department of Health, Board of Pharmacy Department of Business and Professional Regulation~~ and registered as a consultant pharmacist by the Board of Pharmacy in accordance with Rules 64B16-26.300 and 64B16-28.501, F.A.C., and who provides consultation on all aspects of the provision of pharmacy services in the facility.

(3) The consultant pharmacist ~~must shall~~ establish a system to accurately record the receipt and disposition of all controlled drugs in sufficient detail to enable an accurate reconciliation.

(4) The ~~consultant~~ pharmacist ~~must shall~~ determine that drug records are in order and that an account of all controlled drugs is maintained and periodically reconciled.

(5) Drugs and biologicals used in the facility ~~must shall~~ be labeled in accordance with currently accepted professional principles, Chapter 499, F.S., and Rules 64B16-28.108 and 64B16-28.502, F.A.C.

(6) Prescription Drugs and non-prescription medications requiring refrigeration ~~must shall~~ be stored in a refrigerator. ~~When stored in a general-use refrigerator, they shall must be stored in a separate, covered, waterproof, and labeled receptacle. The refrigerator must be locked or located within a locked medication room and accessible only to licensed staff in accordance with state and federal laws.~~

(7) All controlled substances ~~must shall~~ be disposed of in accordance with state and federal laws. All non-controlled substances may be destroyed in accordance with the facility's policies and procedures. Records of the disposition of all substances ~~must shall~~ be maintained in sufficient detail to enable an accurate reconciliation and a copy of the disposition must be filed in the resident's record or maintained electronically in a readily accessible format.

(8) Non-controlled substances in unit dose containers may be returned to the dispensing pharmacy for credit.

(9) If ordered by the resident's physician, the resident or his or her representative may, upon discharge, take all current prescription drugs with him or her. An inventory of the drugs released ~~must shall~~ be completed, ~~shall be~~ dated, and signed by both the person releasing the drugs and the person receiving the drugs, and ~~must shall~~ be placed in the resident's record.

(10) The licensee must facility shall maintain an Emergency Medication Kit, also known as the Emergency Drug Kit (EDK), the contents of which shall be determined in consultation with the medical director, director of nursing and pharmacist, and it shall be in accordance with facility policies and procedures. The kit ~~must shall~~ be readily available and ~~must shall~~ be kept sealed. All items in the kit ~~must shall~~ be properly labeled. The licensee must facility shall maintain an accurate log of receipt and disposition of each item in the EDK Emergency Medication Kit. An inventory of the contents of the EDK must Emergency Medication Kit shall be attached to the outside of the kit, which must include the earliest expiration date of the EDK drugs. If the seal is broken, the kit must be restocked and resealed by the next business day after use.

Specific Authority 400.23 FS. Law Implemented 400.022, 400.102, 400.141, 400.23 FS. History—New 4-1-82, Amended 4-1-84, 7-10-91, Formerly 10D-29.112, Amended 4-18-94, _____.

59A-4.118 Medical Records.

(1) The licensee must facility shall designate a full-time employee as being responsible and accountable for the facility's medical records. If this employee is not a qualified Medical Record Practitioner, then the licensee must retain facility shall have the services of a qualified Medical Record Practitioner on a consultant basis. A qualified Medical Record Practitioner is one who is certified eligible for a certification as

a Registered Record Administrator or an Accredited Record Technician by the American Health Information Management Association or a graduate of a School of Medical Record Science that is accredited jointly by the Council on Medical Education of the American Medical Association and the American Health Information Management Association.

(2) Each medical record ~~must shall~~ contain sufficient information to clearly identify the resident, his or her diagnosis and treatment, and results. Medical records ~~must shall~~ be complete, accurate, accessible and systematically organized.

(3) Medical records ~~must shall~~ be retained for a period of five years from the date of discharge. In the case of a minor, the record ~~must shall~~ be retained for three 3 years after a resident reaches legal age under state law.

(4) In the event of a change of ownership, the transferee must maintain all client records, including those originated by the transferor, as required in this subsection.

Specific Authority 400.23 FS. Law Implemented 400.022, 400.102, 400.141, 400.145, 400.23 FS. History—New 4-1-82, Amended 4-1-84, 3-2-88, Formerly 10D-29.118, Amended 4-18-94, _____.

59A-4.122 Physical Environment and Physical Plant Maintenance.

(1) The licensee must facility shall provide a safe, clean, comfortable, and homelike environment, which allows the resident to use his or her personal belongings to the extent possible.

(2) The licensee must facility shall provide:

(a) Housekeeping and maintenance services necessary to maintain a sanitary, orderly, and comfortable interior;

(b) Clean bed and bath linens that are in good condition;

(c) Private closet space or wardrobe space for each resident;

(d) Furniture, such as a bedside cabinet, drawer space;

(e) Adequate and comfortable lighting levels in all areas;

(f) Comfortable and safe room temperature levels in conformance with section 483.15(h)(6) 42 Code of Federal Regulations Chapter IV (10-1-00 Education) and;

(g) The maintenance of comfortable sound levels. Individual radios, TVs and other such transmitters belonging to the resident will be tuned to stations of the resident's choice.

(3) Each nursing home licensee must establish written policies designed to maintain the physical plant and overall nursing home environment to assure the safety and well-being of residents.

(4) The building and mechanical maintenance programs must be supervised by a person who has knowledge in the areas of building and mechanical maintenance.

(5) All mechanical and electrical equipment must be maintained in working order, and must be accessible for cleaning and inspection.

(6) All mechanical systems must be tested, balanced and operated prior to being placed into service and maintained in accordance with the Florida Building Code 2004 Edition, including all supplements in effect as of December 2006. Permanent records must be maintained.

Specific Authority 400.23 FS. Law Implemented 400.102, 400.141, 400.23 FS. History—New 4-1-82, Amended 4-1-84, Formerly 10D-29.122, Amended 4-18-94,_____.

59A-4.123 Risk Management and Quality Assurance.

(1) The licensee must facility shall maintain a risk management and quality assurance committee as required in Section 400.147, F.S.

(2) The licensee must submit a report to the Agency on each incident determined to be adverse as specified in subsection 400.147(5), F.S. on facility shall use AHCA Form 3110-0009, Revised, February 2003 ~~January, 2002, October, 2004~~, “Confidential Nursing Home Initial Adverse Incident Report – 1 Day,” and AHCA Form 3110-0010, 3110-0010A, and 3110-0010B, Revised, January, 2002, “Confidential Nursing Home Complete Adverse Incident Report – 15 Day,” which ~~is~~ are incorporated by reference ~~when reporting events as stated in Section 400.147, F.S.~~ These forms may be obtained from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or on the web site at: <http://ahca.myflorida.com/>. Each licensee must comply with reporting timeframes and transmission requirements specified in Section 400.147, F.S. These forms may be submitted through the Agency’s web site in accordance with subsection 59A-4.103(3), F.A.C., at: <http://ahca.myflorida.com/reporting/index.shtml>.

(3) Each licensee that has submitted a “Confidential Nursing Home Initial Adverse Incident Report – 1 Day,” report must submit a full report of each event by completing “Confidential Nursing Home Complete Adverse Incident Report – 15 Day,” AHCA Form 3110-0010, February 2003, which is incorporated by reference. This form may be obtained from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or on the web site at: <http://ahca.myflorida.com/>. If a thorough investigation has revealed that the event does not meet the definition of adverse incident, a statement of corrective action on “Confidential Nursing Home Complete Adverse Incident Report – 15 Day,” AHCA Form 3110-0010, February 2003, is not required. Each licensee must comply with report timeframe and transmission requirements specified in section 400.147, F.S. These forms may be submitted through the Agency’s web site in accordance with subsection 59A-4.103(3), F.A.C., at: <http://ahca.myflorida.com/reporting/index.shtml>. Each facility shall use AHCA Form 3110-0008, and AHCA Form 3110-0008A, Revised, January, 2002, “Nursing Home Monthly Liability Claim Information,” which are incorporated by reference when reporting liability claims filed against it as

~~required by Section 400.147(9), F.S. These forms may be obtained from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308.~~

(4) Events reported to law enforcement are considered adverse incidents if the report leads to an investigation by law enforcement officials and the report involves a resident of the facility.

Specific Authority 400.23 FS. Law Implemented 400.022, 400.102, 400.141, 400.147, 400.23 FS. History—New 4-1-82, Amended 9-5-82, 4-1-84, 8-1-85, 7-10-91, Formerly 10D-29.123, Amended 4-18-94, 5-5-02,_____.

59A-4.1235 Liability Claims.

Each nursing home licensee must use AHCA Form 3110-0008, and AHCA Form 3110-0008A, February 2003, “Nursing Home Monthly Liability Claim Information,” which are incorporated by reference, when reporting notices of intent to litigate and complaints filed with the Clerks of the Courts received by the licensee during the prior month as required by Section 400.147(9), F.S. If a liability claim has not been filed against the licensee in a given month, no report is required. These forms must be submitted by the tenth calendar day following the month of receipt and may be obtained from the Agency for Health Care Administration, Long Term Care Unit, 2727 Mahan Drive, MS 33, Tallahassee, FL 32308 or on the web site at: <http://ahca.myflorida.com/>. These forms may be submitted through the Agency’s web site in accordance with subsection 59A-4.103(3), F.A.C. at: <http://ahca.myflorida.com/reporting/index.shtml>.

Specific Authority 400.23 FS. Law Implemented 400.022, 400.102, 400.141, 400.147, 400.23 FS. History—New _____.

59A-4.126 Disaster Preparedness.

(1) Each nursing home licensee must facility shall have a written plan with procedures to be followed in the event of an internal or externally caused disaster. The initiation, development, and maintenance of this plan ~~is shall~~ be the responsibility of the facility administrator, and must shall be accomplished in consultation with the Department of Community Affairs’, ~~c~~County ~~e~~Emergency ~~m~~Management ~~a~~Agency.

(2) The plan must shall include, at a minimum, the following:

(a) Criteria, as shown, in Section 400.23(2)(g), F.S.; and

(b) The Emergency Management Planning Criteria for Nursing Home Facilities, AHCA 3110-6006, March 1994, which is incorporated herein by reference and obtainable available from the Agency for Health Care Administration, 2727 Mahan Drive, MS #24, Tallahassee, Florida 32308 or on the web site at <http://ahca.myflorida.com/MCHQ/Plans/index.shtml#forms>.

(3) The plan, including the "Emergency Management Planning Criteria for Nursing Homes," must be submitted annually, at the time of a change of ownership of the facility and after significant modification of the plan, to the county emergency management agency for review and approval.

(4) If the licensee is advised by the county emergency management agency of necessary revisions to the plan, those revisions must be made and the plan resubmitted to the county emergency management agency within 30 days of notification.

(5) The county emergency management agency shall be the final administrative authority for emergency plans developed by the nursing home licensee.

(6) The nursing home licensee must test the implementation of the emergency management plan annually, either in response to a disaster, an emergency, or in a planned drill. The outcome must be evaluated and documented and appropriate modifications to the plan to address deficiencies must be made within 30 days.

(7) The emergency management plan must be located in a designated area of the facility for immediate access by nursing home staff.

(8) If residents must be evacuated from the premises due to emergency conditions or a disaster, the licensee must report the location and number of residents evacuated to the Agency's Long Term Care Unit in Tallahassee at (850)488-5861 or through the Emergency Status System (ESS) at: <http://ahcaxnet/esswebahca> within 24 hours after the evacuation is completed. If the Long Term Care Unit is unavailable to receive such information, the licensee must contact the appropriate Agency field office. The administrator or designee is responsible for knowing the location of each resident until the resident has been discharged from the facility. The licensee must inform the appropriate Agency field office of a contact person(s) who will be available 24 hours a day, seven days a week, until the facility is reoccupied.

(9) A licensee may exceed its licensed capacity to act as a receiving facility in accordance with an emergency operations plan for residents of evacuating providers from a geographic area where an evacuation order has been issued by a local authority having jurisdiction. While in an overcapacity status, each provider must furnish or arrange for appropriate care and services to all residents.

(10) The Agency must review requests for overcapacity beyond 15 days. Approvals shall be based upon satisfactory justification, need and resident safety as provided by the receiving and sending facilities.

(11) If the residents are evacuated from a nursing home during or after an emergency situation or disaster, the facility must not be reoccupied until a determination is made by the nursing home administrator, the Agency and, if required, the local authority having jurisdiction, that the facility is appropriate to meet the needs of the residents.

(12) A facility with significant structural or systems damage must relocate residents out of the damaged facility until approval is received from the Agency's Office of Plans and Construction to reoccupy the facility. Such approval will be based upon safety determinations pursuant to the requirements of the Florida Building Code 2004 Edition, including all supplements in effect as of December 2006 and this rule.

Specific Authority 400.23 FS. Law Implemented 400.102, 400.141, 400.23 FS. History—New 4-1-82, Amended 4-1-84, Formerly 10D-29.126, Amended 8-15-94, 6-1-06, _____.

59A-4.128 Evaluation of Nursing Homes and Licensure Status.

(1) The Agency shall, at least every 15 months, evaluate and assign a licensure status to every nursing home facility. The evaluation and licensure status shall be based on the facility's compliance with the requirements contained in this rule, and Chapter 400, Part II, F.S.

(2) The evaluation shall be based on the most recent licensure survey report and investigations conducted by the Agency and those persons authorized to inspect nursing homes under chapter 400, Part II, F.S.

(3) The licensure status assigned to the nursing home facility will be either conditional or standard. The licensure status is based on the compliance with the standards contained in this rule and Chapter 400, Part II, F.S. ~~Non-compliance will be stated as deficiencies measured in terms of scope and severity.~~

Specific Authority 400.23 FS. Law Implemented 400.102, 400.19, 400.23 FS. History—New 4-1-82, Amended 4-1-84, 9-26-85, 7-21-87, Formerly 10D-29.128, Amended 8-15-94, 2-28-95, 10-13-96, 5-5-02, _____.

59A-4.1285 Respite Care.

(1) Each nursing home licensee that meets the standards provided in Section 400.141(6) F.S., may develop and implement a respite care program.

(2) All sections in this rule and Chapter 400, Part II, F.S., shall apply to a nursing home licensee offering a respite care program. For each person admitted under the respite care program, the nursing home licensee must:

(a) Consider respite residents as nursing home residents to determine the nursing home minimum staffing required by Section 400.23(3)(a), F.S.

(b) Have an abbreviated plan of care developed with those items specified in paragraph 59A-4.109(1)(a), F.A.C. At a minimum, the modified plan of care must include nutritional requirements, medication orders, physicians' orders, nursing assessments and dietary preferences. The nursing or physician assessments may take the place of all other required assessments.

(c) Have a contract which, at a minimum, must include the services to be provided to the resident including: charges for services, activities, equipment, emergency medical services and the administration and provision of medications. If multiple respite admissions for a single person are anticipated, the original contract may be good for one year from the date of execution.

(3) Persons admitted under the respite care program are:

(a) Exempt from the requirements specified in subsection 59A-4.106(1), F.A.C., for a discharge plan, discharge summary, and discharge diagnosis; however, each nursing home licensee must ensure a resident is released to his or her caregiver or an individual designated in writing by the caregiver;

(b) Entitled to resident's rights specified under Section 400.022, F.S., with the following exceptions:

1. Funds or property of the respite resident shall not be considered trust funds subject to the requirements of Section 400.022(1)(h), F.S., until the resident has been in the facility for more than 14 consecutive days. Each nursing home licensee must develop policies and procedures for handling respite care residents' funds or property, which must include free access to personal funds as needed and release of all property and funds upon discharge.

2. The rights of residents as specified in Sections 400.022(i) and (l), F.S., for respite residents must be addressed in the resident contract.

3. The rights of residents as specified in Sections 400.022(p)(q)(u) and (v), F.S., will not apply.

(c) Allowed to use their personal medications for the respite stay if permitted under facility policy. Prescription medications brought in with the respite resident must be in a properly labeled container. Over-the-counter medications must be in the original container. The nursing home licensee must obtain physician's orders for the medications. The caregiver may provide information regarding the medications as part of the nursing assessment, which must agree with the physician's orders. Medications should be released with the resident upon discharge and in accordance with current orders. The nursing home policy may include acceptance of:

1. An attestation by the caregiver that the medications have been under his or her control prior to bringing it to the nursing home;

2. Verification by the DON, the consultant pharmacist, or provider pharmacy that the medications as packaged are the same as labeled and ordered by the physician.

(4) A person receiving respite care shall be entitled to a total of 60 days in the nursing home within a contract year or a calendar year if the contract is for less than 12 months. However, each single stay shall be limited to not more than 14 days. If a stay exceeds 14 days, the nursing home licensee must comply with all assessment and care planning requirements applicable to nursing home residents.

(5) Persons receiving respite care shall reside in a licensed nursing home bed.

(6) A prospective respite resident must provide such relevant medical information from a physician, a physician assistant, or nurse practitioner and other information from the primary caregiver as may be required by the nursing home, prior to or at the time of admission to the nursing home to receive respite care. The medical information must include a physician's order for respite care and proof of a physical examination by a licensed physician, physician assistant or nurse practitioner. The physician's order and physical examination may be used to provide intermittent respite care for up to 12 months from the date the order is written.

(7) The nursing home licensee must assume the duties of the primary care giver. To ensure continuity of care and services, the respite resident shall be entitled to retain his or her personal physician and must have access to medically necessary services such as physical therapy, occupational therapy or speech therapy as needed. The nursing home licensee must arrange for transportation to these services if necessary.

Specific Authority 400.011 FS. Law Implemented 400.151 FS. History--New 7-21-87, Formerly 10D-29.1285, Amended _____.

59A-4.1288 Exception.

Nursing homes licensees that participate in Title XVIII or XIX must follow certification rules and regulations found in 42 C.F.R. 483, Requirements for States and Long Term Care Facilities, October 1, 2006, including any amendments integrated since 2006, which are incorporated by reference September 26, 1991, and sState rRules and rRegulations, Chapter 400, Part II, F.S., and this Rrule. Non-certified facility licensees facilities must follow the contents of this Rule and the standards contained in the Conditions of Participation found in 42 C.F.R. 483, Requirements for States and Long Term Care Facilities, September 26, 1991, which is incorporated by reference with respect to social services, dental services, infection control, dietary and the therapies.

Specific Authority 400.23 FS. Law Implemented 400.102, 400.141, 400.23 FS. History--New 4-18-94, Amended _____.

59A-4.1295 Additional Standards for Homes That Admit Children 0 Through 20 Years of Age.

(1) Nursing homes licensees who accept children with a level of care of Intermediate I or II, skilled or fragile, must meet the following standards as indicated. Intermediate I and II are defined in Chapter 59G-4, F.A.C. Children considered skilled have a chronic debilitating disease or condition of one or more physiological or organ systems that generally make the child dependent upon 24-hour per day medical, nursing, or health supervision or intervention. Fragile children are medically complex and the medical condition is such that they are technologically dependent upon through medical

~~equipment apparatus~~ or procedure(s) to sustain life and who can expire, without warning unless continually under observation.

(2) Each child ~~must shall~~ have an assessment upon admission by licensed physical, occupational, and speech therapists ~~that are~~ experienced in working with children. Therapies ~~must will~~ be administered based upon the outcome of these assessments and the orders of the child's physician.

(3) Admission criteria:

(a) The child must require intermediate, skilled or fragile nursing care and be medically stable, as documented by the physician determining level of care.

(b) For nursing facility placement, a recommendation ~~must shall~~ be made in the form of a written order by the child's attending physician in consultation with the parent(s) or legal guardian(s). For Medicaid certified nursing facilities, the recommendations for placement of a Medicaid applicant or recipient in the nursing facility ~~must shall~~ be made by the Multiple Handicap Assessment Team. Consideration must be given to relevant medical, emotional, psychosocial, and environmental factors.

(c) Each child admitted to the nursing home facility ~~must shall~~ have a plan of care developed by the interdisciplinary care plan team. The plan of care ~~must shall~~ consist of those items listed below.

1. Physician's orders, diagnosis, medical history, physical examination and rehabilitative or restorative needs.

2. A preliminary nursing evaluation with physician orders for immediate care, completed on admission.

3. A comprehensive, accurate, reproducible, and standardized assessment of each child's functional capability which is completed within 14 days of the child's admission to the facility and every twelve months thereafter. The assessment ~~must shall~~ be:

a. Reviewed no less than once every 120 days;

b. Reviewed promptly after a significant change in the child's physical or mental condition;

c. Revised as appropriate to assure the continued usefulness of the assessment.

4. The plan of care ~~must shall~~ also include measurable objectives and timetables to meet the child's medical, nursing, mental and psychosocial needs identified in the comprehensive assessment. The care plan must describe the services that are to be furnished to attain or maintain the child's highest practicable physical, mental, social and educational well-being. The care plan must be completed within ~~seven 7~~ days after completion of the child's assessments ~~required in subsection (3) above~~.

5. ~~To in order to~~ enhance the quality of life of each child ages 3 years through 15 years, the facility ~~administration~~ must notify by certified mail the school board in the county in which the facility is located that there is a school-age child residing in the facility. Children ages 16 through 20 years may be enrolled in an education program according to their ability to participate. Program participation for each child regardless of age is predicated on ~~his or her their~~ intellectual function, physical limitations, and medical stability. Collaborative planning with the public school system and community at-large is necessary to produce integrated and inclusive settings which meet each child's needs. The failure or inability on the part of ~~city City, county County, state State, or federal Federal~~ school systems to provide an educational program according to the child's ability to participate shall not obligate the ~~licensee facility~~ to supply or furnish an educational program or bring suit against any ~~city City, county County, state State, or federal Federal~~ organizations for their failure or inability to provide an educational program. Nothing contained herein is intended to prohibit, restrict or prevent the parents or legal guardian of the child from providing a private educational program that meets applicable ~~s~~State laws.

6. At the child's guardian's option, every effort ~~must shall~~ be made to include the child and his or her family or responsible party, including private duty nurse or nursing assistant, in the development, implementation, maintenance and evaluation of the child's plan of care.

7. All employees of the facility who provide hands on care, ~~must shall~~ be knowledgeable of, and have access to, the child's plan of care.

8. A summary of the child's plan of care ~~must shall~~ accompany each child discharged or transferred to another health care facility or ~~must shall~~ be forwarded to the facility receiving the child as soon as possible consistent with good medical practice.

(4) The child's attending physician, licensed under ~~e~~Chapter 458 or 459, F.S., ~~must shall~~ maintain responsibility for the overall medical management and therapeutic plan of care and ~~must will~~ be available for face-to-face consultation and collaboration with the nursing facility medical and nursing director. At a minimum, the physician or his or her designee ~~must shall~~:

(a) Evaluate and document the status of the child's condition at least monthly;

(b) Review and update the plan of care every 60 days;

(c) Prepare orders as needed and accompany them by a signed progress note in the child's medical record; and

(d) Co-sign verbal orders no more than 72 hours after the order is given. Physicians' orders may be transmitted by facsimile machine. It is not necessary for a physician to re-sign a facsimile order when he or she visits a facility. Orders transmitted via computer mail are not acceptable. Verbal orders

not co-signed within ~~seventy-two (72)~~ hours shall not be held against the licensee facility if it has documented timely, good-faith efforts to obtain such said co-signed orders.

(5) The following must be completed for each child. An RN registered nurse must shall be responsible for ensuring these tasks are accomplished:

(a) Informing the attending physician and medical director of beneficial and untoward effects of the therapeutic interventions;

(b) Maintaining the child's record in accordance with facility policies and procedures; and

(c) Instructing instructing or arranging for the instruction of the parent(s), legal guardian(s), or other caretakers(s) giver(s) on how to provide the necessary interventions, how to interpret responses to therapies, and how to manage unexpected responses in order to facilitate a smooth transition from the nursing facility to the home or other placement. This instruction must will cover care coordination and must will gradually pass the role of care coordinator to the parent or legal guardian, as appropriate.

(6) In addition to the requirements of section 420 of the Florida Building Code 2004 Edition including all supplements in effect as of December 2006, (The licensee must facility shall provide the following:

(a) A minimum of 100 square feet in a single bedroom and 80 square feet per child in multiple bedrooms;

(a)(b) Bathroom and bathing facilities appropriate to the child's needs to allow for:

1. Toileting functions with privacy (a door to the bathroom must will be provided); and

2. Stall showers and tubs.

(b)(e) There must shall be an indoor activities area that:

1. Encourages exploration and maximizes the child's capabilities;

2. Accommodates mobile and non-mobile children; and

3. Supports a range of activities for children and adolescents of varying ages and abilities.

(c)(d) There must shall be an outdoor activity area that is:

1. Secure with areas of sun and shade;

2. Free of safety hazards; and

3. Equipped with age appropriate recreational equipment for developmental level of children and has storage space for same.

(d)(e) All furniture and adaptive equipment must be physically appropriate to the developmental and medical needs of the children;

(e)(f) Other equipment and supplies must shall be made available to meet the needs of the children as prescribed or recommended by the attending physician or medical director and in accordance with professional standards of care.

(7) For those nursing homes that facilities who admit children age 0 through 15 years of age, the following standards apply in addition to those above and throughout Chapter 59A-4, F.A.C.

(a) Each child must shall have an assessment upon admission by licensed physical, occupational, and speech therapists who are experienced in working with children. Therapies must will be administered based upon the outcome of these assessments and the orders of each the child's physician.

(b) The nursing home licensee must facility shall have a contract with a board certified pediatrician who serves as a consultant and liaison between the nursing facility and the medical community for quality and appropriateness of services to children.

(c) The nursing home licensee facility must assure that pediatric physicians are available for routine and emergency consultation to meet the children's child's needs.

(d) The nursing home licensee facility must ensure that children reside in distinct and separate units from adults.

(e) The nursing home licensee must facility shall be equipped and staffed to accommodate no more than sixty (60) children at any given time, of which there must shall be no more than 40 children of ages 0 through 15 at any given time, nor more than 40 children of ages 16 through 20 at any given time.

(f) The nursing home licensee facility must provide access to emergency and other forms of transportation for children.

(g) At least one licensed health care staff person with current Pediatric Advanced Life Support (PALS) Life Support certification must for children shall be on the unit where children are residing at all times where children are residing.

(h) The nursing home licensee must facility shall maintain an Emergency Medication Kit, also known as an Emergency Drug Kit (EDK) of pediatric medications, as well as adult dosages for those children who require adult doses. The contents of in the EDK Emergency Medication Kit shall be determined in consultation with the Medical Director, Director of Nursing, a registered nurse who has current experience working with children, and a Pharmacist who has pediatric expertise. The kit must shall be readily available and shall must be kept sealed. All items in the kit must shall be properly labeled. The nursing home licensee must facility shall maintain an accurate log of receipt and disposition of each item in the EDK Emergency Medication Kit. An inventory to include expiration dates of the contents of the EDK must Emergency

Medication Kit shall be attached to the outside of the kit. If the seal is broken, the kit must be restocked and resealed the next business day after use.

(i) Each nursing home licensee must ~~facility shall~~ develop, implement, and maintain a written staff education plan that ~~which~~ ensures a coordinated program for staff education for all facility employees who work with children. The plan must ~~shall~~:

1. Be reviewed at least annually by the quality assurance committee and revised as needed.

2. Include both pre-service and in-service programs. In-service for each department must include pediatric-specific requirements as relevant to its discipline.

3. Include ~~Ensure that~~ education that is conducted annually for all facility employees who work with children, at a minimum, in the following areas:

a. Childhood diseases to include prevention and control of infection;

b. Childhood accident prevention and safety awareness programs;

4. Require ~~Ensure that~~ all non-licensed employees of the nursing home to complete an initial educational course on HIV and AIDS, preferably pediatric HIV and AIDS, in accordance with Section 381.0035, F.S. If the employee does not have a certificate of completion at the time he or she is ~~they are~~ hired, the employee ~~they~~ must have two hours within six months of employment. All employees must ~~shall~~ have a minimum of one hour biennially.

(j) All facility staff must ~~shall~~ receive in-service training in and demonstrate awareness of issues particular to pediatric residents annually.

(8)(a) For the purposes of this subsection ~~rule~~, nursing care must ~~shall~~ consist of the following:

~~(a) For residents who are skilled: registered nurses, licensed practical nurses, respiratory therapists, respiratory care practitioners, and certified nursing assistants (CNAs). The child's nursing care shall be as follows:~~

~~1. There shall be one registered nurse on duty, on-site 24 hours per day on the unit where children reside. There shall be an average of 3.5 hours of nursing care per patient day.~~

~~2. In determining the minimum hours of nursing care required above, there shall be no more than 1.5 hours per patient day of certified nursing assistant (CNA) care and no less than 1.0 hours per patient day of licensed nursing care.~~

~~(b) For residents who are fragile: registered nurses, licensed practical nurses, respiratory therapists, respiratory care practitioners, and certified nursing assistants. The child's nursing care shall be as follows:~~

~~1. One include one registered nurse on duty, on-site 24 hours per day on the unit where children reside. There shall be an average of 5 hours of nursing care per patient day.~~

~~2. In determining the minimum hours per patient day required above, there shall be no more than 1.5 hours per patient day of CNA care, and no less than 1.7 hours per patient day of licensed nursing care.~~

~~(b)(e) In the event that there are more than forty-two (42) children in the facility, there must ~~shall~~ be no fewer than ~~two~~ (2) registered nurses on duty, on-site, 24 hours per day on the unit where the children reside.~~

(9) A qualified dietitian with knowledge, expertise and experience in the nutritional management of medically involved children must ~~shall~~ evaluate the needs and special diet of each child at least every 60 days.

(10) The pharmacist must ~~will~~ have access to appropriate knowledge concerning pediatric pharmaceutical procedures, i.e., total parenteral nutrition (TPN) infusion regime and be familiar with pediatric medications and dosages.

(11) The nursing home licensee ~~must~~ ~~facility shall~~ maintain or contract as needed for pediatric dental services.

(12) Safety equipment, such as childproof safety latches on closets, and cabinets, straps on all seating services, locks on specific storage cabinets, bumper pads on cribs, and car seats for transporting must be used whenever appropriate to ensure the safety of the child.

(13) Pediatric equipment and supplies must ~~shall~~ be available as follows:

(a) Suction machines, one per child requiring suction, plus one suction machine for emergency use;

(b) Oxygen, in portable tanks with age appropriate supplies;

(c) Thermometers;

(d) Sphygmomanometers, stethoscopes, otoscopes; and

(e) Apnea monitors and pulse oximeters.

(14) Other equipment and supplies must ~~shall~~ be made available to meet the needs of the children as prescribed or recommended by the attending physician or medical director and in accordance with professional standards of care.

(15) Prior to initiating or expanding services to pediatric residents, the licensee or applicant must receive written approval from the Agency. Nursing home licensees that wish to convert existing nursing home beds to pediatric beds must:

(a) Have a standard license pursuant to Section 400.062, F.S.;

(b) Submit approval from the Office of Plans and Construction based upon submission of plans and specifications of the building for approval as outlined in Rule 59A-4.133, F.A.C.

(c) Submit a revised licensure application no less than 30 days prior to the anticipated date that services will be provided. The application must include the number and configuration of beds to be used to serve pediatric residents and a listing of services that will be provided.

(16) Approval to provide pediatric services shall be based upon demonstration of compliance with this rule and Chapter 400, Part II, F.S.

(17) Any changes in pediatric services, including cessation of services, must be reported to the Agency in writing at least 30 days prior to the change.

Specific Authority ~~400.23(5)(2), (4)~~ FS. Law Implemented ~~400.23(5)(4)~~ FS. History—New 11-5-96, Amended 9-7-97, _____.

(Substantial rewording of Rule 59A-4.130 follows. See Florida Administrative Code for present text.)

~~59A-4.130 Fire Prevention, Fire Protection, and Life Safety, Systems Failure and External Emergency Communications.~~

(1) Each nursing home licensee must provide fire protection through the elimination of fire hazards. All portions of the existing facility must comply with the requirements of the National Fire Protection Association (NFPA) Life Safety Code 101 for Existing Health Care Occupancy, as adopted by the State Fire Marshal and incorporated by reference and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, Massachusetts, 02269-9101.

(2) All fires or explosions must be reported to the Agency's Office of Plans and Construction, 2727 Mahan Drive, MS # 24, Tallahassee, Florida 32308, within seven days of the occurrence. Upon notification and in accordance with NFPA 1, Fire Prevention Code, the Agency must investigate the cause, origin, and circumstances of the fire or explosion. To facilitate this investigation, the nursing home licensee must complete the form "Fire Incident Report," AHCA Form 3500-0031, September 2006, incorporated herein by reference and available by mail from the Agency's Office of Plans and Construction or accessible from the Agency's web site at ahca.myflorida.com/MCHQ/Plans/index.shtml#forms.

(3) In accordance with NFPA 101, Life Safety Code, if a system failure of the fire alarm system, smoke detection system, or sprinkler system occurs, the following actions must be taken by the licensee:

(a) Notify the local fire department and document instructions.

(b) Notify the Agency's Office of Plans and Construction or the appropriate Agency field office.

(c) Assess the extent of the condition and effect corrective action, with a documented correction period. If the corrective action will take more than four hours, the following must be completed:

1. Implement a contingency plan to the facility fire plan containing a description of the problem, a specific description of the system failure, and the projected correction period. All staff on the shifts involved must have documented in-service training for the emergency contingency.

2. Begin a documented fire watch until the system is restored. Staff performing the fire watch must be trained in appropriate observations and actions, as well as be able to expeditiously contact the fire department. To maintain a fire watch, the licensee must utilize only certified public fire safety personnel, a security guard service, or facility staff. If facility staff are used for this function, they must meet the following criteria:

a. Be off duty from their regular facility position or assigned only to fire watch duty. The licensee must maintain compliance with direct care staffing requirements at all times;

b. Be trained and competent as determined by the licensee in the duties and responsibilities of a fire watch;

c. Have immediate access to two-way electronic communication.

3. If the projected correction period changes or upon restoration of the system to normal operation, the licensee must notify the appropriate Agency's field office and local fire authorities.

(4) External Emergency Communication. Each newly constructed facility that has not received a Preliminary Stage II Plan Approval from the Office of Plans and Construction on the effective date of this rule, shall provide for external electronic communication not dependent on terrestrial telephone lines, cellular, radio, or microwave towers, such as an on-site radio transmitter, satellite communication systems or a written agreement with an amateur radio operator volunteer group. This agreement must provide for a volunteer operator and communication equipment to be relocated into the facility in the event of a disaster until communications are restored. Other methods that can be shown to maintain uninterrupted electronic communications not dependent on land-based transmission must be approved by the Agency's Office of Plans and Construction.

Specific Authority ~~381.031(1)(g)7., 400.23, 400.191(2)~~ FS. Law Implemented ~~381.031, 400.102, 400.141, 400.23, 633.05(8), 633.051~~ FS. History—New 4-1-82, Amended 4-1-84, 8-1-85, Formerly 10D-29.119, 59A-4.119, Amended _____.

(Substantial rewording of Rule 59A-4.133 follows. See Florida Administrative Code for present text.)

~~59A-4.133 Physical Plant Codes and Standards for Nursing Homes Plans Submission and Review and Construction Standards.~~

(1) All construction of new nursing homes and all additions, modifications, alterations, renovations, and refurbishing to the site, facility, equipment or systems of existing facilities must be in compliance with the Florida

Building Code 2004 Edition, including all supplements in effect as of December 2006, as adopted by the Florida Building Commission, incorporated by reference and obtainable from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213-1206.

(2) No building shall be converted to a licensed nursing home unless it complies with the standards and codes set forth herein and with licensure requirements set forth in this Chapter.

(3) Guide on Alternative Approaches to Life Safety, NFPA-101 A as adopted by the State Fire Marshal, incorporated by reference and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, Massachusetts 02269-9101, shall not be used to meet the required codes and standards for new construction or for the conversion of an existing building to a licensed nursing home.

(4) Where additions, modifications, alterations, refurbishing, renovations or reconstruction are undertaken within an existing facility, all such additions, modifications alterations, refurbishing, renovations or reconstruction must comply with applicable sections of the codes for new facilities. Where existing major structural elements make total compliance impractical or impossible, the licensee or potential licensee must submit to the Office of Plans and Construction a request to utilize alternate materials and methods in accordance with the Florida Building Code.

(5) In additions, modifications, alterations, refurbishing, renovations or reconstruction projects and those projects that are making additions to existing facilities, only that portion of the total facility affected by the project must comply with applicable sections of the referenced codes for new construction.

(6) A licensed nursing home or any portion of a licensed nursing home that was reviewed and approved under a previous edition of the Life Safety Code must be in compliance with the requirements of Chapter 19, Existing Health Care Occupancy, of the National Fire Protection Association (NFPA) Life Safety Code 101, as adopted by the State Fire Marshal, incorporated by reference and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, Massachusetts 02269-9101, with the exception of any part included in the additions, modifications, alterations, refurbishing, renovations or reconstruction that must be in compliance with currently adopted codes and standards. A licensed nursing home and any portion of a licensed nursing home that was reviewed and approved under a previous edition of Chapter 59A-4, Florida Administrative Code and the state or local building code must remain in compliance with the rule or building code in effect at the date of licensure with the exception of any part included in the

additions, modifications, alterations, refurbishing, renovations or reconstructions that must be in compliance with currently adopted codes and standards.

(7) All existing facilities must be maintained in a safe condition free of hazards and all existing architectural, mechanical, electrical and structural systems and appurtenances must be maintained in good working order. No architectural, mechanical, electrical, or structural system or appurtenance may be deleted or discontinued without first obtaining approval from the Agency.

(8) When a building or portion of a building is converted to a new licensed nursing home, it must comply with the requirements of Chapter 4 and Institutional Occupancy- Group I, Unrestrained, of the Florida Building Code 2004 Edition, including all supplements in effect as of December 2006 as adopted by the Florida Building Commission, incorporated by reference and obtainable from the International Code Council, 900 Montclair Road, Birmingham, Alabama 35213-1206., and the National Fire Protection Association (NFPA) Life Safety Code 101, Chapter 18, New Health Care Occupancy, as adopted by the State Fire Marshal, incorporated by reference and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, Massachusetts 02269-9101. When a building is converted from another type of occupancy to a nursing home, it must comply with the requirements of the Florida Building Code. A change of ownership shall not constitute a change of occupancy.

(9) Other facilities or providers not owned or operated by the licensee of a nursing home may be fully integrated with the nursing home's physical plant only after it has been successfully demonstrated to the Agency that:

(a) All areas of the facility's physical plant are designed and maintained in a manner that will ensure continued licensure compliance of the nursing home.

(b) The areas associated with the separately licensed or unlicensed area provide and maintain clear, visible and readable signs denoting its separateness from the licensed nursing home.

(10) The Agency shall conduct annual life safety inspections of nursing homes to ensure compliance with all licensing and fire safety requirements. Inspections may also be conducted by the Agency as it deems necessary to carry out the functions of the Agency for the following reasons:

(a) To ensure compliance with the licensing and life safety requirements of this Chapter;

(b) To respond to licensing, life safety, and other physical plant complaints; or

(c) To protect the public health and safety.

(11) Nothing in these standards shall be construed as restrictive to a facility that chooses to do work or alterations as part of a long-range, phased safety improvement plan. All hazards to life and safety and all areas of noncompliance with

applicable codes and regulations must be corrected in accordance with a plan of correction approved in advance by the Agency's Office of Plans and Construction.

(12) Projects that have not received at least a Stage II Preliminary Plan approval from the Office of Plans and Construction on the effective date of this rule must conform to the requirements as set forth in these rules.

Specific Authority ~~381.031(1)(g)7,~~ 400.23 FS. Law Implemented ~~381.031,~~ 400.011(2), 400.021(1)-(17), 400.022(1)-(4), 400.102, 400.141, 400.23 FS. History--New 4-1-82, Amended 4-1-84, 4-29-92, Formerly 10D-29.120, 59A-4.120, Amended 2-6-97, 10-21-99, _____.

59A-4.134 Plans Submission and Fee Requirements.

(1) No construction work, including demolition, shall be started until prior written approval has been given by the Office of Plans and Construction. This includes all construction of new facilities and all additions, modifications, alterations, renovations, and refurbishing to the site, facility, equipment or systems of all existing facilities.

(2) Approval to start construction only for demolition, site work, foundation, and building structural frame may be obtained prior to construction document approval when the following is submitted for review and approval:

(a) Preliminary Stage II approval letter from the Office of Plans and Construction.

(b) Construction documents, specifications and construction details for all work to be undertaken.

(c) A letter from the nursing home licensee holding the Agency harmless for any changes that may occur to the project as a result of the final construction document review.

(d) A life safety plan indicating temporary egress and detailed phasing plans indicating how the areas to be demolished or constructed are to be separated from all occupied areas must be submitted for review and approval when demolition or construction in and around occupied buildings is to be undertaken.

(3) Projects that have been submitted to the Agency for review will be considered abandoned and will be terminated after any of the following has occurred:

(a) Construction has not begun within one year after written approval of the construction documents from the Office of Plans and Construction;

(b) No further plans have been submitted for Agency review within one year after a project has been initiated with the Office of Plans and Construction;

(c) Construction has been halted for more than one year. After this termination, resubmission as a new project will be required.

(4) When construction is planned, either for new buildings, additions, alterations or renovations to existing buildings, the plans and specifications must be prepared and submitted to the Office of Plans and Construction for approval

by a Florida registered architect and a Florida registered professional engineer. An architecture or engineering firm not practicing as a sole proprietor must also be registered as an architecture or engineering firm with the Florida Department of Business and Professional Regulation.

(5) The initial submission of plans to the Office of Plans and Construction for any new project must include a completed Plan Review Application Form, ACHA Form 3500-0011, November 1996, revised March 2002, incorporated by reference and obtainable from the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308 and a valid Certificate of Need, if required by the Agency. This information must accompany the initial submission. Approval will not be granted for any project without a Certificate of Need if required by the Agency.

(6) Plans and specifications submitted for review shall be subject to a plan review fee. This fee is prescribed by Section 400.232, F.S. All fees must be paid by check made payable to the Treasurer, State of Florida, with the check noted with the Office of Plans and Construction facility log number. Fees will be accepted only from the licensee or prospective licensee.

