

## Section I

### Notices of Development of Proposed Rules and Negotiated Rulemaking

#### DEPARTMENT OF STATE

##### Division of Elections

RULE NO.: 1S-2.048  
RULE TITLE: NVRA-Voter Registration Agencies

**PURPOSE AND EFFECT:** The purpose of the new rule is to ensure that each voter registration agency designated by the National Voter Registration Act (NVRA) of 1995 and by Section 97.058, F.S., is complying with the requirements of NVRA. The proposed rules requires each such agency: 1) to designate a coordinator and act as a liaison to the Department of State's NVRA coordinator, 2) to ensure compliance with the federal and state law governing voter registration activities, 3) to record for each client voter registration services provided, 4) to track monthly the number of applications for new registration and updates are received, and 5) to require training for staff. The proposed rule also provides DS-DE #77-ENG and DS-DE #77-SPN, a form in English and in Spanish that combines the preference form which allows for tracking voter registration activity and that incorporates a detachable national mail-in application form.

**SUBJECT AREA TO BE ADDRESSED:** Obligations of NVRA and state designated voter registration agencies.

**RULEMAKING AUTHORITY:** 20.10(3), 97.012, 97.058(9) FS.

**LAW IMPLEMENTED:** 97.012(7), (10), 97.058 FS.; 42 U.S.C. 1973gg

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

**DATE AND TIME:** May 3, 2010, 2:00 p.m.

**PLACE:** Room 307, R. A. Gray Building, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 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 7 days before the workshop/meeting by contacting: Eddie L. Phillips, Executive Assistant, Office of General Counsel, Florida Department of State at 1(850)245-6500 or elphillips@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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Maria Matthews, Assistant General Counsel, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6536; mimatthews@dos.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

#### DEPARTMENT OF EDUCATION

##### State Board of Education

RULE NO.: 6A-1.09422  
RULE TITLE: Florida Comprehensive Assessment Test Requirements

**PURPOSE AND EFFECT:** The purpose of this rule development is to replace current Florida Comprehensive Assessment Test (FCAT) requirements with new requirements based on new assessments aligned to the Next Generation Sunshine State Standards. The effect will be the proposed adoption of revised assessment requirements based on new comprehensive assessments and new end-of-course assessments.

**SUBJECT AREA TO BE ADDRESSED:** Florida Comprehensive Assessment Test (FCAT).

**RULEMAKING AUTHORITY:** 1001.02, 1008.22(12) FS.

**LAW IMPLEMENTED:** 1001.02, 1001.11, 1008.22, 1008.25, 1008.34 FS.

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

**DATE AND TIME:** May 14, 2010, 1:00 p.m. – 2:00 p.m.

**PLACE:** Florida Department of Education, 325 W. Gaines Street, Suite 1706, Tallahassee, Florida 32399. To participate via Conference Call: 1(888)808-6959, Code 2459668

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Kris Ellington, Assistant Deputy Commissioner, Office of Assessment, 325 West Gaines Street, Suite 414, Tallahassee, Florida 32399, (850)245-0513

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

#### DEPARTMENT OF EDUCATION

##### Florida School for the Deaf and the Blind

RULE NO.: 6D-9.007  
RULE TITLE: Health Care Policies

**PURPOSE AND EFFECT:** This rule addresses maintaining written policies and procedures of quality health services to meet the needs of students served at the Florida School for the Deaf and the Blind.

**SUBJECT AREA TO BE ADDRESSED:** Florida School for the Deaf and the Blind Health Care Policies.

**RULEMAKING AUTHORITY:** 1002.36(4)(c) FS.

**LAW IMPLEMENTED:** 120.53(1)(a), 1002.36(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:

DATE AND TIME: Friday, June 4, 2010, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, 207 N. San Marco Avenue, St. Augustine, FL 32084

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 Day, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2221. 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: Cindy Day, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2221

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**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.: 33-204.003  
 RULE TITLE: Food Services – Standards of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the conditions under which an inmate may be removed from the vegan meal pattern.

SUBJECT AREA TO BE ADDRESSED: Food Services.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.003 Food Services – Standards of Operation.

(1) through (3) No change.

(4) Vegan meal pattern. Inmates may choose the vegan (strict vegetarian) meal pattern by submitting Form DC6-236, Inmate Request, to the food service director at the facility where the inmate is housed. An inmate who is transferred to another facility shall be allowed to continue the vegan meal pattern at the new facility by showing the inmate request that was approved by the previous food service director until his request is approved by the new food service director. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(a) The following inmates ~~Inmates on the vegan meal pattern who are observed eating from the regular menu~~ shall be ~~removed~~ immediately ~~removed~~ from the meal pattern:

1. Inmates observed eating from the regular menu;

2. Inmates observed eating the alternate entrée; and

3. Inmates who intentionally purchase, possess, or consume items from the canteen that contain any animal products or byproducts.

(b) Staff shall document the incident on Form DC6-210, Incident Report. Such inmates shall be ineligible to reapply for the vegan meal pattern for six months after involuntary removal.

(c) ~~(b)~~ An inmate who voluntarily requests to be removed from the vegan meal pattern may not reapply for the pattern for 30 days.

(5) through (6) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04, 2-27-05, 10-16-05, 1-17-06, 4-27-09, 3-3-10, \_\_\_\_\_.

**DEPARTMENT OF VETERANS' AFFAIRS**

**Division of Veterans' Benefits and Assistance**

RULE NO.: 55A-3.006  
 RULE TITLE: Continuing Certification

PURPOSE AND EFFECT: The proposed amendment will require Veterans Service Officers attending a training refresher course to pass an exam demonstrating mastery of the covered material.

SUBJECT AREA TO BE ADDRESSED: The current rule makes the exam optional at the discretion of FDVA.

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 292.11 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: David Herman at (850)487-1533

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**55A-3.006 Continuing Certification.**

As a condition of remaining in employment, each county or city Veteran Service Officer shall attend the Department’s periodic training refresher courses. The refresher courses are designed to acquaint the Veteran Service Officer with new regulations and amendments to existing regulations as well as to answer any questions which the Officer may have concerning the responsibilities of the office. Each Veteran Service Officer attending a training refresher course shall ~~may~~ be required to pass a test demonstrating mastery of the subject covered during the refresher training session.

Rulemaking Specific Authority 292.05(3) FS. Law Implemented 292.11 FS. History–New 8-14-79, Formerly 9H-3.06, 22S-3.06, 22S-3.006, Amended 10-4-89,\_\_\_\_\_.

**DEPARTMENT OF VETERANS’ AFFAIRS**

**Division of Veterans’ Benefits and Assistance**

RULE NO.:                      RULE TITLE:  
55A-3.007                      Failure to Attend Training Refresher Course

PURPOSE AND EFFECT: The proposed amendment requires county or city Veteran Service Officers who fail to attend a required refresher training course to demonstrate proficiency in the course material as a condition of continued certification.

SUBJECT AREA TO BE ADDRESSED: The current rule gives the Department the discretion to require a demonstration of proficiency.

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 292.11 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: David Herman at (850)487-1533

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**55A-3.007 Failure to Attend Training Refresher Course.**

Failure of a county or city Veteran Service Officer to attend any required training refresher course shall subject that Officer to revocation of certification. A county or city Veteran Service Officer who fails to attend a required training refresher course shall ~~may~~ be required to demonstrate proficiency in the matters covered in that refresher course as a condition of continued certification.

Rulemaking Specific Authority 292.05(3) FS. Law Implemented 292.11 FS. History–New 8-14-79, Formerly 9H-3.07, 22S-3.07, 22S-3.007, Amended 10-4-89,\_\_\_\_\_.

**DEPARTMENT OF VETERANS’ AFFAIRS**

**Division of Veterans’ Benefits and Assistance**

RULE NO.:                      RULE TITLE:  
55A-5.008                      Supervisory Inspection Review

PURPOSE AND EFFECT: The proposed amendment requires FDVA’s Bureau of State Approving Agency to suspend for 60 days an educational institution from participation in GI Bill educational programs for noncompliance with Federal standards. At the end of the 60 day period, if FDVA finds that the institution has conformed its programs to the standards, then it shall lift the suspension.

SUBJECT AREA TO BE ADDRESSED: The current rule gives FDVA the discretion to impose the penalty of suspension on an educational institution for noncompliance. The current rule also gives FDVA the discretion to lift the suspension after proof of compliance within 60 days.

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 295.124 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: David Herman at (850)487-1533

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

**55A-5.008 Supervisory Inspection Review.**

(1) The Bureau shall conduct an ongoing review of institutions which have a veteran or other eligible person enrolled in an accredited or nonaccredited course or program for the purpose of determining if the approved course or program continues to meet all the conditions for approval. Supervisory and inspection visits shall be coordinated to the extent possible with the schedule of compliance surveys to be conducted by the U.S.D.V.A. in order to avoid duplication of effort. The following priorities shall be observed by the Bureau when scheduling visits:

Priority I – Reports and Visits Requested by the U.S.D.V.A.

Priority II – New Approvals

Priority III – Revision of Existing Approvals

Priority IV – Routine Supervisory Visits

(2) Following each review, the Bureau shall advise the educational institution of its findings. A copy of the inspection report shall be furnished the Secretary of Veterans’ Affairs.

(3) In any case where the Bureau determines that a course or program no longer meets the applicable standards, it ~~may~~ shall suspend the educational institution for a period of 60 days during which time no new veterans may be enrolled for purposes of receiving benefits. At the end of the 60 day period, if the Bureau finds that the educational institution has conformed its courses or programs to the applicable standards, the Bureau ~~may~~ shall lift the suspension. If the Bureau finds the courses or programs still do not comply with the applicable standards, it shall issue a letter of disapproval to the educational institution and forward a copy of the letter to the U.S.D.V.A.

Rulemaking Specific Authority 292.05(3) FS. Law Implemented 295.124 FS. History–New 9-2-79, Formerly 9H-5.08, 22S-5.08, 22S-5.008, Amended 10-30-89, 12-5-95,\_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

RULE NO.: 58A-14.0061  
 RULE TITLE: Admission Criteria and Procedures, Appropriateness of Placement, and Continued Residency Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments are as follows: to include an additional requirement for determining admission procedures and continued residency, with corresponding changes to the assessment form; to include the requirement that residents must be made aware of the location of documents in order to make complaints; to amend the “Advance Directives” subsection to remove the term “advance directives” and replace with “Do Not Resuscitate Orders”; to add the word “licensed” before the references to “nurse” and “health care provider” in subsection (1); and to replace the word “physician” with “licensed health care provider” in subsection (7).

