

A copy of the petition may be obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

NOTICE IS HEREBY GIVEN THAT the Board of Nursing has declined to rule on the petition for declaratory statement filed by Debra Shelby, ARNP on January 16, 2009. The following is a summary of the agency's declination of the petition:

The Board of Nursing hereby gives notice that it has issued an Order on the Petition for Declaratory Statement, which was filed on January 16, 2009, on behalf of Debra Shelby, ARNP. The Notice of Petition for Declaratory Statement was published in Vol. 34, No. 46, of the November 14, 2008 issue of the Florida Administrative Weekly. Specifically, the Petitioner requested that the Board issue a Declaratory Statement determining a scope of practice issue. The Board of Nursing considered the Petition at its meeting held on December 5, 2008, in Kissimmee, Florida. The Board's Order, filed on January 12, 2009, dismissed the petition, finding that the petition sought the interpretation of the practice of licensees other than Petitioner.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Terri Hicks on October 30, 2008. The following is a summary of the agency's disposition of the petition:

Petitioner has withdrawn her petition for declaratory statement on January 20, 2009.

Please refer all comments to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Frank McElroy on January 23, 2009. The petition seeks the agency's opinion as to the applicability of Section 633.025(6), F.S. and NFPA 101, Section 31.3.4, Florida 2004 edition as it applies to the petitioner.

1) Is it the intent of the Florida Fire Prevention Code and Chapter 633, F.S., including NFPA 101, Section 31.3.4, Florida 2004 edition, and Section 633.025(6), F.S., that Ocean Sunrise Condominium shall be required to retroactively install a fire

alarm system? and 2) Was the decision of the local fire official to require such a fire alarm installation at Ocean Sunrise reasonable as contemplated in Section 633.025(6), F.S.?

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@my.floridacfo.com.

**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**