(7) Plans and specifications shall normally be submitted in three stages. Exceptions to the submission of all three stages shall be subject to prior approval by the Office of Plans and Construction.

(a) Stage I, schematic plans.

(b) Stage II, preliminary plans or design development drawings.

(c) Stage III, construction documents, including specifications, addenda and change orders.

(8) For each stage of submission, a program or scope of work must be submitted. It must consist of a detailed word description of all contemplated work and any required phasing to be provided in the proposed construction.

(9) For projects involving only equipment changes or system renovations, only Stage III, construction documents need be submitted. These documents must include the following:

(a) Life safety plans showing the fire/smoke compartments in the area of renovation.

(b) Detailed phasing plans indicating how the new work will be separated from all occupied areas.

(c) Engineering plans and specifications for all of the required work.

(10) Stage I, Schematic Plans.

(a) At a minimum, the following must be incorporated into the schematic plans:

1. Single-line drawings of each floor that must show the relationship of the various activities or services to each other and each room arrangement. The function of each room or space must be noted in or near the room or space. The proposed roads and walkways, service and entrance courts, parking, and orientation must be shown on either a small plot

plan or on the first floor plan. Provide a simple cross-section diagram showing the anticipated construction. Provide a schematic life safety plan showing smoke and fire compartments, exits, exit passageways and gross areas of smoke and fire compartments. Provide information as to which areas have sprinklers, both new and existing.

2. If the proposed construction is an addition or is otherwise related to existing buildings on the site, the schematic plans must show the facility and general arrangement of those other buildings.

3. A schedule showing the total number of beds, types of bedrooms and types of ancillary spaces.

(11) Stage II, Preliminary Plans.

(a) At a minimum, to gain a Stage II approval, the following must be incorporated into the preliminary plans.

1. A vicinity map showing the major local highway intersections for new nursing home construction.

2. Site development plans that:

a. Show existing grades and proposed improvements as required by the schematic submission.

b. Provide building locating dimensions.

c. Provide site elevations for both the 100 year flood elevations and hurricane category 3 surge inundation elevations if the project involves the construction of a new facility or is a new addition of a wing or floor to an existing facility.

d. Provide the location of the fire protection services water source to the building.

3. Architectural plans that include:

a. Floor plans, 1/8-inch scale minimum, showing door swings, windows, casework and millwork, fixed equipment and plumbing fixtures. Indicate the function of each space.

b. A large-scale plan of typical new bedrooms with a tabulation of gross and net square footage of each bedroom. Tabulate the size of the bedroom window glass.

c. Typical large-scale interior and exterior wall sections to include typical rated fire and fire/smoke partitions and a typical corridor partition.

d. All exterior building elevations.

e. Equipment that is not included in the construction contract but that requires mechanical or electrical service connections or construction modifications must be identified to assure its coordination with the architectural, mechanical and electrical phases of construction.

f. If the project is located in an occupied facility, preliminary phasing plans indicating how the project is to be separated from all occupied areas.

4. Life safety plans that include:

a. Single-sheet floor plans showing fire and smoke compartmentation, all means of egress and all exit signs. Additionally, dimension the longest path of travel in each

smoke compartment to the door(s) to the adjoining compartment, calculate the total area of the smoke compartment in square feet, and tabulate exit inches.

b. All sprinklered areas, fire extinguishers, fire alarm devices and pull station locations.

c. If the project is an addition or conversion of an existing building, fully developed life safety plans.

d. If the project is a renovation in an existing building, life safety plans of the floor being renovated and the required exit egress floor(s).

e. When demolition or construction in and around occupied buildings is to be undertaken, a life safety plan indicating temporary egress and detailed phasing plans indicating how the areas to be demolished or constructed are to be separated from all occupied areas.

5. Mechanical engineering plans that include:

a. Single-sheet floor plans with a one-line diagram of the ventilating system with relative pressures of each space. Provide a written description and drawings of the anticipated smoke control system, passive or active, and a sequence of operation correlated with the life safety plans.

b. The general location of all fire and smoke dampers, all duct smoke detectors and firestats.

c. If the building is equipped with fire sprinklers, the location of the sprinkler system risers and the point of connection for the fire sprinkler system. State the method of design for the existing and new fire sprinkler systems.

d. The locations of all plumbing fixtures and other items of equipment requiring plumbing services and/or gas services.

e. The locations of any fume, radiological or chemical hoods.

f. The locations of all medical gas outlets, piping distribution risers, terminals, alarm panels, low pressure emergency oxygen connection, isolation/zone valves, and gas source locations.

g. The locations and relative size of major items of mechanical equipment such as chillers, air handling units, fire pumps, medical gas storage, boilers, vacuum pumps, air compressors and fuel storage vessels.

h. The locations of hazardous areas and the volume of products to be contained therein.

i. The location of fire pump, stand pipes, and sprinkler risers.

6. Electrical Engineering Drawings that include:

a. A one-line diagram of normal and essential electrical power systems showing service transformers and entrances, switchboards, transfer switches, distribution feeders and over-current devices, panel boards and step-down transformers. The diagram must include a preliminary listing and description of new and existing, normal and emergency loads, preliminary estimates of available short-circuit current at all new equipment and existing equipment serving any new

equipment, short-circuit and withstand ratings of existing equipment serving new loads and any new or revised grounding requirements.

b. Fire alarm zones and correlate with the life safety plan.

7. Outline specifications are to include a general description of the construction, including construction classification and ratings of components, interior finishes, general types and locations of acoustical material, floor coverings, electrical equipment, ventilating equipment and plumbing fixtures, fire protection equipment, and medical gas equipment.

8. Whenever an existing building is to be converted to a health care facility, the general layout of spaces of the existing structure must be submitted with the preliminary plans for the proposed facility.

9. Whenever additions, modifications, alterations, renovations, and refurbishing to an existing building is proposed, the general layout of spaces of the existing facility must be submitted with the preliminary plans.

(12) Stage III, Construction Documents.

(a) The Stage III construction documents must be an extension of the Stage II preliminary plan submission and must provide a complete description of the contemplated construction. Construction documents must be signed, sealed, dated and submitted for written approval to the Office of Plans and Construction by a Florida registered architect and Florida registered professional engineer. These documents must consist of work related to civil, structural, mechanical, and electrical engineering, fire protection, lightning protection, landscape architecture and all architectural work. At a minimum, and in addition to the requirements for Stage II submission, the following must be incorporated into the construction documents:

1. Site and civil engineering plans that indicate building and site elevations, site utilities, paving plans, grading and drainage plans and details, locations of the two fire hydrants utilized to perform the water supply flow test, and landscaping plans.

2. Life safety plans for the entire project.

3. Architectural plans.

a. Typical large-scale details of all typical interior and exterior walls and smoke walls, horizontal exits and exit passageways.

b. Comprehensive ceiling plans that show all utilities, lighting fixtures, smoke detectors, ventilation devices, sprinkler head locations and fire-rated ceiling suspension member locations where applicable.

c. Floor/ceiling and roof/ceiling assembly descriptions for all conditions.

d. Details and other instructions to the contractor on the construction documents describing the techniques to be used to seal floor construction penetrations to the extent necessary to prevent smoke migration from floor to floor during a fire.

4. Structural engineering plans, schedules and details.

5. Mechanical engineering plans to include fire and smoke control plans. Show all items of owner furnished equipment requiring mechanical services. Provide a clear and concise narrative control sequence of operations for each item of mechanical equipment including but not limited to air conditioning, heating, ventilation, medical gas, plumbing, and fire protection and any interconnection of the equipment of the systems. Mechanical engineering drawings must depict completely the systems to be utilized, whether new or existing, from the point of system origination to its termination. Provide a tabular schedule giving the required air flow (as computed from the information contained on the ventilation rate table) in cubic feet per minute (cfm) for supply, return, exhaust, outdoor, and ventilation air for each space listed or referenced by note on the ventilation rate table as shown on the architectural documents. The schedule must also contain the Heating Ventilation and Air Conditioning (HVAC) system design air flow rates and the resulting space relative pressures. The schedule or portion of the schedule, as applicable, must be placed in the specifications or in the drawing set containing the spaces depicted.

6. Fire protection plans, where applicable, that must include the existing system as necessary to define the new work.

7. Electrical engineering plans that must describe complete power, lighting, alarm, communications and lightning protection systems and power system study.

8. A power study that must include a fault study complete with calculations to demonstrate that over-current devices, transfer switches, switchboards, panel boards, motor controls, transformers and feeders are adequately sized to safely withstand available phase-to-phase and phase-to-ground faults. The study must also include an analysis of generator performance under fault conditions and a coordination study resulting in the tabulation of settings for all over-current device adjustable trips, time delays, relays and ground fault coordination. This must be provided for all new equipment and existing equipment serving any new equipment. Power studies for renovations of existing distribution systems must include only new equipment and existing equipment upstream to the normal and emergency sources of the new equipment. Renovations involving only branch circuit panel boards without modifications to the feeder will not require a full power study; instead, the power study will be limited to the calculation of new and existing loads of the branch circuit panel.

9. A complete set of specifications for all work to be undertaken.

a. All project required contractor supplied testing and/or certification reports must be submitted in type written format, on standard forms, reviewed and accepted by the Engineer of Record prior to presenting to the Agency for review.

b. The specifications must require a performance verification test and balance air quantity values report for a minimum of two operating conditions for each air handling unit system. One operating condition must be with the specified air filters installed in the minimum pressure drop or clean state. The second operating condition must be at the maximum pressure drop and/or dirty state. The air quantities reported are acceptable if they are within ten percent of the design value and the space relative pressures are maintained. This requirement applies to any air-handling unit affected by the construction to be performed.

10. Well coordinated construction documents. In the case of additions to existing institutions, the mechanical and electrical, especially existing essential electrical systems and all other pertinent conditions must be a part of this submission.

11. Signed, sealed and dated subsequent addenda, change orders, field orders and other documents altering the above must be submitted for advance written approval from the Office of Plans and Construction.

(13) All submissions will be acted upon by the Agency within 60 days of the receipt of the initial payment of the plan review fee. The Agency will either approve or disapprove the submission and will provide a listing of deficiencies in writing. Each subsequent resubmission of documents for review on the project will initiate another 60-day response period. If the Agency does not act within 60 days of receipt of a submission, the submission will be considered approved. However, all deficiencies noted by the Agency must be satisfactorily corrected before final approval can be obtained for the project from the Agency.

(14) Additions or revisions that substantially change the original scope of the project or are submitted by different design professionals will be required to be submitted as a new project.

(15) The Agency is required to archive all public record documents for a period of 5 years. These documents are electronically stored. Therefore, within 60 days after final approval of the project has been obtained from the Agency, the licensee and the Office of Plans and Construction must be provided with a complete set of record drawings electronically submitted as Portable Document Format (.pdf) files showing all of the construction, fixed equipment and the mechanical and electrical systems as installed. These electronically submitted .pdf files must include the life safety plans of the facility.

Specific Authority 400.23 FS, Law Implemented 400.011, 400.022, 400.141, 400.142, 400.23 FS, History--New _____.

59A-4.150 Geriatric Outpatient Nurse Clinic.

(1) Definitions:

~~(a) Advanced Registered Nurse Practitioner — a person who holds a current active license to practice professional nursing and a current Advanced Registered Nurse Practitioner certificate issued by the Florida State Board of Nursing.~~

~~(a)(b) Appropriate Resources – those service providers who provide most effectively and efficiently the specific services needed by the geriatric patient.~~

~~(c) Agency for Health Care Administration — AHCA.~~

~~(b)(d) Geriatric Outpatient Nurse Clinic – a treatment room or rooms site in a nursing home used to provide treatment room for the provision of health care to geriatric patients on an outpatient basis, which is staffed by a registered nurse, advanced registered nurse practitioner (ARNP), or by a physician’s assistant.~~

~~(c)(e) Geriatric Patient – any patient who is 60 years of age or older.~~

~~(f) Nursing Facility — a facility licensed under Part I of Chapter 400, F.S.~~

~~(g) Physician’s Assistant — a person who holds a current certificate issued by the Florida State Board of Medical Examiners of Florida State Board of Osteopathic Medical Examiners, to serve as a physician’s assistant to function in the dependent relationship with the supervising physician. (Sections 458.135(2)(d); 459.151(2)(d), F.S.)~~

~~(d)(h) Pre-established Protocols – a statement prepared by or with the responsible or attending physician defining the extent and limits of the medical services provided by the registered nurse. Such protocols must ~~are~~ to be reviewed at periods not to exceed one year, ~~to~~ be dated and signed by the physician, and ~~to~~ be kept readily available.~~

~~(i) Professional Standards of Practice — those measurements or guides for practice developed and/or endorsed by the respective professional disciplines.~~

~~(j) Registered Dietitian — one who meets the standards and qualifications established by the Committee on Professional Registration of the American Dietetic Association and is currently registered with the American Dietetic Association.~~

~~(k) Registered Nurse — a person who holds a current active license to practice professional nursing issued by the Florida State Board of Nursing. (Section 464.071, F.S.)~~

~~(e)(4) Responsible Physician – the licensed physician delegated by the supervising physician as responsible for the services rendered by the physician’s assistant or ARNP in the absence of the supervising physician.~~

~~(f)(m) Routine Health Care – ~~the provision of~~ preventive care, detection of health problems, referral for medical care, and management of chronic illness within medical prescriptions.~~

(g)(~~n~~) Substantive Change – ~~a change in when the patient’s condition indicating need for changes to such an extent that a change in treatment and/or medication orders is indicated or non-applicability of when pre-established protocols are not applicable.~~

(h)(~~o~~) Supervising Physician – the licensed physician assuming responsibility and legal liability for the services rendered by the physician’s assistant or ARNP. (Sections 458.135(2)(e); 459.151(2), (3), F.S.)

(i)(~~p~~) Treatment Room – the room or suite of rooms set aside for the examination and care of patients.

(2) Applications.

(a) ~~The nursing home licensee must submit a letter to shall be sent through the local county Public Health Unit Department and to the Agency’s Long Term Care Unit AHCA by the operator of a currently licensed nursing home stating intent to establish a geriatric outpatient nurse clinic in compliance with Chapter 400, F.S., Chapter 77-401, Laws of Florida, and applicable the rules pertaining to these chapters. A copy of the said letter must shall be sent to the Health Program Office of the Department of Health and Rehabilitative Services by the local county Public Health Department Unit. This letter must shall be sent at least sixty (60) days prior to the anticipated date of establishment of the clinic. The Director of the County Public Health Department Unit shall provide specific recommendations for operation of the clinic when transmitting the letter.~~

(b) ~~The Agency must AHCA shall ascertain compliance with all applicable laws, rules, regulations, and codes during the inspection and by letter notify the operator of compliance or non-compliance.~~

(c) Receipt of the letter of notification stating compliance shall constitutes authority to operate a geriatric outpatient nurse clinic within the nursing home facility.

(d) Application for renewal of authority to operate a geriatric outpatient nurse clinic must shall be submitted in the manner described above at the same time the application for the nursing home relicensure is submitted.

(e) Suspension or revocation of the nursing home license automatically suspends or revokes authority to operate the geriatric outpatient nurse clinic.

(f) ~~A Certificate of Need issued by the Agency required by Sections 381.493 through 381.497, F.S., is a pre-requisite to establish a geriatric outpatient nurse clinic.~~

(3) Treatment Rooms and Access Areas.

(a) Plant maintenance and housekeeping must shall be in accordance with Rule 59A-4.049, F.A.C.

(b) Every nursing home licensee facility conducting a geriatric outpatient nurse clinic must shall:

1. Use an existing treatment room exclusively for the examination and treatment of patients.

2. Store supplies and equipment in such a manner that safeguards patients and staff from hazards.

3. Have a waiting area that does not interfere with regular in-patient functions.

4. Provide clinic patients with the most direct route to and from the treatment room.

(4) Administration.

(a) The business and administrative management of the geriatric outpatient nurse clinic ~~must shall~~ be under the management control of the nursing home facility administrator. This ~~must shall~~ include, but not be limited to, maintenance of the following written records.

1. Clinic financial records ~~must be a recognized system of accounting used to accurately reflect details of the business and include adequate documentation of all transactions identifying all income by source and describe all expenditures by category in such a manner as to be suitable by community recognized procedure.~~

2. An accident and incident record, containing a clear description of each accident and any other incident or hazardous or deviant behavior of a patient or staff member with names of individuals involved, description of medical and other services provided, by whom such services were provided and the steps taken to prevent recurrence.

3. Personnel records for each clinic employee and/or contractual provider. These records ~~must will~~ be kept updated and include current Florida license and certificate numbers. Original application for the position, references furnished and an annual performance evaluation ~~must shall~~ be included.

4. A record of personnel policies, including statement of policies affecting personnel and a job description for each person providing clinic services.

5. Clinic Schedule.

6. Compliance with requirements of Title VI of the Civil Rights Act of 1964.

(b) The provision of health services through geriatric outpatient nurse clinics ~~must shall~~ be under the direct management control of the registered nurse, ARNP or physician’s assistant providing those services. Management ~~must~~ control the provision of health services to shall contain the following:

1. ~~Assurance~~ that all health services are provided according to legal, ethical and professional practice standards to protect the health, safety and well-being of the patients.

2. ~~Maintainance~~ and ensure confidentiality of clinical records for each patient as required in this rule, Chapter 400, Part II, F.S., and applicable state and federal regulations relating to patient records.

3. ~~Assure r~~Responsibility for development and periodic review of written policies and protocols governing patient care, including emergency procedures.

4. ~~Assure r~~Responsibility for development and periodic review of the patient referral system.

5. ~~Assure r~~Responsibility for the administration and handling of drugs and biologicals as required in this rule, Chapter 400, Part II, F.S., and applicable state and federal regulations relating to patient records ~~these Rules.~~

6. ~~Maintainance of~~ an individual and cumulative clinic census record.

7. ~~Coordinateion of~~ patient care with the attending physician and other community health and social agencies and/or facilities.

8. ~~Maintainance of~~ a safe, sanitary clinic environment.

(5) Fiscal Management.

(a) There ~~must shall~~ be a recognized system of accounting used to accurately reflect business details of the clinic operation and services kept separate from the nursing home's facility fiscal records.

(b) A reasonable fee, based on cost of operation and services, may be charged for clinic services rendered.

(c) Personnel involved in operating and/or providing clinic services ~~must shall~~ not:

1. Pay any commission, bonus, rebate or gratuity to any organization, agency, physician, employee or other person for referral of any patients to the clinic.

2. Request or accept any remuneration, rebate, gift, benefit, or advantage of any form from any vendor or other supplier because of the purchase, rental, or loan, of equipment, supplies or services for the resident, client and/or patient.

(6) Personnel Policies.

(a) Staff in the geriatric outpatient nurse clinic ~~must will~~ be governed by the personnel standards ~~their Personnel Standards in rRules and rRegulations governing nursing homes Nursing Homes and related health care facilities Related Health Care Facilities. Rule 59A-4.157, F.A.C.~~

(b) Staff in the geriatric outpatient nurse clinic ~~must shall~~ be qualified and sufficient in numbers to perform the necessary services.

(c) Services of this clinic ~~must not will in no way~~ reduce the minimum staffing standards for in-patient care.

(d) Staff in the geriatric outpatient clinic may be regularly employed or serve on a contractual basis.

(7) Personnel Functions and Responsibilities.

(a) The registered nurse, ARNP or physician assistant staffing the geriatric outpatient clinic must: ~~Registered Nurse (Sections 464.021(2)(a)1., 2., F.S.)~~

1. Be responsible ~~The nurse shall have the responsibility~~ for eliciting and recording a health history, observation and assessment nursing diagnosis, counseling and health teaching of patients and the maintenance of health and prevention of illness.

2. Provide ~~The nurse shall provide~~ treatment for the medical aspects of care according to pre-established protocols or physician's orders.

~~3.2- Note~~ ~~The nurse shall note~~ findings and activities on the clinical record.

~~4.3- Provide~~ ~~The nurse shall provide~~ progress reports to the attending physicians about patients under the physician's care when there is a substantive change in the patient's condition, there are deviations from the plan of care, or at least every sixty (60) days.

~~(b) The Advanced Registered Nurse Practitioner (Section 464.003(3)(e), F.S.)~~

1. ~~The Advanced Registered Nurse Practitioner shall perform the functions outlined for the Registered Nurse, and in addition: Provide additional services dependent upon the certification authority of the Advanced Registered Nurse Practitioner by the Florida State Board of Nursing.~~

2. ~~The Advanced Registered Nurse Practitioner shall note findings and activities on the clinical record.~~

~~(c) The Physician's Assistant (Sections 458.347(3); 459.022, F.S.)~~

1. ~~The physician's assistant shall perform health care tasks delegated by the supervising or responsible physician.~~

2. ~~The physician's assistant shall note findings and activities on the clinical record.~~

(8) Patient Eligibility Criteria.

(a) Acceptance of patients and discharge policies ~~must shall~~ include but not be limited to the following:

1. ~~(b) Patients must shall~~ be accepted for clinic services on self-referral for nursing care, or upon a plan of treatment established by the patient's attending physician.

2. ~~(c) Patients~~ ~~The patients~~ with an attending physician will be held responsible for providing the clinic with a written medical plan of treatment reviewed and signed by their physician ~~at least sixty (60) days.~~

3. ~~(d)~~ When services are to be terminated, the patient ~~is to~~ ~~must shall~~ be notified of the date of termination and the reason for termination that ~~must shall~~ be documented in the patient's clinical record. ~~A plan shall be developed for a~~ Referrals must be made for any continuing care required indicated.

(9) Patient's Rights.

(a) The nursing home licensee must facility shall ~~adopt, implement~~ and make public a statement of the rights and responsibilities of the clinic patients and ~~must shall~~ treat such patients in accordance with the provisions of the said

statement. This statement ~~must shall~~ be conspicuously posted and available to clinic patients in pamphlet form. The statement ~~must ensure shall insure~~ each patient the following:

~~1.(b)~~ The right to have private communication with any person of his or her choice.

~~2.(e)~~ The right to present grievances on behalf of himself, herself, or others to the facility's staff or administrator, to government officials, or to any person without fear of reprisal, and to join with other patients or individuals to work for improvements in patient care.

~~3.(d)~~ The right to be fully informed in writing, prior to or at the time of admission and during his or her attendance, of fees and services not covered under Title XVIII or Title XIX of the Social Security Act or other third party reimbursement options agents.

~~4.(e)~~ The right to be adequately informed of his or her medical condition and proposed treatment unless otherwise indicated in the written medical plan of treatment by the physician, and to participate in the planning of all medical treatment, including the right to refuse medication and treatment, unless otherwise indicated in the written medical plan of treatment by the physician, and to know the consequences of such actions.

~~5.(f)~~ The right to receive adequate and appropriate health care consistent with established and recognized practice standards within the community and with rules as promulgated by the Agency AHCA.

~~6.(g)~~ The right to have privacy in treatment and in caring for personal needs, confidentiality in the treatment of personal and medical records.

~~7.(h)~~ The right to be treated courteously, fairly, and with the fullest measure of dignity and to receive a written statement of the services provided by the nursing home licensee facility.

~~(i) The right to freedom of choice in selecting a nursing home.~~

~~1. Each nursing home shall post a copy of the statement required by subsection (1) so that it is clearly evident.~~

~~(b)2:~~ Any violation of the patient's rights set forth in this section shall constitute grounds for action by the Agency under the provisions of Section 400.102, F.S.

(10) The scope Scope of services Services of the geriatric outpatient nurse clinic must include:

Geriatric Outpatient Nurse Clinic

- (a) Observation of signs and symptoms.
- (b) Assessment of health status/progress.
- (c) Nursing diagnosis and plan of care.
- (d) Nursing care of patients and counseling to maintain health and prevent disease, including diet counseling.
- (e) Health instruction to control progression of disease and/or disability and self care measures.

(f) Administration of medication and treatment as prescribed by a person licensed in this state to prescribe such medications and treatment.

(g) Provision of progress reports to the attending physician.

(h) Referral for additional services as needed.

(i) Follow-up on a regular basis by communication with the patient, the patient's physician, and other agencies or persons to which referrals were made.

(j) When staffed by an ARNP Advanced Registered Nurse Practitioner advanced registered nurse or physician's assistant Physician's Assistant, additional services may be provided dependent upon their respective certification authority. (Sections 458.347, 459.022, 464.003(3)(c), F.S.)

(11) Clinical Records.

(a) The clinic ~~must shall~~ maintain a clinical record for every patient receiving health services that contain the following:

1. Identification data including name, address, telephone number, date of birth, sex, social security number, clinic case number if used, next of kin or guardian and telephone number, name and telephone number of patient's attending physician.

2. Assessment of problems.

3. A hHealth cCare pPlan including diagnosis diagnose, type, and frequency of services and when receiving medications and medical treatments, the medical treatment plan and dated signature of the physician or designee health professional licensed in this state to prescribe such medications and treatments.

4. Clinical notes, signed and dated by staff providing service.

a. Progress notes with changes in the patient's condition.

b. Services rendered with progress reports.

c. Observations.

d. Instructions to the patient and family.

e. Referrals made.

f. Consultation reports.

g. Case conferences.

h. Reports to physicians.

i. Termination summary which must include:

(I) Date of first and last visit.

(II) Total number of visits by discipline.

(III) Reason for termination of service.

(IV) Evaluation of achievements of previously established goals at time of termination.

(V) Condition of patient on discharge.

j. Clinical records ~~must shall~~ be confidential. Information may be released by the nurse, ARNP or physician's assistant responsible for clinical services only in accordance with state and federal regulations related to patient records and confidentiality.

~~(I) When permission is granted in writing by the patient or guardian.~~

~~(II) To those persons or agencies with a legitimate professional need or regulatory authority pursuant to Section 455.241, F.S.~~

~~(III) When so ordered by the courts.~~

(12) Medications. The clinic ~~must shall~~ have policies and procedures for the administration of medications by health care professionals acting within the scope of practice defined by laws and rules of the Department of Health and the Department of Professional Regulation which ~~must shall~~ include, ~~for example,~~ the following:

(a) All prescriptions for medications ~~must shall~~ be noted on the patient's record, and include the date, drug, dosage, frequency, method or site of administration, and the authorized health care professional's signature.

(b) All verbal orders for medication or medication changes ~~must shall~~ be taken by the clinic registered nurse, ARNP or physician's assistant. Such orders must be in writing and signed by the authorized health care professional within eight (8) days and added to the patient's record.

(c) The clinic registered nurse, ARNP or physician's assistant ~~must shall~~ record and sign for each medication administered, by drug, dosage, method, time and site on patient's record.

(d) An emergency plan for reversal of drug reaction to include the nursing home licensee's pro re nata (P.R.N. or "as needed") facility's PRN standing orders for medications available in the Emergency Drug medication Kit.

(e) If there is not a separate Emergency Drug medication Kit in the clinic, the nursing home licensee's facility's Emergency Drug medication Kit ~~must shall~~ be immediately accessible for use in the outpatient clinic.

(f) A drug storage system that includes:

1. Prescribed medications for individual outpatients may be retained in the clinic. These medications ~~must shall~~ be stored separately from those of the nursing home in-patients for preventive measures and treatment of minor illnesses.

2. Multi-dose containers ~~must shall~~ be limited to medications or biologicals commonly prescribed for preventive measures and treatment of minor illnesses.

3. A list ~~must shall~~ be kept of patients receiving medication from multi-dose medication containers.

Specific Authority ~~381.493-381.497, 400.141(5)(3), 400.23(2) FS. Law Implemented 400.33, 400.141, 400.333 FS. History-New 4-27-78, Formerly 10D-29.71, 10D-29.071, 59A-4.071, Amended 2-6-97, _____.~~

59A-4.165 Nursing Home Guide.

(1) Pursuant to Section 400.191 F.S., the Agency shall provide information to the public in consumer-friendly printed and electronic formats (hereafter collectively the "Guide") to assist consumers and their families in comparing and evaluating nursing home facilities.

(2) The format of the printed Guide is shown in the "Nursing Home Guide Performance Measures Algorithm 2000" document, dated July 2000, incorporated by reference herein.

(3) The format of the electronic Guide will be the same as the printed Guide, but with the addition of the following:

(a) The ability to search for a nursing home facility electronically.

(b) Details of each deficiency which deficiencies the nursing home facility has been cited for over the time period specified in Section 400.191, F.S. past 45 months

(4) The data provided in the Guide shall include the following:

(a) General guidance about when a nursing home is the appropriate choice of care.

(b) General guidance about selecting a nursing home.

(c) Contact information such as phone numbers and web sites where questions can be answered, and further information obtained.

(d) A listing of all nursing home facilities in the State of Florida, including hospital based skilled nursing units. This listing shall include for each nursing home facility the following:

1. Name;
2. Address;
3. Voice and fax phone numbers;
4. Web address of facility;
5. A recognition if the nursing home licensee facility has been awarded a Gold Seal;
6. The current licensee;
7. Which calendar year the current licensee became the licensee;
8. Whether the licensee is a for-profit, or non-profit entity, and whether or not the nursing home facility is part of a retirement community;
9. Any corporate or religious affiliations;
10. The number of private, semi-private, and total beds at the nursing home facility;
11. The lowest daily charge for a semi-private room;

12. The payment forms accepted;

13. Any special services or amenities, or recreational programs provided;

14. Any non-English languages spoken by the administrator or staff of the nursing home facility; and

15. A summary of the deficiencies found at the nursing home facility over the time period specified in Section 400.191, F.S. a 45-month period prior to the publication of the Guide. The summarization procedure is discussed in detail below.

(5) The Guide will employ a procedure for summarizing the deficiencies as follows:

(a) All deficiencies cited over the most recently available time period as specified in Section 400.191, F.S. 45-month period prior to the publication of the Guide will be collected.

(b) Each citation will be assigned points based on the type of deficiency and its assigned severity and scope. For those nursing homes facilities that are not federally certified, each citation will be assigned points based on the type of deficiency and its assigned class. Nursing homes Facilities that are federally certified have their deficiencies recorded as F-Tags and K-Tags. Nursing homes Facilities that are not federally certified receive N-Tags instead of F-Tags and K-Tags. For the non-federally certified nursing homes facilities the findings supporting each N-Tag shall be read by the Agency to determine which F-Tag or K-Tag each of the cited N-Tags is equivalent to. The points assigned to an N-Tag shall be those that would be assigned to the equivalent F-Tag or K-Tag, if the nursing home facility were federally certified.

(c) A score for a nursing home facility will be computed by summing the points of all of its citations, and then dividing this sum by the number of annual recertification surveys conducted at the facility in the same 45-month period as in paragraph (a) above. For those nursing homes facilities that are not federally certified, the number of annual licensure surveys will be used in place of the number of annual recertification surveys.

(d) For federally certified nursing homes facilities, the above computations will reflect any changes resulting from the Informal Dispute Resolution process, or administrative or appellate proceedings; inasmuch as the federal Centers for Medicare and Medicaid Services Health Care Financing Administration concurs with such changes.

(e) The scores for the freestanding nursing facilities will be ranked within each region. The regions are defined in the "Nursing Home Guide Performance Measures Algorithm," ~~document, dated July 2000, incorporated by reference herein.~~

(f) Ranks for the hospital based skilled nursing units will be assigned the same rank as the freestanding nursing home facility in the same region with an equal or next lower score.

(g) These ranks shall be presented numerically and/or symbolically in the Guide.

(h) Paragraphs (b) through (g) shall be repeated for subsets of the citations. These subsets are discussed in the "Nursing Home Guide Performance Measures Algorithm," ~~document, dated July 2000, incorporated by reference herein.~~

(i) Nursing homes Facilities that are federally certified have their deficiencies recorded as F-Tags and K-Tags. Nursing homes Facilities that are not federally certified receive N-Tags instead of F-Tags and K-Tags. For the non-federally certified nursing homes facilities the findings supporting each N-Tag shall be read by the Agency to determine which F-Tag or K-Tag each of the cited N-Tags is equivalent to. The sub-setting of the tags in paragraph (h) for non-certified facilities shall be accomplished by using these equivalent F-Tags and K-Tags.

(j) The documents incorporated by reference may be obtained from the Agency for Health Care Administration, Managed Care and Health Quality Division, 2727 Mahan Dr., MS 33, Tallahassee, FL 32308.

(6) The electronic version of the guide will be available at <http://ahcaxnet.fdhc.state.fl.us/nhcguide/> ~~www.fdhc.state.fl.us~~ and www.floridahealthstat.com.

Specific Authority 400.191(6) FS. Law Implemented 400.191 FS. History—New 2-15-01, Amended _____.

59A-4.166 Nursing Home Consumer Satisfaction Survey.

~~(1) Pursuant to Section 400.0225, F.S., the Agency or its contractor shall conduct consumer satisfaction surveys of all nursing homes and skilled nursing units of hospitals in the state. These nursing homes and skilled nursing units shall hereafter be referred to as "nursing facilities".~~

~~(2) The Agency or its contractor will survey family members and guardians of residents of these nursing facilities by way of mail surveys. This will require each nursing facility to provide to the Agency or its contractor, upon request, the names and addresses of at least one family member or guardian for each resident.~~

~~(3) The Agency or its contractor will interview residents of these facilities in person. This will require each nursing facility to provide to the Agency or its contractor, upon request, a list of all residents, along with each resident's room number, and each resident's birth date.~~

~~(4) The Agency or its contractor shall conduct these surveys and interviews at each nursing facility at least annually.~~

~~(5) The specific protocol for conducting these surveys and interviews is shown in the "Nursing Home and Skilled Nursing Unit Resident and Family Member Survey Project" document, dated July 2000, incorporated by reference herein.~~

~~(6) Only data summarized to the level of the facility may be released.~~

~~(7) The documents incorporated by reference may be obtained from the Agency for Health Care Administration, Managed Care and Health Quality Division, 2727 Mahan Dr., Tallahassee, FL 32308.~~

Specific Authority 400.0225 FS. Law Implemented 400.0225 FS. History—New 2-15-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: CaraLee Starnes at (850)488-5861

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Molly McKinstry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 30, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 16, 2007

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE NOS.:	RULE TITLES:
61B-76.003	Budgets
61B-76.005	Reserves

PURPOSE AND EFFECT: This proposed rule amendment is for the purpose of allowing cooperative associations to use the pooling method for funding reserves for capital expenditures and deferred maintenance. The pooling method is a funding formula that utilizes a combined analysis and common source of money to pay for the maintenance or repair of assets within the pooled reserve account. The pooling method provides associations with more flexibility and meets the statutory requirement that reserve funding be based on the estimated deferred maintenance or replacement cost and funded over the lives of the assets to be reserved. This change is recommended to provide cooperative associations the same regulatory requirements that exist for condominium associations. The proposed rule amendment also conforms the language to the same terminology used for condominiums.

SUMMARY: This rule amendment addresses the funding of reserves for capital expenditures and deferred maintenance in cooperatives regulated under Chapter 719, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 719.501(1)(f), (j) FS.

LAW IMPLEMENTED: 719.106(1)(e), (j), 719.107(2), 719.501(1)(j), 719.618(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 9, 2008, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II at (850)488-1631. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULES IS:

61B-76.003 Budgets.

(1) Required elements for estimated operating budgets. The budget for each association shall:

(a) through (d) No change.

(e) Unless the association maintains a pooled account for reserves required by Section 719.106(1)(j), Florida Statutes, the association shall include a schedule stating each reserve account for capital expenditures and deferred maintenance as a separate line item with the following minimum disclosures:

1. The total estimated useful life of the asset component;
2. The estimated remaining useful life of the asset component;

3. The estimated replacement cost or deferred maintenance expense of the asset component;

4. The estimated fund balance as of the beginning of the period for which the budget will be in effect; and

5. The developer's total funding obligation, when all units are sold, for each converter reserve account established pursuant to Section 719.618, Florida Statutes, if applicable.

(f) If the association maintains a pooled account for reserves required by Section 719.106(1)(j), Florida Statutes, the association shall include a separate schedule of any pooled reserves with the following minimum disclosures:

1. The total estimated useful life of each asset within the pooled analysis;

2. The estimated remaining useful life of each asset within the pooled analysis;

3. The estimated replacement cost or deferred maintenance expense of each asset within the pooled analysis; and

4. The estimated fund balance of the pooled reserve account as of the beginning of the period for which the budget will be in effect.

(g) Include a separate schedule of any other reserve funds to be restricted by the association as a separate line item with the following minimum disclosures:

1. The intended use of the restricted funds; and
 2. The estimated fund balance of the item as of the beginning of the period for which the budget will be in effect.
- (2) through (3) No change.

Specific Authority 719.501(1)(f), (j) FS. Law Implemented 719.106(1)(e), (j), 719.107(2), 719.501(1)(j) FS. History--New 12-20-95, Amended _____.

61B-76.005 Reserves.

(1) through (2) No change.

(3) Calculating reserves required by statute. Reserves for deferred maintenance and capital expenditures required by Section 719.106(1)(j), Florida Statutes, shall be calculated using a formula that will provide funds equal to the total estimated deferred maintenance expense or total estimated replacement cost for an asset or group of assets over the remaining useful life of the asset or group of assets. Funding formulas for reserves required by Section 719.106(1)(j), Florida Statutes, shall be based on either a separate analysis of each of the required assets or a pooled analysis of two or more of the required assets.

(a) If the association maintains separate reserve accounts for each of the required assets, ~~The amount of the current year contribution to each reserve component shall be the sum of the following calculation:~~

~~1.(a)~~ The total amount necessary, if any, to bring a negative account component balance to zero; and

~~2.(b)~~ The total estimated deferred maintenance expense or total estimated replacement cost of the reserve asset component less the estimated balance of the reserve account component as of the beginning of the period for which the budget will be in effect. The remainder, if greater than zero, shall be divided by the estimated remaining useful life of the asset. The formula may be adjusted each year for changes in estimates and deferred maintenance performed during the year and may consider factors such as inflation and earnings on invested funds.

(b) If the association maintains a pooled account of two or more of the required reserve assets, the amount of the contribution to the pooled reserve account as disclosed on the proposed budget shall be not less than that required to ensure that the balance on hand at the beginning of the period for which the budget will go into effect plus the projected annual cash inflows over the remaining estimated useful lives of all of the assets that make up the reserve pool are equal to or greater than the projected annual cash outflows over the remaining estimated useful lives of all of the assets that make up the

reserve pool, based on the current reserve analysis. The projected annual cash inflows may include estimated earnings from investment of principal. The reserve funding formula shall not include any type of balloon payments.

(4) through (9) No change.

Specific Authority 719.501(1)(f), (j) FS. Law Implemented 719.106(1)(j), 719.501(1)(j), 719.618(1) FS. History--New 12-20-95, Amended 1-19-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Cochran, Director, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chuck Drago, Interim Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NOS.:	RULE TITLES:
61C-1.001	Definitions
61C-1.004	General Sanitation and Safety Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to simplify adoption of the 2001 Food Code by adopting all applicable parts under the "Food Code" definition and amending, as necessary, other references to the 2001 Food Code in the division's rules. The proposed rule amendment also improves readability under the plain language initiative.

SUMMARY: The proposed rule amendment adopts the 2001 Food Code under the definition of "Food Code" in Rule 61C-1.001, F.A.C., and amends references to the 2001 Food Code currently found throughout Chapter 61C-1, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 509.032, FS.

LAW IMPLEMENTED: 509.032, 509.215, 509.221 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32303-1012; Telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULES IS:

61C-1.001 Definitions.

Except when otherwise defined in this rule, the definitions provided in paragraph 1-201.10(B), Food Code, 2001 Recommendations of the United States Public Health Service/Food and Drug Administration; the 2001 Food Code Errata Sheet (August 23, 2002); and Supplement to the 2001 FDA Food Code (August 29, 2003), ~~herein adopted by reference~~, shall apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C. In addition, the following definitions apply to Chapters 61C-1, 61C-3 and 61C-4, F.A.C.:

(1) through (13) No change.

(14) Food Code – This term as used in Chapters 61C-1, 61C-3, and 61C-4, F.A.C., means paragraph 1-201.10(B), Chapter 2, Chapter 3, Chapter 4, Chapter 5, Chapter 6, and Chapter 7 of the Food Code, 2001 Recommendations of the United States Public Health Service/Food and Drug Administration including Annex 3: Public Health Reasons/Administrative Guidelines; and Annex 5: HACCP Guidelines of the Food Code; the 2001 Food Code Errata Sheet (August 23, 2002); and Supplement to the 2001 FDA Food Code (August 29, 2003), herein adopted by reference. A copy of the Food Code, as adopted by the division, is available on the division’s Internet website www.MyFloridaLicense.com/dbpr/hr. A copy of the entire Food Code is available on the U.S. Food and Drug Administration Internet website. Printed copies of the entire Food Code are available through the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

(15) through (30) No change.

Specific Authority 509.032~~(6)~~ FS. Law Implemented 509.032 FS. History—Amended 9-20-63, 3-21-64, 1-7-70, Revised 2-4-71, Amended 10-18-71, 11-17-73, 12-18-74, 12-5-82, Formerly 7C-1.01, Amended 9-10-89, 12-31-90, 2-27-92, 11-4-92, Formerly 7C-1.001, Amended 3-31-94, 10-9-95, 9-25-96, 1-1-98, 12-6-00, 2-27-05,_____.

61C-1.004 General Sanitation and Safety Requirements.

The following general requirements and standards shall be met by all public lodging and public food service establishments:

(1) Water, plumbing and waste. Except as specifically provided in these rules, standards for water, plumbing and waste shall be governed by Chapter 5, Food Code, ~~as herein adopted by reference in Rule 61C-1.001, F.A.C.~~ For the purposes of this section, the term “food establishment” as

referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, FS.

(a) through (e) No change.

(2) through (3) No change.

(4) The storage and use of poisonous and toxic materials shall be governed by the provisions of Chapter 7, Food Code, ~~as herein adopted by reference in Rule 61C-1.001, F.A.C.~~ For the purposes of this section, the term “food establishment” as referenced in the Food Code shall apply to all public lodging and public food service establishments as defined in Chapter 509, F.S.

(5) through (13) No change.