SUBJECT AREA TO BE ADDRESSED: An additional requirement for determining admission procedures and continued residency, with corresponding changes to the assessment form; the requirement that residents must be made aware of the location of documents in order to make complaints; and to amend the “Advance Directives” subsection to remove the term “advance directives” and replace with “Do Not Resuscitate Orders.”

RULEMAKING AUTHORITY: 429.73 FS.

LAW IMPLEMENTED: 429.65, 429.73, 429.85 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: May 19, 2010, 10:00 a.m. – 11:00 a.m. EST

PLACE: Department of Elder Affairs, Conference Room 225F, 4040 Esplanade Way, Tallahassee, Florida 32399-7000

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: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone number: (850)414-2113; Email address: crocethj@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jim Crochet, Department of Elder Affairs, Office of the General Counsel, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; telephone number: (850)414-2113; Email address: crocethj@elderaffairs.org

If not requested in writing by May 14, 2010, a rule development workshop will not be conducted. AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities and Adult Family-Care Homes, May 2010, is located on the department website at the following address: <http://elderaffairs.state.fl.us/english/rulemaking.php>, under the heading “Adult Family-Care Homes, Rule Chapter 58A-14, F.A.C.”

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58A-14.0061 Admission Criteria and Procedures, ~~and~~ Appropriateness of Placement, and Continued Residency Requirements.

(1) ADMISSION. In order to be admitted as a resident to an AFCH an individual must:

- (a) through (b) No change.
- (c) Be capable of self-preservation in an emergency situation involving the immediate evacuation of the AFCH, with assistance with ambulation, if needed.
- (d) through (h) No change.
- (i) Not have stage 3 or 4 pressure sores. An individual with a stage 2 pressure sore may be admitted only if the individual is under the care of a licensed nurse pursuant to a plan of care issued by a licensed health care provider. Such nursing service must be provided in accordance with Rule 58A-14.007, F.A.C.
- (j) through (l) No change.

(2) HEALTH ASSESSMENT. ~~Prior to admission to an AFCH, the individual must be examined by a health care provider using AHCA Form 3110-1023 (AFCH-1110) 01/08, Resident Health Assessment for Adult Family Care Homes (AFCH), January 2008, which is incorporated by reference, and available from the Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 30, Tallahassee, FL 32308. The form may also be obtained from the agency's Web site at [http://ahca.myflorida.com/MCHQ/Long\\_Term\\_Care/Assisted\\_living/afc/Res\\_Health\\_Assmnt.pdf](http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/afc/Res_Health_Assmnt.pdf).~~

(a) Prior to admission to an AFCH, an individual must have a face-to-face medical examination conducted by a licensed health care provider using AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities and Adult Family-Care Homes, which is incorporated by reference in Rule 58A-5.0181, F.A.C. It is available by writing to the Agency for Health Care Administration, Long-Term Care Bureau, 2727 Mahan Drive, Mail Stop 30, Tallahassee, FL 32308-5403 or calling (850)487-2515. It also may be obtained from the Agency's website at the address specified in Rule 58A-5.0181, F.A.C. The form must be completed as follows:

1. A licensed health care provider must complete Sections 1, Health Assessment, and 2., Self-Care and General Oversight Assessment.

a. Items on the form that may have been omitted by the licensed health care provider during the examination do not necessarily require an additional face-to-face examination for completion.

b. The AFCH provider, or designee, may obtain the omitted information either verbally or in writing from the licensed health care provider.

c. Omitted information received verbally must be documented in the resident's record, including the name of the licensed health care provider, the name of the AFCH provider, or designee, recording the information and the date the information was provided.

2. The AFCH provider, or designee, must complete Section 3, Services Offered or Arranged by the Facility, except for residents receiving Medicaid assistive care services or Medicaid Waiver Services.

(b) Every three years thereafter, or after a significant change, as defined in subsection (4) of Rule 58A-14.007, F.A.C., the resident must have a face-to-face medical examination conducted by a licensed health care provider using the form referenced in paragraph (a) of this subsection. The form must be completed as required in that paragraph. After the effective date of this rule, providers shall have up to 12 months to comply with this requirement.

(3) HOUSE RULES AND COMPLAINT PROCEDURES. ~~Prior to, or at the time of admission a copy of the AFCH house rules, the Resident's Bill of Rights established under Section 429.85, F.S., the name, address, and telephone number of the district long-term care ombudsman~~

~~council and the Florida Abuse Hotline, and the procedure for making complaints to the ombudsman council and the abuse registry must be provided to the resident or the resident's representative.~~

(a) Prior to, or at the time of admission, the AFCH must provide the resident, or representative, with the following:

1. A copy of the AFCH house rules;

2. The Resident's Bill of Rights established under Section 429.85, F.S.;

3. Written information referenced in subsection (6) of Rule 58A-14.004, F.A.C., and the procedure for making complaints to these entities.

(b) Additionally, the provider, or designee, must make the resident, or representative, aware of the location of the documents posted pursuant to subsection (6) of Rule 58A-14.004, F.A.C.

**DO NOT RESUSCITATE ORDERS ADVANCE DIRECTIVES:**

(a) Each adult family care home (AFCH) must have written policies and procedures, which delineate the AFCH'S position with respect to the state law and rules relative to do not resuscitate orders (DNROs) advance directives. The policies shall not condition treatment or admission upon whether or not the individual has executed or waived an DNRO advance directive. ~~In the event of conflict between the AFCH's policies and procedures and the resident's advance directive, provision should be made in accordance with Chapter 765, F.S.~~

(b) The AFCH's policy must shall include:

1. No change.

2. At the time of admission, providing each resident, or the resident's representative, with written information concerning the AFCH's policies regarding DNROs resuscitation and advance directives, including information concerning DH Form 1896, Florida Do Not Resuscitate Order Form, incorporated by reference in Rule 64E-2.031, F.A.C.

3. ~~At the time of admission, providing each resident, or the resident's representative, with written information concerning the AFCH's policies respecting advance directives.~~

3.4. The requirement that documentation of whether or not the resident has executed an DNRO advance directive must be contained in the resident's record. If an DNRO advanced directive has been executed, a copy of that document must be made a part of the resident's record. If the AFCH does not receive a copy of the DNRO advanced directive for a resident, the AFCH must document in the resident's record that it has requested a copy.

4.5. An AFCH shall be subject to revocation of its license pursuant to Section 408.815, F.S., if the AFCH, as a condition of treatment or admission, requires an individual to execute or waive an DNRO advance directive, pursuant to Section 765.110, F.S.

(c) Pursuant to Section 429.73, F.S., an AFCH may honor a properly executed DNRO as follows:

1. In the event a resident experiences cardiopulmonary arrest, the AFCH provider, or designee, who is trained in cardiopulmonary resuscitation (CPR), may withhold cardiopulmonary resuscitation.

~~2. In the event a resident experiences of cardiopulmonary arrest distress, and the condition set forth in subparagraph (c)1. of this subsection does not apply, the AFCH provider, or designee, shall immediately contact "911." Cardiopulmonary resuscitation may be withheld or withdrawn from a resident by an individual pursuant to Section 401.45, F.S.~~

~~2. Cardiopulmonary resuscitation may be withheld or withdrawn from a resident only if a valid DNRO is present and the withholding or withdrawing of cardiopulmonary resuscitation is executed by an individual pursuant to Section 401.45, F.S.~~

3. Adult Family-Care Home providers 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 Do Not Resuscitate Order and rules adopted by the department agency, pursuant to Section 429.73, F.S. Any AFCH provider, who, in good faith, obeys the directives of an existing DNRO, executed pursuant to Section 401.45, F.S., will not be subject to prosecution or civil liability for his or her performance regarding patient care.

(5) TEMPORARY EMERGENCY SERVICES. Residents placed on an emergency basis by the Department of Children and Families ~~Services~~ pursuant to Section 415.105 or 415.1051, F.S., must meet the admission requirements of this rule. However, only residents whose stay in the home exceeds 30 days; must be examined by a licensed health care provider under subsection (2) of this rule section, and covered by a residency agreement under Rule 58A-14.0062, F.A.C. A temporary emergency placement may not be made if the placement causes the home to exceed licensed capacity.

(6) CONTINUED RESIDENCY.

(a) The criteria for continued residency shall be the same as the criteria for admission, including a face-to-face medical examination conducted by a licensed health care provider pursuant to subsection (2) of this rule, with the following exceptions that:

- 1. through 3. No change.
  - (b) through (c) No change.
- (7) DISCHARGE.

(a) No change.

(b) Residents shall only be moved or transferred without the required 30 day notice for the following reasons:

1. The resident's health requires an immediate relocation to a facility which provides a more skilled level of care as certified by a licensed health care provider ~~physician~~;

2. through 3. No change.

Rulemaking Specific Authority 429.73 FS. Law Implemented 429.65, 429.73, 429.85 FS. History--New 2-2-95, Formerly 10A-14.0061, Amended 9-19-96, 6-6-99, 1-1-04, 4-29-08,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

|              |   |
|--------------|---|
| RULE NOS.:   | RULE TITLES:  |
| 61G7-10.0012 | Workers' Compensation Liability Statement                   |
| 61G7-10.0014 | Requirements for Evidence of Workers' Compensation Coverage |

PURPOSE AND EFFECT: Format for the liability statement is currently included in both the rule text and the form. This amendment will remove duplicate information from the rule text which is already in the associated form.

To update form and contact information and to clarify what information applicants must submit as evidence of workers' compensation coverage.

SUBJECT AREA TO BE ADDRESSED: Format of the Workers' Compensation Liability Statement. Requirements for Evidence of Workers' Compensation Coverage.

RULEMAKING AUTHORITY: 468.522, 468.524, 468.525, 468.526, 468.530(3), 468.531, 468.522, 468.529 FS.

LAW IMPLEMENTED: 468.525(3)(e), 468.529, 468.529 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: 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 BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

|            |             |
|------------|-------------|
| RULE NO.:  | RULE TITLE: |
| 61J1-4.001 | Education   |

PURPOSE AND EFFECT: The Board proposes to amend the rule to remove the language concerning the ability for teachers of appraisal courses to earn credit towards the classroom hour requirement.

SUBJECT AREA TO BE ADDRESSED: Education.

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 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: Thomas O'Bryant, Jr., Division Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61J1-4.001 Education.

(1) through (5) No change.

~~(6) Credit towards the classroom hour requirement may also be satisfied by teaching appraisal courses. Registered trainee appraisers may not satisfy any requirement of this rule with any course they have instructed. The appraisal courses must cover substantially the same subject matter as the Board prescribed courses. Credit shall only be granted on a one time basis for teaching a particular appraisal course and shall be limited to fifty percent (50%) of the classroom hour requirement per renewal cycle. The Board may request supportive documentation to ascertain course content and to verify the date(s), time, place and hours taught.~~

Rulemaking Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New 10-15-91, Formerly 21VV-4.001, Amended 1-9-94, 3-10-98, 9-6-98, 10-10-99, 5-25-04, 5-15-05, 1-17-06, 2-6-07, 12-6-07, 3-24-09 4-28-10,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

| RULE NOS.:  | RULE TITLES:  |
|-------------|---|
| 61K1-1.003  | Licenses, Permits; Requirement, Procedure and Period, Fee               |
| 61K1-1.004  | Weight Classes; Weigh-In; Pre-Match Physical of Participant and Referee |
| 61K1-1.005  | Promoter and Matchmaker; Licensing and Bond; Duties and Conduct         |
| 61K1-1.0055 | Concessionaire; License; Bond   |
| 61K1-1.010  | Physician; License and Duties; Authority                                |
| 61K1-1.011  | Manager; License; Contract Between Manager and Participant              |
| 61K1-1.013  | Judge; License and Duties   |
| 61K1-1.040  | Post-Match Reports Required to be Filed; Penalty for Late Filing        |

PURPOSE AND EFFECT: To update language incorporating forms by reference.

SUBJECT AREA TO BE ADDRESSED: Updating language incorporating forms by reference.

RULEMAKING AUTHORITY: 548.003 FS.

LAW IMPLEMENTED: 548.003, 548.006, 548.0065, 548.008, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.043, 548.046, 548.057, 548.066, 548.071, 548.075 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: Thomas Molloy, Executive Director, Florida State Boxing Commission, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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 ENVIRONMENTAL PROTECTION**

| RULE NO.:  | RULE TITLE:                              |
|------------|--|
| 62-204.800 | Federal Regulations Adopted by Reference |

PURPOSE AND EFFECT: The purpose of this rule development (OGC No. 10-0879) is to establish specific compliance dates for units subject to the revised emission guidelines and to consider alternative requirements related to the frequency of compliance testing for hospital/medical/infectious waste incinerators subject to recent revisions of 40 C.F.R. Part 60, Subparts A, Ce, and Ec, promulgated by EPA October 6, 2009. Adoption of the federal standards is being done by separate rulemaking.

SUBJECT AREA TO BE ADDRESSED: This rule development addresses compliance requirements for hospital/medical/infectious waste incinerators subject to EPA emission guidelines.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.061, 403.087 FS.

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

DATE AND TIME: Wednesday, May 26, 2010, 10:00 a.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Rd., 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: Ms. Lynn Scarce at (850)921-9551. 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: Ms. Tiffany Miesel at (850)921-8306 or tiffany.miesel@dep.state.fl.us

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

**DEPARTMENT OF JUVENILE JUSTICE**

**Division of Administration**

| RULE NOS.: | RULE TITLES:   |
|------------|--|
| 63F-10.001 | Purpose and Scope  |
| 63F-10.002 | Definitions  |
| 63F-10.003 | Requests for Youth Information                           |
| 63F-10.004 | Release of Records by Department                         |
| 63F-10.005 | Record Sharing Agreements with Other Government Agencies |
| 63F-10.006 | Confidentiality of Records Released by the Department    |

PURPOSE AND EFFECT: The rule establishes the process by which the department may make available records in its custody regarding children.

SUBJECT AREA TO BE ADDRESSED: The rule addresses the manner in which requests for youth records are received and processed, and the conditions under which various types of youth records are provided to requesting youth, law enforcement, criminal justice agencies, and others authorized to obtain the information. Access to youth records by the media, and direct access to youth in department programs, is also addressed.

RULEMAKING AUTHORITY: 985.04 FS.

LAW IMPLEMENTED: 985.04 FS.

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

DATE AND TIME: Tuesday, May 18, 2010, 2:00 p.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

| RULE NOS.: | RULE TITLES:                               |
|------------|--|
| 63G-2.001  | Purpose and Scope                          |
| 63G-2.002  | Definitions                                |
| 63G-2.003  | Construction and Maintenance               |
| 63G-2.004  | Staffing and Operations                    |
| 63G-2.0045 | Intake and Orientation                     |
| 63G-2.005  | Security                                   |
| 63G-2.006  | Treatment, Training and Education of Youth |
| 63G-2.007  | Sanitation                                 |
| 63G-2.008  | Capacity                                   |
| 63G-2.009  | Bedding and Linens                         |
| 63G-2.010  | Nutrition                                  |
| 63G-2.011  | Medical Treatment, Health and Comfort      |
| 63G-2.012  | Disciplinary Treatment                     |

PURPOSE AND EFFECT: Rule sections governing secure detention services are repealed. In lieu of extensive amendment to these rule sections, new rule sections are being proposed.

SUBJECT AREA TO BE ADDRESSED: The repealed rule sections govern the standards and requirements for the department's statewide, regionally administered system of secure detention services for juveniles. The sections govern the management and operation of the facilities, admission and orientation, security, conditions of confinement and behavior management.

RULEMAKING AUTHORITY: 985.601(9)(b) FS.

LAW IMPLEMENTED: 985.601(9)(b) FS.

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

DATE AND TIME: Tuesday, May 18, 2010, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF JUVENILE JUSTICE**

**Detention Services**

|                   |  |
|-------------------|--|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>                            |
| 63G-2.013         | Purpose and Scope                              |
| 63G-2.014         | Definitions                                    |
| 63G-2.015         | Facility Management                            |
| 63G-2.016         | Maintenance                                    |
| 63G-2.017         | Staffing                                       |
| 63G-2.018         | Documentation / Management Systems             |
| 63G-2.019         | Security                                       |
| 63G-2.020         | Admission, Orientation and Release             |
| 63G-2.021         | Officer Conduct and Professionalism            |
| 63G-2.022         | Behavior Management and Disciplinary Treatment |
| 63G-2.023         | Youth Activities                               |
| 63G-2.024         | Sanitation and Safety                          |
| 63G-2.025         | Hygiene  |
| 63G-2.026         | Nutrition                                      |
| 63G-2.027         | Medical Treatment                              |
| 63G-2.028         | Mental Health and Substance Abuse              |

**PURPOSE AND EFFECT:** The rule sections substantially modify and replace current rule sections governing the provision of secure detention centers for juveniles.

**SUBJECT AREA TO BE ADDRESSED:** The new rule sections provide the standards and requirements for the department's statewide, regionally administered system of secure detention services for juveniles. The sections govern the operation, maintenance, security, staffing and documentation requirements for secure detention centers, as well as the admission, orientation, conditions of confinement, treatment and behavior management for juveniles held in detention centers.

**RULEMAKING AUTHORITY:** 985.601(9)(b) FS.

**LAW IMPLEMENTED:** 985.601(9)(b) FS.

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

**DATE AND TIME:** Tuesday, May 18, 2010, 10:00 a.m.

**PLACE:** DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

|                  |   |
|------------------|---|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b>                          |
| 64B5-2.013       | Dental Examination Requirements and Grading |

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to add new language to clarify the requirements and grading for dental examination.

**SUBJECT AREA TO BE ADDRESSED:** Dental examination requirements and grading.

**RULEMAKING AUTHORITY:** 456.017(1)(b), 466.004(4) FS.

**LAW IMPLEMENTED:** 456.017(1)(b),(2), 466.006(4), 466.009 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:** Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

|                  |                    |
|------------------|--------------------|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b> |
| 64B5-13.0046     | Citation Authority |

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to add new language to clarify violations and penalties of citation authority and to renumber the rule as necessary.

**SUBJECT AREA TO BE ADDRESSED:** Citation authority.

**RULEMAKING AUTHORITY:** 456.077, 466.004(4) FS.

**LAW IMPLEMENTED:** 456.072(3)(a), 456.077 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:** Sue

Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-13.005 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to modify the disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

RULEMAKING AUTHORITY: 456.079(1) FS.

LAW IMPLEMENTED: 456.072(2), 456.079(1), 466.028 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: RULE TITLE:

64B5-14.005 Application for Permit

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify reference to Rule 64B4-14.003, F.A.C., and to add new language to clarify requirements for the particular type of anesthetics permit applied for.

SUBJECT AREA TO BE ADDRESSED: Application for permit.

RULEMAKING AUTHORITY: 466.004, 466.017 FS.

LAW IMPLEMENTED: 466.004, 466.017 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: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:

64B8-8.001 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address new violations with regard to pain clinic rules.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for violations of pain clinic rules.

RULEMAKING AUTHORITY: 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-8.001 Disciplinary Guidelines.