Specific Authority 509.032~~(2)(d), (3), (6)~~ FS. Law Implemented 509.032~~(2)(d), (3)(a), (b), (e)~~, 509.215, 509.221 FS. History—Amended 2-20-64, 7-14-67, 2-8-69, Revised 2-4-71, Amended 2-17-73, Repromulgated 12-18-74, Amended 9-19-84, Formerly 7C-1.04, Amended 12-31-90, 2-11-92, 2-27-92, 6-15-92, Formerly 7C-1.004, Amended 3-31-94, 10-9-95, 9-25-96, 5-11-98, 7-2-98,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill L. Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chuck Drago, Interim Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-3.001
 RULE TITLE: Sanitation and Safety Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to simplify adoption of the 2001 Food Code by removing adoption of the Food Code in this rule and instead simply referencing the Food Code as adopted in the definition found in Rule 61C-1.001, F.A.C. The proposed rule amendment also improves readability under the plain language initiative.

SUMMARY: The proposed rule amendment changes references to the 2001 Food Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 509.032 FS.

LAW IMPLEMENTED: 509.032, 509.211, 509.2112, 509.221 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32303-1012; telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-3.001 Sanitation and Safety Requirements.

The following requirements and standards shall be met by all public lodging establishments.

(1) through (2) No change.

(3) Glassware, tableware and utensils.

(a) The handling, cleaning and sanitizing of glassware, tableware and utensils in public lodging establishments shall be subject to the provisions of Chapter 4, Food Code, ~~as hereby~~ adopted by reference in Rule 61C-1.001, F.A.C. As referenced in this chapter of the Food Code, the term "food establishment" shall apply to all public lodging establishments as defined in Chapter 509, F.S.

(b) through (c) No change.

(4) through (12) No change.

Specific Authority ~~509.032(6)~~ FS. Law Implemented 509.032, 509.211, 509.2112, 509.221 FS. History—Amended 1-20-63, Revised 2-4-71, Amended 9-19-84, Formerly 7C-3.01, Amended 12-31-90, Formerly 7C-3.001, Amended 3-31-94, 9-25-96, 1-18-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill L. Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Chuck Drago, Interim Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 2, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NOS.:	RULE TITLES:
61C-4.010	Sanitation and Safety Requirements
61C-4.0161	Mobile Food Dispensing Vehicles and Theme Park Food Carts
61C-4.023	Food Protection Manager Certification and Public Food Service Employee Training

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments are to simplify adoption of the 2001 Food Code by removing adoption of the Food Code in this Chapter and instead simply referencing the Food Code as adopted in the definition found in Rule 61C-1.001, F.A.C. The proposed rule amendment also improves readability under the plain language initiative.

SUMMARY: The proposed rule amendments change references to the 2001 Food Code throughout Chapter 61C-4, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 509.032, 509.039, 509.049 FS.

LAW IMPLEMENTED: 509.032, 509.035, 509.039, 509.049, 509.211, 509.215, 509.221 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32303-1012; telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULES IS:

61C-4.010 Sanitation and Safety Requirements.

(1) Food Supplies and Food Protection – ~~Except~~ ~~except~~ as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter 3, Food Code, ~~as herein~~ adopted by reference in Rule 61C-1.001, FAC.

(a) through (c) No change.

(d) Section 3-301.11(B); ~~of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., specifies that food service employees shall not contact~~ provides the specifications for no bare hand contact of exposed ready-to-eat food with bare hands. Under Pursuant to the language “except...when unless otherwise approved” as provided in Section 3-301.11(B); of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., food service employees may contact ready-to-eat foods with their bare hands immediately prior to service if the operator of the public food service establishment maintains a written operational procedure which addresses all of the following components:

1. through 2. No change.

3. Food service employees ~~Employees~~ who handle ready-to-eat foods must thoroughly wash their hands before returning to their work stations and as needed during their work periods in accordance with the handwash requirements of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. Additionally, these food service employees shall use a chemical hand sanitizing solution which must comply with the specification provided in Section 2-301.16(C); of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. The establishment must also fully comply with Sections 5-203.11(A) and 5-204.11; of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., regarding the number and location of hand washing lavatories.

4. The person in charge of the public food service establishment is responsible for verifying, prior to any food handling activity, that all food handling employees are in compliance with Sections 2-201.11, 2-201.12, and 2-201.13; of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., as those sections relate relative to employee health status, exclusions, and restrictions.

5. The public food service establishment’s written operational procedures must provide an effective way to monitor employees to verify compliance with the requirements of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and the establishment’s specifications of the written operational procedures. Additionally, the written operational procedures must also describe the corrective actions the operator must take when procedures are not followed. All food service employees, including the operator, manager, or any supervisory position, who handle ready-to-eat foods with bare hands must comply with all requirements of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and the public food service establishment’s written operational procedures.

(e) No change.

(f) If an ~~establishment~~ employee of a public food service establishment is observed using bare hands to handle ready-to-eat foods and the establishment has failed to develop, maintain or make available a written set of operational procedures; or, comply with any rule requirement relative to

the use of bare hands, personal health, or professional hygiene, the division shall cite the establishment for noncompliance. Noncompliance on a second inspection within two years of the first infraction shall result in enforcement action in accordance with Section 509.261, F.S. A subsequent finding of noncompliance relative to the use of bare hands, personal health, or professional hygiene will result in enforcement action in accordance with Section 509.261, F.S., and enforcement of Section 3-301.11(B) of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., until the establishment operator verifies completion of corrective action, including and completes remedial training of all food preparation employees.

(g) If the division or other food regulatory authority is notified of a suspected foodborne illness outbreak in any public food service establishment which utilizes bare hand contact with ready-to-eat foods, the division will temporarily enforce no bare hand contact in the establishment in accordance with Section 3-301.11(B); of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., until ~~a determination is made by the health authority~~ determines whether a foodborne illness outbreak exists or until such time as the origin of the foodborne illness outbreak is confirmed. If the origin of the foodborne illness, specific to the implicated establishment, is determined to be a food service employee associated outbreak, the division shall pursue enforcement action in accordance with Section 509.261, F.S., and continue to enforce compliance with Section 3-301.11(B); of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., until the establishment operator verifies completion of corrective action, including and completes remedial training of all food preparation employees.

(2) No change.

(3) Personnel – ~~Except except~~ as specifically provided in this rule, personnel in public food service establishments shall be subject to the provisions of Chapter 2, Food Code, as herein adopted by reference in Rule 61C-1.001, F.A.C.

(4) Procedure When Infection Is Suspected – ~~When when~~ the division has reasonable cause to suspect possibility of disease transmission from any food service establishment employee, the division shall immediately consult with the state health officer or designee to provide epidemiological assistance or make other such investigation as may be indicated and take appropriate action in accordance with Part 2-2; of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and these rules.

(5) Food Equipment, Utensils and Linens – ~~Public public~~ food service establishments shall be subject to the provisions of Chapter 4, Food Code, as herein adopted by reference in Rule 61C-1.001, F.A.C.

(6) Physical Facilities – ~~Except except~~ as specifically provided in these rules, the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code, as herein adopted by reference in Rule

61C-1.001, F.A.C. Public food service establishments and all ~~parts of~~ property used in connection with their operations shall be kept free of litter. The walking and driving surfaces of all exterior areas of public food service establishments shall be effectively maintained ~~so as~~ to minimize dust. These surfaces shall be graded to prevent pooling of water.

(7) No change.

Specific Authority 509.032(2)(d), ~~(6)~~ FS. Law Implemented 509.032(2)(d), ~~(3)(a), (b), (e)~~, 509.035, 509.221 FS. History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Formerly 10D-13.023, 7C-4.010, Amended 3-31-94, 9-25-96, 1-1-98, 7-2-98, 12-6-00, 2-27-05, _____.

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) No change.

(2) Mobile food dispensing vehicles shall meet the following additional requirements:

(a) through (b) No change.

(c) Mobile food dispensing vehicles shall operate from an approved commissary that meets all applicable requirements of this rule. The commissary must be provided with potable water and adequate facilities for disposal of liquid and solid waste. The mobile food unit must report to the commissary to store or replenish supplies, clean utensils and equipment, or dispose of liquid and solid waste. Mobile food dispensing vehicles which are self-sufficient for equipment, storage, and utilities must report to the commissary as often as needed, but not less than at least once weekly, or more often as needed to replenish supplies, clean the interior of the unit, or dispose of liquid or solid wastes. For the purpose of this rule, a mobile food dispensing vehicle which is self-sufficient includes a three compartment sink for washing, rinsing, and sanitizing of equipment and utensils; a separate handwash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP gas, or a portable power generation unit; ~~and a liquid waste disposal system and potable water holding tank; and a liquid waste disposal system in accordance with Subparts 5-3 and 5-4; of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C.~~ Mobile food dispensing vehicles which are not self-sufficient must report to their commissary at least once daily. The exterior of the vehicle may be washed in any location, provided the waste water does not create a sanitary nuisance.

(d) No change.

(3) through (10) No change.

Specific Authority 509.032(2)(d), ~~(6)~~ FS. Law Implemented 509.032(2)(d), ~~(3)(a)~~, 509.211, 509.215, 509.221 FS. History—New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, _____.

61C-4.023 Food Protection Manager Certification and Public Food Service Employee Training.

(1) through (3) No change.

(4) Public Food Service Employee Training.

(a) All public food service employees must receive training on professional hygiene and foodborne disease prevention. Professional hygiene includes personal cleanliness and hygienic practices in accordance with the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and techniques to prevent cross contamination. Foodborne disease prevention training must include the types and causes of foodborne illness, identification of potentially hazardous food, and how to control or eliminate harmful bacteria in a public food service establishment.

(b) Public food service employees must receive training which relates to their assigned duties. Employees who prepare foods must be knowledgeable about safe methods of thawing, cooking, cooling, handling, holding and storing foods. Service personnel must be knowledgeable about safe methods of serving food. Employees who clean equipment and facilities must be knowledgeable about proper cleaning and sanitization methods. Employees responsible for maintaining the premises must be knowledgeable about proper vermin control methods as specified in the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C.

(c) Licensees who provide in-house employee training shall make available on the premises of the establishment, or in a theme park or entertainment complex in a central location, upon the division's request, the curriculum and materials used to conduct training. If training is obtained from an outside provider, the licensee must provide, upon the division's request, information about the selected training program and methods used to evaluate training outcomes. Training outcomes include employees correctly applying procedures and answering questions relative to assigned duties. Employees must safely perform their work duties safely in a manner consistent with the requirements of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C.

Specific Authority 509.032(6), 509.039, 509.049 FS. Law Implemented 509.039, 509.049 FS. History—New 2-21-91, Amended 5-12-92, Formerly 10D-13.037, 7C-4.023, Amended 3-31-94, 10-9-95, 1-18-98, 2-7-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill L. Veach, Director, Division of Hotels and Restaurants,
Department of Business and Professional Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Chuck Drago, Interim Secretary,
Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 2, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 25, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

RULE NOS.:	RULE TITLES:
61M-1.001	Procedures for Operation
61M-1.002	Claims Procedures
61M-1.003	Approved Forms
61M-1.004	Late Fees
61M-1.005	Determination of Mobile Home Park Status
61M-1.006	Qualification for Compensation
61M-1.007	Timeframe to Apply for Assistance
61M-1.008	Grievance Procedure

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments will be to make language changes to clarify and organize existing rules and forms and to address operational concerns arising out of the current versions of existing rules and forms. Changes to existing rules will also be considered to address possible concerns arising out of the incorporation of forms into a separate rule. The board will also discuss, and will consider, possible new rules relating to late fees to implement changes to Section 723.06116(1)(a)-(d), F.S., and possible new rules relating to the determination of mobile home park status, rental agreement status, timeframes to apply for assistance to implement changes to Section 723.0612(12), F.S., and a grievance procedure.

SUMMARY: The subject areas to be addressed in these rule amendments are: the operation of the Florida Mobile Home Relocation Corporation and the use of applicable forms by the public, requests for assistance for relocation and abandonment expenses by members of the public who reside in a mobile home park where there has been a change in land use and determinations made with regard to such applications, procedures for the collection of funds from mobile home park owners whose residents have sought relocation or abandonment expenses and procedures for aggrieved individuals to challenge decisions of the Florida Mobile Home Relocation Corporation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 723.0611(3) FS.

LAW IMPLEMENTED: 723.003, 723.061, 723.0611, 723.06115, 723.06116, 723.0612 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, (888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, (888)862-7010

THE FULL TEXT OF THE PROPOSED RULES IS:

61M-1.001 Procedures for Operation.

(1) The Florida Mobile Home Relocation Corporation (referred to in these Rules as “Corporation”) board of directors, one of whom serves as chair, shall conduct the corporation’s business at meetings held as frequently as deemed necessary by the board. All such meetings shall be noticed in the Florida Administrative Weekly, as well as the principal publications of the largest nonprofit association representing mobile home owners in this state and the largest nonprofit association representing the manufactured housing industry in this state, who comprise the members of the Corporation board of directors. Such notice shall be published at least 7 ~~14~~ days prior to the date scheduled for the meeting of the board of directors, exceptin the case of emergency meetings of the board of directors, in which case the notice may be published less than 7 ~~14~~ days prior to the date of the meeting. The board of directors may hold meetings by telephone conference call, or other electronic means, by providing 48 hours written notice via facsimile to the largest nonprofit association representing mobile home owners in this state, the largest nonprofit association representing the manufactured housing industry in this state and to other interested parties who have provided notice to the Corporation of their interest in receiving public notice of Corporation business, to review applications for payment of relocation expenses or abandonment so as to meet the timetable set forth in Section 723.0612(4), F.S. and to conduct such other business as authorized by law. Regular meetings of the Corporation board of directors may also be conducted by telephone conference call upon providing the 7 day notice referred to above and members of the board of directors may attend any in person meetings of the Corporation by telephone.

(2) The board of directors may employ or retain attorneys, accountants and ~~or~~ administrative personnel to perform the administrative and financial transactions and responsibilities of the Corporation and to perform any other necessary duties not prohibited by law. The board of directors is not required to

engage in a competitive solicitation or bidding process for goods and services needed by the board to perform its functions.

(3) Members of the board of directors may be reimbursed by the Corporation for actual and necessary expenses incurred by them as members in accordance with state guidelines as approved by the department. Members of the board of directors are not entitled to any additional compensation for their services.

(4) The Corporation shall establish, by rule, an address for receipt of mail and any official notices required by Section 723.0612, F.S. The ~~initial~~ address for receipt of such mail or notices shall be Florida Mobile Home Relocation Corporation, Post Office Box ~~3047-44125~~, Tallahassee, Florida ~~32315-3047-32317-4125~~.

(5) The Corporation is authorized to open accounts with financial institutions or credit unions to conduct the financial affairs of the Corporation.

(6) The Corporation shall implement procedures, in conjunction with the department, for the transfer of funds from the Florida Mobile Home Relocation Trust Fund to the Corporation for the payment of claims for relocation and abandonment expenses approved by the board of directors.

Specific Authority 723.0611(3) FS. Law Implemented 723.0611, 723.0612 FS. History—New 1-6-04, Amended 11-3-04, _____.

61M-1.002 Claims Procedures.

(1) In order to receive payment from the Corporation for relocation expenses, the ~~applicant mobile home owner~~ shall submit to the Corporation, with a copy to the park owner, a Home Owner Application for Payment of Relocation Expenses, FMHRC Form 1001, (Revised March 25, 2008) incorporated herein by reference, which includes a copy of the notice of eviction due to change in use of the land comprising the mobile home park and a copy of the signed contract with an ~~installer moving or towing contractor~~ that includes an itemization of the costs of taking down, moving and setting up the mobile home in a new location. The copy of the notice of eviction shall show a date after July 1, 2001, the effective date of the statute creating the Florida Mobile Home Relocation Corporation. ~~The cost itemization referenced herein shall be in a form substantially similar to the Installer's Form, FMHRC Form 1007, (Revised March 25, 2008) incorporated herein by reference, must be used~~ in order for the applicant's request to be considered for approval by the board of the Corporation. The application shall also include a copy of the title(s) to the mobile home showing the name of the owner of the home being the same as the applicant for relocation expenses. The title certificate must bear the Department of Highway Safety and Motor Vehicles designation of "HS" which designates the home as a "mobile home." No other designation on the title will be accepted for processing and approval for relocation expenses. Any application received that does not contain

complete information and all of the required documentation shall be returned by the Corporation to the applicant along with a notice of the deficiencies in the application. Only completed applications will receive a date stamp. In the event the applicant resubmits the application with the required documentation, the application will then receive a date stamp assigning its priority. Applicants for payment under this section shall also submit an Acknowledgement of Non-Participation in Litigation and Acknowledgement of Non-Acceptance of Compensation from Park Owner, FMHRC Form 1008, (Revised March 25, 2008) incorporated herein by reference. ~~An applicant mobile home owner~~ who complies with the application requirements of law and rule shall be entitled to payment of the actual moving expenses to relocate the mobile home within a 50-mile radius of the vacated park, not to exceed \$3,000 for a single-section mobile home or \$6,000 for a multi-section mobile home. Please refer to the Corporation's website for the forms referenced herein and for additional information on how to submit an application for assistance from the Corporation, www.fmhrc.org.net.

(2) Any relocation claims made pursuant to this rule shall be prioritized as follows: The mail will be collected from the post office box address of the Corporation at least Monday, Wednesday and Friday, state and federal holidays excluded. Any completed applications received will be date stamped. Priority of payment of claims for relocation expenses will be based upon the date the completed application is date stamped.

(3) The Corporation must approve payment within 45 days after receipt of the completed relocation application, or payment is deemed approved. Once the mobile home has been moved to its new location, the Corporation shall forward to the park owner notice of a copy of the approval along with an invoice for payment of \$2,750 for a single-section mobile home or \$3,750 for a multi-section mobile home. If the ~~applicant's homeowner's~~ application was approved prior to June 26, 2003, the Corporation will invoice the park owner for payment of \$2,000 for a single-section mobile home or \$2,500 for a multi-section mobile home.

(4) If funds are available and the completed application is approved, the following shall occur:

(a) In the event the mobile home has not yet been moved to a new location, the Corporation shall issue a voucher to the ~~installer moving or towing contractor~~ in the amount of the contract price for relocation of the mobile home. The amount of the voucher shall be as approved by the board of the Corporation and as set forth in Section 723.0612(1), F.S. The ~~installer moving or towing contractor~~ may redeem the voucher from the Corporation following completion of the relocation of the mobile home and upon approval of the relocation by the mobile home owner that the work performed was satisfactory. Within 30 days of receipt of Installer Contractor Voucher for Payment for Mobile Home Relocation, FMHRC Form 1003, (Revised March 25, 2008) incorporated herein by reference,

and proof of the satisfactory completion of the relocation by the ~~installer moving or towing contractor~~, the Corporation shall pay the amount set forth on the voucher.

(b) In the event the ~~applicant home owner~~ has already moved the mobile home to a new location and paid for the move, the Corporation shall issue a voucher to the ~~applicant home owner~~ whose application was previously approved by the Corporation in accordance with this rule. The amount of the voucher shall be as approved by the board of the Corporation and as set forth in Section 723.0612(1), F.S. The ~~applicant home owner~~ may redeem the voucher upon submitting proof of the relocation of the mobile home in the form of a receipt or invoice marked "paid" by the ~~installer moving or towing contractor~~. Within 30 days of receipt of ~~Applicant Home Owner~~ Voucher for Payment for Mobile Home Relocation, FMHRC Form 1004, (Revised March 25, 2008) incorporated herein by reference, and proof of the relocation by the ~~installer moving or towing contractor~~, as set forth herein, the Corporation shall pay the amount set forth on the voucher.

(5) In the event a mobile home owner who has been evicted for change in the use of the land chooses to abandon the mobile home pursuant to Section 723.0612(7), F.S., the home owner who received a notice of eviction on or after June 26, 2003 may collect from the Corporation \$1,375 for a single-section mobile home and \$2,750 for a multi-section mobile home so long as the mobile home owner delivers to the park owner the current title(s) to the mobile home properly endorsed by the owner of record with valid releases of all liens shown on the title(s). If the home owner received a notice of eviction prior to June 26, 2003, the ~~applicant homeowner~~ may collect an amount equal to one fourth of the maximum allowable moving expenses. In order to qualify for reimbursement under this subsection, the title certificate on the mobile home sought to be abandoned must bear the Department of Highway Safety and Motor Vehicles designation of "HS" which is the designation as a "mobile home." No other designation will be accepted for processing and approval for payment for an abandoned home. The ~~applicant mobile home owner~~ who seeks payment under this section shall submit to the Corporation an Application for Payment for Abandoned Mobile Home, FMHRC Form 1002, (Revised March 25, 2008) incorporated herein by reference, which includes a copy of the notice of eviction due to change in the use of the land comprising the mobile home park and a copy of the current title(s) to the mobile home with the proper designation of "HS" duly endorsed to the park owner by the owner of record and valid releases of all liens shown on the title. Applicants for payment under this paragraph shall also submit an Acknowledgment by Park Owner When a Home Is Abandoned, FMHRC Form 1009, (Revised March 25, 2008) incorporated herein by reference, with either the park owner's signature acknowledging abandonment and agreeing to make payment to the Corporation, or the ~~applicant's home owner's~~

signature certifying their inability to obtain the park owner's signature; Abandonment Acknowledgement, FMHRC Form 1010, (Revised March 25, 2008) incorporated herein by reference, which is a notarized form stating ~~when where~~ the home was abandoned and the address to ~~which~~ payment should be sent to; and Acknowledgement of Non-Participation in Litigation and Acknowledgement of Non-Acceptance of Compensation from Park Owner, FMHRC Form 1008, (Revised March 25, 2008) incorporated herein by reference. For applications approved on or after April 6, 2004, the Corporation shall forward the park owner a copy of the approval along with an invoice for payment of \$1,375 for a single-section and \$2,750 for a multi-section mobile home. Only completed applications will receive a date stamp. In the event the applicant resubmits the application with the required documentation, the application will then receive a date stamp assigning its priority. For applications approved prior to April 6, 2004, the Corporation shall forward the park owner a copy of the approval along with an invoice for payment of one fourth of the maximum allowable moving expenses. Please refer to the Corporation's website for the forms referenced herein and for additional information on how to submit an application for assistance from the Corporation, www.fmhrc.org.net.

(6) In the event the funds for payment of relocation expenses or ~~the~~ payment for abandonment of the mobile home have been exhausted, the following procedures will be utilized: due to the payment of previous claims and expenses of the corporation;

(a) ~~The applicant mobile home owner~~ who has properly completed the relocation application and attached the required documentation, and been approved by the Corporation will receive a certificate, Form 1005 (Revised March 25, 2008) incorporated herein by reference showing the time and date of approval of payment of an applicant's relocation expenses to a claimant. Should sufficient funds become available, the Corporation shall pay the claimant for relocation expenses whose unpaid claim is the earliest by time and date of approval.

(b) The applicant who has properly completed the abandonment application and attached the required documentation, and been approved by the Corporation, will receive a certificate, Form 1006 (Revised March 25, 2008) incorporated herein by reference. ~~In the event the funds for payment for an abandoned home have been exhausted,~~ The Corporation shall pay the applicant home owner at the time the park owner has made the required payment to the Corporation for that applicant.

(7) Any abandonment claims made pursuant to this rule shall be prioritized as follows: The mail will be collected from the post office box address of the Corporation at least Monday, Wednesday and Friday, state and federal holidays excluded. Any completed applications received will be date stamped.

Priority of payment of claims for abandonment expenses will be based upon the date the completed application is date stamped.

(8) The Corporation must approve payment within 45 days after receipt of the completed abandonment application, or payment is deemed approved. Once the mobile home has been abandoned, the Corporation shall forward to the park owner a copy of the approval along with an invoice for payment of \$1,375 for a single-section mobile home or \$2,750 for a multi-section mobile home. If the applicant's application was approved prior to June 26, 2003, the Corporation will invoice the park owner for payment of \$1,250 for a single-section mobile home or \$2,500 for a multi-section mobile home.

(9) The forms adopted by the Corporation are:

(a) Homeowner Application for Payment of Relocation Expenses, FMHRC Form 1001.

(b) Homeowner Application for Payment for Abandoned Mobile Home, FMHRC Form 1002 (Revised March 25, 2008).

(c) Installer Voucher for Payment for Mobile Home Relocation, FMHRC Form 1003 (Revised March 25, 2008).

(d) Applicant Voucher for Payment for Mobile Home Relocation, FMHRC Form 1004 (Revised March 25, 2008).

(e) Certificate for Payment of Relocation Expenses When Funds Become Available, FMHRC Form 1005 (Revised March 25, 2008).

(f) Certificate for Payment for Abandoned Mobile Home When Funds Become Available, FMHRC Form 1006 (Revised March 25, 2008).

(g) Installer's Form, FMHRC Form 1007 (Revised March 25, 2008).

(h) Acknowledgement of Non-Participation in Litigation and Acknowledgement of Non-Acceptance of Compensation from Park Owner, FMHRC Form 1008 (Revised March 25, 2008).

(i) Acknowledgment by Park Owner When a Home Is Abandoned, FMHRC Form 1009 (Revised March 25, 2008).

(j) Abandonment Acknowledgment, FMHRC Form 1010 (Revised March 25, 2008).

(10) All forms referenced in these rules and utilized by the Corporation may be obtained by writing to the Florida Mobile Home Relocation Corporation, Post Office Box 3047 44125, Tallahassee, Florida 32315-3047 32317-4125 or by visiting www.fmhrc.org.

Specific Authority 723.0611(3) FS. Law Implemented 723.061, 723.06116, 723.0612 FS. History—New 1-6-04, Amended 11-3-04, _____.

61M-1.003 Approved Forms.

The corporation adopts the forms below as suggested forms for use by mobile home owners and park owners:

~~(1) Home Owner Application for Payment of Relocation Expenses, FMHRC Form 1001, incorporated by reference herein and effective 1-6-04, amended 11-3-04.~~

~~(2) Application for Payment for Abandoned Mobile Home, FMHRC Form 1002, incorporated by reference herein and effective 1-6-04, amended 11-3-04.~~

~~(3) Contractor Voucher for Payment for Mobile Home Relocation, FMHRC Form 1003, incorporated by reference herein and effective 1-6-04, amended 11-3-04.~~

~~(4) Home Owner Voucher for Payment for Mobile Home Relocation, FMHRC Form 1004, incorporated by reference herein and effective 1-6-04, amended 11-3-04.~~

~~(5) Certificate for Payment of Relocation Expenses When Funds Become Available, FMHRC Form 1005, incorporated by reference herein and effective 1-6-04, amended 11-3-04.~~

~~(6) Certificate for Payment for Abandoned Mobile Home When Funds Become Available, FMHRC Form 1006, incorporated by reference herein and effective 1-6-04, amended 11-3-04.~~

~~(7) Installer's Form, FMHRC Form 1007, incorporated by reference herein and effective 1-6-04, amended 11-3-04.~~

~~(8) Acknowledgement of Non-Participation in Litigation and Acknowledgement of Non-Acceptance of Compensation from Park Owner, FMHRC Form 1008, incorporated by reference herein and effective 11-3-04.~~

~~(9) Acknowledgment by Park Owner When a Home Is Abandoned, FMHRC Form 1009, incorporated by reference herein and effective 11-3-04.~~

~~(10) Abandonment Acknowledgment, FMHRC Form 1010, incorporated by reference herein and effective 11-3-04.~~

All forms referenced in these rules may be obtained by writing to the Florida Mobile Home Relocation Corporation, Post Office Box 14125, Tallahassee, Florida 32317-4125 or by visiting www.fmhrc.net.

Specific Authority 723.00611(3) FS. Law Implemented 723.061, 723.0611, 723.06116, 723.0612 FS. History—New 1-6-04, Amended 11-3-04, Repealed _____.

61M-1.004 Late Fees.

(1) Pursuant to Section 723.06116(1)(a)-(d), Florida Statutes, late fees will be imposed according to the following schedule:

- (a) 10% of total amount due for over 30 days past due; and
- (b) 15% of total amount due for over 60 days past due; and
- (c) 20% of total amount due for over 90 days past due; and
- (d) 25% of total amount due for 120 days or more past due.

(2) In determining the initial 30-day past due deadline and imposition of all subsequent late fees, 5 days for mailing will be added to the original invoice postmark date.

Specific Authority 723.0611(3) FS. Law Implemented 723.06116(1) FS. History—New _____.

61M-1.005 Determination of Mobile Home Park Status.

In order to qualify for assistance from the Corporation, an applicant must own a mobile home and live in a mobile home park as defined by Section 723.003, Florida Statutes. The Corporation will rely upon the determination of the Florida Department of Business and Professional Regulation as to the status of a mobile home park and, specifically, whether the mobile home park meets the definition of "mobile home park" as defined by Section 723.003, Florida Statutes.

Specific Authority 723.0611(3) FS. Law Implemented 723.002, 723.003, 723.06116(1) FS. History--New _____.

61M-1.006 Qualification for Compensation.

(1) In order to qualify for compensation from the Corporation, the applicant must be mobile home owner as defined in Section 723.003, F.S., with title of the home in the name of the applicant and that person must have a valid rental agreement with a mobile home park on the date the rental agreement is terminated pursuant to Section 723.061(1)(d), F.S.

(2) Nothing in this rule shall limit the provisions of Section 723.0612, F.S., governing compensation from the Corporation.

(3) A mobile home owner is entitled to compensation from the Corporation if there is a valid rental agreement at the time the applicant is approved for compensation from the Corporation, or through the effective date of termination of the rental agreement set forth in the notice of termination for a change in use of the land as set forth in Section 723.061(1)(d), F.S., whichever occurs first.

(4) If a mobile home owner is sued for eviction for any reason under Section 723.061, F.S., during the pendency of the notice of termination for a change in use of the land as set forth in Section 723.061(1)(d), F.S., the right to compensation will terminate as to that applicant upon issuance of the Writ of Possession by the court, if issuance of the Writ of Possession occurs prior to the date of the Corporation's approval of the application for compensation.

Specific Authority 723.0611(3) FS. Law Implemented 723.003, 723.06116(1) FS. History--New _____.

61M-1.007 Timeframe to Apply for Assistance.

Pursuant to Section 723.0612(12), Florida Statutes, an applicant shall have 1 year after the expiration of their notice of eviction due to change in the use of the land to apply for assistance from the Corporation. If the applicant is a participant in a legal action based on the change in the use of the land against the mobile home park owner, then the applicant shall have 2 years after the expiration of the notice of eviction due to a change in the use of the land within which to apply for assistance from the Corporation.

Specific Authority 723.0611(3) FS. Law Implemented 723.0612(9), 723.0612(12) FS. History--New _____.

61M-1.008 Grievance Procedure.

(1) Any applicant for payment or compensation from the Corporation who is dissatisfied with the decision of the Corporation's board of directors may file a grievance with a committee appointed to hear such grievances. The committee shall be comprised of a panel of 4 members, 2 of whom are appointed by the largest non-profit association representing mobile home owners in this state, and 2 of whom are appointed by the largest non-profit association representing mobile home park owners. The grievance panel shall not include any current members of the Corporation's board of directors.

(2) All grievances must be filed in writing within 30 days of notification of the action from which the grievance arose and considered by the grievance committee within 45 days of receipt of all required information as described in subsection (4) below.

(3) The grievance shall be submitted in writing to the Corporation. Upon receipt of the written grievance, the Corporation shall forward the grievance to the above-referenced panel appointed by the non-profit associations.

(4) The written grievance shall include the following information:

(a) The date of the adverse determination upon which the grievance is based; and

(b) A detailed description of the facts and circumstances complained of; and

(c) The desired relief sought; and

(d) Supporting documentation.

(5) The recommendation of the grievance committee will be reported to and duly considered by the Corporation's board of directors.

Specific Authority 723.0611(3) FS. Law Implemented 723.0612(9), 723.0612(12) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert J. Sniffen, Sniffen Law Firm, P.A., General Counsel to Florida Mobile Home Relocation Corporation, 211 East Call Street, Tallahassee, FL 32301

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: FMHRC Board of Directors

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 25, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-5.001
 RULE TITLE: Requirements for License Renewal of an Active License; Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify Board approval of HIV/AIDS education courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health, pursuant to Section 456.033, Florida Statutes.

SUMMARY: The rule amendment will add language to clarify Board approval of HIV/AIDS education courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health, pursuant to Section 456.033, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.036, 468.219 FS.
LAW IMPLEMENTED: 456.013, 456.033, 456.036, 468.219 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-5.001 Requirements for License Renewal of an Active License; Continuing Education.

Continuing education includes attendance and participation as required at a live presentation such as workshop, seminar, conference, or in-service educational programs. It may also include participation in other continuing education activities that require a formal assessment of learning. Examples include, but are not limited to, electronic or web-based courses, formalized self-study courses and continuing education articles. An active license shall be renewed upon demonstration that the licensee has paid the renewal fee set forth in Rule 64B11-2.009 or 64B11-3.007, F.A.C., respectively, and has complied with the following requirements:

- (1) through (3) No change.

(4) HIV/AIDS – The licensee shall complete one (1) hour of HIV/AIDS education as set forth in Section 456.033, F.S., no later than upon first renewal. Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.033, Florida Statutes, are approved by this Board.

(5) through (15) No change.

Specific Authority 456.036, 468.219 FS. Law Implemented 456.013, 456.033, 456.036, 468.219 FS. History–New 4-17-95, Amended 10-30-95, 3-11-96, Formerly 59R-64.060, Amended 9-23-99, 10-18-01, 6-25-02, 5-7-03, 3-28-04, 10-24-04, 8-30-06, 10-15-06, 6-6-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 18, 2008

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-15.001
 RULE TITLE: Continuing Education for License Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify continuing education for the first renewal to include Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS).

SUMMARY: The rule amendment will add language to clarify continuing education for the first renewal to include Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.013(8),(9), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 456.013(8),(9), 484.008(3) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-15.001 Continuing Education for License Renewal.

(1) No change.

(2) Within each license renewal biennium, each licensed optician shall complete a minimum of 20 hours of continuing professional education, according to the criteria set forth in these rules. A maximum of 5 hours of continuing professional education may be earned from courses without classroom instruction. An optician initially licensed in the first year of the biennium shall, for the first renewal, be required to complete only one-half the number of hours of continuing education as are required biennially in Rule 64B12-15.003, F.A.C., of which a maximum of 2.5 hours may be earned from courses without classroom instruction. An optician initially licensed during the second year of the biennium shall not be required to complete continuing education for the first license renewal. For the first renewal in which a licensee is required to take continuing education, one (1) hour of continuing education instruction must be on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS).

(3) through (7) No change.

Specific Authority 456.013(8),(9), 484.005, 484.008(3) FS. Law Implemented 456.013(8),(9), 484.008(3) FS. History—New 10-12-80, Amended 6-30-82, 12-5-82, 9-5-83, 8-30-84, Formerly 21P-15.01, Amended 3-5-87, 9-17-87, 3-30-89, 12-23-90, 6-11-92, 2-18-93, 5-19-93, Formerly 21P-15.001, Amended 4-17-94, Formerly 61G13-15.001, Amended 8-8-94, 3-14-95, 4-18-96, Formerly 59U-15.001, Amended 8-6-97, 4-20-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2008

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: 64B12-15.003
RULE TITLE: Standards for Continuing Professional Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add language to clarify when continuing education must include Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS).

SUMMARY: The rule amendment will delete unnecessary language and to add language to clarify when continuing education must include Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.013(7), (9), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 456.013(6), (7), (9), 484.008(3) FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-15.003 Standards for Continuing Professional Education.

(1) through (2) No change.

(3) Continuing professional education courses must contribute to the advancement, extension or enhancement of professional skills and knowledge in the practice of opticianry or the management of a practice. For biennial renewal, twenty hours of continuing education shall be required as follows:

(a) through (b) No change.

(c) For the first renewal in which a licensee is required to take continuing education, one (1) hour of continuing education instruction must be on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS); ~~One (1) hour must be instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS); and~~

(d) through (e) No change.

(f) Five (5) ~~Four (4)~~ hours shall be electives consisting of courses in one (1) or more of the subjects of categories (a), (b), (c), or (e) above or subjects relating to management of a practice from a business perspective including sales and marketing, business and finance, personnel management, stress management, risk management, fire prevention or disaster planning, or for attending a board meeting as provided herein.

(4) through (7) No change.

Specific Authority 456.013(7), (9), 484.005, 484.008(3) FS. Law Implemented 456.013~~(6)~~, (7), (9), 484.008(3) FS. History—New 10-12-80, Formerly 21P-15.03, Amended 3-5-87, 8-10-87, 10-29-87, 1-6-88, 6-11-92, Formerly 21P-15.003, Amended 4-17-94, Formerly 61G13-15.003, Amended 3-14-95, Formerly 59U-15.003, Amended 4-20-99, 12-31-00, 10-29-02, 4-23-03, 4-11-06, 9-13-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Opticianry
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Opticianry
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: February 4, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 11, 2008

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Joe Baker, Jr., Executive Director,
Board of Optometry, 4052 Bald Cypress Way, Bin C07,
Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.001
RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: Examination Requirements for Optometry Clinical Examination defines areas that must be covered by the examination and also identifies the exact percentage of items that should be devoted to each area. Both stipulations are intended to reflect the current knowledge needed by optometry practitioners in order to protect the health and welfare of the public.

The knowledge in a field like optometry changes over time. Consequently, a new task analysis of the profession is conducted and modification of the examination is made as needed. In between task analyses, subject matter experts are engaged on a yearly basis to review the existing composition of the examination and identify areas that may need minor modification in order to keep the examination up to date, to help ensure that the examination is both current and valid.

Theoretically, every time subject matter experts identify even small needed medications, a rule change should be proposed to the Board to authorize this revision. However, making rule changes is a relatively complex undertaking and may take several months.

Therefore, as purpose and effect of this rule amendment, the Board is specifying percentage ranges for the various items in the examination, rather than exact percentages, in the examination rule.

SUMMARY: Percentage ranges for the various items in the examination, rather than exact percentages, in the examination rule are specified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.017(2), 463.005, 463.006(2) FS.

LAW IMPLEMENTED: 456.017(2), 463.006(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

64B13-4.001 Examination Requirements.
The examination for licensure shall consist of the National Board of Examiners in Optometry examination (hereafter NBEO examination), and Parts I and II of the state examination for licensure. The examination for certification of a licensee shall consist of the Treatment and Management of Ocular Disease (hereafter TMOD) part of the NBEO.

- (1) No change.
- (2) State Examination.
 - (a) through (c) No change.
 - (d) Part II of the state examination shall consist of a clinical portion and a pharmacology/ocular disease portion.

1. The subject areas and associated weights for the clinical portion of the practical examination shall be as follows:

a. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting Visual Field Recognition, Location, and Disease Process)	7-12% <u>9%</u>
b. Muscle Balance and Motility	2-7% <u>4%</u>
c. Pupillary Examination	8-13% <u>8%</u>
d. Objective Examination (Retinoscopy)	1-6% <u>2%</u>
e. Subjective Refraction	1-6% <u>3%</u>
f. Internal Examination by Means of Binocular Indirect Ophthalmoscopy	15-20% <u>18.5%</u>
g. Biomicroscopy Anterior	17-22% <u>21.5%</u>
h. Biomicroscopy Posterior (Fundus Lens)	16-21% <u>17%</u>
i. Goldmann Tonometry	9-14% <u>10%</u>
j. Gonioscopy	6-11% <u>7%</u>

2. The grading criteria for each subject area and the points associated with each criterion shall be as follows:

a. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting and Visual Field Defect Recognition, Location, and Disease Process)	6-11 <u>9</u>
1.1. Conducts specified visual field test in a manner consistent with obtaining accurate findings. Accurately identify visual field defect name, location, and disease process.	
b. Muscle Balance and Motility Testing	3-8 <u>4</u>
1.1 Conducts examinations in a manner that will allow for evaluation of any phoric and or tropic posture, deficiencies in extra ocular muscles, or cranial nerve paresis.	
c. Pupillary Examination	5-10 <u>8</u>

- 1.1 Conducts pupillary tests in a manner consistent with obtaining accurate findings. 2-7 ~~2~~
- d. Objective Examination (Retinoscopy)
- 1.1. Conducts Retinoscopy in a manner capable of obtaining a visual acuity of 20/30
- e. Subjective Refraction 2-7 ~~3~~
- 1.1. Conducts refraction in a manner capable of obtaining a visual acuity of 20/20
- f. Internal Examination by Means of Binocular Indirect Ophthalmoscopy 16-21 ~~48-5~~
- 1.1. Accurately views and evaluates retinal landmark as requested
- g. Biomicroscopy (Anterior) 20-25 ~~21-5~~
- 1.1. Uses proper technique to demonstrate requested views of anterior structures of eye
- h. Biomicroscopy Posterior (Fundus lens.) 16-21 ~~47~~
- 1.1. Accurately views and evaluates posterior landmarks as requested.
- i. Tonometry 7-12 ~~40~~
- 1.1. Demonstrates accurate technique for the measurement of intra-ocular pressure
- j. Gonioscopy 4-9 ~~7~~
- 1.1. Demonstrates accurate technique for identifying angle structures

3. through 6. No change.

(3) No change.

Specific Authority 456.017(2), 463.005, 463.006(2) FS. Law Implemented 456.017(2), 463.006(2) FS. History--New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended 7-27-99, 7-15-02, 3-8-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 25, 2008

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-15.009 RULE TITLE: Citations

PURPOSE AND EFFECT: The purpose of the amendment is to add an additional violation for which a citation is an appropriate penalty.

SUMMARY: An additional violation for which a citation is an appropriate penalty is added.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 456.077, 463.005 FS.

LAW IMPLEMENTED: 456.077 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-15.009 Citations.

(1) through (5) No change.

(6) Tendering a check payable to the Board of Optometry or to the Department of Health that is dishonored by the institution upon which it is drawn shall result in a fine of \$100 and payment of the check within 30 days.