(1) No change.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

| VIOLATION  | RECOMMENDED RANGE OF PENALTY  |   |               |
|--|---|---|---------------|
|  | FIRST OFFENSE   | SECOND OFFENSE  | THIRD OFFENSE |
| (a) through (aaa) No change.<br><u>(bbb) A violation of Rule 64B8-9.0131, F.A.C.</u>   | <u>(bbb) From probation for a term no less than two years, 100 hours of community service, and a fine of \$5,000.00 to \$10,000.00 to revocation.</u> | <u>(bbb) From suspension for a minimum of one year, to be followed by a term of probation, 200 hours of community service, and a \$10,000.00 fine to revocation.</u>  |               |
| <u>(ccc) A violation of Rule 64B8-9.0132, F.A.C.</u>   | <u>(ccc) From probation for a term no less than one year, 50 hours of community service, and a fine of \$5,000.00 to \$10,000.00 to revocation.</u>   | <u>(ccc) From suspension for a minimum of six months, to be followed by a term of probation, 100 hours of community service, and a \$10,000.00 fine to revocation.</u>  |               |
| (3) through (7) No change.<br>Rulemaking Authority 456.0375(4)(c),456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS. Law Implemented 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History--New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06, 11-22-06, 1-30-07, 2-18-09, 12-22-09,_____.   |   | 64B9-4.011 Dispensing Practitioners.<br>(1) Those ARNP's whose protocols permit them to dispense medications for a fee as contemplated by Section 465.0276, F.S., must register with the Board of Nursing <u>by submitting a completed Dispensing Application for ARNP's, form number DH-MQA 1185, 3/09.</u><br>(2) No change.<br><u>Rulemaking Specific Authority 464.006 FS. Law Implemented 465.0276, 464.012(3), (4) FS. History--New 9-16-91, Formerly 21O-16.003, 61F7-4.011, 59S-4.011, Amended 5-14-07,_____.</u>   |               |
| <b>DEPARTMENT OF HEALTH</b><br><b>Board of Nursing</b><br>RULE NO.: 64B9-4.011<br>RULE TITLE: Dispensing Practitioners<br>PURPOSE AND EFFECT: The Board proposes this change to incorporate the appropriate form into this rule.<br>SUBJECT AREA TO BE ADDRESSED: Dispensing Practitioners.<br>RULEMAKING AUTHORITY: 464.006 FS.<br>LAW IMPLEMENTED: 456.0276, 464.012(3), (4) FS.<br>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.<br>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399<br><br>THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: |   | <b>DEPARTMENT OF HEALTH</b><br><b>Board of Osteopathic Medicine</b><br>RULE NO.: 64B15-12.003<br>RULE TITLE: Applications for Licensure<br>PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the application for licensure.<br>SUBJECT AREA TO BE ADDRESSED: The rule amendment will modify the application for licensure.<br>RULEMAKING AUTHORITY: 456.031(4), 456.033(7), 459.005, 459.0055(1)(i) FS.<br>LAW IMPLEMENTED: 456.031(2), 456.033(6), 459.0055, 459.006, 459.007 FS.<br>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.<br>THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye |               |

Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

|                   |  |
|-------------------|--|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>  |
| 64B15-14.001      | Advertisings   |
| 64B15-14.007      | Standard of Care for Office Surgery  |
| 64B15-14.0076     | Requirement for Osteopathic Physician Office Registration; Inspection or Accreditation |

**PURPOSE AND EFFECT:** The Board proposes the development of rule amendments to address criteria for advertising in Rule 64B15-14.001, F.A.C.; to modify language with regard to supervision of nurse anesthetists in Rule 64B15-14.007, F.A.C.; and to clarify requirements for office surgery registration in Rule 64B15-14.0076, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** Advertising by osteopathic physicians; clarification of supervision of CNAs; and clarification of office surgery registration requirements.

**RULEMAKING AUTHORITY:** 459.005, 459.015, 459.026 FS.

**LAW IMPLEMENTED:** 456.069, 459.005(2), 459.015(1), 459.026 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

|                   |                           |
|-------------------|---------------------------|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>       |
| 64E-19.002        | Definitions               |
| 64E-19.004        | Requirements for Premises |
| 64E-19.006        | Piercing Procedures       |
| 64E-19.007        | Other Operations          |

**PURPOSE AND EFFECT:** The purpose of this rule development is to incorporate standards to fulfill the intent of Section 381.0075, F.S., and to remove standards that were time-limited. The incorporated language will maintain

consistency with statutory language, provide flexibility to body piercers who pierce with devices other than needles, and remove language that is now superfluous.

**SUBJECT AREA TO BE ADDRESSED:** The subjects to be addressed encompass devices used to pierce the skin, building and equipment requirements, and training of operators and piercers.

**RULEMAKING AUTHORITY:** 381.0075(10) FS.

**LAW IMPLEMENTED:** 381.0075(10), (11) 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: Edward J. Golding, Environmental Specialist III, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1710, (850)245-4277

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Elections**

|                  |  |
|------------------|--|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b>                       |
| 1S-2.0011        | Constitutional Amendment Ballot Position |

**PURPOSE AND EFFECT:** This proposed rule implements the Florida Supreme Court’s holding that the initiative revocation law violates the state constitution. Initiative petition sponsors will no longer have to wait until February 1 of the election year to obtain a designating number for ballot position if the initiative petition obtains the requisite number of signatures before February 1.

**SUMMARY:** The rule clarifies the ballot position process when initiative amendments and other forms of proposed amendments are filed. The rule will permit designating numbers for ballot position to be assigned to initiative amendments when the initiative petition obtains the requisite number of signature if ballot position is obtained by February 1 of the election year.

**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.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 101.161(2) FS.

LAW IMPLEMENTED: Art XI, Fla. Const., 100.371, 101.161 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: May 24, 2010, 1:00 p.m.

PLACE: Room 307, R. A. Gray Building, Department of State, 500 S. 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 5 days before the workshop/meeting by contacting: Eddie Phillips, Executive Assistant, Department of State, (850)245-6536; email: elphillips@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Assistant General Counsel, Department of State, at (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.0011 Constitutional Amendment Ballot Position.

(1) The Director of the Division of Elections shall assign in the following manner a designating number to any proposed revision or amendment to the State Constitution for placement on the general election ballot:

(a) The ballot position of each proposed revision or amendment shall correspond to the designating number assigned by the director. A designating number may not be assigned to a constitutional amendment by initiative until the Secretary of State has issued a certificate of ballot position in accordance with Section 100.371, F.S.

(b) All revisions submitted by a revision commission or constitutional convention shall be considered to be one set, but each individual revision received shall be assigned a designating number in the manner and order determined by the convention or commission. Revisions shall be titled and designated as such together with the assigned designating number. For example, the set of revisions would begin with No. 1, Constitutional Revision.

(c) Amendments submitted by the Florida Legislature or proposed by initiative shall be titled and designated as an amendment with the assigned designating number. For example, the amendment designation would be No. 2, Constitutional Amendment.

(d)1. Revision proposals and proposed amendments shall be assigned designating numbers in consecutive ascending numerical sequence in the order of:

a. Receipt by the Secretary of State, or his or her designee, of the constitutional convention or commission revision proposal,

b. The filing of the legislative resolution containing the proposed amendment with the Division of State Library, Archives and Records Services, or

c. The Secretary of State's certification of ballot position of a constitutional amendment proposed by initiative.

2. Initiative amendments ~~deemed~~ filed on the same date as ~~other revision proposals or proposed amendments~~ shall be assigned the number received in a random drawing of lots containing the remaining available designating numbers.

(2) No later than February 2 of the election year, the Director of the Division of Elections shall assign and post the designating numbers for proposed amendments or revisions to the constitution that have been properly filed by February 1 of the year the general election is held. Thereafter, through the 91st day prior to the election, the Division shall assign and post designating numbers within 24 hours after a joint resolution or proposal for amending or revising the constitution from a revision commission, constitutional convention, or taxation and budget reform commission is filed with the Secretary of State. Designating numbers shall be assigned and publicly announced promptly after 5:00 p.m. on February 1 preceding the general election date.

(3) In the event a proposed revision or amendment is removed or stricken from the ballot subsequent to its attaining ballot position and being assigned a designating number, all other proposals shall retain the number assigned. The designating number of the stricken proposal shall not be reused, unless that proposal is reinstated.

~~Rulemaking Specific~~ Authority 20.10(3), 97.012(1), 101.161(2) FS. Law Implemented Art. XI, Fla. Const., 100.371, 101.161 FS. History—New 8-9-78, Amended 4-17-79, Formerly 1C-7.011, 1C-7.0011, Amended 3-16-06, 10-15-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gary J. Holland

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kurt S. Browning

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 2010

**DEPARTMENT OF STATE****Division of Elections**

RULE NO.: 1S-2.0091  
 RULE TITLE: Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification

PURPOSE AND EFFECT: To implement the Florida Supreme Court's holding that the initiative revocation process violates the state constitution. The effect on this proposed rule is that the supervisors of elections and Division of Elections no longer must determine if voters had signed a revocation petition before verifying a voter's signature on an initiative petition.

SUMMARY: The proposed rule eliminates any reference to revocations of voter signatures concerning the signature verification process for initiative petitions. It also clarifies that a supervisor may verify a voter's signature unless the voter had signed the identical initiative which was already verified. To comply with the implementing statute, the rule requires only the voter's street address, not a residential street address, on the petition.

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.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 100.371(7) FS.

LAW IMPLEMENTED: Art. XI, Fla. Const., 100.371 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: May 24, 2010, 1:00 p.m.

PLACE: Room 307, R. A. Gray Building, Department of State, 500 S. 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 5 hours before the workshop/meeting by contacting: Eddie Phillips, Executive Assistant, Department of State, at (850)245-6536; email: elphillips@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Assistant General Counsel, Department of State, at (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.0091 Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification.

(1) Submission. Signed initiative petition forms proposing amendments to the Florida Constitution shall be submitted solely by the sponsoring political committee to the Supervisor of Elections in the county in which the petition forms were circulated. It is the responsibility of the sponsoring political committee to ensure that the signed petition form is properly filed with, or if misfiled forwarded to, the Supervisor of Elections of the county in which the signee is a registered voter. In the case of a misfiled petition, the filing date of the petition is the date such petition is filed with the proper county.

(2) Signature Verification.

(a) In accordance with the signature verification fee provisions in Section 99.097(4), F.S., the Supervisor of Elections shall verify the signatures on each initiative petition form within 30 days of receipt of the form to ensure that each person signing the petition form:

1. Was, at the time of signing and verification of the petitions, a registered voter in the county in which the petition is submitted,

~~2. Had not previously revoked his or her signature on the petition;~~

~~2.3.~~ Had not signed the petition form more than four years prior to the date the Supervisor verified the petition, and

~~3.4.~~ Had not ever previously signed a petition form containing the identical initiative which had been verified.

(b) The Supervisor shall not verify a signature on an initiative petition form unless all of the following information is contained on the petition form:

1. The voter's name,

2. The voter's ~~residential~~ street address (including city and county),

3. The voter's date of birth or voter registration number,

4. The voter's original signature, and

5. The date the voter signed the petition, as recorded by the voter.

(3) Random Sampling Not Permitted. Supervisors of Elections may not use random sampling as a method for verifying signatures on constitutional amendment initiative petitions.