Specific Authority 456.077, 463.005 FS. Law Implemented 456.077 FS. History--New 1-1-92, Formerly 21Q-15.009, 61F8-15.009, 59V-15.009, Amended 3-21-00, 4-17-01, 12-26-01, 5-1-02, 7-15-02, 6-13-04, 11-16-05, 11-5-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 25, 2008

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-2.018 RULE TITLE: Trauma Registry

PURPOSE AND EFFECT: To notice proposed revisions to the Florida Trauma Registry Manual dated December 2005. This document is incorporated by reference in Rule 64E-2.018, F.A.C., pursuant to Section 395.404(1), Florida Statutes.

SUMMARY: The proposed amendment to Rule 64E-2.018, F.A.C., changes the date of the Trauma Registry Manual from December 2005 to February 2008 and includes a technical amendment to correct the statute referenced in "Specific Authority." A copy of the proposed revisions to the Trauma

Registry Manual can be found on the following website: <http://www.doh.state.fl.us/demo/Trauma/notices.htm> under "Notices and Upcoming Events."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 395.401, 395.405 FS.

LAW IMPLEMENTED: 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405, 401.30, 401.35 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760; Email: susan_mcdevitt@doh.state.fl.us; Fax: (850)488-2512

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-2.018 Trauma Registry.

Instructions for completing and submitting data are defined in the Florida Trauma Registry Manual, ~~February 2008~~ ~~December 2005~~, which is incorporated by reference and available from the department, as defined by subsection 64E-2.001(8), F.A.C.

Specific Authority 395.405, ~~395.401~~ ~~401.35~~ FS. Law Implemented 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405, 401.30, 401.35 FS. History—New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.103, Amended 7-14-99, 11-19-01, 6-3-02, 6-9-05, 4-25-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan McDevitt, Director, Office of Trauma

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Bencie Fairburn, M.D., M.S.A., Director, Division of Emergency Medical Operations
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 11, 2008

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.205
RULE TITLE: Eligibility Determination Process

PURPOSE AND EFFECT: The proposed rule amendment clarifies the Department's eligibility processing procedures applicable to all public assistance programs. It also removes

reference to the Relative Caregiver Program (RCP) as the provision has been moved to Rule 65A-4.208, F.A.C., since it is only pertinent to individuals who meet Temporary Cash Assistance eligibility factors.

SUMMARY: The proposed rule amendment provides for the use of a paper or web-based application to apply for public assistance. It also provides clarification on the Department's eligibility determination process and removes reference to the RCP.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 409.919, 414.45 FS.

LAW IMPLEMENTED: 409.903, 409.904, 409.919, 410.033, 414.045, 414.095, 414.31 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 11, 2008, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, telephone (850)410-3291

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.205 Eligibility Determination Process.

(1) The individual ~~receives a Request for Assistance and completes a Department application for assistance~~ ~~it~~ to the best of the individual's ability using either the ACCESS Florida Application, CF-ES 2337, Jan 08, incorporated by reference in Rule 65A-1.400, F.A.C., or an ACCESS Florida Web Application (only accepted electronically), CF-ES 2353, Mar 08, incorporated by reference in Rule 65A-1.400, F.A.C., and submits it. An application must include at least the individual's name, address and signature to initiate the application process. ~~An~~ ~~The~~ eligibility specialist determines the ~~potential~~ eligibility of each household member for public assistance, ~~and prints out the data on the Common Application Form (CAF) or alternately, Form CF-ES 2327, Common Application Form and Eligibility Questionnaire, May 04, incorporated by reference,~~ ~~can substitute for the CAF. The individual then decides whether or not to apply for assistance. The Common Application Form or CF-ES 2327 is signed and dated by the individual to complete the process of applying. The applicant must be informed of the department's standards of assistance,~~

penalties for fraud, right to appeal and to have a fair hearing, the civil rights provisions and other rights and responsibilities. An applicant may withdraw the application at any time without affecting their right to reapply at any time.

(a) ~~The Department must determine an applicant's eligibility must be determined~~ initially at application and if the applicant is determined eligible, at periodic intervals thereafter. ~~It is the applicant's responsibility~~ to keep appointments with the eligibility specialist and furnish information, documentation and verification needed to establish eligibility as determined by the eligibility specialist within time periods specified by the eligibility specialist.

(b) ~~The eligibility specialist determines eligibility and provides services and benefits using the Florida On line Recipient Integrated Data Access (FLORIDA) computer system. When the system is unavailable for a 20 minute or for a longer period of time or unresponsive to the point of rendering the system ineffectual and causes a serious backlog of clients, the eligibility specialist will initiate manual procedures to continue unit operations.~~

(b)(e) Time standards for processing applications vary by public assistance program in accordance with 7 C.F.R. §273.2(g), 45 C.F.R. §206.10(a)(3)(i) and 42 C.F.R. §435.911. For Food Stamp and Cash Assistance programs, ~~The time standards begins with the date following the date the application was filed on which the department or an outpost site receives a signed and dated application and ends on with the date the Department makes on which benefits are made available or mails a notice concerning a determination of ineligibility is made.~~ For the Medicaid Program, the time standard ends on the date ~~the Department mails an eligibility notice is mailed. The Department Applications must be processed and determinations of eligibility made~~ within the following time frames:

Program;	Application Processing Time Standards;
Expedited Food Stamps	7 days
Food Stamps	30 days
Temporary Cash Assistance, Refugee Assistance and Child In Care	45 days
Medical Assistance and State Funded Programs for individuals who apply on the basis of disability	90 days

For all other Medical Assistance and State Funded Programs for applicants on the basis of non-disability eligibility, including OSS, QOMB, SLMB, and QEI 45 days

All days counted after the date of application are calendar days. Applicant delay days do not count in determining non-compliance with the time standard. ~~See paragraph (e) of this rule. The Department uses information provided on form CF-ES 2930, Screening for Expedited Medicaid Appointments, Apr 07, 7/00 (incorporated in Rule 65A-1.400, F.A.C., to by reference) will be used in determining expedited processing of Medicaid disability-related applications.~~

(c)(d) If the eligibility specialist determines at the interview or at any time during the application process that the applicant must provide additional information or verification is required, or that a member of the ~~an~~ assistance group must ~~member is required to~~ register for employment services, the eligibility specialist must give the applicant ten ~~grant the assistance group 10~~ calendar days to furnish the requested information required documentation or to comply with the verification or employment registration requirement(s). For all programs, ~~the~~ verifications are due ten ~~10~~ calendar days from the date of written request (i.e., ~~the date the verification checklist is generated~~) or 30 days from the date of application, whichever is later. In cases where the applicant must provide medical information, ~~is requested~~ the return due date is 30 calendar days following the request or 30 days from the date of application, whichever is later. If the ~~verification~~ due date falls on a holiday or weekend, the deadline ~~for the requested information~~ is the next working day. If the verification or information is difficult for the person to obtain, the eligibility specialist must provide assistance in obtaining the verification or information when requested or when it appears necessary. If the applicant does not provide required verifications or ~~and~~ information, as applicable, ~~are not provided~~ by the deadline date, the application will be ~~is~~ denied, unless the applicant a requests an for extension ~~is made by the applicant~~ or there are extenuating circumstances justifying an additional extension. The eligibility specialist makes the decision of whether to grant the request for extension ~~based on extenuating circumstances beyond the control of the individual, such as sickness, lack of transportation, etc.~~ When the applicant provides all required information or verification, as applicable ~~is obtained~~, the eligibility specialist determines eligibility for the public assistance programs. If the eligibility criteria are met, benefits are authorized.

(d)(e) ~~In accordance with 42 C.F.R. §435.911, There are situations of non agency processing delays due to unusual circumstances for Medicaid disability-related applications. Unusual circumstances that might affect the timely processing of Medicaid applications are determined and~~

~~documented in accordance with 42 CFR subpart 435.911 and include applicant delay, physician delay and emergency delay as defined below. Unusual circumstances are considered non-agency processing delays, and the calendar time passing during such delay(s) does is not counted as part of the 90-day time standard for determining the timeliness of Medicaid eligibility decisions based on disability.~~

1. Applicant delay is ~~defined as~~ the time attributed to the applicant who fails to keep any scheduled appointment or to provide requested and required eligibility information or verification. Applicant delay begins: the date the applicant does not keep attend an Department agency scheduled appointment with either the Department agency or health professionals and ends the date the applicant keeps attends that appointment as rescheduled; or, the date the applicant does not bring requested and required information to the initial interview and ends the date the applicant provides the that information is supplied to the Department agency. The "Are You Disabled and Applying for Medicaid?" brochure, CF/PI 165-107, Jan 08, incorporated by reference, describes rRequested and required information for eligibility determination is as indicated in the brochure, CF/PI 165-107, Notification of Disability Information and Request, 11/99 (incorporated by reference).

2. Physician delay is ~~defined as~~ the time attributed to a physician for not providing requested when medical evidence or conducting a medical examination is requested and is not provided timely. Physician delay begins: ten days after the Department makes its an initial request by the agency for medical evidence from the physician applicant's medical source and ends the date the Department agency receives complete medical evidence from the medical source that is responsive to the Department's agency's request; or, fourteen days after the Department requests a medical examination is requested by the agency and ends the date the Department agency receives the complete medical examination results.

3. Emergency delay is ~~defined as~~ time attributed to other situations beyond the Department's agency's control. These delays are situations such as disasters, unexpected office closure(s) and systems inaccessibility or unavailability. Emergency delay begins with the day date such an event occurs and ends the day the Department agency is able to resume application processing.

~~(f) Copies of the brochure CF/PI 165-107 and the form CF-ES 2930 may be obtained from the Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Building 3, Room 406, Tallahassee, Florida 32399-0700.~~

~~(2) Eligibility must be redetermined at periodic intervals iIn accordance with federal regulations 7 C.F.R. §273.14 (food stamps), 45 C.F.R. §206.10(a)(9)(iii), 42 C.F.R. §435.916 (Medicaid), 45 CFR 206.10(a)(9)(iii) (temporary cash assistance), and Section 414.095, F.S., the Department must determine eligibility at periodic intervals.~~

(a) A complete eligibility review is the process of in which the eligibility specialist reviews all factors related to continued eligibility of the assistance group.

(b) A partial eligibility review entails review of one or more, but not all factors of eligibility. The Department schedules pPartial reviews are scheduled based on known facts or anticipated changes or when an unanticipated change occurs. It does not usually require aA face-to-face interview is not usually required, unless it cannot obtain the necessary information cannot be obtained the this interview exchange.

(3) The Department must conduct fFace-to-face interviews with the food stamp and cash assistance applicants/recipients or their authorized designated representatives must be held at each application unless waived due to hardship as described in 7 C.F.R. §273.2(e)(2). The Department conducts cComplete redeterminations of eligibility and recipient interviews are conducted in accordance with federal regulations governing the benefit type. These interviews are held at by phone, in the ACCESS Florida CF local office, the recipient's home, or other location upon which the applicant/recipient and eligibility specialist mutually agree. The applicant/recipient must is required to keep the interview appointment or make arrangements with the eligibility specialist prior to the appointment time to reschedule the appointment, if necessary.

(4) If aAn applicant or recipient who fails to keep an appointment without arranging another time with the eligibility specialist; fails or refuses to sign and date the applications form(s) described in subsection (1); fails or refuses to submit a periodic report; or fails or refuses to submit required documentation or verification the Department will be denied benefits as it cannot establish eligibility cannot be established.

(5) The Department may substantiate, verify or document iInformation provided by the applicant/recipient must be substantiated, verified or documented as part of each determination of eligibility. For any program, when there is a question about the validity of the information provided, the Department will ask for additional documentation or verification as required. The term verification is used generically to represent this process. The factor of eligibility and questionable nature of information dictates whether or not substantiation, verification or documentation is required.

(a) No change.

(b) Verification confirms the accuracy of information through a source(s) other than the individual. The Department may secure vVerification may be secured electronically, on the telephonically, in writing ten form, or by personal contact.

(c) No change.

(6) The DDepartment conducts data exchanges with other agencies and systems to obtain information on each applicant and recipient. It uses dData exchanges are performed to

validate or identify social security numbers (SSN), verify the receipt of benefits from other sources, verify reported information, and obtain previously unreported information.

(a) ~~The Department conducts data exchanges are conducted with the Social Security Administration, Internal Revenue Service, Agency for Workforce Innovation Department of Labor, federal and state personnel and retirement systems, other states' public assistance files, and educational institutions.~~

(b) ~~The Department compares information found through the data exchanges process, is compared with the information already on file. The system determines which cases meet targeting criteria and alerts the case manager that the information needs to be reviewed. FLORIDA automatically schedules cases for reviews.~~ If the data exchange identifies new or different information than was previously available, the Department conducts a partial eligibility review is conducted to determine whether it must change benefit levels must be changed.

(c) ~~The Department considers beneficiary and SSI benefit and earnings data from the Social Security Administration, and unemployment compensation benefit data and Department of Health, Office of Vital Statistics data are considered verified upon receipt and does not require third party verification. Other data requires third party verification before the Department takes adverse case actions on a case are made.~~

(7) In accordance with Food Stamp Program waivers, food stamp applicants that have been interviewed, but failed to return the requested verification by the deadline, may be denied prior to the 30th day. Under approved federal Food Stamp Program waivers face-to-face interviews are not required.

~~(8)(7) The Notice of Case Action (denial) (automated notice), Request for Assistance Withdrawal (automated notice) and Appointment Letter (automated notice) used in the eligibility determination process are hereby incorporated by reference. Referral to the Family Safety Program for the caregiver home study as to adequacy and readiness of the caregiver to provide permanent care will be on the Relative Caregiver Program Request for Eligibility Consideration, CF-ES 2305, Apr 01 (incorporated by reference). Copies of these CF-ES 2337, CF-ES 2930 and CF/PI 165-107 are available forms may be obtained from the ACCESS Florida Headquarters Economic Self-Sufficiency Program Office, 1317 Winewood Boulevard, Building 3, Room 427, Tallahassee, Florida 32399-0700 or on the Department's web site at <http://www.dcf.state.fl.us/publications>. The CF-ES 2353 is available on the Department's web site at <http://www.myflorida.com/accessflorida/>.~~

Specific Authority 409.919, 414.45 FS. Law Implemented 409.903, 409.904, 409.919, 410.033, 414.045, 414.095, 414.31 FS. History—New 4-9-92, Amended 11-22-93, 8-3-94, Formerly 10C-1.205, Amended 11-30-98, 9-27-00, 7-29-01, 9-12-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Nathan Lewis
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Jennifer Lange
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 5, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 18, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.032 RULE TITLE:
Uniform Primary and General
Election Ballot

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 45, November 9, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-14.142 RULE TITLE:
Responsibilities and Duties –
Records, Reports, Advertising,
Applications

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 6, February 8, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12B-4.014 RULE TITLE:
Conveyances Not Subject to Tax

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 4, January 25, 2008 issue of the Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-9.034
 RULE TITLE: Reports

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 14, April 4, 2008 issue of the Florida Administrative Weekly.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-9.034 Reports.

Pursuant to ~~Section Chapters 382 and 390.0112~~, F.S., an abortion clinic must submit a report each month to the ~~Agency Office of Vital Statistics of the Department of Health~~, regardless of the number of terminations of pregnancy. Monthly reports must be received by the ~~Agency department~~ within 30 days following the preceding month using ~~the on-line reporting system that may be accessed at: http://ahca.myflorida.com/ITOP~~. Failure to submit this report so that it is timely received by the Agency will result in an administrative fine being imposed pursuant to subsection 390.0112(4), F.S. ~~“Monthly Report of Induced Terminations of Pregnancy”, hereby incorporated by reference, Department of Health, Office of Vital Statistics, Public Health Statistics, P. O. Box 210, Jacksonville, Florida 32231 0042, or by telephone request at (904)359-6900, extension 1049.~~

Specific Authority 390.012 FS. Law Implemented ~~20.42(2)(a), 382.002, 390.002~~, 390.011, 390.0112, 390.012 FS. History—New 6-13-90, Formerly 10D-72.034, Amended 8-24-94, 9-25-06,

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-12.001
 RULE TITLE: Incorporated and Approved Forms

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 11, March 14, 2008 issue of the Florida Administrative Weekly.

Subsection (1) is corrected as follows:

61D-12.001 Incorporated and Approved Forms.

The following is a list of all forms now incorporated which are to be used by the Division in its dealing with the cardroom operators and licensees who conduct cardroom gaming. A copy of these forms may be obtained at www.myflorida.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035. The effective date of each of these forms is the promulgation date of this rule.

FORM NUMBER	SUBJECT	EFFECTIVE DATE
(1) DBPR PMW-3120	Individual Occupational License Application	3-4-07

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NOS.:	RULE TITLES:
64D-3.029	Diseases or Conditions to be Reported
64D-3.030	Notification by Practitioners
64D-3.040	Procedures for Control of Specific Communicable Diseases
64D-3.041	Epidemiological Investigations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 16, April 18, 2008 issue of the Florida Administrative Weekly.

64D-3.029 Diseases or Conditions to be Reported.

(1) Diseases or conditions listed in subsection (3) below are of public health significance identified by the Department as of the date of these rules which must be reported by the practitioner, hospital, laboratory, or other individuals via telephone (with subsequent written report within 72 hours, see Rules 64D-3.030-.033, F.A.C.), facsimile, electronic data transfer, or other confidential means of communication to the County Health Department having jurisdiction for the area in which the office of the reporting practitioner, hospital, laboratory or patient’s residence is located consistent with the specific section and time frames in subsection (3) below relevant to the practitioners, hospitals and laboratories, respectively. Reporters are not prohibited from reporting diseases and/or conditions not listed by rule.

(2) Definitions to be used with subsection (3) below:

(a) “*Notifiable Diseases or Conditions*” – The definitions of “case” and “suspected case” for reportable diseases or conditions are set forth in “Surveillance Case Definitions for Select Reportable Diseases in Florida,” incorporated by reference, available online at: www.doh.state.fl.us/disease_ctrl/epi/topics/surv.htm. For any disease or condition for which Florida surveillance case definitions do not exist, the CDC case definitions set forth in Nationally Notifiable Infectious Diseases, Definition of Terms Used in Case Classification, incorporated by reference, available online at: www.cdc.gov/epo/dphsi/casedef/definition_of_terms.htm should be used. Also see the footnotes to subsection (3).

(b) *“Suspect Immediately”* – A notifiable condition or urgent public health importance. Report without delay upon the occurrence of any of the following: Initial suspicion, receipt of a specimen with an accompanying request for an indicative or confirmatory test, findings indicative thereof, or suspected diagnosis. Reports that cannot timely be made during the County Health Department business day shall be made to the County Health Department after-hours duty official. If unable to do so, the reporter shall contact the Florida Department of Health after hours duty official at (850)245-4401.

(c) *“Immediately”* – A notifiable condition of urgent public health importance. Report without delay upon the occurrence of any of the following: An indicative or

confirmatory test, findings indicative thereof, or diagnosis. Reports that cannot timely be made during the County Health Department business day shall be made to the County Health Department after-hours duty official. If unable to do so, the reporter shall contact the Florida Department of Health after hours duty official at (850)245-4401.

(d) *“Next Business Day”* – Report before the closure of the County Health Department’s next business day following suspicion or diagnosis.

(e) *“Other”* – Report consistent with the instruction in and footnotes to subsection (3) below.

“Table of Notifiable Diseases or Conditions to be Reported”

Practitioner Reporting					Laboratory Reporting					
Notifiable Diseases or Conditions	Timeframes				Evidence of current or recent infection with etiological agents	Submit isolates or specimens for confirmation*1	Timeframes			
	Suspect Immediately	Immediately	Next Business Day	Other			Suspect Immediately	Immediately	Next Business Day	Other
Any disease outbreak in a community, hospital or other institution or a foodborne or waterborne outbreak Any case, cluster of cases or outbreak of a disease not otherwise listed in this Rule that is of urgent public health significance through person-to-person spread, or by indicating the presence of an environmental source of exposure. This includes but is not limited to cases or outbreaks in the community, in a defined setting such as a hospital, school or other institution, those that are food or waterborne, and those that result from a deliberate act of bioterrorism	X	X			Any grouping or clustering of patients having similar etiological agents that may indicate the presence of a disease outbreak Detection in one or more persons of agents of a disease not otherwise listed in this Rule that is of urgent public health significance either through person-to-person spread, or by indicating the presence of an environmental source of exposure		X	X		
Any grouping or clustering of patients having similar disease, symptoms or syndromes that may indicate the presence of a disease outbreak including those of biological agents associated with terrorism	X	X			Any grouping or clustering of patients having similar etiological agents that may indicate the presence of a disease outbreak including those of biological agents associated with terrorism.		X	X		

Acquired Immune Deficiency Syndrome (AIDS)				2 Weeks	Not Applicable					
Amebic Encephalitis		X			Naegleria fowleri, Balamuthia mandrillaris, or Acanthamoeba spp.			X		
Anthrax	X	X			Bacillus anthracis	X	X	X		
Arsenic*2			X		Laboratory results as specified in the surveillance case definition for arsenic poisoning *2				X	
Botulism, foodborne	X	X			Clostridium botulinum or botulinum toxin	X	X	X		
Botulism, infant			X		Clostridium botulinum or botulinum toxin	X			X	
Botulism, other (includes wound and unspecified)	X	X			Clostridium botulinum or botulinum toxin	X	X	X		
Brucellosis	X	X			Brucella abortus, B. melitensis, B. suis, B. canis	X	X	X		
California serogroup virus neuroinvasive and non-neuroinvasive disease			X		California encephalitis virus, Jamestown Canyon, Keystone, Lacrosse, snowshoe hare, trivittatus viruses	X			X	
Campylobacteriosis			X		Campylobacter species				X	
Cancer (except non-melanoma skin cancer, and including benign and borderline intracranial and CNS tumors)*2*3				6 Months	Pathological or tissue diagnosis of cancer (except non-melanoma skin cancer and including benign and borderline intracranial and CNS tumors)					6 Months
Carbon monoxide poisoning			X		A volume fraction = 0.09 (9%) of carboxyhemoglobin in blood				X	
CD-4	Not Applicable				CD-4 absolute count and percentage of total lymphocytes *4 *3					3 days
Chancroid			X		Haemophilus ducreyi				X	
Chlamydia			X		Chlamydia trachomatis				X	
Chlamydia in pregnant women and neonates			X		Chlamydia trachomatis				X	
Chlamydia in children < 12 years of age *5 *4			X		Chlamydia trachomatis				X	
Cholera	X	X			Vibrio cholerae	X	X	X		
Ciguatera fish poisoning (Ciguatera)			X		Not Applicable					
Clostridium perfringens, epsilon toxin (disease due to)			X		Clostridium perfringens, epsilon toxin				X	
Congenital anomalies *6 *5				6 Months	Not Applicable					

Conjunctivitis in neonates < 14 days old			X		Not Applicable					
Creutzfeld-Jakob disease (CJD) *7 *6			X		14-3-3 protein from CSF or any brain pathology suggestive of CJD *7 *6				X	
Cryptosporidiosis			X		<i>Cryptosporidium parvum</i>				X	
Cyclosporiasis			X		<i>Cyclospora cayetanensis</i>	X			X	
Dengue			X		Dengue virus	X			X	
Diphtheria	X	X			<i>Corynebacterium diphtheriae</i>	X	X	X		
Eastern equine encephalitis virus neuroinvasive and non-neuroinvasive disease			X		Eastern equine encephalitis virus	X			X	
Ehrlichiosis, human granulocytic (HGE) Ehrlichiosis/Anaplasmosis			X		<i>Ehrlichia phagocytophila</i> , <i>Anaplasma phagocytophilum</i> , <i>Ehrlichia chaffeensis</i> , or <i>E. ewingii</i>	X			X	
Ehrlichiosis, human monocytic (HME)			X		<i>Ehrlichia chaffeensis</i>				X	
Ehrlichiosis, human other or unspecified agent Ehrlichiosis/Anaplasmosis - undetermined or unspecified			X	-	<i>Ehrlichia</i> or <i>Anaplasma</i> species, other	X			X	
Encephalitis, other (non-arboviral)			X		Isolation from or demonstration in brain or central nervous system tissue or cerebrospinal fluid, of any pathogenic virus				X	
Enteric disease due to <i>Escherichia coli</i> O157:H7		X			<i>Escherichia coli</i> O157:H7	X		X		
Enteric disease due to other pathogenic <i>Escherichia coli</i> *8 *7		X			<i>Escherichia coli</i> *8 *7			X		
Giardiasis (acute)			X		<i>Giardia</i> species				X	
Glanders	X	X			<i>Burkholderia mallei</i> ,	X	X	X		
Gonorrhea			X		<i>Neisseria gonorrhoeae</i>				X	
Gonorrhea in children < 12 years of age *5 *4			X		<i>Neisseria gonorrhoeae</i>				X	
Gonorrhea in pregnant women and neonates			X		<i>Neisseria gonorrhoeae</i>				X	
Gonorrhea (Antibiotic Resistant)			X		<i>Neisseria gonorrhoeae</i> *9 *8				X	
Granuloma Inguinale			X		<i>Calymmatobacterium granulomatis</i>				X	

Haemophilus influenzae, meningitis and invasive disease	X	X			Haemophilus influenzae	X	X	X		
Hansen disease (Leprosy)			X		Mycobacterium leprae				X	
Hantavirus infection		X			Hantavirus	X		X		
Hemolytic uremic syndrome		X			Not Applicable					
Hepatitis A *10 #9		X			Hepatitis A *10 #9			X		
Hepatitis B, C, D, E and G Virus *10 #9			X		Hepatitis B, C, D, E and G Virus *10 #9				X	
Hepatitis B surface antigen (HBsAg)-positive in a pregnant woman or a child up to 24 months old			X		Hepatitis B surface antigen (HBsAg)				X	
Herpes simplex virus (HSV) in infants up to six (6) months of age 60 days old with disseminated infection with involvement of liver, encephalitis and infections limited to skin, eyes and mouth *11 #10			X		HSV 1 or HSV 2 by direct FA, PCR, DNA or Culture *11 #10				X	
HSV – anogenital in children < 12 years of age *5*11 #4#10			X		HSV 1 or HSV 2 by direct FA, PCR, DNA or Culture *11 #10				X	
Human immunodeficiency virus (HIV)				2 Weeks	Repeatedly reactive enzyme immunoassay, followed by a positive confirmatory tests, (e.g. Western Blot, IFA): Positive result on any HIV virologic test (e.g. p24 AG, Nucleic Acid Test (NAT/NAAT) or viral culture). All viral load (detectable and undetectable) test results. *12*13 #11					3 days
Human immunodeficiency virus (HIV) Exposed Newborn – infant < 18 months of age born to a HIV infected woman			X		All HIV test results (e.g., positive or negative immunoassay, positive or negative virologic tests) for those < 18 months of age					3 days

Human papilloma virus (HPV) associated laryngeal papillomas or recurrent respiratory papillomatosis in children <6 years of age *5 *4			X		HPV DNA				X	
HPV – anogenital in children <12 years of age *5 *4			X		HPV DNA				X	
HPV cancer associated strains*12 Human papillomavirus ONLY physicians licensed as pathologists need report as directed under Laboratory Reporting*14			X		DNA typing of HPV strains 16, 18, 31, 33, 35, 36, 45 Abnormal histologies consistent with Bethesda 2001 Terminology*13 1) Positive test for any high risk human papillomavirus (HPV) type (e.g., 16, 18, 31, 33, 35, 39, 45, 51, 52, 56, 59, 68, etc)*15 2) Abnormal cervical and anogenital cytologies consistent with “Bethesda 2001 Terminology” *15 3) Abnormal histologies including*15: a. cervical vaginal intraepithelial neoplasia (CIN 1, 2, or 3) b. vulvar intraepithelial neoplasia (VIN 1, 2, or 3) c. vaginal intraepithelial neoplasia (VAIN 1, 2, or 3) d. anal intraepithelial neoplasia (AIN 1, 2, or 3)				X	
Influenza due to novel or pandemic strains	X	X			Isolation of influenza virus from humans of a novel or pandemic strain	X	X	X		
Influenza-associated pediatric mortality in persons aged < 18 years		X			Influenza virus – associated pediatric mortality in persons aged <18 years (if known)	X		X		
Lead poisoning *16 *14			X		All blood lead tests with detectable blood lead values test results*16 *14				X	
Legionellosis			X		Legionella species				X	
Leptospirosis			X		Leptospira interrogans				X	
Listeriosis		X			Listeria monocytogenes			X		

Lyme disease			X		Borrelia burgdorferi				X	
Lymphogranuloma Venereum (LGV)			X		Chlamydia trachomatis				X	
Malaria			X		Plasmodium falciparum, P. vivax, P. ovale, P. malariae	X			X	
Measles (Rubeola)	X	X			Measles virus *17 *15	X	X	X		
Melioidosis	X	X			Burkholderia pseudomallei	X	X	X		
Meningitis, bacterial, cryptococcal and mycotic (other than meningococcal or H. influenzae or pneumococcal)			X		Isolation or demonstration of any bacterial or fungal species in cerebrospinal fluid				X	
Meningococcal Disease, includes meningitis and meningococemia	X	X			Neisseria meningitidis (serogroup needed)	X	X	X		
Mercury poisoning			X		Laboratory results as specified in the surveillance case definition for mercury poisoning				X	
Mumps			X		Mumps virus				X	
Neurotoxic shellfish poisoning		X			Laboratory results as specified in the surveillance case definition for Neurotoxic shellfish poisoning			X		
Pertussis		X			Bordetella pertussis			X		
Pesticide-related illness and injury			X		Laboratory results as specified in the surveillance case definition for pesticide related illness and injury				X	
Plague	X	X			Yersinia pestis	X	X	X		
Poliomyelitis, paralytic and non-paralytic	X	X			Poliovirus	X	X	X		
Psittacosis (Ornithosis)			X		Chlamydophila psittaci (formerly known as Chlamydia psittaci)	X			X	
Q Fever			X		Coxiella burnetii	X			X	
Rabies, animal		X			Rabiesvirus		X	X		
Rabies, human		X			Rabiesvirus		X	X		
Rabies, possible exposure *18 *16	X	X			Not Applicable					
Ricin toxicity	X	X			Ricin toxin (from Ricinus communis castor beans)	X	X	X		
Rocky Mountain spotted fever			X		Rickettsia rickettsii	X			X	
Rubella, including congenital	X	X			Rubella virus *17 *15	X	X	X		

St. Louis encephalitis (SLE) virus neuroinvasive and non-neuroinvasive disease			X		St. Louis encephalitis virus	X			X	
Salmonellosis			X-		Salmonella species by species serogroup and serotype				X	
Saxitoxin poisoning including Paralytic shellfish poisoning (PSP)			X		Saxitoxin				X	
Severe Acute Respiratory Syndrome-associated Coronavirus (SARS-CoV) disease	X	X			SARS-associated Coronavirus (SARS-CoV)	X	X	X		
Shigellosis			X		Shigella species by species serogroup				X	
Smallpox	X	X			Variola virus (orthopox virus)	X	X	X		
<u>Staphylococcus aureus - community associated mortality *19</u>			X		<u>Staphylococcus aureus community associated mortality*20</u>	X				
Not Applicable					<u>Staphylococcus aureus isolated from a normally sterile site *21</u>				X	
Staphylococcus aureus with intermediate or full resistance to vancomycin (VISA, VRSA)		X			Staphylococcus aureus with intermediate or full resistance to vancomycin (VISA, VRSA); Laboratory results as specified in the surveillance case definition.*22	X		X		
Staphylococcus enterotoxin B		X			Staphylococcus enterotoxin B	X		X		
Streptococcal disease, invasive, Group A			X		Streptococcus pyogenes, Group A, isolated from a normally sterile site (does not include throat specimens)				X	
Streptococcus pneumoniae, invasive disease	Not Applicable					Streptococcus pneumoniae isolated from a normally sterile site *23				X
Streptococcus pneumoniae, invasive disease in children < 5 years, drug sensitive and resistant			X		Streptococcus pneumoniae isolated from a normally sterile site *23				X	
Syphilis			X		Treponema pallidum				X	
Syphilis in pregnant women and neonates		X			Treponema pallidum			X		
Tetanus			X		Clostridium tetani				X	

Toxoplasmosis, acute			X		Toxoplasma gondii				X	
Trichinellosis (Trichinosis)			X		Trichinella spiralis				X	
Tuberculosis (TB) *23 *17			X		<i>Mycobacterium tuberculosis</i> complex *24 *17				X	
Tularemia	X	X			Francisella tularensis	X	X	X		
Typhoid fever		X			Salmonella typhi	X		X		
Typhus fever (epidemic)	X	X			Rickettsia prowazekii	X	X	X		
Typhus fever (endemic)			X		Rickettsia typhi, R. felis	X			X	
Vaccinia disease	X	X			Vaccinia virus	X	X	X		
Varicella (ChickenPox) *25 *18			X		Varicella virus				X	
Varicella mortality			X		Varicella virus				X	
Venezuelan equine encephalitis virus neuroinvasive and non-neuroinvasive	X	X			Venezuelan equine encephalitis virus	X	X	X		
Vibriosis (Vibrio infections, other than Cholera)			X		All non-cholera <i>Vibrio</i> species including, <i>V. alginolyticus</i> , <i>V. damsela</i> , <i>V. fluvialis</i> , <i>V. furnissii</i> , <i>V. hollisae</i> , <i>V. mimicus</i> , <i>V. parahaemolyticus</i> , <i>V. vulnificus</i>	X			X	
Viral hemorrhagic fevers	X	X			Ebola, Marburg, Lassa, Machupo viruses	X	X	X		
West Nile virus neuroinvasive and non-neuroinvasive disease			X		West Nile virus	X			X	
Western equine encephalitis virus neuroinvasive and non-neuroinvasive disease			X		Western equine encephalitis virus	X			X	
Yellow fever	X	X			Yellow fever virus	X		X		

*1 – Submission of isolates or specimens for confirmation:

- a. Each laboratory that obtains a human isolate or a specimen from a patient shall send specimens (such as isolates, sera, serums, slides or diagnostic preparations) to the Florida Department of Health, Bureau of Laboratories for confirmation and/or additional characterization of the organism. ~~Contact 1(866)352-5227 for the address of your regional laboratory, which will maintain a record indicating the date that these specimens were submitted to the laboratory.~~
- b. Persons submitting specimens for reportable laboratory tests to the Florida Department of Health, Bureau of Laboratories, pursuant to subsection 64D-3.003(4), F.A.C., are required to supply the laboratories with sufficient information to comply with the provisions of this section.

c. For the address of your closest regional Florida Department of Health laboratory location, contact 1(866)352-5227. This location will receive isolates or specimens and maintain a record to indicate the date that these specimens were submitted to the laboratory.

d. Laboratories shall submit isolates or specimens to the Florida Department of Health, Bureau of Laboratories for confirmation and/or additional characterization of the organism for any notifiable disease as requested by the county health department director or administrator or their designee. Some additional information regarding such requests can be found in the document “Surveillance Case Definitions for Select Reportable Diseases in Florida”.

e. Laboratories are not prohibited from submitting isolates or specimens from a patient for a disease or condition that is not designate in the Table of Notifiable Diseases or Conditions to be Reported in this Rule.

*2 – Special reporting requirements for Arsenic: Test results should only be reported if the test occurred 72 hours after the patient's consumption of seafood.

~~*3~~ *2 – Notification within six months of diagnosis and within six months of each treatment. Exceptions are located in Rule 64D-3.007, F.A.C.

~~*4~~ *3 – All CD4s, with or without confirmed HIV infection.

~~*5~~ *4 – Child abuse should be considered by a practitioner upon collection of a specimen for laboratory testing in any person 12 years of age or under, excluding neonates. Reporting of a STD case to a county health department does not relieve the practitioner of their mandatory reporting responsibilities regarding child abuse pursuant to Section 39.201, F.S.

~~*6~~ *5 – Exceptions are located in Rule 64D-3.035, F.A.C.

~~*7~~ *6 – Practitioners should contact the Department of Health, Bureau of Epidemiology at (850) 245-4401 to arrange appropriate autopsy and specimen collection.

~~*8~~ *7 – Non-O:157:H7, including enterotoxigenic, enteroinvasive, enteropathogenic, enterohemorrhagic, enteroaggregative strains and shiga toxin positive strains.

~~*9~~ *8 – Special reporting requirements for Antibiotic Resistant *Neisseria gonorrhoeae*:

a. Report susceptibility test results (zone sizes for disk diffusion; MICs for E-test or agar dilution) for the following antibiotics: Azithromycin, Cefixime, Ceftriaxone, Ciprofloxacin, Erythromycin, Ofloxacin, Penicillin, Spectinomycin, and Tetracycline.

~~*10~~ *9 – Special reporting requirements for Hepatitis:

a. Positive results should be accompanied by any hepatitis testing conducted: and

b. All serum aminotransferase levels.

~~*10~~ *11 – A 4-fold titer rise in paired sera by various serological tests confirmatory of primary infection; presence of herpes-specific IgM suggestive but not conclusive evidence of primary infection.

~~*12~~ *11 – Special requirements for STARHS (Serologic Testing Algorithm for Recent HIV Seroconversion):

a. Each laboratory that reports a confirmed positive HIV test in persons 13 years of age and older must also report a serologic testing algorithm for recent HIV seroconversion (STARHS) test result.

b. In lieu of producing this test result, each laboratory that reports a confirmed positive HIV test must submit a sample for additional testing using STARHS (Serologic Testing Algorithm for Recent HIV Seroconversion). The laboratory is permitted to send the remaining blood specimen or an aliquot of at least 0.5 ml to the Florida Department of Health, Bureau of Laboratories, 1217 Pearl Street, Jacksonville, Florida 32202-3926.

c. Laboratories electing to send a blood specimen will contact the Florida Department of Health, Bureau of Laboratories at (904)791-1500 to receive specimen maintenance and shipping instructions.

d. Nationally based laboratories with an existing contract to ship specimens directly to a STARHS laboratory designated by the National Centers for Disease Control and Prevention will not be required to send a specimen to the Florida Department of Health Laboratory.

~~*12~~ – Practitioners need only to report the presence of cancer associated strains, not abnormal cytologies to the Florida Department of Health, Bureau of STD Prevention and Control, 4052 Bald Cypress Way, Bin A-19, Tallahassee, Florida 32399-1712, (850)245-4303.

~~*13~~ – If a genotype is performed, the fasta files containing the nucleotide sequence data, including the protease and reverse transcriptase regions must be reported. Special reporting requirements for abnormal histologies:

a. Report only classifications consistent with Bethesda 2001 Terminology of ASC-US, ASC-H, HSIL, LSIL, CIN 1, CIN 2, CIN 3 and AGC to the Florida Department of Health, Bureau of STD Prevention and Control, 4052 Bald Cypress Way, Bin A-19, Tallahassee, Florida 32399-1712, (850)245-4303.

b. All such reports must be received by the Department electronically in HL-7 format.

~~*14~~ – Practitioners need not report, unless licensed as a pathologist.

~~*15~~ – Special reporting requirements for laboratories and pathologists:

a. Report to the Florida Department of Health, Bureau of STD Prevention and Control, 4052 Bald Cypress Way, Bin A-19, Tallahassee, Florida 32399-1716, (850)245-4303.

b. Paper reports are not required. In accordance with paragraph 64D-3.031(5)(b), F.A.C., once Electronic Laboratory Reporting is initiated with the Department, all reports should be made electronically.

~~*16~~ *14 – Special reporting requirements for reporting blood lead tests:

a. All blood lead tests are considered evidence of a suspected case and are to be reported to the Florida Department of Health, Bureau of Community Environmental Health, Childhood Lead Poisoning Prevention Program, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1712, (850)245-4277. This reporting requirement pertains to: 1) laboratories and, 2) practitioners that conduct on site blood lead analysis (i.e., practitioners that use portable lead care analyzers or other devices to perform blood lead analysis).

b. All such reports must be received by the Department electronically.

~~*17~~ *15 – IgM serum antibody or viral culture test orders for measles (rubeola) or rubella should be reported as suspect immediately, but not IgG results.

*18 *16 – Includes a bite or other significant exposure to a human or domestic animal (including all pets and livestock) by an animal:

- a. That results in rabies prophylaxis for the person exposed, rabies testing and/or quarantine of the animal causing the exposure; or
- b. That is capable of transmitting herpes B viruses (includes exposures from nonhuman primates).

*19 – As specified in the surveillance case definition for mortality in a person infected with community associated *Staphylococcus aureus*. For *S. aureus* mortality cases, a *S. aureus* culture shall be sent to the Florida Department of Health, Bureau of Laboratories, 1217 Pearle Street, Jacksonville, Florida 32202-3926, (904)791-1500. When pneumonia was present, a suitable respiratory specimen for viral testing should be submitted if available.

*20 – Laboratories that have an isolate from a patient known to have died from community associated *Staphylococcus aureus* must submit isolates to Florida Department of Health, Bureau of Laboratories, 1217 Pearle Street, Jacksonville, Florida 32202-3926, (904)791-1500.

*21 – Special reporting requirements for *Staphylococcus aureus*:

- a. Antibiotic sensitivities must be included.
- b. Paper reports are not required. In accordance with paragraph 64D-3.031(5)(b), F.A.C., once Electronic Laboratory Reporting is initiated with the Department, all reports should be made electronically.

*22 – Special reporting requirements for *Staphylococcus aureus* with intermediate or full resistance to vancomycin (VISA, VRSA):

- a. Antibiotic sensitivities must be included.

*23 – Special reporting requirements for *Streptococcus pneumoniae*:

- a. Antibiotic sensitivities must be included.

*24 *17 – Special reporting requirements for Tuberculosis:

- a. Test results must also be submitted by laboratories to the Department of Health, Bureau of Tuberculosis and Refugee Health, 4052 Bald Cypress Way, Bin A20, Tallahassee, Florida 32399-1717, (850)245-4350;
- b. The 15-digit spoligotype (octal code) must be reported. If the spoligotyping is not available, the isolate must be submitted to the Department of Health, Bureau of Laboratories, 1217 Pearle Street, Jacksonville, Florida 32202-3926, (904)791-1500. The Department will provide the mailing materials and pay mailing costs.

*25 *18 – Special reporting requirements for Varicella (chickenpox) – Besides the information required to be reported in subsection 64D-3.030(3) F.A.C., practitioners shall also provide date of vaccination.

Specific Authority 381.0011(13), 381.003(2), 381.0031(6), 384.33, 392.53(2), 392.66 FS. Law Implemented 381.0011(4), 381.003(1), 381.0031(1), (2), (6), 383.06, 384.23, 384.25, 385.202, 392.53 FS. History–New _____.

Editorial Note: History–Formerly 10D-3.62, 10D-3.062, and 64D-3.002.

64D-3.030 Notification by Practitioners.

(1) Each practitioner licensed under Chapters 458, 459, 460, 462, 464, 467 and 474, F.S., and medical examiner appointed pursuant to Chapter 406, F.S., who diagnoses, treats or suspects a case, or who suspects an occurrence of a disease or condition listed in the Table of Notifiable Diseases or Conditions, Rule 64D-3.029, F.A.C., including in persons who at the time of death were so affected, shall report or cause to be reported all such diagnoses or suspicions per this rule. Reporting of specimen results by a laboratory to a county health department director, administrator or designee does not nullify the practitioner’s obligation to report said disease or condition.

(2) Any request for laboratory test identification shall be considered a suspicion of disease. However, practitioners need only to report suspected cases if indicated in the “suspect immediately” column under practitioners in the Table of Notifiable Diseases or Conditions, Rule 64D-3.029, F.A.C.

(3) Any report of a notifiable disease or condition required by this rule, except for cancer, congenital anomalies and HIV/AIDS, shall be reported on the Florida Department of Health Disease Report Form (DH Form 2136, 3/06), incorporated by reference, available at the Department of Health, Division of Disease Control, 4052 Bald Cypress Way, Bin A-09, Tallahassee, FL 32399-1714, or on a form supplied by the provider that includes the following:

- (a) The patient’s:
 - 1. First and last name, including middle initial;
 - 2. Address, including city, state and zip code;
 - 3. Telephone number, including area code;
 - 4. Date of birth;
 - 5. Sex;
 - 6. Race;
 - 7. Ethnicity (specify if of Hispanic descent or not of Hispanic descent);
 - 8. Pregnancy status if applicable;
 - 9. Social Security number;
 - 10. Date of onset of symptoms;
 - 11. Diagnosis.
- (b) Type of diagnostic tests (for example culture, IgM, serology, Mantoux TB skin test, nucleic acid amplification test or Western Blot);
- (c) Type of specimen (for example stool, urine, blood, mucus, etc.);
- (d) Date of specimen collection;

(e) Site (for example cervix, eye, etc., if applicable);

(f) Diagnostic test results including but not limited to: reference range, titer when quantitative procedures are performed, and all available results concerning additional characterization of the organism as appropriate;

(g) For Tuberculosis, the 15-digit spoligotype (octal code) must be reported;

(h) Treatment given;

(i) Name, address and telephone number of the attending practitioner;

(j) Other necessary epidemiological information requested by the county health department director or administrator or their designee, including requests made by the Department for additional specimen collection or laboratory testing for suspected or confirmed cases of any notifiable disease.

(4) The practitioner who first authorizes, orders, requests or submits a specimen to a licensed laboratory for testing for any agent listed in Rule 64D-3.029, F.A.C., is responsible for obtaining and providing the information required by sub-subparagraphs 64D-3.031(3)(a)1.-10., F.A.C., at the time the specimen is sent to or received by the laboratory.

(5) Special reporting requirements for HIV and AIDS:

(a) All cases of HIV or AIDS, which meet the Centers for Disease Control and Prevention (CDC) case definitions set forth in CDC Guidelines for National Human Immunodeficiency Virus Case Surveillance, Including Monitoring for Human Immunodeficiency Virus Infection and Acquired Immunodeficiency Syndrome, published in Morbidity and Mortality Weekly Report (MMWR) Vol. 48 [RR-13, December 10, 1999], incorporated by reference, available online at: www.cdc.gov/mmwr/PDF/RR/RR4813.pdf, shall be reported on the Adult HIV/AIDS Confidential Case Report, ~~CDC 50.42A Rev. 01/2003~~, incorporated by reference, or the Pediatric HIV/AIDS Confidential Case Report, ~~CDC 50.42B Rev. 01/2003~~, incorporated by reference, along with the Department of Health Addendum for Adult HIV/AIDS Confidential Case Report, DH Form 2134, incorporated by reference. All forms are available at county health departments or at the Department of Health, Bureau of HIV/AIDS, 4052 Bald Cypress Way, Bin A-09, Tallahassee, Florida 32399-1715, (850)245-4300.

(b) HIV exposed newborns shall be reported on the Pediatric HIV/AIDS Confidential Case Report, ~~CDC 50.42B Rev. 01/2003~~, incorporated by reference in paragraph 64D-3.030(5)(b), F.A.C.

(7) Each practitioner who makes a diagnosis of or treats any notifiable disease or condition shall make their patient medical records for such diseases or conditions available for on-site inspection by the Department or its authorized representatives.

Specific Authority 381.0011(13), 381.003(2), 381.0031(5), 381.0031(6), 383.06, 384.25(1), 384.33, 392.53(1), 392.66 FS. Law Implemented 381.0011(4), 381.003(1), 381.0031(1), (2), (6), 384.23, 384.25, 385.202, 392.53 FS. History–New _____.

Editorial Note: History–Formerly 10D-3.097, 64D-3.016 and 64D-3.022.

64D-3.040 Procedures for Control of Specific Communicable Diseases.

(1) Psittacosis (Ornithosis).

(a) All cases and suspected cases of psittacosis in people or birds shall be reported to the county health department director or administrator or their designee.

(b) Birds suspected of being infected or having been associated with infected birds shall not be removed from any premises until the State Health Officer or the county health department director or administrator or their designee, has investigated the situation and issued orders which may include quarantine, laboratory examination or prescribed treatment according to recommendations of the National Association of State Public Health Veterinarians, Inc., published in the Compendium of Measures to Control *Chlamydophila psittaci* (formerly *Chlamydia psittaci*) Infection Among Humans (Psittacosis) and Pet Birds (Avian Chlamydiosis), 2008 ~~2006~~, incorporated by reference, available from the Department of Health, Division of Environmental Health, 4052 Bald Cypress Way, Bin A-08, Tallahassee, Florida 32399-1720.

(2) Rabies Control in Humans.

(a) Reporting of Suspected Human Exposure to Rabies – Any person having knowledge of an incident in which a person is bitten by or otherwise exposed to any known or suspected rabid animal shall notify the county health department director or administrator or their designee where the bite occurred immediately by telephone, facsimile, electronic data transfer or other confidential means.

(b) Prevention in Humans – Persons bitten or otherwise exposed to suspect rabid animals shall be evaluated for post-exposure treatment by the county health department director or medical director or their designee according to recommendations of Human Rabies Prevention–United States, 1999, Recommendations of the Advisory Committee on Immunization Practices (ACIP), published in the Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report, Vol. 48, No. RR-1, January 8, 1999, incorporated by reference, available online at: www.cdc.gov/mmwr/PDF/rr/rr4801.pdf.

(3) Rabies Control in Animals.

(a) The county health department director or administrator or their designee shall promptly investigate reported bites or exposures by suspected rabid animals.

(b) The county health department director or administrator or their designee shall cause to be captured, confined or seized suspected rabid animals and isolate and quarantine or

humanely euthanize and provide for laboratory examination, as outlined in the guidebook, Rabies Prevention and Control in Florida ~~2008~~ ~~2006~~, incorporated by reference, available at: www.myfloridaeh.com/community/arboviral/Zoonoses/RabiesguideUpdated.pdf. This includes animals involved in human exposure (bite and non-bite) and animals exposed to rabid or suspected rabid animals. Other methods of controlling rabies in domestic or wild animals shall be administered by order of the county health department director or administrator or their designee according to recommendations of the Florida Rabies Advisory Committee.

(c) Upon official request from the health agency of another state or country, the appropriate county health department designee shall provide assistance in locating and placing in quarantine the suspect animal as required for proper completion of investigation of a potential rabies exposure incident.

(d) Epizootic Rabies. The State Health Officer, or the county health department director or administrator or their designee shall declare an area wide quarantine when prevalence of rabies so indicates. The conditions of the quarantine shall control the movement, sale, impoundment or required euthanasia of animals in the quarantine area as specified by departmental policy and procedure guidelines as defined in paragraph 64D-3.040(3)(b), F.A.C.

(4) *Shigella* and *salmonella* infections other than enteric disease outbreaks in child care settings, for which see subsection 64D-3.040(5), F.A.C., and Typhoid Fever, for which see subsection 64D-3.040(6), F.A.C.

(a) Sensitive Situations.

1. Persons with laboratory-confirmed or probable cases of *Shigella* and *Salmonella* infections (excluding typhoid fever) shall be prohibited from being present in sensitive situations until they are determined by the county health department director or administrator or their designee no longer to be a public health hazard. Release as no longer a public health hazard may be obtained by order of the director/administrator as provided for in subsections 64D-3.040(3),(4), F.A.C., for *Salmonella*, or by the infected person's submitting a minimum of two (2) stool specimens in satisfactory condition to one of the Department's laboratories or other clinical laboratory acceptable to the Department and meeting the following conditions:

a. The specimens are negative for these organisms.

b. The first specimen shall not be obtained sooner than forty-eight (48) hours after the cessation of any antibiotic therapy for those cases receiving antibiotics.

c. The second and subsequent specimen shall not be obtained sooner than at 24-hour intervals.

2. Persons who are contacts to probable or confirmed cases of *shigella* and *salmonella* infections (excluding typhoid fever);

a. Who have symptoms of an enteric illness or who have had such symptoms during the past two (2) weeks shall be presumed to be infected and shall be managed as a case as outlined in subparagraph 64D-3.040(4)(a)1., F.A.C.; or

b. Persons who are contacts to probable or confirmed cases of *Shigella* and *Salmonella* infections (excluding typhoid fever) and who do not have symptoms of an enteric illness or who have not had those symptoms during the past two (2) weeks may be permitted to continue in their sensitive situation at the discretion of the county health department director or administrator or their designee.

3. Persons infected with *Salmonella* (excluding typhoid fever) without symptoms may attend schools or child care settings at the discretion of the county health department director or administrator or their designee, provided adequate sanitary facilities and hygienic practices exist.

(b) Non-sensitive Situations.

Cases, Contacts, and Carriers of *Salmonella* or *Shigella* who are not in non-sensitive situations should be counseled regarding disease transmission, food preparation and hand washing practices. Follow-up or release based on stool culture results is not required.

(5) Enteric disease outbreaks in child care settings [for typhoid fever, see subsection 64D-3.040(6), F.A.C.]. In the event of an outbreak in a child care setting of one of these diseases, the county health department director or administrator or their designee shall implement control procedures as defined in "Guidelines for Control of Outbreaks of Enteric Disease in Child Care Settings," dated March 2000, incorporated by reference, available online at: www.doh.state.fl.us/disease%5Fctrl/epi/surv/enteric.pdf.

(6) Typhoid Fever.

(a) Cases: Enteric isolation procedures are required for all cases during the acute stages of illness. The patient shall be under the supervision of the county health department director or administrator or their designee until bacteriologic cultures are obtained from feces and are negative in no less than three consecutive specimens taken at least 24 hours apart and not earlier than 1 month after onset of illness, provided the patient has been off antibiotic therapy for a period of 1 week. If any one specimen of this series yields typhoid organisms, then at least an additional three negative consecutive specimens of feces taken at least 24 hours apart are required for release of the case.

(b) Household contacts of a typhoid case who may be excreting *S. typhi* as determined by the county health department director or administrator or their designee and who are involved in food processing, food preparation or food service for public consumption or in any occupation bringing them in contact with children, ill persons, or the elderly or are present in other sensitive situations, as defined in subsection 64D-3.028(21), F.A.C., are prohibited from returning to such occupation or situation until no less than three specimens of

feces taken at least 24 hours apart are negative for typhoid organisms. In addition, other appropriate tests may be required at the discretion of the county health department director or administrator or their designee.

(7) Perinatal Hepatitis B.

(a) ~~Infants born to HBsAg-positive mothers~~ ~~The following infants~~ shall receive hepatitis B immune globulin and hepatitis B vaccine once they are physiologically stable, preferably within 12 hours of birth, and shall complete the hepatitis B vaccine series according to the recommended vaccine schedule. Testing infants for HBsAg and antibody to hepatitis B surface antigen (anti-HBs) six (6) months after the completion of the hepatitis B vaccine series is recommended to monitor the success or failure of therapy.

~~1. Infants born to HBsAg positive mothers;~~

~~2. All infants of mothers born in areas of high endemicity for hepatitis B infection. These areas include China, Southeast Asia, Africa, Middle East, Pacific Islands and the Amazon Basin.~~

~~3. Alaskan Native infants.~~

(b) Household members, sexual and needle-sharing partners of HBsAg-positive prenatal/postpartum hepatitis B women should be tested to determine susceptibility to the hepatitis B virus, and, if susceptible should receive the hepatitis B vaccine series.

(8) Vibrio Infections. All food service establishments serving raw oysters shall display, either on menus or on table placards, the following notice: "Consumer Information: There is risk associated with consuming raw oysters. If you have chronic illness of the liver, stomach or blood or have immune disorders, you are at greater risk of serious illness from raw oysters, and should eat oysters fully cooked. If unsure of your risk, consult a physician."

Specific Authority 381.0011(6), (13), 381.003(2), 381.006(16), 384.25(2), 384.33 FS. Law Implemented 381.0011(4), (6), (8), 381.003(1), 381.0031, 384.25, 384.27 FS. History—New _____.

Editorial Note: History—Formerly 10D-3.91, 10D-3.091 and 64D-3.013.

64D-3.041 Epidemiological Investigations.

(1) The Department and its authorized representatives, when deemed necessary to protect the public's health, may conduct epidemiological investigations and follow-up to confirm the diagnosis, treatment and causes of any disease or condition to determine appropriate methods of outbreak ~~epidemic~~ and communicable disease control. Such investigations shall be considered official duties of the Department and may include, but are not limited to:

(a) Review of pertinent, relevant medical records by authorized representatives of the Department, if necessary to confirm the diagnosis; to investigate causes; to identify other related cases in an area, community, or workplace; to determine if a person with a reportable notifiable disease or

condition has received adequate treatment to render themselves non-infectious or if exposed has received prophylaxis, if appropriate. Such review of records may occur without patient consent and shall be conducted at reasonable times and with such notice as is deemed reasonable under the circumstances.

(b) Perform interviews with an infected person or persons knowledgeable about the case to collect pertinent and relevant information about the cause(s) of or risk factors for the notifiable disease or condition.

(c) Conduct notification services by authorized Department representatives to inform persons who may have been in such association with an infected person or animal or a contaminated environment and who have had opportunity to acquire the infection. These will include, but are not limited to: household contacts, sexual partners, correctional facilities inmates and employees, patrons, employees and/or owners of business establishments, preschool staff and students, school staff and students, and other individuals who may have been in an infected persons' social, business or environmental network.

(d) Medical examination and/or testing of persons exposed to or at risk of the notifiable disease or condition.

(e) Obtain from public or private businesses or institutions the identities and locating information of persons, travelers, passengers or transportation crews with a similar or common potential exposure to the infectious agent as a reported case (such exposure may be current or have occurred in the past).

(f) Interview or administer questionnaires confidentially to any resident of a community or any agent, owner, operator, employer, employee or client of a public or private business or institution, that is either epidemiologically associated with an outbreak, or with the reported case or has had similar exposure as the reportable case.

(g) Collect environmental samples of substances or measurements of physical agents that may be related to the cause of an outbreak or notifiable disease or condition.

(h) Enter a place of employment for the purpose of conducting epidemiological investigations of those processes, conditions, structures, machines, apparatus, devices, equipment, records and materials within the place of employment which are relevant, pertinent and necessary to the investigation of an outbreak of notifiable diseases or conditions during regular working hours or at other reasonable times with such notice as is reasonable under the circumstances.

(2) All information gathered in the course of an epidemiological investigation and follow-up shall be confidential consistent with ~~and subject to~~ the provisions of Sections 119.0712, 381.0031(4), 384.29 and 392.65, F.S.

Specific Authority 381.0011(7), 381.0011(13), 381.003(2), 381.0031(6), 384.25(2), 384.33 FS. Law Implemented 381.0011(4), 381.003(1) (c), 384.26, 392.54 FS. History—New _____.

Editorial Note: History—Formerly 10D-3.100 and 64D-3.018.

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: 64D-3.046
 RULE TITLE: Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12, and Adult Education Classes

NOTICE OF PUBLIC HEARING

A corrected hearing regarding the above proposed rule, as noticed in Vol. 34, No. 18, May 2, 2008 Florida Administrative Weekly.

DATE AND TIME: June 9, 2008, 10:00 a.m. (EDT)

PLACE: 2585 Merchants Row Blvd., Tallahassee, FL 32399-1719

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Bureau of Immunization proposes an amendment to update forms and guidelines that are incorporated by reference.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Susan Lincicome, Senior Management Analyst Supervisor, Department of Health, Bureau of Immunization, 2585 Merchants Row Blvd., Room 210N, Tallahassee, FL 32399-1719. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.: 65E-9.001
 RULE TITLES: Applicability
 65E-9.002 Definitions
 65E-9.003 Licensure
 65E-9.004 Administrative Enforcement
 65E-9.005 Operating Standards
 65E-9.006 Program Standards
 65E-9.007 Staffing
 65E-9.008 Admission
 65E-9.009 Treatment Planning
 65E-9.010 Length of Stay
 65E-9.011 Discharge and Discharge Planning
 65E-9.012 Rights of Children
 65E-9.013 Restraint, Seclusion, and Time Out
 65E-9.014 Medication Administration and Use of Psychotropic Medication

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 19, May 9, 2008 issue of the Florida Administrative Weekly.

THE PRELIMINARY TEXT OF THE PROPOSED RULE IS:

65E-9.001 Applicability.

These rules shall apply to all residential treatment centers, including therapeutic group homes under contract with the department or the agency to provide treatment services to children with an emotional disturbance or serious emotional disturbance who are admitted to services pursuant to Chapter 39 or Chapter 394, F.S. These rules shall also apply to providers that serve children through age 20 who are committed under Chapter 985.19223, F.S.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.002 Definitions.

(1) through (21) No change.

(22) “Multidisciplinary team” means the group of individuals brought together to plan and coordinate mental health and related services to meet the needs of the child and their family in the most appropriate, least restrictive setting. Members of the team should include the child, unless clinically contraindicated, the child’s parent or legal guardian and other caregiver, such as the foster parent; the child welfare service worker; the child’s therapist, behavioral analyst, the child’s Individual Education Plan surrogate and others who have information or services to offer for the child’s treatment plan.

(22) through (27) renumbered (23) through (27) No change.

(28) ~~“Residential treatment center” means a 24-hour residential program, including a therapeutic group home which provides mental health treatment and services to children as defined in Section 394.492(2) or (6), F.S., and which is a private for profit or not for profit corporation, under contract with the department or the agency. This rule does not change the Chapter 419, F.S., designation of a program as a “community residential home.”~~

(29) through (38) renumbered (28) through (40) No change

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.003 Licensure.

(1) through (3) No change.

(4) Initial license – New construction, new operation, or change of licensed operator. Applicants for an initial license shall submit the most current a-completed AHCA Form 3180-5004, ~~June 2004~~, “Residential Treatment Centers for Children and Adolescents,” which is incorporated by reference and may be obtained from the agency. The application must be submitted to the agency at least 60 days prior to the date the facility would be available for inspection. The applicant shall provide all the information required by Sections 394.875 and 394.876, F.S., and any other information determined to be

needed by the agency. The application shall be under oath and must be accompanied by the appropriate license fee in order to be accepted and considered timely. The following information shall be submitted with the application.

(4)(a) through (4)(g)8. No change.

9. ~~A copy of the current signed contract with the department.~~

~~9.10. For facilities that would be considered a community residential home under Chapter 419, F.S., who are being licensed for the first time or existing facilities that have changed location or ownership shall provide a completed Community Residential Home Affidavit of Compliance Form, DCF Form 1786, "Community Residential Home Sponsor Form," which is incorporated by reference and may be obtained from the department. For all other residential treatment centers, being licensed for the first time or who have changed location or ownership shall provide a report or letter from the zoning authority dated within the last six months indicating the street location is zoned appropriately for its use.~~

~~10.11. A copy of the center's occupational license.~~

(5) through (7)(a) No change.

(b) All applicants shall submit an application on the most current version of AHCA Form 3180-5004, June 2004, "Residential Treatment Centers for Children and Adolescents Application", which is incorporated by reference, which is provided by ~~the~~ AHCA. The application is available on the agency's web site at http://www.ahca.acha-myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/index.shtml. The application shall include: all information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency; and

(c) through (18) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended.

65E-9.004 Administrative Enforcement.

(1) through (3) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended.

65E-9.005 Operating Standards.

(1) through (3)(d) No change.

(e) Fees. ~~A~~ For children placed by the department and funded in full or in part by state, Medicaid, or local matching funds, a sliding fee schedule shall be developed consistent with the provisions Section 394.674(4), F.S. If fees are charged, the provider shall have a written policy describing the relationships between fees and services provided and the conditions under which fees are charged or waived. This policy shall be available to any person upon request.

(f) through (9) No change.

(10) Disaster and emergency preparedness.

(a) EMERGENCY PLAN COMPONENTS. Each facility shall prepare a written comprehensive emergency management plan in accordance with CF-MH 1065, "Emergency Management Planning Criteria for Residential Treatment Facilities," dated 08/2007, which is incorporated by reference. This document is available on the Department's website at <http://www.dcf.state.fl.us/publications/eforms/mh1065>. The comprehensive emergency management plan must, at a minimum address the following: The provider shall develop and implement on an ongoing basis procedures for fire and other emergencies including bomb threats, weather emergencies such as tornadoes and hurricanes. Disaster preparedness and evacuation procedures, that address where and how children are transported during disasters, staffing, notification of families and the department, and how the provider shall obtain and provide general and specialized medical, surgical, psychiatric, nursing, pharmaceutical, and dental services, shall be reviewed and approved by the county emergency management agency where the facility is located.

1. Provision for all hazards.

2. Provision for the care of residents remaining in the facility during an emergency including pre-disaster or emergency preparation; protecting the facility; supplies; emergency power; food and water; staffing; and emergency equipment.

3. Provision for the care of residents who must be evacuated from the facility during an emergency including identification of such residents and transfer of resident records; evacuation transportation; sheltering arrangements; supplies; staffing; emergency equipment; and medications.

4. Provision for the care of additional residents who may be evacuated to the facility during an emergency including the identification of such residents, staffing, and supplies.

5. Identification of residents with mobility limitations who may need specialized assistance either at the facility or in case of evacuation.

6. Identification of and coordination with the local emergency management agency.

7. Arrangement for post-disaster activities including responding to family inquiries, obtaining medical intervention for residents; transportation; and reporting to the county office of emergency management the number of residents who have been relocated and the place of relocation.

8. The identification of staff responsible for implementing each part of the plan.

(b) Evacuation routes shall be posted in conspicuous places and reviewed with staff and children on a semi-annual basis. Evidence of these periodic reviews shall be maintained in the facility's files and available upon request.

(c) EMERGENCY PLAN APPROVAL. The plan shall be submitted for review and approval to the county emergency management agency.

1. Any revisions must be made and the plan resubmitted to the county office of emergency management within 30 days of receiving notification from the county agency that the plan must be revised.

2. Newly-licensed facility and facilities whose ownership has been transferred, must submit an emergency management plan within 30 days after obtaining a license.

3. The facility shall review its emergency management plan on an annual basis. Any substantive changes must be submitted to the county emergency agency for review and approval.

a. Changes in the name, address, telephone number, or position of staff listed in the plan are not considered substantive revisions for the purposes of this rule.

b. Changes in the identification of specific staff must be submitted to the county emergency management agency annually as a signed and dated addendum that is not subject to review and approval.

4. Any plan approved by the county emergency management agency shall be considered to have met all the criteria and conditions established in this rule.

(d) PLAN IMPLEMENTATION. In the event of an internal or external disaster the facility shall implement the facility's emergency management plan in accordance with Section 252.36, F.S.

1. All staff must be trained in their duties and are responsible for implementing the emergency management plan.

2. If telephone service is not available during an emergency, the facility shall request assistance from local law enforcement or emergency management personnel in maintaining communication.

(e) FACILITY EVACUATION. The facility must evacuate the premises during or after an emergency if so directed by the local emergency management agency.

1. The facility shall report the evacuation to the local office of emergency management or designee and to the area Department of Children Mental Health Program Office within six hours of the evacuation order and when the evacuation is complete if the evacuation is not completed within the six hour period.

2. The facility shall not be re-occupied until the area is cleared for reentry by the local emergency management agency or its designee and the facility can meet the immediate needs of the residents.

3. A facility with significant structural damage must relocate residents until the facility can be safely re-occupied.

4. The facility is responsible for knowing the location of all residents until the resident has been relocated from the facility.

5. The facility shall provide the agency with the name of a contact person who shall be available by telephone 24-hours a day, seven days a week, until the facility is re-occupied.

6. The facility shall assist in the relocation of residents and shall cooperate with outreach teams established by the Department of Health or emergency management agency to assist in relocation efforts. Resident needs and preferences shall be considered to the extent possible in any relocation decision.

(11) No change.

Specific Authority 39.407, 394.875(8)(10) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.006 Program Standards.

(1) through (2)(c) No change.

(3) Treatment and services.

(a) Treatment shall be individualized, child and family centered, culturally competent, and based on the child's assessed strengths, needs, and presenting problems that precipitated admission to the program.

(b) Treatment services shall be provided as part of an individualized written treatment services plan that complies with Rule 65E-9.009, F.A.C., of this rule.

(3)(c) through (4)(g) No change.

(5) Education. The provider shall arrange for or provide an educational program for children, that complies with the State Board of Education, Rule 6A-6.0361, F.A.C. Chapter 65A-15, F.A.C

(6) through (12) No change.

Specific Authority 39.407, 394.875(8)(10) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.007 Staffing.

(1) through (2) No change.

(3) Staff Composition. The provider shall have the following staffing, any of which may be part-time, if the required equivalent full-time coverage is provide, except for those positions with a required specified staffing ratio:

(a) Psychiatrist.

1. For residential treatment centers, the provider shall have on staff or under contract a psychiatrist, licensed under Chapter 458, F.S., who is board certified or board eligible in child and adolescent psychiatry to serve as medical director for the program and such position shall oversee the development and revision of the treatment plan and the provision of mental health services provided to children. A similarly qualified psychiatrist who consults with the board certified psychiatrist may provide back-up coverage. A psychiatrist shall be on call 24 "hours a day", seven "days-a-week", and shall participate in staffings. For children committed under Section 985.19.223, F.S., a psychologist as defined in paragraph 65E-9.007(3)(d), F.A.C., may be used in lieu of the medical director to oversee the development and revision of the treatment plan and the provision of mental health services provided to children.

(3)(a)2. through (b) No change.

(c) Registered nurse.

1. ~~A registered nurse shall supervise the nursing staff. For residential treatment centers that use seclusion or restraint in their program, a registered nurse shall supervise the nursing staff. At a minimum, a licensed practical nurse shall be on duty 24 hours a day, 7 days a week. During the times that the children are present in the facility and normally awake, the nursing staff to child ratio shall be no less than 1:30, and during normal sleeping hours, the nursing staff to child ratio shall be no less than 1:40.~~

2. For therapeutic group homes ~~residential treatment centers~~ that do not use restraint or seclusion in their program, the provider is not required to have a registered nurse or other nursing staff on duty, but shall have definitive written agreements for obtaining necessary nursing services.

(d) through (e)4. No change.

5. While transporting residents of residential treatment centers other than group homes, the driver shall not be counted as the direct care staff providing care, assistance or supervision of the child. For therapeutic group home residents, prior to a single staff person transporting one or more children in a motor vehicle, children must be assessed to ensure the safety of the children and staff.

(f) If the provider's program includes behavior analysis services, a certified behavior analyst, a master's level practitioner, or professionals licensed under Chapter 490 or 491, F.S., with documented training and experience in behavior management program design and implementation shall be employed on staff or under contract, either full or part time, to provide ongoing staff training and quality assurance in the use of the behavior management techniques, which may include, but are not limited to those listed in paragraph 65E-9.007(5)4.c.(e), F.A.C.

(g) through (6) No change.

Specific Authority 39.407, 394.875(8) (40) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.008 Admission.

(1) Admission procedures subsections (3) through (6) do not apply to children placed in accordance with Section 985.19 F.S. The following admission procedures do not apply to children placed in accordance with Chapter 985, F.S.

(2) No change.

(3) Acceptance of a child for residential treatment in a residential treatment center, including therapeutic group home, ~~(excluding children placed under Chapter 985, F.S.)~~ shall be based on the assessed needs of the child, family, or guardian recommendations, and the determination that the child requires treatment of a comprehensive and intensive nature and the provider's ability to meet those needs.

(4) Children placed by the department ~~(excluding children placed under Chapter 985, F.S.)~~ and funded in full or in part by state, Medicaid, or local matching funds shall be admitted only after they have on recommendation of the appropriate

multidisciplinary team, been personally examined and assessed for suitability for residential treatment. For children in departmental custody, the assessment must be by a qualified evaluator as defined in Section 39.407.(6).(b), F.S. Children in parental custody must be assessed by a clinical psychologist or by a psychiatrist licensed to practice in the State of Florida, with experience or training in children's disorders, by a licensed psychologist or psychiatrist who has at least three years of experience in the diagnosis and treatment of serious emotional disturbances in children and adolescents and who has no actual or perceived conflict of interest with any inpatient facility or residential treatment center. For children currently in residential placement, recommendations of the facility treatment team may serve as authorization for placement in therapeutic group homes. The assessment must result in a report whose written findings are that:

(a) The child has an emotional disturbance as defined in Section 394.492(5), F.S., or a serious emotional disturbance as defined in Section 394.492(6), F.S.;

(b) The emotional disturbance or serious emotional disturbance requires treatment in a residential treatment center;

(c) All available treatment that is less restrictive than residential treatment has been considered or is unavailable;

(d) The treatment provided in the residential treatment center is reasonably likely to resolve the child's presenting problems as identified by the qualified evaluator;

(e) The provider is qualified by staff, program and equipment to give the care and treatment required by the child's condition, age and cognitive ability;

(f) The child is under the age of 18; and

(g) The nature, purpose and expected length of the treatment have been explained to the child and the child's parent or guardian and guardian ad litem.

(5) through (7)(m) No change.

1. If a physical examination was not performed within the 90 days prior to admission and documentation of such examination was not provided, a physical examination shall be initiated within 24 hours of admission by a medical professional licensed physician. This medical professional may be a registered nurse, physician's assistant, Advanced Registered Nurse Practitioner or medical doctor who has authority to perform physical examinations of a medical nature shall be initiated within 24 hours of admission.

(7)(m)2. through (8)(e) No change.

(f) Provisions for treatment service plan reviews;

(8)(g) through (9)(c) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.009 Treatment Planning.

(1) through (6) No change.

(a) No change.

(b) Receiving funds from a service member for the payment of premium from a depository institution with which the service member has no formal banking relationship. For purposes of this section, a formal banking relationship is established when the depository institution:

1. Provides the service member a deposit agreement and periodic statements and makes the disclosures required by the Truth in Savings Act, 12 U.S.C. § 4304, which are hereby incorporated by reference; and

2. No change.

(c) through (r) No change.

(s) Failing to make, at the time of sale or offer to an individual known to be a service member, the written disclosures required by the "Military Personnel Financial Services Protection Act." Pub. L. No. 109-290, which are hereby incorporated by reference.

(t) through (y) No change.

(7) No change.

The remainder of the rules reads as previously published.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF THE LOTTERY

RULE NO.:	RULE TITLE:
53ER08-26	Indiana Jones™ Second Chance Drawing

SUMMARY: The Department of the Lottery will conduct an Indiana Jones Second Chance Drawing between May 6, 2008 and July 25, 2008, in which special prizes will be awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, Capitol Complex, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-26 Indiana Jones™ Second Chance Drawing.

(1) Beginning May 6, 2008, players can enter their non-winning Indiana Jones™ ticket(s) in the Indiana Jones Second Chance Drawing on the Florida Lottery website to win authentic Indiana Jones merchandise prize packs.

(2) To enter a non-winning Indiana Jones ticket into the Indiana Jones Second Chance Drawing, players must visit the Florida Lottery's website at www.flalottery.com, click on the Indiana Jones Second Chance Drawing icon and follow the directions to input their non-winning ticket number(s). The ticket number is a 22-digit number printed across the bottom on the front of an Indiana Jones ticket. The odds of winning are dependent upon the number of entries received. Players may enter as many times as they wish during the contest period. However, each valid ticket number may only be used one time for one entry into the drawings. Winning Indiana Jones tickets cannot be used for entry into a Second Chance drawing.

(3) Computerized drawings will be held on Friday, May 16 and 30, June 13 and 27, July 11 and 25, 2008, and the second Wednesday after the last day of sales of Indiana Jones scratch-off game #756. Entries received before 12:00 midnight ET on the night before the first drawing will be included in the first drawing. Thereafter, entries received between the entry cutoff time for one drawing and 12:00 midnight ET on the night before the next subsequent drawing will be included in the subsequent drawing. A total of 300 entries will be drawn during each Indiana Jones Second Chance Drawing. The merchandise prize pack, valued at \$583, includes one (1) each of the following: Indiana Jones 100% wool brown fedora hat, genuine cowhide leather jacket, long-sleeve Explorer shirt, leather satchel and Indiana Jones t-shirt.

The 300 prizewinners in each Second Chance Drawing will be posted on the Lottery's website, www.flalottery.com, by 3:00 p.m. on the day of the draw. Winners will have 180 days from the draw date to claim their prize. The Florida Lottery will attempt to notify prizewinners using contact information submitted on the player registration; however, the responsibility of claiming a prize remains with the player. Indiana Jones merchandise prize packs will be shipped to the winner's address within approximately 15 business days after the winning ticket has been received by the Lottery. Unclaimed prizes, if any, will be used for future Florida Lottery promotional prizes.

(4) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. To claim an Indiana Jones Second Chance Drawing prize, the player must submit to the Lottery the original valid non-winning ticket bearing the entry number selected in the drawing. Without such ticket, the player will forfeit his or her right to claim a prize. Winners must submit the valid entry ticket along with a completed Winner Claim Form and Acceptance and Release form to the Florida Lottery. Winners who cannot produce a valid entry ticket and/or do not return their Winner Claim Form as set forth above will forfeit their right to claim the prize. The Winner Claim Form DOL 173-2, revised 12/07, and the Spanish Winner Claim Form DOL 173-2S, revised 12/07, are incorporated herein by reference

and may be obtained at any Lottery office or retailer, from the Florida Lottery's website at www.flalottery.com, or by writing the Florida Lottery, Public Information, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The Acceptance and Release form DOL-456, effective 3/08, is incorporated herein by reference and may be obtained at any Lottery office or retailer, or by writing the Florida Lottery, Public Information, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(5) No cash option is available in lieu of the prizes.

(6) The right to claim a prize cannot be assigned to another person or entity.

(7) All federal, state and/or local taxes or other fees will be the responsibility of the winner. A nonresident alien who is selected as a winner will be awarded the cash value of the prize in lieu of the prize. Federal income taxes will be withheld from the prize amount at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien.

(8) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rules of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(9) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(10) A player entering into the Indiana Jones Second Chance Drawing is deemed to have granted permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(11) The Indiana Jones Second Chance Drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of the drawing will be available after the drawing on the Florida Lottery's Website at flalottery.com, by phone at (850)487-7777, or at a Lottery retailer.

Specific Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 5-2-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: May 2, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-27
 RULE TITLE: Instant Game Number 756, INDIANA JONES™

SUMMARY: This emergency rule describes Instant Game Number 756, "INDIANA JONES," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-27 Instant Game Number 756, INDIANA JONES™.

(1) Name of Game. Instant Game Number 756, "INDIANA JONES™."

(2) Price. INDIANA JONES lottery tickets sell for \$5.00 per ticket.

(3) INDIANA JONES lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning INDIANA JONES lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The "YOUR SYMBOLS" play symbols and play symbol captions are as follows:



(5) The "WINNING SYMBOLS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:

\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY	\$25.00 THE FIVE
\$50.00 FIFTY	\$75.00 SEVENTY FIVE	\$100 ONE HUNDRED	\$500 FIVE HUNDRED	\$1,000 ONE THOUSAND	\$10,000 TEN THOUSAND	\$100,000 ONE HUNDRED THOUSAND

(7) The legends are as follows:

WINNING SYMBOLS YOUR SYMBOLS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR SYMBOLS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING SYMBOLS” play area shall entitle the claimant to the prize amount shown for that play symbol.

(b) The prize amounts are: \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$50.00, \$75.00, \$100, \$500, \$1,000, \$10,000 and \$100,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 756 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 52 POOLS OF 120,000 TICKETS	
		ODDS OF 1 IN	PER POOL
\$5	\$5	8.57	728,000
\$5 x 2	\$10	15.00	416,000
\$2 + (\$4 x 2)	\$10	60.00	104,000
\$10	\$10	20.00	312,000
\$5 x 3	\$1	120.00	52,000
\$15	\$15	120.00	52,000
\$5 x 5	\$25	600.00	10,400
(\$5 x 3) + \$10	\$25	600.00	10,400
\$5 + (\$10 x 2)	\$25	600.00	10,400
\$10 + \$15	\$25	600.00	10,400
\$25	\$25	600.00	10,400
\$10 x 5	\$50	600.00	10,400
\$25 x 2	\$50	600.00	10,400
\$10 + (\$20 x 2)	\$50	600.00	10,400
\$50	\$50	600.00	10,400
\$5 x 15	\$75	12,000.00	520
(\$10 x 5) + \$25	\$75	12,000.00	520
\$75	\$75	12,000.00	520
\$10 + (\$15 x 6)	\$10	3,000.00	2,080
(\$5 x 10) + \$50	\$100	3,000.00	2,080
\$25 x 4	\$100	3,000.00	2,080
(\$25 x 2) + \$50	\$100	3,000.00	2,080
\$100	\$100	3,000.00	2,080
\$50 x 10	\$500	30,000.00	208
(\$25 x 10) + (\$50 x 5)	\$500	30,000.00	208
\$500	\$500	30,000.00	208
\$100x 10	\$1,000	120,000.00	52
(\$50 x 10) + (\$100 x 5)	\$1,000	120,000.00	52
\$500 x 2	\$1,000	120,000.00	52
\$1,000	\$1,000	120,000.00	52
\$1,000 x 10	\$10,000	780,000.00	8

(\$500 x 10) +			
(\$1,000 x 5)	\$10,000	1,040,000.00	6
\$10,000	\$10,000	780,000.00	8
\$100.00	\$100,000	780,000.00	8

(10) The estimated overall odds of winning some prize in Instant Game Number 756 are 1 in 3.52. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 756, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing an INDIANA JONES lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for INDIANA JONES lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-2-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: May 2, 2008

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-28
RULE TITLE: Instant Game Number 749, 4’S GALORE

SUMMARY: This emergency rule describes Instant Game Number 749, “4’S GALORE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-28 Instant Game Number 749, 4’S GALORE.

(1) Name of Game. Instant Game Number 749, “4’S GALORE.”

(2) Price. 4'S GALORE lottery tickets sell for \$2.00 per ticket.

(3) 4'S GALORE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning 4'S GALORE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

(4) The BLACK play symbols and play symbol captions are:




(5) The GOLD play symbols and play symbol captions are:




(6) The prize symbols and prize symbol captions are as follows:



(7) Determination of Prizewinners.

(a) A ticket having a black “” play symbol and play symbol caption shall entitle the claimant to the prize show for

that symbol. A ticket having a gold “” play symbol and play symbol caption in the play area shall entitle the claimant to double the prize shown.

(b) The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$25.00, \$50.00, \$100, \$250, \$500 and \$4,444. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$2.00 instant ticket or a combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a 4'S GALORE lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 749 are as follows:

\$5	\$5	37.50	201,600
\$2 x 5	\$10	150.00	50,400
\$5 (GOLD 4)	\$10	50.00	151,200
\$10	\$10	150.00	50,400
\$5 x 5	\$25	150.00	50,400
\$5 x 10	\$50	1,200.00	6,300
\$25 (GOLD 4)	\$50	600.00	12,600
\$50	\$50	1,200.00	6,300
\$10 x 10	\$100	9,000.00	840
\$50 (GOLD 4)	\$100	3,600.00	2,100
\$100	\$100	9,000.00	840
\$100 (GOLD 4)	\$200	15,000.00	504
\$250 (GOLD 4)	\$500	45,000.00	168
\$500	\$500	45,000.00	168
\$4,444	\$4,444	252,000.00	30

(9) The estimated overall odds of winning some prize in Instant Game Number 749 are 1 in 4.10. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 749, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a 4'S GALORE lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(12) Payment of prizes for 4'S GALORE lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-2-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: May 2, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2 TICKET	12.50	604,800
\$2	\$2	18.75	403,200
\$2 x 2	\$4	75.00	100,800
\$1 + (\$2 x 2)	\$5	37.50	201,600

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on May 5, 2008, the South Florida Water Management District, received a petition for waiver from Keith A. Reed, Application No. 08-0407-1, for utilization of Works or Lands of the District known as the Golden Gate Main Canal, Collier County, for two (2) existing palm trees and miscellaneous items and plantings located within the northerly right of way of the Golden Gate Main Canal; Section 27, Township 49 South, Range 26 East. The petition seeks relief from subsections 40E-6.011(4) and (5), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within forty feet of the top of the canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kathie Ruff at (561)682-6320 or email at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on April 30, 2008, the South Florida Water Management District (District) has issued an order.