(4) Recordation of Verification. The appropriate supervisor of elections for each respective voter whose signature is verified as valid shall record the date the form was received, the date of the signature, the date the signature was verified, and the assigned serial number for the applicable initiative petition. Upon completion of the verifications as set forth in subsection (2), the Supervisors of Elections shall submit to the Division of Elections a certificate indicating the total number of signatures verified and the distribution by congressional district. In conjunction with each certificate submitted, each Supervisor shall submit a copy of one petition

showing the text of the constitutional amendment to which the verified signatures relate. Certificates may be submitted by the Supervisor via facsimile in order to meet the filing deadline, followed by the original certificates sent by mail.

(5) Filing Deadline. In order for the initiative petition to be timely filed for appearance on the ballot for the next general election, the constitutionally requisite number of verified signatures must be verified and reported to the Division no later than 5:00 p.m. on February 1 of the year in which the general election is held.

~~(6) Effective of Revocation Petition. Prior to any determination that the constitutionally requisite number of signatures has been obtained for purposes of placing an amendment by initiative on the ballot, the Division shall determine in accordance with Rule 1S-2.0095, F.A.C., the number of verified petition revocations reported to the Division no later than 5:00 p.m. on February 1 of the same year. The Division shall then deduct that number from the number of verified signatures reported for the underlying applicable constitutional initiative amendment. Upon a determination that the constitutionally requisite number of signatures has been obtained, the Secretary of State shall issue a certificate of ballot position in accordance with Section 100.371, F.S., to the appropriate sponsoring political committee and assign a designating ballot number.~~

(6)(7) Limitation on Use of Verified Signatures. Verified signatures used successfully to place a proposed amendment by initiative on the ballot that subsequently fails to be approved by the electors at the general election shall not be used again in support of any future initiative petition.

Rulemaking Specific Authority 20.10(3), 97.012(1), 100.371(7) FS. Law Implemented Art. XI, Fla. Const., 100.371 FS. History—New 1-6-80, Amended 12-20-83, Formerly 1C-7.091, 1C-7.0091, Amended 2-13-90, 3-5-96, 1-5-04, 3-16-06, 10-15-07, 10-13-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Gary J. Holland

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kurt S. Browning

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 21, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 2010

**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**

**Florida Prepaid College Board**

RULE NO.: 19B-16.003  
RULE TITLE: Participation Agreement

PURPOSE AND EFFECT: To update the Florida College Investment Plan Participation Agreement Form.

SUMMARY: This rule change is being made to update the Florida College Investment Plan Participation Agreement Form.

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.

RULEMAKING AUTHORITY: 1009.971(1), (4), (6) FS.

LAW IMPLEMENTED: 1009.81(2) 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: May 24, 2009, 2:00 p.m.

PLACE: Suite 210, Hermitage Building, 1801 Hermitage Boulevard, 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 5 days before the workshop/meeting by contacting: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514. 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: Thomas J. Wallace, Executive Director, 1801 Hermitage Boulevard, Suite 210, Tallahassee, Florida 32308, telephone (850)488-8514

THE FULL TEXT OF THE PROPOSED RULE IS:

19B-16.003 Participation Agreement.

(1) The contract between the Board and a benefactor shall consist of the benefactor's completed application and the participation agreement. The Florida College Investment Plan Participation Agreement, Form No. FPCB ~~2010-4~~ ~~2009-4~~, is hereby incorporated by reference. The form may be obtained from the Board by calling 1(800)552-GRAD (4723)(prompt 1).

(2) through (4) No change.

Rulemaking Specific Authority 1009.971(1), (4), (6) FS. Law Implemented 1009.981(2) FS. History—New 11-27-02, Amended 12-28-04, 6-2-05, 7-17-06, 12-4-07, 5-29-08, 6-3-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Florida Prepaid College Board  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Florida Prepaid College Board  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: December 1, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAW: April 2, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Board of Employee Leasing Companies**

RULE NO.:                   RULE TITLE:  
 61G7-5.001               Application Procedure; Application  
                                   Form; Fees; Confidential  
                                   Information; Denial of Application;  
                                   Request for Hearing

PURPOSE AND EFFECT: To amend Rule 61G7-5.001, F.A.C., to clarify what evidence of workers' compensation coverage applicants for initial licensure are required to present to the Board if they have no leased employees. This amendment also presents a more specific website address for accessing application forms, amends Rule 61G7-5.001, F.A.C., and a form incorporated by reference so that licensure applicants will be required to submit electronic fingerprints rather than fingerprint cards, changes the application fee for controlling person applicants, and amends the process for controlling persons who leave one employee leasing company to work for another.

SUMMARY: To amend Rule 61G7-5.001, F.A.C., to clarify what evidence of workers' compensation coverage applicants for initial licensure are required to present to the Board if they have no leased employees. This amendment also presents a more specific website address for accessing application forms, amends Rule 61G7-5.001, F.A.C., and a form incorporated by reference so that licensure applicants will be required to submit electronic fingerprints rather than fingerprint cards, changes the application fee for controlling person applicants, and amends the process for controlling persons who leave one employee leasing company to work for another.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board determined that the rule amendments would have an impact on small businesses. Currently, the applicant background check fees and the application fees are a combined cost. The rule amendment will separate the two fees. This new method will be more efficient, saving time and a reduction in paper records. Also, the costs of the background checks will be paid through the Department of Business and Professional Regulation's vendor. Although, this new method will be more efficient, the cost of the application process will increase by \$14.00, which is incurred by the applicant.

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.

RULEMAKING AUTHORITY: 120.53(1), 455.2281, 468.522, 468.5245, 468.5275 FS.

LAW IMPLEMENTED: 468.524(2), 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.001 Application Procedure; Application Form; Fees; Confidential Information; Denial of Application; Request for Hearing.

(1) Applicants for licensure as an employee leasing company or as a controlling person shall file a completed application on Form DBPR EL 4501, "Application for Licensure as an Employee Leasing Company," effective March 18, 2004 and/or Form DBPR EL 4510, "Application for Licensure as an Employee Leasing Company Controlling Person," effective ~~March 18, 2004~~. The forms, together with ~~the their attached~~ instructions for completing ~~them the application forms~~, are incorporated herein by reference and may be obtained from the Board's office at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 or from its Website located at [www.myflorida.com/dbpr/pro/emplo/forms.html](http://www.myflorida.com/dbpr/pro/emplo/forms.html). Applicants shall cure all deficiencies in their application noted by the board within 90 days from the date of the letter notifying the applicant or the application will be denied as an incomplete application. For purposes of this rule, an application is complete when all items on the application form have been fully answered, the applicant has paid the application fee specified in subsection (2), and has submitted all attendant documentation, certifications, electronic fingerprints through the Department's vendor fingerprint cards, explanations of answers, and other items specified in the form and its attached instructions. An application for licensure as an employee leasing company or group will not be deemed complete until both the controlling person(s) and employee leasing company parts are complete.

(2) The application fee shall be \$250 for each employee leasing company applicants, ~~\$106.75~~ ~~+\$0~~ for each controlling person applicants, \$250 for each change of ownership applicants, and registration fees for de minimus operations of \$250 for a single employee leasing company and \$500 for a de minimus ~~an~~ employee leasing company group.

(3) License fees shall be assessed as follows:

(a) through (c) No change.

(d) For purposes of this rule the first year of the biennium shall end on April 30 of every odd ~~even~~-numbered year.

(e) through (f) No change.

(4) through (5) No change.

(6) In determining that an applicant meets the licensure requirements in Section 468.525, F.S., the Board must find that the applicant:

(a) In the case of an individual applying for licensure as a controlling person:

1. Is at least 18 years of age;

2. Is of good moral character as defined in Section 468.525(2)(a), F.S.;

3. Has sufficient education or experience to successfully operate as a controlling person of an employee leasing company.

4. Notwithstanding the foregoing, an applicant shall not be deemed to meet the requirements of Section 468.525(1)(c), F.S., if the applicant has been affiliated directly or indirectly with any person, persons or entities (not only an employee leasing company) whose business operations are being or have been operated in a manner detrimental to clients, employees, governmental agencies, investors or creditors through the improper manipulation of assets or accounts. The foregoing shall apply only if the applicant would have been considered a "controlling person" of any such entity as that term is defined in Section 468.520(7), F.S. "Business operations which are deemed to be detrimental to clients, employees, governmental agencies, investors or creditors" shall mean a history, pattern or significant incidence of the following:

a. The imposition of federal or state withholding or payroll tax liens,

b. Unpaid federal, state or local withholding or payroll taxes,

c. Violating federal wage and hour laws,

d. Failure to comply with state or federal workers' compensation requirements,

e. Failure to comply with applicable laws relating to the providing and maintenance of health insurance benefits to employees, and

f. Failure to comply with occupational health and safety act (OSHA) requirements.

5. If any person applying for licensure as a controlling person, pursuant to Section 468.525, F.S., has engaged in the activities set forth in sub-subparagraphs 4.a. through f. above, this shall not be deemed to be an automatic bar to licensure. In determining whether to approve an applicant for licensure in spite of such activities, the Board shall consider the following factors:

a. The length of time since the prior activity.

b. The steps taken by the applicant to insure the non-occurrence of similar actions in the future.

c. The restitution of any damages suffered by any company, client or victim of the applicant's actions.

d. The lack of any recurrent actions by the applicant.

e. The lack of any wrongful intent by the applicant at the time of the action.

6. Any controlling person's license approved by the board shall exist only in conjunction with a license granted to an employee leasing company. When any controlling person ceases to meet the statutory and rule criteria to be a controlling person then the controlling person's license shall expire and become null and void. If a controlling person notifies the Department within ninety (90) days of the event which ends the individual's status as a controlling person that the individual is going to become a controlling person with another employee leasing company then a new controlling person license will be issued upon payment of a \$5.00 transfer application fee and written notification to the Department from all employee leasing companies involved. For such an application only, the background checks required of all initial controlling person applicants shall be waived insofar as the information would be available from the previous licensure file.