Has received a request for Withdrawal of Petition for Waiver from Adam Smith, regarding Application No. 07-0110-2, for utilization of Works or Lands of the District known as the C-100A Canal; Section 23, Township 55S, Range 40E, Miami-Dade County. This Petition for Waiver was originally filed on January 16, 2007 by Eduardo Valdez, Artemisa Fence, and Notice of receipt of the Petition, requesting a waiver for the proposed installation of a fence to be located 15' from top of bank along the west right of way of C-100A, was published in the Florida Administrative Weekly, Vol. 33, No. 7, on February 16, 2007. This waiver was seeking relief from subsection 40E-6.011(4), F.A.C., which governs the placement

of permanent and/or semi-permanent above-ground encroachments within 40 feet of top of bank within Works or Lands of the District. No public comment was received.

A copy of the Withdrawal Request may be obtained by contacting: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, (561)682-6320 or e-mail kruff@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 14, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Bruno's Pizza located in Palm Coast. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of thirty (30).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 21, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from El Rey de la Papa located in Winter Garden. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty-two (22).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 23, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from La Abundancia located in Winter Park. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty-four (24).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 23, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Sip Lounge located in Tampa. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of forty-four (44).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 25, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Crepemaker of Miami Springs located in Miami Springs. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty (20).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 28, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Wing Nuts located in Cape Coral. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of seventeen (17).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 30, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7). Florida Administrative Code, from Cold Stone Creamery located in Miami. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of sixteen (16).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 2, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Marble Slab Creamery located in Winter Park. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of fourteen (14).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on May 2, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Que Rico located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 22, 2008, the Board of Accountancy, received a petition for Daniel Acheampong, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

NOTICE IS HEREBY GIVEN THAT on April 28, 2008, the Florida Department of Environmental Protection, received a petition for a waiver of the provisions of subsection 62-312.080(7), Florida Administrative Code, which restricts the Department when issuing a permit for dredging and filling in Class II or III waters approved for shellfish harvesting. The petition has been assigned OGC File No. 08-0771.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Radford, Florida Department of Environmental Protection, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501, (850)595-8300, ext. 1133. Any written comments regarding the petition must be submitted to the Department at the above address no later than fourteen days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 23, 2008, the Bureau of Beaches and Coastal Systems, received a petition for a variance or waiver pursuant to Section 120.542, F.S. and Rule 28-104, F.A.C. The petition requests a variance from or waiver of the requirements of subparagraph 62B-33.0051(2)(a)3., F.A.C., which states that armoring shall be sited a sufficient distance inside the property boundaries to prevent destabilizing the beach and dune system on adjacent properties or increasing erosion of such properties during a storm event. Return walls shall be sited as close to the building as practicable while ensuring the building is not damaged and space is allowed for maintenance. The petition was submitted by Michael S. Tammaro, R. A., on behalf of Eastpointe Condominium I & II, Seadunes, and One Singer Island, Condominium Associations, Inc. The properties are located at 5310, 5380 & 5400 N. Ocean Dr., Riviera Beach, Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815, or by e-mail at: rosaline.beckham@dep.state.fl.us. Written comments must be received no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 30, 2008, the Bureau of Beaches and Coastal Systems, received a petition for a variance or waiver pursuant to Section 120.542, F.S. and Rule 28-104, F.A.C. The petition requests a variance from or waiver of the requirements of subsections 62B-33.002(18), (19), F.A.C., which provides the definitions of "eligible structures" and "emergency protection" respectively, and from Rule 62B-33.0051, F.A.C., which states the conditions where armoring may be authorized. The petition was submitted by

Sidney F. Ansbacher, P.A., on behalf of Gervaise J. Stokes. The property is located at 3500 Coastal Hwy., Vilano Beach, Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: rosaline.beckham@dep.state.fl.us. Written comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on April 18, 2008, the Board of Medicine has issued an order.

The Petition for Waiver and/or Variance was filed by Marianne Donner, on December 14, 2007, seeking a waiver or variance from subsection 64B8-52.003(5), F.A.C., with regard to the provision regarding the limitation on the number of hours of continuing medical education which can be taken as home study. The Notice was published in Vol. 34, No. 1, of the Florida Administrative Weekly, on January 4, 2008. The Board, at its meeting held on February 2, 2008, denied the request for waiver or variance, finding that the Petitioner failed to demonstrate a substantial hardship; that application of the rule would violate the principles of fairness; and that Petitioner has met the purpose of the underlying statute.

A copy of the Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN THAT on April 29, 2008, the Board of Medicine received a petition for waiver or variance filed by Kianoush Vahid Rezaei, M.D., from subsections 64B8-4.009(4), (5), and Rule 64B8-4.010, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school and the requirement for a copy of the Petitioner's diploma. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

For a copy of the petition, contact Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on May 5, 2008, the Board of Medicine received a petition filed on behalf of Joseph J. Altieri, M.D., seeking a waiver or variance from Rule 64B8-8.007 and subsection 64B8-8.0011(8), F.A.C., with regard to the rule provision which prohibits physicians on probation from supervising physician assistants. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

For a copy of the petition, contact: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on May 2, 2008, the Board of Pharmacy, received a petition for Balaji Lakshminarayanan, seeking a variance or waiver of subsection 64B16-26.2031(1), Florida Administrative Code, which requires that an applicant for licensure be certified by the Foreign Pharmacy Graduate Examination Commission to have passed the Foreign Pharmacy Graduate Equivalency Examination, the Test of English as a Foreign Language, and the Test of Spoken English.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 30, 2008, the Department of Health, received a petition for subparagraph 64E-13.004(6)(a)1., Florida Administrative Code, from Spirit Christian Academy, Inc., 1154 Havendale Blvd. N.W., Winter Haven, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades through grade three located within or adjoining their classrooms. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Eychaner, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

NOTICE IS HEREBY GIVEN THAT on May 5, 2008, the Department of Health, Bureau of Emergency Medical Services (EMS) has issued an order.

A petition was filed by Carol Sutton, M.D., with the Department of Health on January 28, 2008 and published on February 8, 2008 in the Florida Administrative Weekly (F.A.W.). requesting a variance from paragraph 64E-2.004(3)(c), F.A.C., Medical Direction, which requires Medical Directors of an emergency medical services (EMS) provider or EMS training center to be board certified.

The Department of Health, Bureau of EMS has granted the request for variance. The general basis for this decision was that the Petitioner met the general requirements for variance:

a) The Petitioner has demonstrated that the purpose of the underlying statute has been achieved by other means through the Petitioner's competence in the practice of emergency medicine.

b) The Petitioner, her employers, and the rural community of Calhoun county have demonstrated substantial hardship if the Petition is not granted.

Wherefore, based on the Findings of Fact and Conclusions of Law, the Petition has been granted and allows Carol Sutton, M.D., to continue serving as the Medical Director for Calhoun Liberty Hospital Association, Inc. Emergency Medical Service.

A copy of the Order may be obtained by contacting: Lisa Walker, Government Analyst II, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin C-18, Tallahassee, FL 32399, Lisa_Walker2@doh.state.fl.us or (850)245-4440, ext. 2733.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on May 6, 2008, the Florida Housing Finance Corporation, received a petition for Waiver/Variance of subsection 9I-35.006(6), Florida Administrative Code, from Florida Low Income Housing Associates, Inc., ("Petition"). The Petition is seeking a waiver/variance of the rule that requires repayment of the deferred interest due under the SAIL Loan.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at www.floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, State Historical Records Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 11:45 a.m. – 1:00 p.m.

PLACE: Holiday Inn, Lakewood Ranch, 6231 Lake Osprey Drive, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Council of State Archivists FEMA funded project "Essential Records and Emergency Preparedness in the States

and Territories". This project will focus on essential records-those that enable governments to respond to, citizens to cope with, and communities to rebuild after a disaster.

A copy of the agenda may be obtained by contacting: Jim Berberich, Coordinator, State Historical Records Advisory Board, (850)245-6750.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jim Berberich, Coordinator, State Historical Records Advisory Board, (850)245-6750. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jim Berberich, Coordinator, State Historical Records Advisory Board, State Library and Archives of Florida, (850)245-6750.

The **Department of State, Division of Cultural Affairs and Florida Arts Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 5, 2008, 8:30 a.m. – Conclusion

PLACE: Sheraton Orlando Downtown Hotel, 60 South Ivanhoe Boulevard, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Arts Council. To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council.

Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

A copy of the agenda may be obtained by contacting: Division of Cultural Affairs' website at www.Florida-Arts.org or by contacting Dianne Alborn, Executive Assistant, 500 South Bronough Street, R. A. Gray Building, Tallahassee, Florida 32399-0250, (850)245-6473 or by email at dalborn@dos.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Morgan Lewis, ADA Coordinator for the Division of Cultural Affairs at (850)245-6356, by fax (850)245-6497 or by email at mblewis@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Mosquito Control Research Review Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2008, 10:00 a.m. – 2:00 p.m.

PLACE: United States Department of Agriculture, Agricultural Research Service, Center for Medical, Agricultural and Veterinary Entomology, 1600 Southwest 23rd Drive, Gainesville, Florida 32608, (352)374-5933

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mosquito Control Research Grants for 2008-2009 Fiscal Year.

A copy of the agenda may be obtained by contacting: Mr. James Clauson, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)921-4177.

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: June 5, 2008, 9:00 a.m.

PLACE: Florida Department of Agriculture, Bureau of Pesticides Building 6, Conference Room 606, 3125 Conner Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section at (850)487-2130 or the PREC website at <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)487-2130.

The **Aquaculture Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 25, 2008, 10:00 a.m.

PLACE: Tropical Aquaculture Lab, 1408 24th Street, S. E., Ruskin, FL 33570, (813)671-5231

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda may be obtained by contacting: Kim Norgren, 1203 Governor's Square Boulevard, Fifth Floor, Tallahassee, FL 32301, (850)488-4033. If special accommodations are needed to attend this meeting because of disability, please contact Kim Norgren as soon as possible.

The Private Investigation, **Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 11, 2008, 9:00 a.m.
PLACE: Crowne Plaza, 1201 Riverplace Blvd., Jacksonville, Florida, (904)398-8800
GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: April Howard, Post Office Box 6687, Tallahassee, Florida 32314-6687 or by calling April Howard at (850)245-5500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting April Howard at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Private Investigation, **Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 11, 2008, 9:00 a.m.
PLACE: Hampton Inn and Suites, 3388 Lonnbladh Road, Tallahassee, Florida, (850)574-4900
GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: April Howard, Post Office Box 6687, Tallahassee, Florida 32314-6687 or by calling April Howard at (850)245-5500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting April Howard at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The **Charter School Appeal Commission** announces a hearing to which all persons are invited.

DATE AND TIME: May 21, 2008, 10:00 a.m. – completion
PLACE: Florida Department of Education, 325 West Gaines Street, Conference Room 1725, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission Hearing will be hearing the Application Denial of Imagine-Palm Beach County, LLC. vs. Palm Beach County School Board and Life Skills Center, Palm Springs vs. Palm Beach County School Board.

A copy of the agenda may be obtained by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399, (850)245-0502.

The **Articulation Coordinating Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 28, 2008, 1:00 p.m. – 4:00 p.m.
PLACE: Room 1721/25, Turlington Building, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the agenda may be obtained by contacting: Office of Articulation, Florida Department of Education, 1401 Turlington Building, Tallahassee, Florida 32399-0400, (850)245-0427.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Dr. Shruti Graf at (850)245-0427. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Board of Trustees of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 6, 2008, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind, including a Public Hearing on Rule 6D-4.002, F.A.C., President.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799 or by calling (904)827-2200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Florida School for the Deaf and the Blind, (904)827-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact L. Daniel Hutto, President at the aforementioned address.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, District 5 announces a hearing to which all persons are invited.

DATE AND TIMES: Tuesday, June 10, 2008, Open House: 5:30 p.m.; Formal Presentation: 6:30 p.m.

PLACE: Ocklawaha Bridge Baptist Church, 14100 N. E. Highway 40, Silver Springs, Florida, 34488

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to allow interested persons an opportunity to express their views concerning the conceptual design; and social, economic, and environmental effects of the proposed replacement of the Sharpes Ferry Bridge over the Ocklawaha River on CR 314 in Marion County, Florida from the bridge approach on the west side of the Sharpes Ferry Bridge to just east of First Street on the east side of the Bridge. The Study is being conducted to evaluate viable solutions to replace the bridge due to its age, structural deficiencies, and safety issues.

A copy of the agenda may be obtained by contacting: FDOT Project Manager, William Walsh, by telephone at (386)943-5411 or by e-mail at william.walsh@dot.state.fl.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Michelle Hooker, Public Involvement Coordinator, by telephone at (407)514-1429 or by e-mail at michelle.h@jacobs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Project Manager, William Walsh, by telephone at (386)943-5411 or by e-mail at william.walsh@dot.state.fl.

The **Department of Transportation (FDOT)**, District 5, announces public hearings on the Central Florida Commuter Rail Transit (CFCRT) project to which all persons are invited. DATE AND TIMES: Thursday, June 12, 2008, Open House 6:00 p.m. – 7:00 p.m.; Formal Presentation 7:00 p.m.

PLACE: City of Sanford City Hall, 300 North Park Avenue, Sanford, Florida 32771; and Homewood Suites by Hilton – Orlando North, 290 Southhall Lane, Maitland, Florida 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public hearings are being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of Financial Identification Number 412994-2-22-01, otherwise known as, the Central Florida Commuter Rail Transit (CFCRT) Project. These hearings are being conducted to afford persons the opportunity to express their views about the CFCRT project, as well as any comments regarding impacts associated with the movement of freight traffic from the A-Line to the S-Line. Each hearing will follow the same agenda and the same pertinent project information will be on display for public review and comment. Members of the study team will be available to assist with any questions you may have before and after the formal presentation. Project information will be informally displayed from 6:00 p.m. to 7:00 p.m., followed by the formal portion, which will begin promptly at 7:00 p.m. The formal portion of the public hearing will consist of a project presentation including discussion of the impacts of the movement of freight, followed by an opportunity for citizens to make formal statements (public testimony).

FDOT is preparing a Supplemental Environmental Assessment (EA) for certain station changes associated with Fort Florida, Longwood, and Maitland of the CFCRT project. The Supplemental EA will also include a general analysis of noise and vibration and grade crossing delay impacts associated with CSXT's plan to move freight traffic generally from the A-Line (where the CFCRT is proposed) to the S-Line, which extends from Jacksonville through Ocala to Lakeland, terminating in Auburndale.

A copy of the agenda may be obtained by contacting: Ms. Marianne Gurnee, Public Liaison at (407)482-7865 or by email at marianne.gurnee@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Marianne Gurnee, Public Liaison at (407)482-7865 or by email at marianne.gurnee@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

STATE BOARD OF ADMINISTRATION

The Investment Committee of the **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 9:30 a.m. or soon thereafter, until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by faxing a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 11:00 a.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308 or by calling (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by faxing a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Prepaid College Foundation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 12:30 p.m. or soon thereafter – until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting. The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Foundation Board to which all persons are invited.

A copy of the agenda may be obtained by contacting: Thomas J. Wallace, Executive Director, Florida Prepaid College Board, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, or by calling (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by faxing a written request for same to: Thomas J. Wallace, Executive Director, Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)922-6137.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: June 3, 2008, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting the Office of Commission Clerk at (850)413-6770 or writing to: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces its Internal Affairs meeting to which all interested persons are invited.

DATE AND TIME: June 3, 2008, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces a staff meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 9:30 a.m.

PLACE: Room 140, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED: UNDOCKETED – The purpose of this meeting is to discuss the status of a technical potential study being conducted by the utilities subject to the Florida Energy Efficiency and Conservation Act (FEECA). The technical potential study will provide an inventory of potential demand-side efficiency measures that are unconstrained by cost-effectiveness considerations. Such an inventory will provide the basis for goals during the conservation goal-setting proceeding to be conducted in 2009. A copy of the agenda will be available by May 20, 2008.

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the workshop.

A copy of the agenda may be obtained by contacting: Tom Ballinger, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6680 or tballing@psc.state.fl.us. You may also contact: Lisa Bennett, Office of the General Counsel at (850)413-6230 or lbennett@psc.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tom Ballinger, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 at (850)413-6680 or tballing@psc.state.fl.us. You may also contact: Lisa Bennett, Office of the General Counsel at (850)413-6230 or lbennett@psc.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Office of Film and Entertainment** and the **Florida Film and Entertainment Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2008, 9:00 a.m.

PLACE: Grand Bohemian Hotel, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues concerning the OFE and the FFEAC and the film and entertainment industry they serve, and hear public input and advisement.

A copy of the agenda may be obtained by contacting the OFE at (850)410-4765.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

REGIONAL PLANNING COUNCILS

The **East Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 21, 2008, 10:00 a.m.

PLACE: ECFRPC Offices, 631 N. Wymore Road, Maitland, FL 32751

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Ruth Little at (407)623-1075.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Ruth Little at (407)623-1075 or at rlittle@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Ruth Little at (407)623-1075.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 10, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Suzanne Cooper at (727)570-5151, ext. 32. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Suzanne Cooper at (727)570-5151, ext. 32.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 14, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 14, 2008, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 14, 2008, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 28, 2008, 9:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Wren Krahl at (727)570-5151, ext. 22.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 29, 2008, 10:30 a.m. (ET)

PLACE: Holiday Inn and Suites, 2725 Graves Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the review of any local government plan amendments received in a timely manner.

A copy of the agenda may be obtained by contacting: Janice Watson, ARPC, 20776 Central Avenue, East, Blountstown, FL 32424, (850)674-4571.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 2, 2008, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Updates Amendments for Plantation; Proposed Local Government Comprehensive Plan Amendments for West Miami and Lauderhill; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Updates Amendments; Any adopted Local Government

Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416.

A copy of the agenda may be obtained by calling (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by calling (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may call (954)985-4416.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 27, 2008, 2:00 p.m.

PLACE: Main Conference Room, SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: ADA Advisory Committee Meeting.

A copy of the agenda may be obtained by contacting: SFRTA Executive Office at (954)788-7915.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 28, 2008, 5:30 p.m. – 7:00 p.m. (CDT)

PLACE: Gulf Coast Community College, Student Union East/Gibson Lecture Hall, 5230 W. Hwy. 98, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public workshop on the District's Draft Regional Water Supply Plan for Bay County.

A copy of the agenda may be obtained by contacting: District's website at www.nfwmd.state.fl.us or Mr. Paul Thorpe, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700, (850)539-5999.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Maria Culbertson at (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Ichetucknee Partnership** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 24, 2008, 9:00 a.m.

PLACE: City Manager's Conference Room, City Hall, Corner of North Marion Avenue and Madison Street, downtown Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Ichetucknee Partnership (TIP) executive committee will meet to consider TIP business and activities.

A copy of the agenda may be obtained by contacting Cindy Johnson, Coordinator at (386)362-1001.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Cindy Johnson, Coordinator at (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cindy Johnson, Coordinator at (386)362-1001 or CLJ@srwmd.org.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 23, 2008, 9:30 a.m.

PLACE: Meet at SR 484 Rainbow River Bridge, Dunnellon, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: RAINBOW RIVER TOUR: Board members will visit Rainbow Springs State Park then board boats for a tour downstream to view SWIM projects and potential stormwater project site. Ad Order 39565.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 27, 2008, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING AND PUBLIC HEARING: Conduct Committee meetings and Governing Board meeting. A closed attorney-client session will be held during the lunch break. Ad 39565.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 27, 2008, 6:00 p.m.

PLACE: City Hall, 302 West Reynolds Street, Plant City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: WATER SERVICE ZONES WORKSHOP: Discussion of Water Service Zones as required by Florida Statutes and Plant City Charter. Ad Order 39565.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, May 29, 2008; Friday, May 30, 2008, 8:00 a.m.

PLACE: University of Florida Manatee County Extension, Kendrick Auditorium, 1303 17th Street West, Palmetto, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: MANATEE COUNTY EXTENSION 2008 WATER SCHOOL: All-day workshop with presentations focused on protection of water resources, and a bus tour of the Manatee County Watersheds and Treatment Plant. Ad Order 39565.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Southwest Florida Water Management District**, Green Industry Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 29, 2008, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Green Industry Advisory Committee to discuss committee business and issues. A copy of the agenda may be obtained by contacting: SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4402.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476, ext. 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Teri Hudson at the above address.

The **Southwest Florida Water Management District**, Agricultural Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 29, 2008, 1:30 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled meeting of the Agricultural Advisory Committee to discuss committee business and issues. A copy of the agenda may be obtained by contacting: SWFWMD, 2379 Broad Street, Brooksville, FL 34604-6899, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4402.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Services Department at 1(800)423-1476, ext. 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Teri Hudson at the above address.

The **Water Resources Advisory Commission** (WRAC) Lake Okeechobee Committee meeting announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding issues of the restoration and protection of Lake Okeechobee; and the Caloosahatchee and St. Lucie

Estuaries. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **South Florida Water Management District** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, June 5, 2008, 10:00 a.m.

PLACE: South Florida Water Management District, Building B-1, Everglades Conference Room, 3301 Gun Club Rd., West Palm Beach, Florida 33406. This is a teleconferenced meeting. You may call into the teleconference by dialing either of the following numbers: (561)682-6700, 1(866)433-6299, Meeting ID #1657.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District (District or SFWMD) has selected three experts to participate in a peer review panel to evaluate the Kissimmee Basin Hydrologic Assessment, Modeling and Operations Study (KB MOS) model and application to identify alternative structure operating criteria to meet the flood control, water supply, aquatic plant management, and natural resource operations objectives of the Upper and Lower Kissimmee Basin and its associated water resource projects. These teleconferenced meetings are a continuation of the peer review.

A copy of the agenda may be obtained by contacting the agendas for the conference call meetings will be posted seven (7) days before the meeting and can be accessed at the KB MOS website link: https://my.sfwmd.gov/portal/page?_pageid=2294,4946313,2294_4947316:2294_11158145&_dad=portal&_schema=PORTAL.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a workshop to which all persons are invited.

Kissimmee Basin Modeling and Operations Study Peer Review Workshop

DATE AND TIME: Wednesday, June 11, 2008, 8:30 a.m.

PLACE: South Florida Water Management District Headquarters, Storch Room, 3301 Gun Club Road, West Palm Beach, Florida 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workshop is for the peer review of the modeling tools developed for the Kissimmee Basin Modeling and Operations Study (KB MOS). The SFWMD has selected three experts to participate in the model peer review panel to judge the quality and credibility of the science used to develop the modeling tools, particularly in their applicability to decision-making for operational management of structures in the Kissimmee Watershed. The Peer Review Panel has been asked to (1) assess whether the selected models have been appropriately formulated and calibrated to evaluate existing and proposed Kissimmee Basin structure operating criteria and (2) determine whether base condition simulation results provide an appropriate benchmark for use in the selection of modified structure operations. Results of the Panel's Peer Review of the modeling tools will be presented and discussed at the workshop.

A copy of the agenda may be obtained by contacting: An agenda for the Workshop 1 meeting will be posted seven (7) days before the meeting and can be access at the KB MOS website link: https://my.sfwmd.gov/portal/page?_pageid=2294,4946313,2294_4947316:2294_11158145&_dad=portal&_schema=PORTAL, Bridgett Tolley at (407)908-4896 or 1(800)250-4250, ext. 3806, btolley@sfwmd.gov or Chris Carlson at (561)682-6143 or 1(800)432-2045, ext. 6143, ccarlso@sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact the District Clerk's Office at (561)682-2087.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 20, 2008, 5:30 p.m. – until completion

PLACE: Embassy Suites Tampa-USF, 3705 Spectrum Blvd., Tampa, FL 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hear comments from the public concerning the Transportation Disadvantaged Program.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

The Florida **Commission for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 21, 2008, 10:00 a.m. – until completion

PLACE: Embassy Suites Tampa-USF, 3705 Spectrum Blvd., Tampa, FL 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss regular Commission Business.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Communities for a Lifetime Bureau announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2008, 10:00 a.m. – 12:30 p.m. (EDST)

PLACE: Embassy Suites Hotel, 555 North Westshore Boulevard, Tampa, Florida 33609

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tampa community forum is to provide technical assistance to communities across the state of Florida that will address the benefits and challenges of an increasing elder population. In addition, the forum will enlighten individuals on methods for improving networking collaborations among local, state and governmental agencies, including civic, business, faith-based and grassroots efforts. The forum will present the opportunity to showcase best practices identified in participating communities.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janine R. Rogers-Harris, Department of Elder Affairs, 4040 Esplanade Way, Suite 250E, Tallahassee, Florida 32399-7000, (850)414-2373, email: rogersj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janine R. Rogers-Harris, Department of Elder Affairs, 4040 Esplanade Way, Suite 250E, Tallahassee, Florida 32399-7000, (850)414-2373, email: rogersj@elderaffairs.org.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: June 5, 2008, 12:00 Noon

PLACE: 988 Woodcock Rd., Conference Room, Orlando, Florida 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, East Central Florida District Council Business.

A copy of the agenda may be obtained by contacting Lashea Heidelberg at (407)228-7752.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Lashea Heidelberg at (407)228-7752.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: June 9, 2008, 8:30 a.m.

PLACE: 210 N. Palmetto Rd., Suite #403, Rm. #148, Daytona Beach, Florida 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman, First Coast South District Council Business.

A copy of the agenda may be obtained by contacting: Michael Milliken at (904)391-3942 or (386)226-7846.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Michael Milliken at (904)391-3942 or (386)226-7846. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Milliken at (904)391-3942 or (386)226-7846.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2008, 10:30 a.m.

PLACE: North Miami Beach Public Library, 1601 N. E. 164th St., North Miami, Florida 33162

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, N. Dade District Council Business.

A copy of the agenda may be obtained by contacting Ramon Keppis at (786)336-1418.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Ramon Keppis at (786)336-1418. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Ramon Keppis at (786)336-1418.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 29, 2008, 10:00 a.m.

PLACE: Agency for Health Care Administration, Conference Room "D", 2727 Mahan Drive, Tallahassee, Florida. Any person interested in participating by telephone may dial (713)481-0090/Pass Code: 9701442#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)922-5771.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the State Consumer Health Information and Policy Advisory Council Health Plan Consumer Report Technical Workgroup to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: William Dahlem, Ph.D., Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at http://ahca.myflorida.com/SCHS/chistwg_hpcr.shtml seven (7) days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting William Dahlem, Ph.D. at (850)410-0224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact William Dahlem, Ph.D. at (850)410-0224.

The **Agency for Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 27, 2008, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 8504149707

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss applications before the Panel on Excellence in Long-Term Care for the Gold Seal and other matters to be determined.

A copy of the agenda may be obtained by contacting Barbara Dombrowski at (850)488-5861.

The **Agency for Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 14, 2008, 12:30 p.m. – 1:30 p.m. (EST)

PLACE: Agency for Health Care Administration, Medicaid Pharmacy Services, 2727 Mahan Drive, Conference Room C, Tallahassee, FL 32308, Or via teleconference number at: **Reservationless Dial-in Number 1(888)808-6959, **Conference Code: 8509227702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid Coverage of Atypical Antipsychotics in Children.

A copy of the agenda may be obtained by contacting Dyanna (Ryann) Purvis at (850)922-7330, email: purvisd@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Agency for Health Care Administration, Bureau of Pharmacy Services at (850)487-4441. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Agency for Health Care Administration, Bureau of Pharmacy Services at (850)487-4441.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2008, 9:30 a.m. – 12:00 Noon

PLACE: The Broward Health Department, Administrative Center, Main Auditorium, 780 S. W. 24th Street, Ft. Lauderdale, FL 33315, (954)467-4700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The following Medicaid Reform topics: 1) The Navigator Preferred Drug List functionality for Choice Counseling 2) Outline of the Choice Counseling Script and how the Choice Counselors will present the PDL as a choice for plan selection to beneficiaries. There will be an updated demonstration of the Navigator Preferred Drug List System to be used by Choice Counseling in Reform, showing how generic and brand name drugs will be displayed to the Choice Counselor. Presentation and discussion of the script outline the counselors will use with beneficiaries to discuss the Navigator as an option for choosing a health plan.

The meeting will focus on the Navigator PDL system, and representatives from the Agency and Affiliated Computer Services (ACS) will be available to address individual questions/concerns on other aspects of Medicaid reform before and after the meeting times.

A copy of the agenda may be obtained by contacting: April Cook at (850)922-0046 or by email at cooka@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: April Cook at (850)922-0046 or by email at cooka@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: April Cook at (850)922-0046 or by email at cooka@ahca.myflorida.com.

The **Agency for Health Care Administration**, in conjunction with the **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 3, 2008, 1:00 p.m. – 3:00 p.m. (Eastern)

PLACE: Osceola Library System Hart Memorial Central Library, Lillie Room, 2nd Floor, 211 East Dakin Avenue, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 409.912(5), Florida Statutes, provides authorization for the Agency for Health Care Administration, in partnership with the Department of Elder Affairs, to implement an integrated, fixed-payment delivery program for Medicaid beneficiaries who are 60 years of age or older, or 21 years of age or older and dually eligible for Medicare and Medicaid. The program shall be implemented initially on a pilot basis in Brevard, Orange, Osceola and Seminole counties; and Miami-Dade and Monroe counties. Enrollment in Florida Senior Care shall be on a voluntary basis. An overview of the program will be provided, as well as an opportunity for public comment.

A copy of the agenda may be obtained by contacting: Stephanie L. Clarke, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail: managediltc@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Stephanie Clarke, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308, (850)487-2618, e-mail managediltc@ahca.myflorida.com

@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

The **Florida Black Business Investment Board** announces a workshop to which all persons are invited.

DATE AND TIME: May 28, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: Disney Entrepreneur Center, 315 E. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FBBIB announces a training event to which all interested and eligible persons are invited. Event is free for accepted applicants. To register, contact the FBBIB at (850)878-0275. The training event is co-sponsored by the FBBIB and Bank of America and designed to introduce growth-oriented minority entrepreneurs to the private equity investment process.

A copy of the agenda may be obtained by contacting: FBBIB, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FBBIB, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: FBBIB, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275.

The **Florida Black Business Investment Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: May 29, 2008, 9:00 a.m. and 10:00 a.m.

PLACE: Disney Entrepreneur Center, 315 E. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FBBIB in conjunction with the Minority Business Information Center, LLC. (a subsidiary of the FBBIB) announce meetings of the audit committee and Board of Directors to discuss the Board's 2007 Audit and its operations, identify areas for future board priorities, receive reports from its committees/task force, review/approve related issues and other business as needed, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: Florida Black Business Investment Board, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Florida Black Business Investment Board, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Black Business Investment Board, 2019 Centre Pointe Blvd., Ste. 101, Tallahassee, FL 32308, (850)878-0275.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: May 27, 2008, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jeff Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 27, 2008, 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee meeting.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N Monroe Street, Tallahassee, FL 32399-0773.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Board office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Pilot Commissioners** announces a public meeting to which all persons are invited.

DATES AND TIMES: July 17, 2008, 1:00 p.m.; July 18, 2008, 9:00 a.m.

PLACE: Hyatt Regency Pier 66, 2301 Southeast 17 Street, Ft. Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel portions of which may be closed to the public, and regular Board business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N Monroe Street, Tallahassee, FL 32399-0773.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Board of Pilot Commissioners. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Accountancy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, June 10, 2008, 9:00 a.m. – until all Probable Cause business is concluded; Tuesday, June 10, 2008, 1:00 p.m. – until all Rules business is concluded; Wednesday, June 11, 2008, 9:00 a.m. – until all Board business is concluded

PLACE: Sheraton Suites Tampa Airport, 4400 West Cypress Street, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. The Rules Committee will meet to discuss possible rule changes. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607, (352)333-2505.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting June Carroll at (352)333-2505. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact June Carroll at (352)333-2505.

The **Florida State Boxing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2008, 10:30 a.m.

PLACE: Quorum Hotel Tampa, 700 North Westshore Blvd., Tampa, Florida 33609, Conference Call Number: 1(888)808-6959, Conference Code: 4137430

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Conduct General Business.

A copy of the agenda may be obtained by writing to: Christa Patterson, Assistant Executive Director, Department of Business and Professional Regulation, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, FL 32399 or by calling (850)488-8500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 3, 2008, 10:00 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, (1888)862-7010.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 5, 2008, 1:00 p.m. – 6:00 p.m.;
June 6, 2008, 8:00 a.m. – 12:00 Noon

PLACE: Florida Fish and Wildlife Institute, Karen A. Steidinger Auditorium, 100 Eighth Avenue, S. E., St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting is being held to aid the Department in establishing numeric nutrient criteria for estuaries and coastal waters. The meeting will include presentations on some of the major estuarine systems in Florida, with the presentations focusing on relationships between elevated nutrients and documented adverse ecological impacts. The meeting will include a discussion of the Department's overall effort to develop numeric nutrient criteria for all waters.

A copy of the agenda may be obtained by contacting: Mr. Jacob Brown, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, 2600 Blair Stone Road, MS 3560, Tallahassee, Florida 32399-2400, email Jacob.M.Brown@dep.state.fl.us, (850)245-8416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting Mr. Jacob Brown within the Water Quality Standards and Special Projects Program through the contact information listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 10, 2008, 7:00 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission Building, 3200 North East 151 Street, North Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Oleta River State Park.

A copy of the management plan will be available at the park for review. An electronic version of the plan is available upon request by emailing: Ms. BryAnne White at (BryAnne.White@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Steven Dale, Park Manager at (305)919-1846.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Steven Dale, Park Manager (305)919-1846 or email (Steven.Dale@dep.state.fl.us). If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2008, 9:00 a.m.

PLACE: Florida Fish and Wildlife Conservation Commission Building, 3200 North East 151 Street, North Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Oleta River State Park with the Advisory Group.

A copy of the agenda may be obtained by contacting: Steven Dale, Park Manager at (305)919-1846 or email Steven.Dale@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Steven Dale, Park Manager at (305)919-1846 or email: Steven.Dale@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Domestic Wastewater Section announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2008, 9:00 a.m.

PLACE: Osceola County Extension Office, Osceola Heritage Park, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744-8947

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will present draft revisions to Chapter 62-640, F.A.C., addressing the beneficial use of domestic wastewater residuals, also known as sewage sludge or biosolids. The Department will take public input on the draft rule revisions which affect the various parties and activities related to domestic wastewater residuals. The most significant draft revisions include requirements for the permitting of residuals land application sites and for site nutrient management plans (NMPs).

A copy of the agenda may be obtained by contacting: Maurice Barker, Department of Environmental Protection, MS 3540, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8614, email: Maurice.Barker@dep.state.fl.us or by visiting <http://www.dep.state.fl.us/water/wastewater/dom/resmake.htm>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting Maurice Barker at the above information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2008, 7:00 p.m.

PLACE: Sopchoppy City Hall, 100 Municipal Avenue, Sopchoppy, Florida 32358

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Ochlockonee River State Park. A copy of the management plan will be available at the park for review. Electronic versions of the plan are available upon request by emailing: Ms. BryAnne White at BryAnne.White@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Kevin Patton, Park Manager at (850)962-2771 or email Kevin.Patton@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kevin Patton, Park Manager at (850)962-2771 or email Kevin.Patton@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 13, 2008, 9:00 a.m.

PLACE: Sopchoppy City Hall, 100 Municipal Avenue, Sopchoppy, Florida 32358

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Ochlockonee River State Park with the Advisory Group.

A copy of the agenda may be obtained by contacting: Kevin Patton, Park Manager at (850)962-2771 or email Kevin.Patton@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kevin Patton, Park Manager at (850)962-2771 or email Kevin.Patton@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Greenways and Trails Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 5, 2008, 1:00 p.m. – 6:00 p.m.

PLACE: Site visits to local trails, departing from and returning to: Embassy Suites Hotel Downtown Orlando, 191 East Pine Street, Orlando, FL 32801

DATE AND TIME: June 6, 2008, 9:00 a.m. – 12:00 Noon

PLACE: METROPLAN Orlando, Boardroom, 315 East Robinson Street, Suite 355, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Greenways and Trails Council will conduct site visits to local trails in Orange County on June 5, 2008. A business meeting to be held on June 6, 2008, will be for the purpose of reviewing the proposed draft of the 2008 Opportunity Maps and conducting other business. The Council may also consider designations of the Charlotte County Blueway Trails in Charlotte County, the Chain of Lakes Trail in the City of Winter Haven, the Great Calusa Blueway Paddling Trail in Lee County, the Egans Creek Greenway in the City of Fernandina Beach, the Price's Scrub Greenway in Marion County, the Bayard Creek Conservation Area in Clay County, the Rice Creek Conservation Area in Putnam County, and the Suwannee River Greenway at Branford in Suwannee County as part of the Florida Greenways and Trails System.

A copy of the agenda may be obtained by contacting: Tammy Salmon, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS795, Tallahassee, Florida 32399-3000. Ms. Salmon may also be reached by telephone at (850)245-2052 or by email to Tammy.Salmon@dep.state.fl.us. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting Tammy Salmon. Ms. Salmon's contact information is shown above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Department of Health**, the Electrolysis Council, under the **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 5, 2008, 4:00 p.m. or soon thereafter; June 6, 2008, 8:00 a.m. or soon thereafter

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Electrolysis Council's Chair and Vice-Chair will appear before the Board of Medicine's Rule Committee to discuss various

Electrology rules. The Chair and Vice-Chair may also be present at the Board's Dietetic-Nutrition/Electrology Committee meeting on June 6, 2008.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Medicine, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3255 or by calling the board office at (850)245-4131.

Committee meetings may be cancelled prior to the meeting date. Please check the board's website at www.FLhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 7, 2008, 1:00 p.m.; August 8, 2008, 9:00 a.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474, at least one week prior to the meeting.

The **Board of Medicine**, Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 23, 2008, 8:00 a.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Probation Committee.

A copy of the agenda may be obtained by contacting: Janie Shingles, Medicine Compliance Officer, Department of Health, Division of Medical Quality Assurance, Compliance Management Unit, 4052 Bald Cypress Way, Bin C-01, Tallahassee, Florida 32399-3251.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Janie Shingles at (850)245-4268, ext. 3546. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Pharmacy**, Professional Practice Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 4, 2008, 10:30 a.m.

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will approve minutes from the March 26, 2008, meeting, review Rules 64B16-28.140, F.A.C., Record Keeping, 64B16-27.420, F.A.C., Pharmacy Technician 2:1 or 3:1 Ratio, 64B16-27.430, F.A.C., Responsibilities of the Pharmacist, 64B16-27.700, F.A.C., Office Use Compounding, and 64B16-28.301, F.A.C., Destruction of Controlled Substances; Correspondence from Hernando Pasco Hospice Regarding Break-Ins; DEP Disposition of Prescription Medications; CE for Pain Management; and Open Discussion.

The agenda will be available at www.doh.state.fl.us/mqa/pharmacy, one week prior to the meeting.

For more information, you may contact the Board of Pharmacy at (850)245-4292.

The **Board of Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 10, 2008, 1:00 p.m.; June 11, 2008, 8:00 a.m.

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, FL 32822, (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct disciplinary proceedings and general board business.

A copy of the agenda may be obtained by contacting: Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254. The agenda will also be available one week prior to the meeting date at www.doh.state.fl.us/mqa/pharmacy.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Department of Health**, Bureau of Radiation Control announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 28, 2008, 1:00 p.m. – 3:00 p.m.

PLACE: 4042 Bald Cypress Way, Room 225Q, Tallahassee, FL or contact James Futch at (850)245-4266 for the conference call number and code

GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting of the Advisory Council on Radiation Protection to discuss and make recommendations on issues relating to: radiation protection; radiation machines; radioactive materials; radiologic technologists and other radiological personnel; emergency response and preparedness; electronic radiation therapy; scope of practice issues; educational programs; authorized user requirements; Chapter 64E-3, F.A.C., and Chapter 64E-5, F.A.C. rule changes; and other business.

A copy of the agenda may be obtained by contacting: James Futch, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: James Futch, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: James Futch, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741.

The **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: June 5, 2008, 9:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)859-0552

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss issues relating to onsite sewage treatment and disposal systems and the Wekiva Study Area which may require changes to Chapter 64E-6, Florida Administrative Code. The panel may also discuss research proposals as requested by the Research review and Advisory Committee.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 14 days before the workshop/meeting by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: The Buena Vista Palace Hotel, 1900 Buena Vista Drive, Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the sixth meeting of the Governor's Council on Physical Fitness. The Council will be briefed on the 2008 Legislative Session, and will discuss next steps.

A copy of the agenda may be obtained by contacting: www.HealthyFloridians.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Catherine Howard at (850)245-4444, ext. *3803. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Catherine Howard at (850)245-4444, ext. *3803.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Heart of Florida Community Alliance of the **Department of Children and Family Services**, Circuit 10 announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 11, 2008, 2:30 p.m. – 4:00 p.m.

PLACE: United Way of Central Florida, 5605 U.S. Hwy. 98 S., Highland City, FL 33846

GENERAL SUBJECT MATTER TO BE CONSIDERED: Heart of Florida Community Alliance.

A copy of the agenda may be obtained by contacting: Diane Dvorak, Department of Children and Family Services, 4720 Old Hwy. 37, Lakeland, FL 33813, (863)619-4100.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diane Dvorak, Department of Children and Family Services, 4720 Old Hwy. 37, Lakeland, FL 33813, (863)619-4100. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Diane Dvorak, Department of Children and Family Services, 4720 Old Hwy. 37, Lakeland, FL 33813, (863)619-4100.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2008, 8:30 a.m. – 11:30 a.m.

PLACE: Portofino Bay Hotel, 5601 Universal Blvd., Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of the review of all aspects of the Department's adult protection system and identify areas that need improvement.