(b) In the case of a sole proprietorship, partnership, corporation, or other form of business entity applying for licensure as an employee leasing company:

1. If a corporation is validly organized in the State of Florida, or appropriately registered as a Foreign Corporation doing business in the State of Florida as evidenced by a Certificate of Standing issued by the Florida Secretary of State.

2. Has and is maintaining, at the time of application, a positive working capital as determined in accordance with generally accepted accounting principles as demonstrated in the information filed with the application.

3. Has a tangible accounting net worth of not less than \$50,000 in accordance with generally accepted accounting principles as demonstrated in the information filed with the application.

4. Has, at the time of application, a contract form meeting the requirements of Sections 468.525(3) and (4), F.S., which will be used after licensure to engage in employee leasing with new or renewal clients.

5. Has provided with the application a certificate of workers' compensation insurance coverage which shall name the Board as a Certificate Holder and shall provide for a minimum of 30 days' notification of cancellation or if a policy from the Florida Joint Underwriters Association (JUA) or from any carrier authorized by the Florida Office of Insurance Regulation is to be utilized by the applicant, the applicant has provided a letter from the JUA or other authorized carrier which sets forth that the policy will issue immediately upon licensure by the Board, and the policy issues ~~from the JUA~~ within thirty (30) days of the JUA or other authorized carrier's notification from the Board that the applicant has been

approved subject to the JUA policy issuing. The employee leasing company may not contract to provide any services to leased employees until the JUA policy has issued.

6.a. Has provided with the application a valid certificate of workers' compensation insurance coverage, pursuant to Rule 61G7-10.0014, F.A.C., for all copies of the declaration pages and all endorsements on all plans for worker's compensation insurance covering leased employees. Notice of any changes in these insurance plans shall be submitted to the Department in writing along with the new certificate of workers' compensation insurance coverage copies of any policies, declaration pages and endorsements within sixty (60) days; or

b. Has supplied the Board a letter signed by an agent or a carrier authorized to bind coverage on behalf of such carrier, which substantially reads as follows:

Board of Employee Leasing Companies  
Division of Business and Professional Regulation  
Northwood Centre  
1940 North Monroe Street  
Tallahassee, Florida 32399

RE: \_\_\_\_\_

Dear \_\_\_\_\_:

Enclosed is a copy of the Certificate of Liability Insurance for \_\_\_\_\_ is an authorized agent and has the authority to bind coverage with \_\_\_\_\_. This policy number is \_\_\_\_\_, effective from \_\_\_\_\_ to \_\_\_\_\_ and issued to \_\_\_\_\_. This policy provides coverage to leased employees in Florida.

~~7.a. With regard to all plans of group insurance for the provision of health benefits to leased employees, has~~ Has provided the Board an affidavit which is substantially in the form set forth in paragraph 61G7-5.001(12)(b), F.A.C. with the application copies of the policies, declaration pages and all endorsements on all plans or arrangements of group insurance for the provision of health benefits to leased employees. Notice of any changes in these insurance plans shall be submitted to the Department in writing along with copies of any policies, declaration pages and endorsements within sixty (60) days; or An additional affidavit shall be submitted to the Board within (60) days of any material change in any such plan offered to leased employees.

~~b. Has supplied the Board the affidavit set forth in paragraph 61G7-5.001(12)(b), F.A.C.~~

~~(7) through (11) No change.~~

~~(12)(a) Every employee leasing company or employee leasing company group which sponsors a plan for health benefits for its employees shall submit a complete copy of the plan or health insurance policy to the Board for review to insure compliance with subsection 468.529(1), F.S. In the event that the Board's review indicates that the submitted plan or policy is a self-insured plan of health benefits, the applicant or licensee shall submit an amended policy in conformity with subsection 468.529(1), F.S.~~

~~(b) As an alternative to the submission of the plan or health insurance policy as provided in paragraph (a) the~~ The applicant or licensee, within (60) days of a licensee's obtaining a plan of group insurance for the provision of health benefits shall may submit an affidavit from the insurer showing that the policy or plan is in compliance. Such affidavit Nothing in this rule shall impose any requirement on any insurer to provide such an affidavit. In the event that an affidavit is submitted, it shall be in substantially the following form:

AFFIDAVIT

I, \_\_\_\_\_ (name of affiant), after being duly sworn upon my oath, depose and state:

1. I am employed by (name of employer) as (position). (Name of employer), is an admitted insurance carrier in the State of Florida. I possess the authority to make the following statements on behalf of (name of employer) and to bind (name of employer) concerning the statements made herein.

2. It is my understanding that, ~~as a requirement for licensure as an employee leasing company in Florida,~~ an employee leasing company may not sponsor a plan of self-insurance for health benefits except as may be permitted by the provisions of the Florida Insurance Code or, if applicable, by Pub. L. No. 93-406, the Employees Retirement Income Security Act. (name of insurer) Group Insurance Policy # issued to (name of leasing company), is in compliance with the requirements of this law as it is a fully insured insurance product which is fully insured by (name of insurer). Notwithstanding any provision in the policy which could be interpreted to the contrary (name of insurer) is ultimately fully responsible for all incurred claims under the terms of the policy.

After having read the above statements, I swear that they are true and correct to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.

Subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_ (name of affiant), who being known to me/ produced written identification in the form of \_\_\_\_\_ (type of identification), and did take an oath.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_

Rulemaking Specific Authority 120.53(1), 455.2281, 468.522, 468.5245, 468.5275 FS. Law Implemented 455.213(11), 455.2281, 468.524, 468.5245, 468.525, 468.526, 468.527, 468.5275, 468.529 FS. History--New 5-5-92, Amended 7-15-92, 10-20-92, Formerly 21EE-5.001, Amended 10-24-93, 3-14-94, 7-4-94, 9-8-94, 11-13-94, 2-13-95, 6-4-95, 11-9-95, 5-26-96, 5-19-97, 4-29-99, 9-5-04.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Employee Leasing Companies

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 15, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-5.005  
 RULE TITLE: Deficiency in Tangible Accounting and Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor’s Adequate Resources

PURPOSE AND EFFECT: To amend Rule 61G7-5.005, F.A.C., and Form DBPR EL 4505 to make the guarantor financially responsible until the deficiency has been corrected or until a new guarantor has filed an acceptable guaranty with the Board to replace the original guaranty.

SUMMARY: The rule amendment make the guarantor financially responsible until the new guarantor has filed an acceptable guaranty replace the original one.

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.

RULEMAKING AUTHORITY: 468.522, 468.525(3)(d) FS.

LAW IMPLEMENTED: 468.525(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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.005 Deficiency in Tangible Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor’s Adequate Resources.

(1) When an applicant chooses to have a guaranty to offset any deficiency in tangible accounting net worth regarding an initial application, accounting net worth or working capital regarding a renewal application, such guaranty shall be made on Form DBPR EL 4505, entitled “Board Approved Guaranty Form,” effective 3-18-04, which is incorporated herein by reference and available from the Board at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 and from its Website located at <http://www.myflorida.com/dbpr/pro/emplo/forms.html>.

html. Such guaranty shall be irrevocable until such time that the deficiency causing the guaranty has been corrected as shown by an audited financial statement, or until a new guarantor has filed an acceptable guaranty with the Board which replaces a previously filed guaranty.

(2) through (3) No change.

~~Rulemaking Specific~~ Authority 468.522, 468.525(3)(d) FS. Law Implemented 468.525(3) FS. History--New 9-6-93, Amended 5-29-94, 5-26-96, 9-5-04, 6-8-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 15, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-10.002  
 RULE TITLE: Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name

PURPOSE AND EFFECT: To amend Rule 61G7-10.002, F.A.C., to clarify the process and fee due when a controlling person leaves employment with one employee leasing company for another.

SUMMARY: The rule amendment would require a new owner or owners to show workers compensation coverage during the change of ownership and for the employees by providing a certificate of coverage from an insurance carrier that is admitted in the State of 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.

RULEMAKING AUTHORITY: 455.201(2), 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531, 455.201(2) FS.

LAW IMPLEMENTED: 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

61G7-10.002 Reporting of Change of Status Required; Effect on Licensees; Change of Licensee Name.

(1) No change.

(2) Licensees experiencing a change in status listed below in the left column shall file or do what is listed in the corresponding right column as follows:

THE FULL TEXT OF THE PROPOSED RULE IS:

CHANGE IN STATUS

NEEDED ACTION BY COMPANY, GROUP, OR CONTROLLING PERSON

(a) through (c) No change.

~~(d) Sale or transfer of company stock which causes a change in controlling person(s) or other changes in the information contained in the original application~~

~~Controlling Person, effective 03-18-04 and DBPR EL 4511, entitled Application for Certificate of Approval for Change of Ownership, effective 03-18-04, where applicable. The above forms are incorporated by reference and available from the Board office or from the website at [www.myflorida.com](http://www.myflorida.com). <http://www.myflorida.com/dbpr/pro/emplo/forms.html>~~

~~(d)(e) Sale or transfer of company stock which causes a change in control~~

~~Change of Ownership application EL 4511, which causes a change in control and where applicable, controlling person license application for each new controlling person, DBPR EL 4510, and Historical Sketch form, DBPR EL 4512, where applicable. The above forms are incorporated by reference and available from the Board office at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 or from the website at <http://www.myflorida.com/dbpr/pro/emplo/forms.html>. [www.myflorida.com](http://www.myflorida.com).~~

~~(e)(f) Sale or transfer of a majority of Florida business assets~~

~~Application for Certificate of Approval for Change of Ownership EL-4511, new company application if buyer not already licensed, and fee from buyer – old license does not transfer but remains with seller; unless already licensed, new controlling person license application and fee for each new controlling person.~~

~~(f)(g) No change.~~

~~(g)(h) No change.~~

~~(h)(i) Controlling person resigns from Company A and is employed by Company B as controlling person~~

~~notification to Board from Company A and controlling person; notification to Board from Company B regarding new controlling person no new application or fee needed from controlling person license goes with controlling person; \$5 transfer fee from controlling person.~~

(3) The notification required in subsection (1) shall be submitted to the executive director by any form of certified mail that provides the sender with delivery confirmation within 14 days of a change in a licensee's status. Within 30 days of a change in its status, the licensee, or other entity resulting from such change or both, shall submit new applications, new financial or other information, and new or additional fees to the Board's office as needed to comply with Part XI of Chapter 468, F.S., and the rules of this Board.

~~involved the company to which the controlling person has moved shall submit notifications to the Board of the acceptance of the controlling person's transfer, along with a \$25 fee for the change of company name on the individual's license.~~

(7) No change.

(4) through (5) No change.

(6) In the event of a change in status of controlling person pursuant to paragraph (2)(h) or (i), as outlined above, the controlling person and all employee leasing companies

involved the company to which the controlling person has moved shall submit notifications to the Board of the acceptance of the controlling person's transfer, along with a \$25 fee for the change of company name on the individual's license.  
(8) In the event of a change in ownership pursuant to paragraph (2)(d), (2)(e), or (2)(f) above, the new owner or owners must demonstrate that workers compensation coverage is in effect during the change of ownership and at all time subsequent thereto for the employees of the acquired entity by providing a certificate of coverage from an insurance carrier that is admitted in the State of Florida naming the new owner or owners as the insurer.

Rulemaking Specific Authority 455.201(2), 468.522, 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531, 455.201(2) FS. Law Implemented 468.524(2), 468.525(3), 468.526, 468.530(3), 468.531 FS. History–New 1-27-93, Amended 5-20-93, Formerly 21EE-10.002, Amended 10-24-93, 8-17-94, 11-9-95, 5-21-96, 11-24-96, 3-18-97, 3-1-05, 10-23-05, 12-31-06, \_\_\_\_\_

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Employee Leasing Companies  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 17, 2010  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 15, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: 61G15-22.011  
 RULE TITLE: Board Approval of Continuing Education Providers

PURPOSE AND EFFECT: To delete outdated language.  
 SUMMARY: The Board proposes to delete outdated language.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.  
 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.  
 RULEMAKING AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.01 FS.  
 LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 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: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

- 61G15-22.011 Board Approval of Continuing Education Providers.
- (1) through (8) No change.
  - (9) The following providers shall be approved as providers ~~until May 31, 2009~~, and the Board shall accept their courses for continuing education credit:
    - (a) through (c) No change.

Rulemaking Authority 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS. History–New 9-16-01, Amended 9-4-02, 12-21-03, 8-8-05, 6-11-06, 1-29-07, 6-3-07, 8-10-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 15, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 2010

**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 ENVIRONMENTAL PROTECTION**

RULE NO.: 62-204.800  
 RULE TITLE: Federal Regulations Adopted by Reference

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments (OGC No. 10-1323) update, through March 31, 2010, the department’s adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Parts 50 and 58.  
 RULEMAKING AUTHORITY: 403.8055 FS.  
 LAW IMPLEMENTED: 403.061, 403.087, 403.8055 FS.  
 THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S.  
 WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Ms. Lynn Scarce, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, FL 32399-3000.  
 SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BLVD., TALLAHASSEE, FL 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) Title 40, Code of Federal Regulations, Part 50, National Primary and Secondary Ambient Air Quality Standards.

(a) The provisions of 40 CFR Part 50, §§ 50.1 through 50.12, revised as of July 1, 2006; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473; § 50.13, promulgated October 17, 2006, at 71 FR 61143; § 50.14, promulgated March 22, 2007, at 72 FR 13559; amended May 22, 2007, at 72 FR 28612; amended October 6, 2008, at 73 FR 58042; amended November 12, 2008, at 73 FR 66963; amended May 19, 2009, at 74 FR 23307, amended February 9, 2010, at 75 FR 6473; § 50.15 promulgated, March 27, 2008, at 73 FR 16435; and § 50.16, promulgated November 12, 2008, at 73 FR 66963; are adopted and incorporated by reference.

(b) The following appendices of 40 C.F.R. Part 50, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. through 17. No change.

18. 40 C.F.R. Part 50, Appendix S, Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen (Nitrogen Dioxide), promulgated February 9, 2010, at 75 FR 6473.

(2) through (5) No change.

(6) Title 40, Code of Federal Regulations, Part 58, Ambient Air Quality Surveillance.

(a) The following subparts of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 58, Subpart A, General Provisions; amended October 17, 2006, at 71 FR 61235; amended February 9, 2010, at 75 FR 6473.

2. 40 C.F.R. Part 58, Subpart B, Monitoring Network, amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473.

3. through 6. No change.

(b) The following appendices of 40 C.F.R. Part 58, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 58, Appendix A, Quality Assurance Requirements for SLAMS, SPMs and PSD Air Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473.

2. 40 C.F.R. Part 58, Appendix C, Ambient Air Quality Monitoring Methodology; amended October 17, 2006, at 71 FR 61235; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473.

3. 40 C.F.R. 58, Appendix D, Network Design Criteria for Ambient Air Quality Monitoring; amended October 17, 2006, at 71 FR 61235; amended June 12, 2007, at 72 FR 32193; amended November 12, 2008, at 73 FR 66963; amended February 9, 2010, at 75 FR 6473.

4. 40 C.F.R. 58, Appendix E, Probe and Monitoring Path Siting Criteria for Ambient Air Quality Monitoring; amended October 17, 2006, at 71 FR 61235; amended February 9, 2010, at 75 FR 6473.

5. 40 C.F.R. Part 58, Appendix G, Uniform Air Quality Index (AQI) and Daily Reporting; amended March 27, 2008, at 73 FR 16435; amended June 26, 2009, at 74 FR 30469; amended February 9, 2010, at 75 FR 6473.

(7) through (27) No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 7-1-10.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

|                  |  |
|------------------|--|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b>                       |
| 62-204.800       | Federal Regulations Adopted by Reference |

**PURPOSE, EFFECT AND SUMMARY:** The proposed rule amendments (OGC No. 10-1322) update the department's adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Part 60, Subparts A, Ce, and Ec, to incorporate revisions to the new source performance standards and emission guidelines for hospital/medical/infectious waste incinerators promulgated by EPA October 6, 2009.

**RULEMAKING AUTHORITY:** 403.8055 FS.

**LAW IMPLEMENTED:** 403.061, 403.087, 403.8055 FS.

**THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S.**

**WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO:** Ms. Lynn Searce, Division of Air Resource Management, 2600 Blair Stone Road, M.S. 5500, Tallahassee, FL 32399-3000

**SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION,**

ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BLVD., TALLAHASSEE, FL 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) through (7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. through 7. No change.

8. 40 C.F.R. Part 60, Subpart Ec, Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996; amended October 6, 2009, at 74 FR 51368; except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.56(c)(i).

9. through 81. No change.

(c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2001; amended August 27, 2001, at 66 FR 44978; amended July 8, 2004, at 69 FR 41346; amended May 18, 2005, at 70 FR 28605; amended December 16, 2005, at 70 FR 74869; amended June 1, 2006, at 71 FR 31100; amended July 6, 2006, at 71 FR 38481; amended July 11, 2006, at 71 FR 39153; amended May 16, 2007, at 72 FR 27437; amended June 13, 2007, at 72 FR 32709; amended November 16, 2007, at 72 FR 64859; amended January 18, 2008, at 73 FR 3567; amended June 24, 2008, at 73 FR 35837; amended December 22, 2008, at 73 FR 78199; amended January 28, 2009, at 74 FR 5071; amended October 6, 2009, at 74 FR 51368; are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4, 40 C.F.R. § 60.8(b)(2) and (3), 40 C.F.R. § 60.11(e)(7) and (8), 40 C.F.R. § 60.13(g), (i) and (j)(2), and 40 C.F.R. § 60.16.

(e) No change.

(9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times.

(a) through (c) No change.

(d) Hospital/Medical/Infectious Waste Incinerators. 40 C.F.R. part 60, Subpart Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators, revised as of July 1, 2001, is hereby adopted and incorporated by reference, subject to the following provisions:

1. through 6. No change.

7. Compliance and Performance Testing.

a. Except as provided for under sub-paragraph 62-204.800(9)(d)7.b., F.A.C., the compliance and performance testing requirements applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(d), F.A.C., shall be the same as set forth in 40 C.F.R. § 60.56c, excluding the fugitive emissions testing requirements under 40 C.F.R. §§ 60.56c(b)(14)(12) and (c)(3).

b. No change.

8. through 11. No change.

(e) through (f) No change.

(g) ~~Reserved.~~ Hospital/Medical/Infectious Waste Incinerators. 40 C.F.R. Part 60, Subpart Ce, Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators, revised as of July 1, 2009; amended October 6, 2009, at 74 FR 51368; is hereby adopted and incorporated by reference, subject to the following provisions:

1. Applicability. The applicability of paragraph 62-204.800(9)(g), F.A.C., shall be the same as set forth at 40 C.F.R. § 60.32e.

2. Definitions. The terms used but not defined in 40 C.F.R. 60, Subpart Ce, shall have the meaning given them at 40 C.F.R. 60, Subparts A, B and Ec.

3. Emission Limiting Standards.

a. The emission limits applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as the emission limits set forth at 40 C.F.R. § 60.33e(a)(2) or (3).

b. The opacity limit applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as the opacity limit set forth at 40 C.F.R. § 60.52c(b)(2).

4. Operator Training and Qualification. The operator training and qualification requirements applicable to each hospital/ medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as set forth at 40 C.F.R. § 60.53c.

5. Waste Management. The waste management plan requirements applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as set forth at 40 C.F.R. § 60.55c.

6. Inspection. Each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall comply with the inspection requirements as set forth at 40 C.F.R. § 60.36e.

7. Compliance, Performance Testing, and Monitoring Provisions.

a. The compliance and performance testing requirements applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as set forth at 40 C.F.R. § 60.56c, excluding the annual fugitive emissions testing requirements under § 60.56c(c)(3), the CO CEMS requirements under § 60.56c(c)(4), and the compliance requirements for monitoring listed in §§ 60.56c(c)(5)(ii) through (v), (c)(6), (c)(7), (e)(6) through (10), (f)(7) through (10), and (g)(6) through (10). Hospital/medical/infectious waste incinerators subject to the emission limits under § 60.33e(a)(2) and (a)(3) may, however, elect to use CO CEMS as specified under § 60.56c(c)(4) or bag leak detection systems as specified under § 60.57c(h).

b. The monitoring requirements applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as set forth at 40 C.F.R. § 60.57c.

c. The use of previous emissions test results applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as set forth at 40 CFR § 60.37e(f).