A copy of the agenda may be obtained by contacting the Adult Services Program office by calling (850)922-3878.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Biscayne Palm Club, a 114-unit multifamily residential rental development located on or around 15495 S. W. 288th Street, Miami, Dade County, FL 33033. The prospective owner and operator of the proposed development is Biscayne Palm Preservation, LP, 60 Columbus Circle, New York, NY 10023, or such successor in interest in which The Biscayne Palm Developer, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is TRG Management Company of Florida, 2828 Coral Way, Suite 101, Miami, FL 33145. The total tax-exempt bond amount is not to exceed \$4,800,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Booker Creek Apartments, a 156-unit multifamily residential rental development located on or around the southeast corner of 13th Avenue North and 25th Street North, St. Petersburg, Pinellas County, FL 33713. The prospective owner and operator of the proposed development is Booker Creek Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$12,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be

addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Branan Crossings Apartments, a 216-unit multifamily residential rental development located on or around the south side of Old Jennings Road, approximately ½ mile west of the intersection of Old Jennings Road and Blanding Boulevard, Middleburg, Clay County, FL 32068. The prospective owner and operator of the proposed development is Branan Crossings, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property

Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$15,250,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Bull Frog Creek Apartments, a 336-unit multifamily residential rental development located on or around the east side of Bullfrog Creek Road, northeast of the intersection of Bullfrog Creek Road and Old Big Bend Road, Gibsonton, Hillsborough

County, FL 33534. The prospective owner and operator of the proposed development is Bullfrog Creek Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$22,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

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GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Charlotte Palms, a 51-unit multifamily residential rental development located on 31st Street South at the southwest corner of the intersection of 31st Street South and 26th Avenue South, St. Petersburg, Pinellas County, FL 33712. The prospective owner and operator of the proposed development is SP Charlotte Palms LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33761, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$5,450,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED:
Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Colonial Lakes Apartments, a 132-unit multifamily residential rental development located on or around the southwest corner of the intersection of Lake Worth Road and Westview Street, Greenacres, Palm Beach County, FL 33463. The prospective owner and operator of the proposed development is Colonial Lakes Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,425,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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GENERAL SUBJECT MATTER TO BE CONSIDERED:
Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Garden Trail, a 75-unit multifamily residential rental development located on Eldridge Street at the northeast corner of Eldridge Street and North Garden Avenue and on Eldridge Street at the southeast corner of Eldridge Street and North Spruce Avenue, Clearwater, Pinellas County, FL 33755. The prospective owner and operator of the proposed development is SP Garden Trail, LLC., 2430 Estancia Blvd., Suite 101, Clearwater, FL 33761, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$7,400,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

Blue Angel Cove, a 148-unit multifamily residential rental development located on the west side of South Blue Angel Parkway, approximately 2600 feet south of the intersection of South Blue Angel Parkway and U.S. 98, Pensacola, Escambia County, FL 32506. The prospective owner and operator of the proposed development is Blue Angel Cove, Ltd., 329 N. Park Avenue, Suite 300, Winter Park, FL 32789, or such successor in interest in which Atlantic Housing Partners, LLLP, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, FL 32751. The total tax-exempt bond amount is not to exceed \$10,970,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

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Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

Central Parkway Apartments, a 96-unit multifamily residential rental development located on two parcels, one on the north side of Southeast Central Parkway, east of the intersection of Southeast Central Parkway and Southeast Willoughby Boulevard extension and the other on the south side of Southeast Central Parkway, east of the intersection of Southeast Central Parkway and Southeast Willoughby Boulevard extension, Stuart, Martin County, FL 34994. The prospective owner and operator of the proposed development is Central Parkway Holdings, LLC, 4801 PGA Boulevard, Palm Beach Gardens, FL 33418, or such successor in interest in which Pinnacle Housing Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Professional American Management, Inc., 9095 S. E. 87th Avenue, Suite 777, Miami, FL 33176. The total tax-exempt bond amount is not to exceed \$8,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by

5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

Central Village Apartments – Phase I, a 121-unit multifamily residential rental development located on the east side of U.S. 19, approximately 2500 feet north of the intersection of SR 50/Cortez Boulevard and U.S. 19, Brooksville, Hernando County, FL 34613. The prospective owner and operator of the proposed development is Central Village, Ltd., 329 N. Park Avenue, Suite 300, Winter Park, FL 32789, or such successor in interest in which Atlantic Housing Partners, LLLP, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the

proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, FL 32751. The total tax-exempt bond amount is not to exceed \$8,550,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

College Arms Garden Apartments, a 108-unit multifamily residential rental development located at 2305 Husson Avenue, Palatka, Putnam County, FL 32177. The prospective owner and operator of the proposed development is College Arms Redevelopment, Ltd., 1002 W. 23rd Street, Suite 400, Panama

City, FL 32405, or such successor in interest in which Royal American Development, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 W. 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$3,815,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

Coral Keys, a 400-unit multifamily residential rental development located on the west side of Southwest 172nd Avenue approximately 900 feet north of the intersection of Southwest 172nd Avenue and East Palm Drive, Florida City, Dade County, FL 33034. The prospective owner and operator of the proposed development is Coral Keys, Ltd., 329 N. Park Avenue, Suite 300, Winter Park, FL 32789, or such successor in interest in which Atlantic Housing Partners, LLLP, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, FL 32751. The total tax-exempt bond amount is not to exceed \$33,200,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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Crestwood Apartments, a 112-unit multifamily residential rental development located on or around 5350 Purdy Lane, West Palm Beach, Palm Beach County, FL 33415. The prospective owner and operator of the proposed development is Purdy Lane Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

Evergreen, a 120-unit multifamily residential rental development located at 13821 Lakeshore Boulevard, Hudson, Pasco County, FL 34667. The prospective owner and operator of the proposed development is GHG Evergreen, Ltd., 120 Forbes Boulevard, Mansfield, MA 02048, or such successor in interest in which The Gatehouse Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Gatehouse Management, Inc., 120 Forbes Boulevard, Mansfield, MA 02048. The total tax-exempt bond amount is not to exceed \$10,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

East Lake Apartments, an 88-unit multifamily residential rental development located on or around the northwest corner of N. W. 9th Avenue and N. W. 33rd Street, Pompano Beach, Broward County, FL 33064. The prospective owner and operator of the proposed development is Andrews Avenue Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Emerson Oaks Apartments, a 96-unit multifamily residential rental development located on or around the west side of Emerson Road, approximately 800 feet south of the intersection of Cortez Boulevard and Emerson Road, Brooksville, Hernando County, FL 34601. The prospective owner and operator of the proposed development is Emerson Oaks Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$7,250,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Emerson Oaks Senior Apartments, an 84-unit multifamily residential rental development located 600 feet west of Emerson Road, approximately 800 feet south of the intersection of Cortez Boulevard and Emerson Road, Brooksville, Hernando County, FL 34601. The prospective owner and operator of the proposed development is Emerson Oaks Senior Housing, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$5,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Finwood Palms, a 106-unit multifamily residential rental development located approximately 1000 feet west of the intersection of Doloma Street and Finwood Avenue, Jacksonville, Duval County, FL 32221. The prospective owner and operator of the proposed development is SP Finwood LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33701, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$7,900,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

The Floridian Apartments, a 120-unit multifamily residential rental development located on the south side of Barnes Boulevard 1/4 mile East of Murrell Road, Rockledge, Brevard County, FL 32955. The prospective owner and operator of the proposed development is Barnes Boulevard Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Fort King Colony Apartments, a 240-unit multifamily residential rental development located on or around 37730 Daughtery Road and 6830 Jeter Lane, Zephyrhills, Pasco County, FL 33541. The prospective owner and operator of the proposed development is Fort King Colony, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the

proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$15,750,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Gardens at Driftwood, a 120-unit multifamily residential rental development located at or around 7350 N. Davie Road Extension, Hollywood, Broward County, FL 33024. The prospective owner and operator of the proposed development is Gardens at Driftwood, Ltd., 120 Forbes Boulevard,

Mansfield, MA 02048, or such successor in interest in which The Gatehouse Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Gatehouse Management, Inc., 120 Forbes Boulevard, Mansfield, MA 02048. The total tax-exempt bond amount is not to exceed \$14,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Golden Lake Apartments, a 112-unit multifamily residential rental development located at or around 1605 Mercy Drive, Orlando, Orange County, FL 32808. The prospective owner and operator of the proposed development is RST Orlando Housing, LP, 1750 Valley View Lane, Suite 420, Dallas, TX 75234, or such successor in interest in which Roundstone Development, LLC and Michael A. Hartman, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Sunchase American, Ltd., 7 Corporate Center Court, #B, Greensboro, NC 27408. The total tax-exempt bond amount is not to exceed \$8,300,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Haverhill Palms, a 46-unit multifamily residential rental development located on the south side of 47th Place North approximately 485 feet west of the intersection of 47th Place North and North Haverhill Road, West Palm Beach, Palm Beach County, FL 33417. The prospective owner and operator of the proposed development is SP Haverhill LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33701, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$6,050,000.

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Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Janie Poe Revitalization – Phase 2, a 92-unit multifamily residential rental development located on or around the southeast corner of Dr. Martin Luther King, Jr. Way and Central Avenue and 480 feet northeast of the intersection of Central Avenue and 22nd Street, Sarasota, Sarasota County, FL 34234. The prospective owner and operator of the proposed development is Janie Poe Associates 2, LLC, 1 East Stow Road, Marlton, NJ 08053, or such successor in interest in which Michaels Development Company I, LP, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Interstate Realty Management Property Management Company, 1 East Stow Road, Marlton, NJ 08053. The total tax-exempt bond amount is not to exceed \$8,900,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Las Hadas, a 102-unit multifamily residential rental development located on or around the north side of State road 574 west of Leaning Palm Court, Plant City, Hillsborough County, FL 33563. The prospective owner and operator of the proposed development is RST Plant City Housing, LP, 1750 Valley View Lane, Suite 420, Dallas, TX 75234, or such successor in interest in which Roundstone Development, LLC and Michael A. Hartman, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Sunchase American, Ltd., 7 Corporate Center Court, #B, Greensboro, NC 27408. The total tax-exempt bond amount is not to exceed \$8,575,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Lynn Haven Center, a 192-unit multifamily residential rental development located on or around the west side of SR 77, approximately 400 feet south of the intersection of SR 77 and Peachtree Drive (2200 Block SR77), Lynn Haven, Bay County, FL 32444. The prospective owner and operator of the proposed development is Fountains at Lynn Haven, Ltd., 329 N. Park Avenue, Suite 300, Winter Park, FL 32789, or such successor in interest in which Atlantic Housing Partners, LLLP, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, FL 32751. The total tax-exempt bond amount is not to exceed \$14,050,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Magnolia Pointe, a 115-unit multifamily residential rental development located on Fiske Boulevard at the northeast corner of Fiske Boulevard and Barbara Jenkins Street, Cocoa, Brevard County, FL 32922. The prospective owner and operator of the proposed development is Magnolia Pointe, LP, 7000 Central Parkway, NE, Suite 1100, Atlanta, GA 30328, or such successor in interest in which Ambling Development Partners, LLC and the Housing Authority of the City of Cocoa, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Ambling Management Company, 7000 Central Parkway, NE, Suite 1100, Atlanta, GA 30328. The total tax-exempt bond amount is not to exceed \$4,225,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Mangonia Villas, a 140-unit multifamily residential rental development located at or around 5555 Lake Shore Drive, Mangonia Park, Palm Beach County, FL 33407. The prospective owner and operator of the proposed development is Lakeshore Phase II, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed

development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$11,750,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Palms at Riverdale, a 48-unit multifamily residential rental development located on the west side of Pinewood Drive Northeast, approximately 1800 feet north of the intersection of Pinewood Drive Northeast and Palm Bay Road Northeast, Palm Bay, Brevard County, FL 32905. The prospective owner

and operator of the proposed development is SP Riverdale, LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33761, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$5,150,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Riverwalk II Apartments, a 112-unit multifamily residential rental development located at or around 301 S. E. 6th Avenue, Homestead, Dade County, FL 33030. The prospective owner and operator of the proposed development is Riverwalk II Preservation, LP, 60 Columbus Circle, New York, NY 10023, or such successor in interest in which The Riverwalk II Developer, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is TRG Management Company of Florida, 2828 Coral Way, Suite 101, Miami, FL 33145. The total tax-exempt bond amount is not to exceed \$5,250,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Savannah Springs Apartments Phase II, a 114-unit multifamily residential rental development located on or around the northeast corner of 118th Street and I-295, Jacksonville, Duval County, FL 32244. The prospective owner and operator of the proposed development is Savannah Springs Apartments II, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$10,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Seacrest Cove, a 68-unit multifamily residential rental development located on the west side of Seacrest Boulevard, approximately 50 feet south of the intersection of Seacrest Boulevard and Mentone Road, Boynton Beach, Palm Beach County, FL 33435. The prospective owner and operator of the proposed development is SP Seacrest, LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33761, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$5,965,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00pm (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Sebastian Palms, a 150-unit multifamily residential rental development located on the west side of 64th Avenue approximately 1800 feet north of the intersection of 64th Avenue and 87th Street, Sebastian, Indian River County, FL 32958. The prospective owner and operator of the proposed development is SP Sebastian Palms, LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33761, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$12,335,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Sweetwater Apartments, a 120-unit multifamily residential rental development located on the west side of Bethel Road, approximately 50 feet north of Thurston Road, Jacksonville, Duval County, FL 32210. The prospective owner and operator of the proposed development is Bethel Road Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$10,750,000.

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Taylor Apartments, a 100-unit multifamily residential rental development located at 131 East 15th Street, Apopka, Orange County, FL 32703. The prospective owner and operator of the proposed development is Apopka Taylor Apartments, Ltd., 5637 La Gorce Drive, Miami Beach, FL 33140, or such successor in interest in which Housing Partners of Florida, LLC and The Center for Affordable Housing, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Presidio Realty, Inc., 2909 Bay to Bay Boulevard, Suite 202, Tampa, FL 33629. The total tax-exempt bond amount is not to exceed \$5,300,000.

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PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

Village at Quantum, a 100-unit multifamily residential rental development located at the intersection of Quantum Boulevard and Gateway Boulevard, Boynton Beach, Palm Beach County, FL 33426. The prospective owner and operator of the proposed development is Village at Quantum, Ltd., 777 East Atlantic Avenue, Suite 200, Delray Beach, FL 33483, or such successor in interest in which Auburn Quantum Lot 17, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Auburn Management, Inc., 777 East Atlantic Avenue, Suite 200, Delray Beach, FL 33483. The total tax-exempt bond amount is not to exceed \$10,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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Villa Rosa, a 100-unit multifamily residential rental development located on or around the southeast corner of North Avenue and Stafford Avenue, Brooksville, Hernando County, FL 34601. The prospective owner and operator of the proposed development is RST Brooksville Housing, LP, 1750 Valley View Lane, Suite 420, Dallas, TX 75234, or such successor in interest in which Roundstone Development, LLC and Michael A. Hartman, or an affiliate of either party, is a

managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Sunchase American, Ltd., 7 Corporate Center Court, #B, Greensboro, NC 27408. The total tax-exempt bond amount is not to exceed \$7,750,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

West Lake Apartments, a 144-unit multifamily residential rental development located on the west side of Dike Road, 1500 feet north of the intersection of U.S. 192 and Dike Road,

West Melbourne, Brevard County, FL 32904. The prospective owner and operator of the proposed development is Dike Road Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$10,750,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount not to exceed the amount listed below:

White Cedar Apartments, a 180-unit multifamily residential rental development located at the southwest intersection of Narcissus Avenue and White Cedar Road, Sanford, Seminole County, FL 32771. The prospective owner and operator of the proposed development is White Cedar Apartments, Ltd., 340 Pemberwick Road, Greenwich, CT 06831, or such successor in interest in which The Richman Group of Florida, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Richman Property Services, Inc., 340 Pemberwick Road, Greenwich, CT 06831. The total tax-exempt bond amount is not to exceed \$12,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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The Columbian Apartments, a 188-unit multifamily residential rental development located at or around 518 3rd Avenue South, St. Petersburg, Pinellas County, FL 33701. The prospective owner and operator of the proposed development is SP One, Ltd., 1205 West Swann Avenue, Tampa, FL 33606, or such successor in interest in which SP One Development, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Sage Partners, LLC, 1205 West Swann Avenue, Tampa, FL 33606. The total tax-exempt bond amount is not to exceed \$12,085,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Marbella, a 100-unit multifamily residential rental development located on or around Fort King Road north of Eiland Boulevard, Zephyrhills, Pasco County, FL 33542. The prospective owner and operator of the proposed development is RST Zephyrhills Housing, LP, 1750 Valley View Lane, Suite 420, Dallas, TX 75234, or such successor in interest in which Roundstone Development, LLC and Michael A. Hartman, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Sunchase American, Ltd., 7 Corporate Center Court, #B, Greensboro, NC 27408. The total tax-exempt bond amount is not to exceed \$7,300,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Meetinghouse at Dade City, a 120-unit multifamily residential rental development located on Fort King Road approximately 324 feet north of the northwest intersection of Hester Road and Fort King Road, Dade City, Pasco County, FL 33525. The prospective owner and operator of the proposed development is Meetinghouse at Dade City, LLC, 4300 Marsh Landing Boulevard, Suite 101, Jacksonville Beach, FL 32250, or such successor in interest in which Meetinghouse Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Finlay Management, Inc., 4300 Marsh Landing Boulevard, Suite 101, Jacksonville Beach, FL 32250. The total tax-exempt bond amount is not to exceed \$17,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Meetinghouse at Zephyrhills, a 160-unit multifamily residential rental development located on Wire Road approximately 1100 feet north of the southwest corner of the intersection of Daugherty Road and Wire Road, Zephyrhills, Pasco County, FL 33541. The prospective owner and operator of the proposed development is Finlay Interests 13, Ltd, 4300 Marsh Landing Boulevard, Suite 101, Jacksonville Beach, FL 32250, or such successor in interest in which Finlay Development of Florida, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Finlay Management, Inc., 4300 Marsh Landing Boulevard, Suite 101, Jacksonville Beach, FL 32250. The total tax-exempt bond amount is not to exceed \$17,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Palms at Callaway, a 68-unit multifamily residential rental development located on the east side of South Burkett Drive approximately 350 feet north of the intersection of South Burkett Drive and Hickory Street, Callaway, Bay County, FL 32404. The prospective owner and operator of the proposed development is SP Callaway LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33701, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$5,900,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Palms at Ridge Road Phase I, a 98-unit multifamily residential rental development located on the south side of Ridge Road approximately 3,760 feet west of the intersection of Ridge Road and Crawfordville Road, Tallahassee, Leon County, FL 32305. The prospective owner and operator of the proposed development is SP Ridge Road LP, 2430 Estancia Blvd., Suite 101, Clearwater, FL 33701, or such successor in interest in which Southport Financial Services, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Royal American Management, Inc., 1002 West 23rd Street, Suite 400, Panama City, FL 32405. The total tax-exempt bond amount is not to exceed \$7,875,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed.

Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Stirling Cove Apartments, a 318-unit multifamily residential rental development located at or around 7400 Stirling Road, Davie, Broward County, FL 33024. The prospective owner and operator of the proposed development is Stirling Cove, Ltd., 329 N. Park Avenue, Suite 300, Winter Park, FL 32789, or such successor in interest in which Atlantic Housing Partners, LLLP, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord

Management, Ltd., 1551 Sandspur Road, Maitland, FL 32751. The total tax-exempt bond amount is not to exceed \$28,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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Sweetwater Cove, a 96-unit multifamily residential rental development located at or around Wire Road, at the intersection of Wire Road and Daughtery Road, Zephyrhills, Pasco County, FL 33540. The prospective owner and operator of the proposed development is Sweetwater Cove, Ltd., 9400

S. Dadeland Boulevard, Suite 100, Miami, FL 33156, or such successor in interest in which Pinnacle Housing Group, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Professional Management, Inc., 9095 S. E. 87th Avenue, Suite 777, Miami, FL 33176. The total tax-exempt bond amount is not to exceed \$8,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

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The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Urban Pointe, a 260-unit multifamily residential rental development located on or around the northeast corner of the intersection of N. W. 8th Street and 441, Miami, Dade County, FL 33136. The prospective owner and operator of the proposed development is Urban Pointe, Ltd., 329 N. Park Avenue, Suite 300, Winter Park, FL 32789, or such successor in interest in which Atlantic Housing Partners, LLLP, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Concord Management, Ltd., 1551 Sandspur Road, Maitland, FL 32751. The total tax-exempt bond amount is not to exceed \$24,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2008, 10:00 a.m. (Tallahassee local time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Concerning Issuance of Bonds to Finance Multifamily Residential Rental Developments.

Notice is hereby given that the Florida Housing Finance Corporation ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA").

To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Valencia Pointe, a 148-unit multifamily residential rental development located on N. W. 79th Avenue, approximately 100 feet west of NW 25th Avenue with a street address of 2542 N. W. 79th Street, Miami, Miami-Dade County, FL 33147. The prospective owner and operator of the proposed development is Valencia Pointe Associates, Ltd., 2121 Ponce De Leon Blvd., PH, Coral Gables, FL 33134, or such successor in interest in which Cornerstone Group Development, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cornerstone Residential Management LLC, 2121 Ponce De Leon Blvd., PH, Coral Gables, FL 33134. The total tax-exempt bond amount is not to exceed \$10,500,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), June 2, 2008, and should be addressed to the attention of Wayne Conner, Deputy Development Officer. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wayne Conner at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Affordable Housing Study Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2008, 11:00 a.m. – 5:30 p.m. (Times subject to change)

PLACE: Rick Seltzer Memorial Room, Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Tallahassee, FL 32301, (850)488-4197

GENERAL SUBJECT MATTER TO BE CONSIDERED: Newly appointed members of the Study Commission will receive orientation on the Study Commission and their term of service, followed by a regular meeting of the seated Commissioners to receive testimony from Florida Housing Finance Corporation on housing issues and discuss its 2008-2009 study topic.

A copy of the agenda may be obtained by contacting: visit our website at www.floridahousing.org/ahsc.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 6 days before the workshop/meeting by contacting Odetta MacLeish-White at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2008, 7:00 p.m.

PLACE: Lawton Chiles High School Cafeteria, 7200 Lawton Chiles Lane, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Leon/Jefferson County area is one of the hotspots in the state in terms of duck hunting activity. Several large public lakes offer most of the public duck hunting opportunity. There has been a long tradition for hunters to build and hunt from permanent blinds, most of which are left in place after the hunting season. The blinds have had a negative effect on equitable public access to certain portions of the lakes for hunting. In addition, the placement of permanent blinds is in violation of Board of Trustees sovereign submerged lands rules, results in boating hazards, and decreases the aesthetic value of these public lakes. In recent years, the Florida Fish and Wildlife Conservation Commission (FWC) has tried to resolve this issue through education and outreach to the local duck hunting community. Despite those efforts, hunters continue to build and use blinds, and the resulting territorial conflicts among hunters seem to be increasing. This situation has pushed us toward proposing regulatory measures, with a rule change to be in effect for the 2008-09 hunting season.

The proposed rule would prohibit waterfowl hunting from or within 30 yards of any permanent blind on several lakes in the Leon and Jefferson County area, specifically lakes Miccosukee, Iamonia, and Jackson, and Carr Lake. In conjunction, the proposal would establish in rule a definition for “permanent blind.”

The public is invited to attend a meeting at the Lawton Chiles High School, Tallahassee, to discuss the proposed change. The public is also invited to submit comments on this proposed change (www.MyFWC.com), which is currently being considered by FWC staff. A summary of all comments received will be made available to the FWC Commissioners. Electronic comments must be submitted no later than June 2, 2008. The results of this public input process will be presented to the FWC Commissioners at their June 11-12, 2008, meeting in Dania Beach, Florida where they will consider a request from staff to officially publish proposed rule changes. The Commission will consider final adoption of these rule changes in September, 2008, in Jacksonville. If adopted, the rule would take effect for the 2008-2009 regular waterfowl season.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Diane Eggeman, Florida Fish and Wildlife Conservation Commission, Division of Hunting and Game Management, 620 South Meridian Street, Tallahassee, Florida, (850)488-3831.

DEPARTMENT OF FINANCIAL SERVICES

The **Board of Funeral, Cemetery and Consumer Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 4, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Financial Services, Alexander Building, Suite 2100, 2020 Capital Circle, S. E., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery & Consumer Services (www.myfloridacfo.com/FuneralCemetery).

A copy of the agenda may be obtained by contacting: LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361, or by calling Ms Bryant at (850)413-3039.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361, or by calling Ms Bryant at (850)413-3039. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Funeral, Cemetery and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: June 25, 2008, 10:00 a.m. – 5:00 p.m.

PLACE: The Resort & Club at Little Harbor, 611 Destiny Drive, Ruskin, FL 33570

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above date relates to the next meeting of the Board of Funeral, Cemetery and Consumer Services. The public is advised to check with Department of Financial Services staff (Ms LaTonya Bryant at (850)413-3039), before traveling to a scheduled meeting on the date above, to ascertain whether the meeting has been cancelled. Notice of such cancellations will be posted on the home page of the Division of Funeral, Cemetery and Consumer Services, www.myfloridacfo.com/FuneralCemetery, as soon as known.

At least 7 days before each meeting, a copy of the agenda of the meeting will be available. Agendas will be available on the home page of the Division of Funeral, Cemetery and Consumer Services, www.myfloridacfo.com/FuneralCemetery.

A copy of the agenda may be obtained by contacting: LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361, or by calling Ms Bryant at (850)413-3039.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant, 200 East Gaines Street, Tallahassee, FL 32399-0361, or by calling Ms Bryant at (850)413-3039. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The **Sunshine State One Call of Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIMES: May 15, 2008, 8:00 a.m., board meeting; 9:00 a.m., annual meeting

PLACE: 11 Plantation Road, DeBary, FL 32713

DATE AND TIME: May 16, 2008, Board meeting with new directors begins immediately following the annual meeting

PLACE: Golf tournament at Victoria Hills, DeLand, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Director, officer and committee elections, year-end presentation, and executive director evaluation. Visit www.callsunshine.com for more meeting and golf tournament information.

A copy of the agenda may be obtained by contacting: <http://www.callsunshine.com/ssocof/hottopic/20080515agenda.pdf>.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 19, 2008, 8:00 a.m. – 2:00 p.m.

PLACE: Clearwater Room, 3rd Floor, Hyatt Regency Jacksonville, 225 East Coastline Drive, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational Workshop Meeting on Proposed Financing Program.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy at (850)878-1874 or at the Commission's web site www.ssgfc.com.

SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY

The **Southwest Florida Criminal Justice Academy** announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2008, 9:00 a.m.

PLACE: Southwest Florida Criminal Justice Academy

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Criminal Justice Standards and Training, Region X Council public meeting.

DATE AND TIME: May 20, 2008, 9:30 am.

PLACE: South West Florida Public Service Academy, 3800 Michigan Ave, Fort Myers, FL 33916

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda: Pledge; Introduction to Guests; Approval of minutes of previous meeting (01/22/08); Report of f Sarasota County Technical Institute; Report of Southwest Florida Public Service Academy; Election of Chairman, Region 10; Other items of interest; Adjournment.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces a workshop to which all persons are invited.

DATE AND TIME: May 21, 2008, 8:30 a.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: WORKSHOP: Strategic Planning Session.

A copy of the agenda may be obtained by contacting: dkershaw@trda.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: dkershaw@trda.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Technological Research and Development Authority** (TRDA) announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 2008, 1:00 p.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting: dkershaw@trda.org.

VOLUNTEER FLORIDA FOUNDATION

The **Florida Faith-based and Community-based Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 21, 2008, 3:00 p.m.

PLACE: Via Conference Call: 1(888)808-6959, Passcode 4130909

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters relevant to the Families Subcommittee and Florida Families.

A copy of the agenda may be obtained by contacting Suzanne Yack at (904)755-7740.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Suzanne Yack at (904)755-7740.

SOIL AND WATER CONSERVATION DISTRICTS

The **Broward Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 2008, 5:00 p.m.

PLACE: 6191 Orange Drive, Suite 6181-P, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the regular meeting of the Board of Supervisors, Broward Soil and Water Conservation District rescheduled

from Wednesday, May 7, 2008. Topics to be discussed include, but are not limited to, Watershed Improvement District, Beach Revegetation and Chapter 582, F.S.

A copy of the agenda may be obtained by contacting: (954)584-1306 or russell.setti@browardswcd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)584-1306 or russell.setti@browardswcd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: (954)584-1306 or russell.setti@browardswcd.org.

FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The Florida **Council of Community College Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2008, 8:00 a.m. – 12:00 Noon

PLACE: Wyndham Orlando Resort, 8001 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingramm at (850)222-3222.

For more information, you may contact: Michael Comins, 113 East College Ave., Tallahassee, FL 32301.

TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY

The Construction, Development and Infrastructure Committee of the **Treasure Coast Education and Research Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2008, 12:00 Noon

PLACE: Conference Room 113, University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: committee report, master plan and development of research park and such other business as the Committee may deem appropriate.

A copy of the agenda may be obtained by contacting: Authority at (772)467-3107.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Treasure Coast Education and Research Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2008, 1:30 p.m.

PLACE: Room 100 (Auditorium), University of Florida Indian River Research and Education Center, 2199 South Rock Road, Fort Pierce, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Minutes of April 25, 2008 meeting, Treasurer's report, committee reports, Executive Director's report, master plan and such other business as the Authority may deem appropriate.

A copy of the agenda may be obtained by contacting the Authority at (772)467-3107.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Authority at (772)467-3107. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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H. LEE MOFFITT CANCER AND RESEARCH INSTITUTE, INC.

The **Moffitt Cancer Center** announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2008, 11:30 am.

PLACE: Stabile Research Building Trustee Board Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Joint Finance and Planning Committee of the Board of Directors.

A copy of the agenda may be obtained by contacting: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Sandon Austhof, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2008, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Board of Directors.

A copy of the agenda may be obtained by contacting: Lori Payne, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Lori Payne. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

MID-FLORIDA AREA AGENCY ON AGING

The **Elder Options** announces a public meeting to which all persons are invited.

DATE AND TIME: May 28, 2008, 10:00 a.m.

PLACE: Elder Options Board Room, 5700 S. W. 34th Street, Suite 222 (Florida Farm Bureau Building), Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting of the Grant Review Committee of the Elder Options Board of Directors. The Grant Review Committee will discuss and adopt recommendations regarding the applications received by Elder Options for funding for the program year beginning July 1, 2008 – June 30, 2009. Programs funded for this period include: Community Care for the Elderly (CCE), Alzheimer's Disease Initiative (ADI), Home Care for the Elderly (HCE), Local Service Programs (LSP), and the Model Day Care program. The Committee will

make funding recommendations for consideration by the full Board of Directors during the June 4, 2008, Board Meeting beginning at 10:00 a.m.

A copy of the agenda may be obtained by contacting: Sarah Ellis at (352)378-6649.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sarah Ellis at (352)378-6649. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Sarah Ellis at (352)378-6649.

The **Elder Options** announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2008, 10:00 a.m.

PLACE: Elder Options Board Room, 5700 S. W. 34th Street, Suite 222 (Florida Farm Bureau Building), Gainesville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Scheduled meeting of the Elder Options Board of Directors. The Board will take action on matters to be determined by the members of the Board, which may include matters such as the Executive Director's Report.

The Board will review, discuss, and take action regarding the applications received by Elder Options for funding for the program year beginning July 1, 2008 – June 30, 2009. Programs funded for this period include: Community Care for the Elderly (CCE), Alzheimer's Disease Initiative (ADI), Home Care for the Elderly (HCE), Local Service Programs (LSP), and the Model Day Care program. The Board's deliberation will include consideration of the recommendations of the Elder Options Grant Review Committee.

A copy of the agenda may be obtained by contacting: Sarah Ellis at (352)378-6649.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sarah Ellis at (352)378-6649. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Sarah Ellis at (352)378-6649.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Actuarial and Underwriting Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 29, 2008, 9:00 a.m. (EDT)

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: On Thursday, February 28, 2008 to be held via teleconference. Items of discussion include, but are not limited to, a rating algorithm update, and a regional underwriting update.

A copy of the agenda may be obtained by contacting Rachel Miller.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Miller. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Rachel Miller at 1(800)807-7647, extension 3773.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 30, 2008, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include legislative update; fixed administrative expense reimbursement; disaster recovery matters; budget expense considerations; telecommuting policy; employee benefits; 2007 Operations Report; Policy Administration Services RFP update; and report on operations.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Rates and Forms Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 3, 2008, 10:00 a.m.

PLACE: FWCJUA Office, 6003 Honore Avenue, Suite 204, Sarasota, FL 34238

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics may include a legislative update; 2008 loss ratio selection; program to eliminate the 2007 Subplan D deficit; Actuarial Services RFP evaluation and selection; review of rates, rating plans and policy forms and associated matters to include application forms; Operations Manual reformatting and revision; and return of premium dividend.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION

The **Florida Substance Abuse and Mental Health Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: June 4, 2008, 9:00 a.m. – 5:30 p.m.; June 5, 2008, 11:15 a.m. – 12:15 p.m.

PLACE: Government House, 48 King Street, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board of Directors meeting. Committee reports. Work plan for 08/09 FY. Report on the Impact of Policy and Resource Development on Alcohol and Other Drug Control. Public Hearing at Government House.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: linda_rayner@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA CORRECTIONS ACCREDITATION COMMISSION, INC.

The **Florida Corrections Accreditation Commission, Inc.** announces a workshop to which all persons are invited.

DATE AND TIME: June 9, 2008, 3:30 p.m.

PLACE: Coral Springs Marriott, Coral Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review correctional facilities and pretrial agencies for accreditation and reaccreditation, other general Commission business.

A copy of the agenda may be obtained by contacting: Jana Paulk at 1(800)558-0218 or e-mail: janapaulk@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jana Paulk at 1(800)558-0218 or e-mail: janapaulk@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jana Paulk at 1(800)558-0218 or e-mail: janapaulk@fdle.state.fl.us.

The **Florida Corrections Accreditation Commission, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2008, 10:30 a.m.

PLACE: Coral Springs Marriott, Coral Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review correctional facilities and pretrial agencies for accreditation and reaccreditation, other general Commission business.

A copy of the agenda may be obtained by contacting: Jana Paulk at 1(800)558-0218 or e-mail: janapaulk@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jana Paulk at 1(800)558-0218 or e-mail: janapaulk@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jana Paulk at 1(800)558-0218 or e-mail: janapaulk@fdle.state.fl.us.

COMMISSION FOR FLORIDA LAW ENFORCEMENT ACCREDITATION, INC.

The **Commission for Florida Law Enforcement Accreditation, Inc.** announces a workshop to which all persons are invited.

DATE AND TIME: June 10, 2008, 3:30 p.m.

PLACE: Coral Springs Marriott, Coral Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of candidate agencies for accreditation or reaccreditation and general business of the Commission.

A copy of the agenda may be obtained by contacting: Deborah Moody at 1(800)558-0218 or email: deborahmoody@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Deborah Moody at 1(800)558-0218 or email: deborahmoody@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Deborah Moody at 1(800)558-0218 or email: deborahmoody@fdle.state.fl.us.

The **Commission for Florida Law Enforcement Accreditation, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2008, 10:00 a.m.

PLACE: Coral Springs Marriott, Coral Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of candidate law enforcement agencies for accreditation or reaccreditation and general business of the Commission.

A copy of the agenda may be obtained by contacting: Deborah Moody at 1(800)558-0218 or e-mail: deborahmoody@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Deborah Moody at 1(800)558-0218 or e-mail: deborahmoody@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Deborah Moody at 1(800)558-0218 or e-mail: deborahmoody@fdle.state.fl.us.

JUSTICE ADMINISTRATIVE COMMISSION

The **Justice Administrative Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2008, 10:30 a.m. (EST)

PLACE: Justice Administrative Commission, 227 N. Bronough Street, Suite 2100, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting Jessica Kranert at 1(866)355-7902, ext. 261.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Jessica Kranert. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PINELLAS COUNTY PUBLIC WORKS

The **Pinellas County Department of Public Works** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2008, 5:00 p.m. – 7:00 p.m.

PLACE: Osceola High School Cafeteria, 9751 98th Street North, Largo, FL 33777

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Pinellas County Public Works Office invites you to attend and participate in public hearing proceedings for the Bryan Dairy Road Project Development and Environment (PD&E) Study, project number 920588. This proposed project involves roadway widening, addition of bike lanes and sidewalk enhancements. This hearing is being held to allow interested persons the opportunity to provide comments concerning the recommended "Build" alternative for the project. The proposed improvements for Bryan Dairy Road include three 12-foot lanes, concrete median, 4-foot bike lanes and sidewalks in each direction. The public hearing is being conducted pursuant to Chapter 339 Florida Statutes, 23 CFR 771, 23 U.S.C. 128, Chapter 120 Florida Statutes and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968. In compliance with National Environmental Policy Act (NEPA) the project documents will be available at the Seminole

Community Library, 9200 113th Street North, Seminole, Florida 33722 from May 26, 2008 to June 23, 2008. Individuals requiring special considerations under the Americans with Disabilities Act of 1990 should call (727)464-4062 (Voice/TDD) or contact Robert C. Meador, Transportation Planning Division Manager, (727)464-3760, at least 7 days prior to the hearing.

Written comments not received at the hearing conclusion may be submitted to Pinellas County Public Works via mail, but must be postmarked by Monday, June 23, 2008, to become part of the official public hearing record. Written comments should be addressed to: Robert C. Meador, Transportation Planning Division Manager, Pinellas County Public Works; 440 Court Street; Clearwater, Florida 33756.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Robert C. Meador at (727)464-3760 or rmeador@pinellascounty.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Robert C. Meador, Transportation Planning Division Manager at (727)464-3760 or rmeador@pinellascounty.org.

FLORIDA INSURANCE GUARANTY ASSOCIATION, INC.

The **Finance and Audit Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2008, 10:00 a.m. (EST)

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Committee.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION, INC.

The **Florida Workers' Compensation Insurance Guaranty Association, Inc.**, Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2008, 3:00 p.m. (EST)

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Audit Committee for the FWCIGA.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Workers' Compensation Insurance Guaranty Association, Inc.**, Investment Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2008, 8:30 a.m. (EST)

PLACE: Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Investment Committee.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Workers' Compensation Insurance Guaranty Association Inc.**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2008, 9:00 a.m. (EST)

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Board of the FWCIGA.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received a withdrawal of the petition for declaratory statement from G. David Rogers, on behalf of Florida Propane Gas Association, on March 4, 2008. Notice of receipt of this petition, which was assigned the number of DCA08-DEC-071, appeared in the March 28, 2008, edition of the Florida Administrative Weekly.

A copy of the withdrawal may be obtained by writing: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Richard Wilhelm, on behalf of Fenestration Manufacturers Association, and Jeff Lowinski, on behalf of Window and Door Manufacturers Association, Inc., on April 25, 2008. The petitioners seek clarification of the requirements of sections R613.3.1, R613.3.1.1, and 1714.5.2.1 of the Florida Building Code, Residential Volume (2007) as to windows, sliding glass doors and skylights. Specifically, the petitioners ask whether the code allows required information about product performance to be included on a supplemental/temporary label that remains on the product until final approval by the building inspector, or if product performance information must be included on the "approved permanent label" that remains forever on the product. It has been assigned the number DCA08-DEC-119.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by David H. Kline, In RE: Greenway Village South Association IV, Inc., Docket No. 2008019724 on March 25, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because a declaration may not address issues that have already occurred, and where facts are disputed, where the division has addressed the petitioner's question in related proceedings.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Clarcona Resort Condominium Association, Inc., Docket No.: 2008010666 on February 21, 2008. The following is a summary of the agency's disposition of the petition:

Under Section 718.104(4)(j) and 718.111(9), Florida Statutes, unless prohibited under the governing documents of Association, Association may designate a board member or officer as the Voting Member entitled to vote the units owned by Association; as long as the provisions of the governing documents are properly followed, the Voting Member may vote on any matter requiring unit owner approval; and the units will be considered for the quorum requirement.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Electrical Contractors' Licensing Board has issued an order disposing of the petition for declaratory statement filed by Thomas Botlick on November 21, 2007. The following is a summary of the agency's disposition of the petition:

The Electrical Contractors' Licensing Board considered the Petition at its meeting held on March 14, 2008, in Orlando, Florida and issued an order, filed on April 24, 2008, granting the Petition, with the Board determining that Petitioner can contract with integrator companies not certified or registered pursuant to Section 489.503, et seq., Florida Statutes, and that are contracted by the original customer as described in the Petition, to perform information technology services and support including installation of low voltage cabling and its related parts, only when the integrator company has authority as an agent of the original customer to procure and enter contracts on behalf of the original customer for the services described above, and has the authority to bind the original customer to such contracts.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Anthony B. Spivey, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN THAT the Electrical Contractors' Licensing Board has declined to rule on the petition for declaratory statement filed by Florida Workers' Compensation Joint Underwriting Association, Inc. on August 21, 2007. The following is a summary of the agency's declination of the petition:

The Electrical Contractors' Licensing Board considered the Petition at its meeting held on March 14, 2008, in Orlando, Florida and issued an order, filed on April 24, 2008, denying the Petition, finding that Petitioner was seeking to obtain a policy statement of general applicability and a declaratory statement is not the appropriate means to accomplish such a purpose.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that on May 1, 2008, it received a Petition for Declaratory Statement filed by James A. Meininger, D.D.S. The petition seeks the Board's interpretation of Section 466.019 Florida Statutes and Chapter 64B5, Florida Administrative Code, and whether an ad can be published with "Sedation Dentistry" in its contents or if this is in violation of Section 466.019, Florida Statutes, and Chapter 64B5-4, Florida Administrative Code.

Copies of the petition may be obtained from: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Florida Fire Marshals & Inspectors Assoc., Petitioner, on or about May 1, 2008. The petition seeks the agency's opinion as to the applicability of Declaratory Statement #83852-5, Tavss, James M., Ro-Mont South Executive Council, Inc., Sections 718.111, 718.112, F.S., and Florida Fire Prevention Code/NFPA 101 Section 31.3.4. as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received a withdrawal of the petition for declaratory statement filed by Stephen Rinaldi, Fire Marshal, Escambia County Fire Rescue, Petitioner on April 30, 2008. The following is a summary of the agency's disposition of the petition:

The Notice of Petition was published on April 25, 2008 in Vol. 34, No. 17. The Petition was withdrawn by the Petitioner on April 29, 2008.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL DEVELOPERS
(STUDENT RESIDENTIAL COMMUNITIES)

Florida A&M University (FAMU) invites qualified firms licensed to do business in the state of Florida to submit Invitation to Negotiate (ITN) proposals for the development, financing, designing, constructing, operating and renovating of student housing facilities. Project Name: ITN NO.: #7372,

FINANCING, DESIGNING, CONSTRUCTING, AND RENOVATING OF FLORIDA A&M UNIVERSITY STUDENT HOUSING. Please see the ITN for further details. You may download a copy of this ITN from the FAMU website at: <http://www.famu.edu/index.cfm?a=Purchasing> or request a copy by contacting: Mr. Herman Barker, Director, FAMU Purchasing Department at (850)599-3203, Fax (850)561-2160 or email at herman.barker@famu.edu. In all requests be sure to include the company name, address, phone, fax, e-mail address, point of contact and the number/title of the ITN you are requesting. Invitation to Negotiate (ITN) submittals should be addressed to: Mr. Herman Barker, Director, and must be received in the FAMU Purchasing Department Office, Foote-Hilyer Administration Center, Room 208, 1700 Lee Hall Drive, Tallahassee, FL 32307, closing date: July 11, 2008, by 3:00 p.m. (Local Time).

NOTICE FOR UNF PARKING GARAGES

38 and 44 REPAIRS – Invitation to Bid – ITB 08-17

The University of North Florida – Board of Trustees, a public body corporate, announces that structural repairs will be required for Parking Garages 38 and 44 at the University of North Florida, 1 UNF Drive, Jacksonville, Florida.

The project consists of structural restoration work on two existing precast-prestressed concrete parking structures. Work consists of the replacement of joint sealants in the precast concrete floor system of both garages, minor concrete patching in the same, vertical joint sealant replacement, new pedestrian and vehicle signage in Garage 38 and other miscellaneous repairs.

Successful suppliers must have demonstrable previous experience with the described systems and technical requirements. All bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders. No submittal material will be returned.

Minority Business participation is strongly recommended and supported by the University of North Florida.

As required by Section 287.133, Florida Statutes, a supplier may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected supplier must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Vendor shall have established equal opportunity practices which conform to all laws against discrimination and prohibits discrimination based on race, creed, color, sex, age, national

origin, marital status or religion; neither Vendor nor any subcontractor or other person, firm or business entity with whom it would be engaged in a combined effort to perform the services has hired any person who is an officer or employee of UNF.

BIDDING DOCUMENTS: Full sets of Bidding Documents may be examined at the Engineer's office and local plan rooms:

ARCHITECT/ENGINEER:

Walker Parking Consultants/Engineers Inc.
4902 Eisenhower Blvd., Suite 281
Tampa, FL 33634
Telephone: (813)888-5800
Facsimile: (813)888-5822

PRINTED DOCUMENTS: Full sets of bid documents may be obtained from Florida Blueprint Services, 542 South Edgewood Avenue, Jacksonville, Florida, (904)388-7686. Copies may be purchased for the printing and handling cost. **NO REFUND WILL BE MADE FOR THESE DOCUMENTS.**

PRE-BID MEETING: Bidders are required to attend the pre-solicitation/pre-bid meeting. The mandatory Pre-Bid meeting has been scheduled for:

DATE AND TIME: May 28, 2008, 10:00 a.m. (Local Time)

PLACE: University of North Florida, Building 6, Room #1225, 1 UNF Drive, Jacksonville, Florida 32224

BID OPENING: Submit three (3) copies of the Bid in full and in accordance with the requirements of the drawings and Project Manual to: University of North Florida, Purchasing Department, Attn: Dianna White, Building 6, 1 UNF Drive, Jacksonville, Florida 32224. Bid packages must be received no later than 2:00 p.m. (Local Time), June 17, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

QUESTIONS regarding UNF ITB 08-17 Parking garages 38 and 44 repairs bid documents and requirements may be addressed by contacting:

Dianna White
Purchasing Department Bldg. 6
University of North Florida
1 UNF Drive, Jacksonville, Florida 32224
Phone: (904)620-1731
Email: dianna.white@unf.edu

BAKERY PRODUCTS FOR LEE COUNTY SCHOOLS

Bid No.: B086682JM
 Opening Date: May 22, 2008, 2:00 p.m.
 Request a bid package by:
 Phone: (239)337-8180; Fax: (239)337-8200
 In Person or Mail:
 2855 Colonial Blvd., Fort Myers, Florida 33966-1012
 By: Joe Marody, Procurement Agent

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

Request for Bids 07/08-038 LM Mulching Services

The Suwannee River Water Management District is requesting bids for Mulching Services on District lands in Hamilton and Suwannee Counties. Three primary objectives for the mulching services have been identified. One objective is to mulch tree stumps at several abandoned logging decks to a condition that will allow for mowing contractors to maintain the sites for future use. The other two objectives are to establish boundary lines and fire breaks and to use similar machinery for fuel reduction. The project will commence upon contract execution and be completed by September 30, 2008.

Request for Bid documents are available at the District's website: www.mysuwanneeriver.com or by contacting Gwen Lord, Administrative Assistant at (386)362-1001. Bidders shall submit bids indicating the per hour rate for each of the three projects prior to 4:00 p.m., June 5, 2008. Any questions regarding this project should be addressed to the Project Managers, Randy Hall or Scott Gregor at (386)362-1001 or 1(800)226-1066 (Florida only).

Request for Bids 07/08-039 LM Land Management Services
 SRWMD is requesting proposals from firms that can provide land management services in designated service regions. There are six "Scopes of Work" associated with this Request for Proposals:

- Fire Management
- Forestry Consulting Services
- Landscape and Maintenance Services
- Recreation Area Maintenance
- Tractor Services
- Construction Fill & Grade

Proposed Schedule

May 16, 2008	Release of Request for Proposal.
June 3, 2008	Mandatory Proposers' conference at SRWMD headquarters in Live Oak, 10:00 a.m. and 6:30 p.m. Failure to participate will result in rejection of Proposal.
June 20, 2008	Proposals due prior to 1:00 p.m., at SRWMD headquarters in Live Oak. Opening of proposals at this time and date.
July 2, 2008	Selection Committee meeting.
August 12, 2008	Governing Board approval for entering into contract with selected contractors subject to approval of FY 2009 Budget
September 1, 2008	Execution of contracts
October 1, 2008	Initiation of contracts

SRWMD policies allow for this type of "service contract", at the option of the District, to be continued for two additional fiscal years if the contractor is successfully achieving its goals and there is no increase in service rate.

Proposal packages may be obtained on or after May 16, 2008, by logging on to www.mysuwanneeriver.com or contacting: Gwen Lord, Administrative Assistant at (386)362-1001. Proposal packages will also be available at the pre-proposal conference.

If, due to disability, you require a special accommodation to participate in any activity relating to this proposal, contact Gwen Lord by calling (386)362-1001.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FISH AND WILDLIFE CONSERVATION COMMISSION

BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NUMBER: FWC 07/08-117
 PROJECT NAME: MODULAR OFFICE UNIT IN LAKE CITY FLORIDA
 PROJECT LOCATION: LAKE CITY, FLORIDA
 SERVICES TO BE PROVIDED: Construct modular office building at the Florida Fish and Wildlife Conservation Commission, North Central Regional Office, 3377 East U.S. Hwy. 90, Lake City, Florida 32055.

MANDATORY PRE-BID CONFERENCE: A mandatory pre-bid conference to clarify any questions or ambiguities the bidders may have with respect to the bid documents has been scheduled for 11:00 a.m. (EST), May 22, 2008, at the North Central Regional Office (Lake City address, above). Contractors must attend the pre-bid conference to be considered for an award.

BID OPENING DATE: June 12, 2008, 2:30 p.m. (EST) (Anticipated, subject to change)

BID DOCUMENTS: Bid documents can be obtained from the State of Florida's Vendor Bid System at the following website: http://wbs.dms.state.fl.us/vbs/main_menu.

DEPARTMENT OF MILITARY AFFAIRS

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF:

PROJECT NUMBER: SFB Restroom Renovations 01/19

ACCOUNTING CODE: General Revenue

PROJECT NAME AND LOCATION: Renovation of Restrooms at St. Francis Barracks, Saint Augustine, Florida

YOU MUST VISIT WWW.MYFLORIDA.COM, MYFLORIDAMARKETPLACE, VENDOR BID SYSTEM TO VIEW THE ENTIRE SOLICITATION FOR THIS PROJECT.

POTENTIAL RESPONDENTS TO THE SOLICITATION ARE ENCOURAGED TO CAREFULLY REVIEW ALL THE MATERIALS CONTAINED HEREIN AND PREPARE RESPONSES ACCORDINGLY.

FOR (PROJECT DESCRIPTION): St. Francis Barracks Building #1 and the Annex Building #19 Restroom renovations (see Scope of Work published on www.MyFlorida.com, Vendor Bid System.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data (**EXPERIENCE QUESTIONNAIRE AND CONTRACTOR'S FINANCIAL STATEMENT**, Form Number DBC 5085 (Exhibit 3), of their eligibility with their bid. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the requirements is included in the Non-Technical Specifications Level IV/V, Instructions to Bidders under Section B-2 "Bidder Qualification Requirements and Procedures". Even if you have pre-qualified on previous project, you must qualify specifically for this project.

BID SECURITY: Bids/Proposals in total excess of \$100,000.00, the bidder must provide with bid, a good faith deposit in the amount of 5% of the bid by way of a bid bond from a surety insurer authorized to do business in the STATE OF FLORIDA as surety or a certified check or cashier's check accompanying the bid.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND'S are required from any persons or parties entering into a formal contract with the STATE OF FLORIDA for contracts in total excess of \$100,000.00 for construction, additions, renovations, repairs, or demolition of any public building pursuant to Section 255.05(1)(a), Florida Statutes.

All questions and answers/changes to the solicitation will be provided in writing and posted on the DMS Vendor Bid System (VBS). It is the prospective contractor's responsibility to check periodically for any information updates to the solicitations which are posted to the VBS. The Department of Military Affairs bears no responsibility for any delays, or resulting impacts, associated with a prospective contractor's failure to obtain information made available through the DMS Vendor Bid System.

INFORMATION WILL NOT BE AVAILABLE BY TELEPHONE. All information received through any oral communication shall not be binding on the Department of Military Affairs and shall not be relied upon by an offerer.

MANDATORY PRE-BID MEETING:

DATE AND TIME: May 20, 2008, 10:00 a.m. (Local Time)

PLACE: St. Francis Barracks, 182 Marine Street, Saint Augustine, Florida 33844

All Contractors and subcontractors interested in bidding on this project are invited to attend.

Sealed bids will be received, publicly opened and read aloud on: **BIDS / RESPONSES TRANSMITTED ELECTRONICALLY WILL NOT BE CONSIDERED. BIDS / RESPONSES RECEIVED AT THE LOCATION DESIGNATED AFTER THE EXACT TIME SPECIFIED FOR RECEIPT WILL NOT BE CONSIDERED.**

DATE AND TIME: June 4, 2008, 2:00 p.m. (Local Time)

PLACE: RFE National Guard Armory, 2305 State Road 207, St. Augustine, Florida 32086

MARK ENVELOPES: DO NOT OPEN – SEALED BID for Project Number SFB Restroom Renovations 01/19; Attention: Michele M. Dobbs, ext. 0255

BID/PROPOSAL: All responses must be submitted in a sealed package and shall be clearly marked on the outside of package with the above information. Department of Military Affairs is not responsible for the opening of any solicitation package

which is not properly marked. It is the respondent's responsibility to assure its response is submitted in the place and time indicated in this solicitation. Also, all responses must be in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Construction and Facility Management Office and can be obtained on the www.MyFlorida.com, Vendor Bid System.

CONTRACT AWARD: The lowest bid will be the bid from the responsive bidder that has submitted the lowest price for the base bid or base bid plus the additive alternates or less the deductive alternates chosen by the Agency to be included in or excluded from the proposed contract, taken in numerical order listed in the bid documents. The order of the alternates may be selected by the Agency in any sequence so long as such acceptance out of order does not alter the designation of the low bidder. The official Notice of Award Recommendation will be by electronic posting on the Department's website at http://fcn.state.fl.us/owa_vbs/owa.vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsible and responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

The State of Florida, Department of Military Affairs, objects to and shall not consider any additional terms or conditions submitted by a respondent, including any appearing in documents attached as part of a respondent's response. In submitting its response, a respondent agrees that any additional terms or conditions; whether submitted intentionally or inadvertently, shall have no force or effect. Failure to comply with terms and conditions, including those specifying information that must be submitted with a response, shall be grounds for rejecting a response.

Prior to entering into a contract with the State of Florida, Department of Military Affairs, the selected contractor must be registered with the Florida Department of Management Services (DMS) MyFloridaMarketPlace Vendor Registration System. Information about the registration process is available, and registration must be completed at the MyFloridaMarketPlace website (link available under BUSINESS at www.myflorida.com). Prospective contractors who do not have Internet access may request assistance from the MyFloridaMarketPlace Customer Service at (866)352-3776.

The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN PUBLISHED AGENDAS, MEETING MINUTES AND ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

AUDITOR GENERAL

NOTICE OF REQUEST FOR PROPOSAL

STATEMENT OF WORK: In connection with the conduct of the audit of Citizens Property Insurance Corporation (CPIC), required pursuant to Section 627.351(6)(1), Florida Statutes, the Florida Auditor General is seeking to engage the services of a property insurance industry expert to assist the Auditor General (AG) in the examination of the data, files, and documentation maintained by CPIC or its agents in relation to submitted claims.

PROPOSALS: Proposals must be submitted in accordance with the content set forth in the Auditor General's Request for Proposal for Insurance Industry Consulting Services dated May 16, 2008. Copies of this document are available from the contact person and will be provided by email upon request. The RFP is also available at the following World Wide Web address: <http://www.myflorida.com/audgen/pages/whatsnew.htm>.

CONTACT PERSON: Kathryn Walker, C.P.A., Audit Manager, Auditor General, Suite 276, Pepper Building, 111 W. Madison Street, Tallahassee, Florida 32399-1450, (850)487-9085, Fax (850)488-9137, e-mail kathrynwalker@aud.state.fl.us.

DATES: All interested consultants are required to submit a mandatory but non-binding letter of intent to propose, which must be received by the contact person no later than 2:00 p.m. (EDT), June 2, 2008. The Auditor General will have further communications after that date only with those persons who indicate their initial intent to submit a proposal on this project. The closing date and time to receive proposals is 2:00 p.m. (EDT), June 11, 2008. The contact person must receive the written proposal prior to the closing date and time. Proposals that for any reason are not so received will not be considered.

The Auditor General reserves the right to reject any and all proposals. Unless all proposals are rejected, it is anticipated the contract will be awarded during June 2008.

BALFOUR BEATTY CONSTRUCTION, LLC.

Mayo Correctional Institution Construction of the Annex adjacent to and the Future Expansion/Renovation of the Main Unit at the Mayo Correctional Institution.

Balfour Beatty Construction LLC (BBC) is requesting Prequalifications for the above referenced project until 2:00 p.m., June 12, 2008, at the address provided below:

Sealed Bids will be accepted for all phases of work (div. 1 through 16) from prequalified Subcontractors until 2:00 p.m., June 12, 2008. Bids will be opened and read publicly immediately following the 2:00 p.m. cut off.

All questions will be addressed by trade by the following Balfour Beatty Estimators (Phone No. for the following estimators is (954)585-4300):

- Mike Bridis Plumbing/Fire Protection
- John Rodriguez HVAC
- Elisa Diaz Div. 6, flooring, Div. 12
- Paul Duquesnay Div. 10 and 11
- Angel Gonzalez Div. 4
- Vijay Kaul Div. 3
- Chuck Reiman Div. 8, Det, Eq/Furn
- Don Rofle Div. 16
- Irfan Syed Div. 2
- Wayne Thonsgard Div. 5, 7, 13
- Peter Wu Div. 9 Excl Flooring
- James Case WWTP

Bid Package will be available at NGI on May 8, 2008.

Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location. The estimated cost for the documents is \$400.

NGI (Ocala)
(352)622-5039

304A Southwest Broadway Street, Ocala, FL 34474

SEALED BIDS AND PREQUALIFICATION FORMS ARE TO BE SENT TO:

Attention John Parker/Balfour Beatty Construction 11650 N. W. Gainesville Road, Ocala, FL 34482 for receipt prior to June 11, 2008. (Phone (352)369-6183).

All Sealed Bids submitted after June 11, 2008, shall be hand delivered to The Hilton Ocala Attention John Parker/Churchill Ballroom 3600 S. W. 36th Avenue, Ocala, FL 34474

A pre bid conference will be held at:
The Hilton Ocala
3600 S. W. 36th Avenue, Ocala, FL 34474
On May 15, 2008, 9:00 a.m.

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law. LICENSE CGC 05623.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA08-OR-127

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In Re: MONROE COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY MONROE COUNTY ORDINANCE NO. 010-2008

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 7, 2008, the Department received for review Monroe County Ordinance No. 010-2008 ("Ord. 010-2008"), adopted by Monroe County on March 19, 2008.
3. The purpose of the Ordinance is to amend Section 9.5-45 of the Monroe County Code to change the existing public notice requirements to comply with the minimum state requirements in an effort to clarify the nature of the public notice and reduce expenditures of Monroe County due to severe budgetary constraints.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2007) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 010-2008 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 010-2008 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
9. Ord. 010-2008 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 010-2008 is consistent with Goal 1303 and Objective 1303.1 of the Monroe County Comprehensive Plan to increase the involvement of citizens of the County and government related entities that operate within the County in the comprehensive planning and growth management process.

WHEREFORE, IT IS ORDERED that Ord. 010-2008 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN

ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 6th day of May, 2008.

/s/ _____
Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles "Sonny" McCoy
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Andrew Trivette
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

By Hand Delivery or Interagency Mail:
Craig Diamond, Bureau of State Planning, DCA Tallahassee
Rebecca Jetton, ACSC Administrator, DCA Tallahassee
Richard E. Shine, Assistant General Counsel, DCA Tallahassee

DCA08-OR-126

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In Re: MONROE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY MONROE
COUNTY
ORDINANCE NO. 012-2008

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On April 7, 2008, the Department received for review Monroe County Ordinance No. 012-2008 ("Ord. 012-2008"), adopted by Monroe County on March 19, 2008.
3. The purpose of the Ordinance is to amend Section 9.5-521 of the Monroe County Code to change the appeal period from 30 working days to 30 calendar days to reduce the confusion to the respective parties concerning the calculation of appeal period deadlines for administrative actions, and to change the transmission and mailing of records and notices concerning appeal to designated recipients from 5 working day to 15 calendar days.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2007).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2007) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 012-2008 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida

Statutes See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

- 8. Ord. 012-2008 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
- 9. Ord. 012-2008 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 012-2008 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
 CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE

DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 6th day of May, 2008.

/s/ _____
Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Charles "Sonny" McCoy
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Andrew Trivette
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

By Hand Delivery or Interagency Mail:

Craig Diamond, Bureau of State Planning, DCA Tallahassee
Rebecca Jetton, ACSC Administrator, DCA Tallahassee
Richard E. Shine, Assistant General Counsel, DCA Tallahassee

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Bartarm Farms Air Park, a private airport, in St. Johns County, at Latitude 29° 49' 16.24" and Longitude 81° 29' 49.41", to be owned and operated by Mr. Douglas Smiley, 1914 Art Museum Drive, Jacksonville, FL 32259.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting: Mr. William J.

Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, aviation.fdot@dot.state.fl.us, Website <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of AC Pro-Tect, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 12433 US Highway 19, Hudson (Pasco County), Florida 34667, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of AC Pro-Tect, LLC are dealer operator(s): Bill Shuert, 9723 Pat Street, Hudson, Florida 34669; principal investor(s): Bill Shuert, 9723 Pat Street, Hudson, Florida 34669.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Auto Stop, Inc. d/b/a Motorsports Depot, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 17630 US Highway 41 North, Lutz (Hillsborough County), Florida 33549, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Auto Stop, Inc. d/b/a Motorsports Depot are dealer operator(s): Vivian Sardegna, 17630 U.S. Highway 41 North, Lutz, Florida 33549; principal investor(s): Vivian Sardegna, 17630 US Highway 41 North, Lutz, Florida 33549.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600 B Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Isuzu Commercial Truck of America, Inc., intends to allow the establishment of Bartow Chevrolet Co., Inc., as a dealership for the sale of Isuzu medium duty trucks (ISU) at 1475 West Main Street, Bartow (Polk County), Florida 33830, on or after June 16, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bartow Chevrolet Co., Inc. are dealer operator(s): Robin Leif Wickman, 1110 Lake Point Drive, Lakeland, Florida 33813; principal investor(s): Robin Leif Wickman, 1110 Lake Point Drive, Lakeland, Florida 33813.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gary Fong, Isuzu Commercial Truck of America, Inc., 13340 183rd Street, Cerritos, California 90702-6007.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Cycle Masters of Tampa, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 7601 North Nebraska Avenue, Tampa (Hillsborough County), Florida 33604, on or after May 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Masters of Tampa, Inc. are dealer operator(s): Scott Bitman, 7601 North Nebraska Avenue, Tampa, Florida 33604; principal investor(s): Scott Bitman, 7601 North Nebraska Avenue, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600 B Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zongshen, Inc., intends to allow the establishment of Cycle Masters of Tampa, Inc., as a dealership for the sale of motorcycles manufactured by Zongshen Industrial Group (ZONG) at 7601 North Nebraska Avenue, Tampa (Hillsborough County), Florida 33604, on or after July 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Masters of Tampa, Inc. are dealer operator(s): Scott Bitman, 7601 North Nebraska Avenue, Tampa, Florida 33604; principal investor(s): Scott Bitman, 7601 North Nebraska Avenue, Tampa, Florida 33604.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rose Perez, Zongshen, Inc., 3511 Northwest 113th Court, Miami, Florida 33178.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zenn Motor Company Limited, intends to allow the establishment of D Street Motors, LLC d/b/a Transportation Station, as a dealership for the sale of Zenn neighborhood electric vehicles (ZENN) at 1345 South Fort Harrison, Clearwater (Pinellas County), Florida 33756, on or after May 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of D Street Motors, LLC d/b/a Transportation Station are dealer operator(s): Jack Boone, 1345 South Fort Harrison, Clearwater, Florida 33756; principal investor(s): Jack Boone, 1345 South Fort Harrison, Clearwater, Florida 33756.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Richard, Zenn Motor Company, 85 Scarsdale Road, Suite 100, Toronto, Ontario, Canada M3B2R2.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of John T. Faulkner d/b/a Faulkner Motorsports, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 4237 U.S. Highway 19, New Port Richey (Pasco County), Florida 34652, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of John T. Faulkner d/b/a Faulkner Motorsports are dealer operator(s): John T. Faulkner, 4237 U.S. Highway 19, New Port Richey, Florida 34652; principal investor(s): John T. Faulkner, 4237 US Highway 19, New Port Richey, Florida 34652.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of House of Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR (JMST) at 1313 North State Road 7, Hollywood (Broward County), Florida 33021, on or after May 5, 2008.

The name and address of the dealer operator(s) and principal investor(s) of House of Scooters, Inc. are dealer operator(s): Orestes Nunez, 1313 North State Road 7, Hollywood, Florida 33021; principal investor(s): Orestes Nunez, 1313 North State Road 7, Hollywood, Florida 33021.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Yenong Xie, President, JMSTAR Powersports, Inc., 400 Northwest 141 Avenue, #207, Pembroke Pines, Florida 33028.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of Joel Ilesanmi African Art, Inc. d/b/a Sanmi Auto Express, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 5803 North 56th Street, Tampa (Hillsborough County), Florida 33610, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Joel Ilesanmi African Art, Inc. d/b/a Sanmi Auto Express are dealer operator(s): Joel Ilesanmi, 5803 North 56th Street, Tampa, Florida 33610; principal investor(s): Joel Ilesanmi, 5803 North 56th Street, Tampa, Florida 33610.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zenn Motor Company Limited, intends to allow the establishment of Lu Lu's Kiss, Inc. d/b/a Zenn Electric Cars of Monroe County, as a dealership for the sale of Zenn neighborhood electric vehicles (ZENN) at 1304 Duval Street, Key West, (Monroe County), Florida 33040, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Lu Lu's Kiss, Inc. d/b/a Zenn Electric Cars of Monroe County are dealer operator(s): Dan Burley, 1304 Duval Street, Key West, Florida 33040; principal investor(s): Dan Burley, 1304 Duval Street, Key West, Florida 33040.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Richard, Zenn Motor Company, 85 Scarsdale Road, Suite 100, Toronto, Ontario, Canada M3B2R2.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Tank Sports, Inc., intends to allow the establishment of Motorcar Exchange, LLC, as a dealership for the sale of KTMEX motorcycles (KTMM) at 13 West Mariana Avenue, North Fort Myers (Lee County), Florida 33903, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Motorcar Exchange, LLC are dealer operator(s): Mark Alexa, 13 West Mariana Avenue, North Fort Myers, Florida 33903; principal investor(s): Mark Alexa, 13 West Mariana Avenue, North Fort Myers, Florida 33903.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Turber, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Tank Sports, Inc., intends to allow the establishment of Nordan Enterprises, LLC, as a dealership for the sale of KTMEX motorcycles (KTMM) at 11461 South Orange Blossom Trail, Suite 3, Orlando (Orange County), Florida 32837, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Nordan Enterprises, LLC are dealer operator(s): Daniel Aponte, 11461 South Orange Blossom Trail, Orlando, Florida 32837; principal investor(s): Daniel Aponte, 11461 South Orange Blossom Trail, Orlando, Florida 32837.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Turber, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of Power & Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 550 North Flagler Avenue, Pompano Beach (Broward County), Florida 33060, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power & Play Warehouse, Inc. are dealer operator(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060; principal investor(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of Power & Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 120 South Federal Highway, Pompano Beach (Broward County), Florida 33062, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Power & Play Warehouse, Inc. are dealer operator(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060; principal investor(s): Thomas McMahan, Jr., 31 Northeast First Street, Pompano Beach, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that A & A Scooter, Inc., intends to allow the establishment of Road Power USA, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Summit Huawin Motorcycle Co. Ltd. (POPC) at 927 North 3rd Street, Jacksonville Beach (Duval County), Florida 32250, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Road Power USA, LLC are dealer operator(s): Jim Lee, 927 North 3rd Street, Jacksonville Beach, Florida 32250; principal investor(s): Jim Lee, 927 North 3rd Street, Jacksonville Beach, Florida 32250.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Leah Jordan, A & A Scooter, Inc., 2533 Royal Lane, #505, Dallas, Texas 75229.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Lance Powersports, Inc., intends to allow the establishment of Scooter Boutique, Inc., as a dealership for the sale of Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 791 3rd Street North, Jacksonville Beach (Duval County), Florida 32250, on or after May 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Boutique, Inc. are dealer operator(s): Terry Henson, 791 3rd Street North, Jacksonville Beach, Florida 32250; principal investor(s): Terry Henson, 791 3rd Street North, Jacksonville Beach, Florida 32250.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100-B, Ontario, California 91764.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Todd McDaniel, Inc., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 12745 Main Street North, Jacksonville (Duval County), Florida 32218, on or after May 6, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Todd McDaniel, Inc. are dealer operator(s): Todd McDaniel, 12745 Main Street North, Jacksonville, Florida 32218; principal investor(s): Todd McDaniel, 12745 Main Street North, Jacksonville, Florida 32218.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600 B Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

REGIONAL PLANNING COUNCILS

The District One Local Emergency Planning Committee (LEPC) maintains public records showing the types and amounts of certain hazardous chemicals that are stored at facilities throughout Northwest Florida. These records are maintained in compliance with the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA), also known as SARA Title III. The public records consist of forms naming the given hazardous materials present at a site, the hazard the substances pose if released, amounts stored and methods of storage.

The Committee serves Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington and Bay counties.

For more information contact the LEPC staff at the West Florida Regional Planning Council, (850)332-7976, ext. 259, 1(800)200-8914 (outside Pensacola) or visit the office at 4081 East Olive Road, Suite A, Pensacola, Florida.

PUBLIC AVAILABILITY
OF HAZARDOUS MATERIAL INFORMATION

Pursuant to Section 324 of the Emergency Planning and Community Right-to-Know Act (EPCRA), the following information is available to the public upon request during normal working hours by the Northeast Florida Regional Council's Local Emergency Planning Committee, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

- Hazardous Chemical Inventory (Tier Two) Forms
- Material Safety Data Sheets (MSDS)
- Emergency Release Follow-up Reports
- Hazards Analyses for facilities with Extremely Hazardous Substances
- LEPC Hazardous Material Emergency Response Plan
- How-to-Comply Information for Hazardous Materials Users
- Free hazardous Materials Training for First Responders
- "Are You Prepared for a Hazardous Materials Emergency?"
- Video and brochure for the general public
- Other Public Education Materials
- Your Telephone Book may contain Hazardous Materials Emergency information that you could be asked to follow in an actual emergency

The Northeast Florida Regional Council's Local Emergency Planning Committee (Florida District 4 LEPC) serves Baker, Clay, Duval, Flagler, Nassau, Putnam, and St. Johns Counties. To obtain information on the above items, please contact Debbie Dale at (904)279-0880, ext. 167, e-mail ddale@necf.org or visit www.necf.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://appprod.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted one revised policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us.us/policies_procedures/policyreview.html.

Development and Review of Policies (FDJJ 1000 – revised, department-wide policy type B) establishes that it is the policy of the Department of Juvenile Justice to formally review and approve all new or revised policies. This policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments of June 13, 2008.

Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

On May 2, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Amy Marie Garrison, R.N., license number RN 9171998. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 2, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Karen Sheehan Herfurth, R.N., license number RN 2230472. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On May 2, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Janet M.H. Raver, R.N., license number RN 3201962. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES**Solicitations of Applications for Challenge****Grants To Lead Agencies for Homeless Assistance**

Pursuant to Section 420.622 Florida Statutes, the Department of Children and Family Services through the State Office on Homelessness, hereby solicits applications for Challenge Grants to lead agencies for homeless assistance continuums of care designated by the State Office on Homelessness. A lead agency may be a local homeless coalition, municipal or county government, or other public agency, or a private not for profit corporation. Such grants may be up to \$150,000 per lead agency.

To qualify for the grant, a lead agency must develop and implement a local homeless assistance continuum of care plan for its designated catchment area.

Preference will be given to those lead agencies that have demonstrated the ability of their continuum of care to provide quality services to homeless persons and the ability to leverage federal homeless assistance under the Stewart B. McKinney Act and private funding for the provision of services to homeless persons. Preference will also be given to lead agencies in catchment areas with the greatest need for the provision of housing and services to the homeless, relative to the population of the catchment area.

Lead agencies wishing to apply for such Challenge grants may request an application package from:

Office on Homelessness
1317 Winewood Boulevard
Tallahassee, FL 32399-0700
(850)922-4691

The deadline for submission of applications to the Office on Homelessness shall be 5:00 p.m. (EDT), July 8, 2008.

Solicitations of Applications for Homeless Housing Assistance Grants To Lead Agencies for Homeless Assistance Pursuant to Section 420.622, Florida Statutes, the Department of Children and Family Services, through the State Office on Homelessness, hereby solicits applications for homeless housing assistance grants to lead agencies for homeless assistance continuums of care designated by the State Office on Homelessness. A lead agency may be a local homeless coalition, municipal, or county government, or other public agency, or a private not-for-profit corporation. Such grants may be up to \$750,000 per project, with no more than two grants awarded annually in any given continuum of care catchment area.

To qualify for the grant, a lead agency must develop and implement a local homeless assistance continuum of care plan for its designated catchment area.

Preference will be given to those lead agencies that build or rehabilitate the greatest number of units and who leverage additional private and public funds, particularly federal funds designated for construction and rehabilitation of transitional, or permanent housing for homeless persons. Preference will also be given to lead agencies in catchment areas with the greatest need for the provision of housing to the homeless, relative to the population of the catchment area.

Lead agencies wishing to apply for such homeless housing assistance grants may request an application package from:

Office on Homelessness
1317 Winewood Boulevard
Tallahassee, FL 32399-0700
Phone: (850)922-4691

The deadline for submission of applications to the Office on Homelessness shall be 5:00 p.m., July 22, 2008.

FINANCIAL SERVICES COMMISSION

NOTICE OF ORDER

NOTICE IS HEREBY GIVEN that the Office of Insurance Regulation has issued the following:

IN THE MATTER OF:

CITIZENS PROPERTY CASE NO: 95286-08
INSURANCE CORPORATION

ORDER APPROVING LINE OF CREDIT TRANSACTION FOR CITIZENS PROPERTY INSURANCE CORPORATION'S – PERSONAL LINES ACCOUNT AND COMMERCIAL LINES ACCOUNT

THIS MATTER came before the Office of Insurance Regulation (the "Office") for consideration and final agency action upon the request of Citizens Property Insurance Corporation ("Citizens"), pursuant to Section 627.351(6), Florida Statutes, as amended (the "Citizens Act"), and Section 19(B) of Citizen's Plan of Operation, as amended (the "Plan of Operation"), for approval of a revolving line of credit in the

principal amount of not exceeding \$2,000,000,000 (the "Line of Credit") for Citizen's Personal Lines Account and Commercial Lines Account (collectively, the "Accounts"). Citizens' request is based on the adoption by its Board of Governors (the "Board") on May 1, 2008, of the resolution (the "Authorizing Resolution") attached hereto as Exhibit "A", authorizing and approving the Line of Credit and related documentation.

The purpose of the Line of Credit is to provide the Accounts with needed liquidity in preparation for the 2008 hurricane season. Citizens has determined that the Line of Credit will enable it to efficiently meet its financial obligations and is consistent with the provisions of the Citizens Act.

The Line of Credit will be made available to the Accounts through a 364-Day Revolving Credit Agreement by and among Citizens, JPMorgan Chase Bank, National Association, as Administrative Agent, and the other lenders named therein (the "Credit Agreement"). In connection with the Line of Credit, Citizens will execute certain promissory notes contemplated by the Credit Agreement. The Credit Agreement is to be in substantially the same form as the copy thereof received and reviewed by the Office prior to the entry of this Order.

Citizens is a statutorily-created corporation and a government entity that is an integral part of the State of Florida, established pursuant to the Citizens Act. Citizens, through the Accounts, has become a significant provider of residential property and casualty insurance in the State of Florida and, as such, must have immediate access to funding sources for the Accounts pending receipt of the Accounts' ordinary and customary revenue and reinsurance and other reimbursement funds, to meet policyholder claims and other obligations resulting from ordinary losses or catastrophic hurricanes or other weather-related events. The Citizens Act authorizes Citizens to borrow funds for the Accounts by incurring indebtedness and to pledge assessments under the Citizens Act and other funds available to the Accounts as the source of security and repayment for such borrowings. Section 627.351(6)(c), (3), Florida Statutes, states that Citizens may issue bonds or incur other indebtedness in the absence of a hurricane or other weather-related event, upon a determination by Citizens, subject to approval by the Office, that such action would enable it to efficiently meet the financial obligations of Citizens and that such financings are reasonably necessary to effectuate the requirements of the Citizens Act.

At a meeting on May 1, 2008, Citizens' Board adopted the Authorizing Resolution. The Authorizing Resolution contains a finding by Citizens' Board that in order to provide funds to meet policyholder claims and other obligations of the Accounts pending receipt of the Accounts' ordinary and customary revenue and reinsurance and other reimbursement funds, it is in the best interests of Citizens to obtain the Line of Credit and to enter into the Credit Agreement. The Authorizing Resolution contains a further determination by Citizens' Board that the funds derived, or to be

derived, from the Line of Credit are reasonably necessary to enable Citizens to efficiently meet the financial obligations of the Accounts and to effectuate the requirements of the Citizens Act.

As required by Section 19(B) of the Plan of Operation, Citizens has filed with the Office a statement of the purpose of the Line of Credit, attached hereto as Exhibit B, and an estimate of the costs to be incurred by Citizens in connection with the Line of Credit, which estimate has been approved by the Citizens' Board.

The Office, having considered this submission, and being otherwise advised in the premises, hereby finds that:

1. The Office has jurisdiction over the subject matter of, and the parties to, this proceeding pursuant to the Citizens Act.
2. The Line of Credit is for the purpose of providing funds to the Accounts for the payment of policyholder claims and expenses attributable to ordinary losses or catastrophic hurricanes or other weather-related events. As a result, the Line of Credit will enable Citizens to efficiently meet its financial obligations and is reasonably necessary to effectuate the requirements of the Citizens Act.
3. The Credit Agreement is a "loan agreement" within the meaning of, and is approved for purposes of, Section 19(B) of the Plan of Operation and the Citizens Act.
4. Pursuant to the Citizens Act and Section 19(B) of the Plan of Operation, Citizens has authority to enter into the Credit Agreement, obtain the Line of Credit and issue the promissory notes contemplated by the Credit Agreement.

IT IS THEREFORE ORDERED:

That the revolving Line of Credit, in an aggregate principal amount not exceeding \$2 billion, and the Credit Agreement, including the loans to be extended to the Accounts thereunder, the issuance and delivery of the promissory notes contemplated by the Credit Agreement and the pledge by Citizens of the collateral described in the Credit Agreement to secure such loans, are hereby APPROVED.

Citizens shall file with the Office, as a part of its regularly required reports, a quarterly update with respect to the Accounts of the amounts borrowed, amounts used for the payment of claims and related costs, amounts repaid, and the amounts anticipated to be required by assessment for repayment of debt.

DONE and ORDERED this 1st day of May 2008.

 KEVIN M. MCCARTY
 COMMISSIONER

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with the: General Counsel, acting as the

agency clerk, 612 Larson Building, Tallahassee, Florida, and a copy of the same with the appropriate district court of appeal within thirty (30) days of rendition of this Order.

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 6, 2008):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Citizens State Bank (Perry Banking Company, Inc.), 2000 South Byron Butler Parkway, Perry, Taylor County, Florida 32348

Proposed Purchasers: Paul W. Dickert and Laura H. Dickert, Gainesville, Florida and Mark R. Dickert and Lori G. Dickert, Bradenton, Florida

Received: May 6, 2008

HERNANDO COUNTY METROPOLITAN PLANNING ORGANIZATION

**DISADVANTAGED BUSINESS ENTERPRISE (DBE)
 GOAL – FOR FISCAL YEAR 2007/2008**

IT IS THE POLICY of the Hernando County Metropolitan Planning Organization (MPO) to provide Disadvantaged Business Enterprises (DBEs) the opportunity to participate in contracts for The Hernando Express Bus (THE Bus) that are financed in whole or part with funds from the Federal Transit Administration. For this reason, the MPO has established a goal of 4% for the DBE Program for fiscal year 2007/2008. A description of the goal and the process for establishing the goal are available for review during regular business hours by contacting: Steve Diez, Transportation Planner II, Hernando County MPO, 20 North Main Street, Room 262, Brooksville, FL 34601, (352)754-4057. The DBE goal and rationale may also be viewed online via THE Bus website at www.hernandobus.com. The address for the Federal Transit Administration, Office of Civil Rights is: 100 Alabama Street, S. W., Suite 17150, Atlanta, GA 30303. The DBE goal and rationale for its adoption will be available for inspection for 45 DAYS following the date of this notice.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN April 28, 2008
 and May 2, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE
Division of Library and Information Services

1B-26.003	5/1/08	5/21/08	34/6	34/12
1B-31.001	5/2/08	5/22/08	34/12	
1B-31.002	5/2/08	5/22/08	34/12	

DEPARTMENT OF EDUCATION
State Board of Education

6A-1.0011	4/29/08	5/19/08	34/12	
6A-1.09441	4/29/08	5/19/08	34/11	
6A-4.0021	4/29/08	5/19/08	34/12	
6A-4.00821	4/29/08	5/19/08	34/12	
6A-4.0163	4/29/08	5/19/08	34/11	
6A-5.090	4/29/08	5/19/08	34/11	34/12
6A-6.021	4/29/08	5/19/08	34/11	
6A-6.040	4/29/08	5/19/08	34/11	
6A-6.05281	4/29/08	5/19/08	34/11	
6A-6.054	4/29/08	5/19/08	34/11	
6A-6.0783	5/2/08	5/22/08	34/11	
6A-6.0902	4/29/08	5/19/08	34/11	
6A-6.0903	4/29/08	5/19/08	34/11	
6A-20.002	4/29/08	5/19/08	34/11	
6A-20.0021	4/29/08	5/19/08	34/11	

DEPARTMENT OF CORRECTIONS

33-601.314	4/28/08	5/18/08	34/11	
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WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District

40C-3.035	4/30/08	5/20/08	34/13	
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Southwest Florida Water Management District

40D-1.659	4/30/08	5/20/08	34/4	34/11
40D-4.091	4/30/08	5/20/08	34/4	34/18
40D-8.624	4/30/08	5/20/08	34/9	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF MANAGEMENT SERVICES
Personnel Management System

60L-32.005	4/30/08	5/20/08	34/12	
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Division of Retirement

60S-9.001	5/2/08	5/22/08	34/9	
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Division of Retirement – Optional Retirement Program

60U-1.006	5/2/08	5/22/08	34/9	
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Senior Management Service Optional Annuity Program

60V-1.007	5/2/08	5/22/08	34/9	
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

61G18-14.003	4/30/08	5/20/08	34/5	
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DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-3.012	4/28/08	5/18/08	33/51	34/12
69A-46.010	4/28/08	5/18/08	33/47	34/11
69A-46.015	4/28/08	5/18/08	33/47	
69A-46.016	4/28/08	5/18/08	33/47	
69A-46.0165	4/28/08	5/18/08	33/47	34/11
69A-46.017	4/28/08	5/18/08	33/47	34/11
69A-46.040	4/28/08	5/18/08	33/47	
69A-46.041	4/28/08	5/18/08	33/47	34/11
69A-58.004	4/28/08	5/18/08	34/4	
69A-58.0081	4/28/08	5/18/08	34/4	34/11
69A-58.0082	4/28/08	5/18/08	34/4	
69A-60.002	4/28/08	5/18/08	33/51	34/12
69A-60.003	4/28/08	5/18/08	33/51	
69A-60.004	4/28/08	5/18/08	33/51	
69A-60.005	4/28/08	5/18/08	33/51	34/12