8. Reporting and Recordkeeping.

a. The reporting and recordkeeping requirements applicable to each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall be the same as set forth at 40 C.F.R. §§ 60.58c(b) through (g), excluding §§ 60.58c(b)(2)(xviii) (bag leak detection system alarms), (b)(2)(xix) (CO CEMS data), and (b)(7) (siting documentation).

b. In addition, each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall comply with the reporting and recordkeeping requirements of 40 C.F.R. § 60.38e(b).

9. Compliance Times.

a. Each hospital/medical infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall comply with the operator training and qualification requirements of subparagraph 62-204.800(9)(g)4., F.A.C., according to the schedule set forth at 40 C.F.R. § 60.39e(e).

b. Each hospital/medical/infectious waste incinerator subject to paragraph 62-204.800(9)(g), F.A.C., shall comply with the inspection requirements of subparagraph 62-204.800(9)(g)6., F.A.C., according to the schedule set forth at 40 C.F.R. § 60.39e(e).

10. Effective Date. The effective date of paragraph 62-204.800(9)(g), F.A.C., shall be April 1, 2012.

(h) No change.

(10) through (27) No change.

**PROPOSED EFFECTIVE DATE:** June 11, 2010

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10.

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:**

**RULE TITLE:**

62-304.600

Tampa Bay Basin TMDLs

**PURPOSE AND EFFECT:** The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs) and their allocations for waters in the Tampa Bay Basin that are impaired for fecal coliform.

**SUMMARY:** These TMDLs address fecal coliform impairments in the Tampa Bay Basin. Specifically, the TMDL rules being proposed for adoption are for Allen Creek (tidal), Alligator Creek, Bellows Lake Outlet, Bishop Creek (freshwater and tidal segments), Brushy Creek, Bullfrog Creek (freshwater and tidal segments), Cross Canal (North), Double Branch, Little Bullfrog Creek, Lower Rocky Creek, Moccasin Creek (tidal), Mullet Creek (freshwater and tidal segments), Rocky Creek, and Sweetwater Creek. These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodologies used to develop the TMDLs were either the percent reduction or load duration analysis method. These TMDLs were originally published in August 2009; however, because certain other TMDLs also proposed for Rule 62-304.600, F.A.C., are the subject of an administrative challenge, the Department must republish these TMDLs so that they may proceed separately for adoption. This rulemaking has been given OGC case number 10-1477.

**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.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.  
LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: May 27, 2010, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, 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 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.600 Tampa Bay Basin TMDLs.

(1) Allen Creek (tidal). The fecal coliform TMDL for Allen Creek (tidal) is 400 counts/100mL and is allocated as follows:

(a) The Wasteload Allocation (WLA) for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2008, will require a 77 percent reduction of sources contributing to exceedances of the criteria.

(c) The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2008, will require a 77 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result

in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) Alligator Creek. The fecal coliform TMDL for Alligator Creek is  $4.4 \times 10^{10}$  counts/day, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 51 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 51 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(3) Bellows Lake Outlet (also known as East Lake Outfall). The fecal coliform TMDL for Bellows Lake Outlet is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations in 2008, will require a 80 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations in 2008, will require a 80 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(4) Bishop Creek (freshwater). The fecal coliform TMDL for Bishop Creek (freshwater) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(5) Bishop Creek (tidal). The fecal coliform TMDL for Bishop Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2008, will require a 64 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2008, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(6) Brushy Creek. The fecal coliform TMDL for Brushy Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for the Hillsborough County Dale Mabry Advanced Wastewater Treatment Plant (FL0036820) is that it must meet its NPDES permit limits.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 36 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 36 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(7) Bullfrog Creek (freshwater). The fecal coliform TMDL for Bullfrog Creek (freshwater) is  $1.66 \times 10^{11}$  counts/day, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(8) Bullfrog Creek (tidal). The fecal coliform TMDL for Bullfrog Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 46 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 46 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(9) Cross Canal (North). The fecal coliform TMDL for Cross Canal (North) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(10) Double Branch. The fecal coliform TMDL for Double Branch is 400 counts/100mL, and is allocated as follows:

(a) The WLA for the Hillsborough County Northwest Regional Wastewater Reclamation Facility (FL0041670) is that it must meet the its NPDES permit conditions.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(11) Little Bullfrog Creek. The fecal coliform TMDL for Little Bullfrog Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 74 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 74 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(12) Lower Rocky Creek. The fecal coliform TMDL for Lower Rocky Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream

concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 71 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 71 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(13) Moccasin Creek (tidal). The fecal coliform TMDL for Moccasin Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2006 period, will require a 60 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2006 period, will require a 60 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(14) Mullet Creek (freshwater). The fecal coliform TMDL for Mullet Creek (freshwater) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2000 to 2005 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2005 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(15) Mullet Creek (tidal). The fecal coliform TMDL for Mullet Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2006, will require a 49 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2006, will require a 49 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(16) Rocky Creek. The fecal coliform TMDL for Rocky Creek is 400 counts/100mL, and is allocated as follows:

(a) WLAs for the Hillsborough County Rivers Oaks Advanced Wastewater Treatment Facility (FL0027821) and the Hillsborough County Northwest Regional Wastewater Reclamation Facility (FL0041670) are that they meet the facilities' permit limits.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2000 to 2007 period, will require a 58 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 58 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(17) Sweetwater Creek. The fecal coliform TMDL for Sweetwater Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 44 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 44 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 1, 2009

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.610  
RULE TITLE: Hillsborough River Basin TMDLs  
PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for water segments impaired for fecal coliforms in the Hillsborough River Basin.

SUMMARY: These TMDLs address fecal coliform impairments in the Hillsborough River Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for Mill Creek and Trout Creek. The methodology used to develop the fecal coliform TMDLs was the percent reduction method. These TMDLs were originally published in August 2009; however, because certain other TMDLs also proposed for Rule 62-304.610, F.A.C., are now the subject of an administrative challenge, the Department must republish these TMDLs so that they may proceed separately for adoption. This rulemaking has been given OGC case number 10-1477.

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.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: May 27, 2010, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, 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 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.610 Hillsborough River Basin TMDLs.

(1) through (9) No change.

(10) Mill Creek. The fecal coliform TMDL for Mill Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 66 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 66 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(11) Trout Creek. The fecal coliform TMDL for Trout Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for the Hillsborough County Pebble Creek Village WWTF (FL0039896) must meet its NPDES permit conditions.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 53 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 53 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from

both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History--New 12-22-04, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

**DEPARTMENT OF JUVENILE JUSTICE**

**Residential Services**

|                   |   |
|-------------------|---|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>                             |
| 63E-7.002         | Definitions                                     |
| 63E-7.006         | Quality of Life and Youth Grievance Process     |
| 63E-7.010         | Residential Case Management Services            |
| 63E-7.011         | Delinquency Intervention and Treatment Services |
| 63E-7.013         | Safety and Security                             |
| 63E-7.016         | Program Administration                          |

**PURPOSE AND EFFECT:** The amendments are intended to incorporate the Youth Needs Assessment Summary, and to conform portions of the residential rule to state and federal requirements in the areas of gang prevention, treatment services, consent to treatment, health services, and facility safety.

**SUMMARY:** The amendments relate to treatment, assessment, prevention and intervention, and facility operations in residential programs.

**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.

**RULEMAKING AUTHORITY:** 985.601, 985.64 FS.

**LAW IMPLEMENTED:** 985.601 FS.

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

**DATE AND TIME:** Tuesday, May 25, 2010, 2:00 p.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63E-7.002 Definitions.

For the purpose of this rule chapter, the following words shall have the meanings indicated.

(1) through (88) No change.

(89) Youth Needs Assessment Summary – A summary document in JJIS of all completed evaluations and assessments used to identify strengths and needs. This summary is completed by the case manager and is used to create the youth's Performance Plan. The Youth Needs Assessment Summary (RS 13, May 2010) is incorporated into this rule and is accessible at [http://www.djj.state.fl.us/forms/residential\\_rule63E\\_forms.html](http://www.djj.state.fl.us/forms/residential_rule63E_forms.html).

Rulemaking Authority 20.316, 985.64, 985.601(3)(a) FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History–New 9-30-07, Amended 8-25-08, 7-8-09, 12-21-09, 5-4-10,\_\_\_\_\_.

63E-7.006 Quality of Life and Youth Grievance Process.

(1) through (2) No change.

(3) A residential commitment program shall demonstrate a program model or component that addresses the needs of a targeted gender group. Health and hygiene, the physical environment, life and social skills training, and leisure and recreational activities are key components in providing a gender specific program.

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

Rulemaking Specific Authority 985.64, 985.601(3)(a), 20.316 FS. Law Implemented 985.601(3)(a), 985.03(44), 985.441(1)(b) FS. History–New 12-24-07, Amended \_\_\_\_\_.

63E-7.010 Residential Case Management Services.

(1) through (4) No change.

(5) Assessment. A residential commitment program shall provide assessment services as follows:

(a) Initial Assessment. The program shall ensure that an initial assessment of each youth is conducted within 30 days of admission. The program shall maintain all documentation of the initial assessment process in JJIS on the Youth Needs Assessment Summary in the youth's official youth case record.

1. Criminogenic Risks and Needs. The program shall assess each youth using the RPACT to identify criminogenic risk and protective factors, prioritize the youth's criminogenic needs.

2. Educational and Treatment Needs. Additionally, the program shall ensure that the initial assessment process addresses the youth's educational and treatment needs as specified in the following subsections, and that any resulting information that is applicable to the criminogenic risk and needs assessment is reflected on the criminogenic assessment tool addressed in subparagraph 63E-7.010(5)(a)1., F.A.C.

a. Education. An educational assessment shall be conducted as required in Section 1003.52, F.S.

b. Physical Health. A comprehensive physical assessment conducted by a physician, advanced registered nurse practitioner (ARNP) or physician assistant, as well as a health-related history conducted by a physician, ARNP, physician assistant or nurse licensed pursuant to Chapter 464, F.S., shall be made available to the program by the time of the youth's admission. After the youth is admitted, healthcare professionals with the qualifications referenced above shall review the respective documents within seven calendar days of the youth's admission, resulting in verification or update of the youth's medical status, identification of any medical alert relevant to the youth, and provision of healthcare services as indicated.

c. Mental Health and Substance Abuse. The program shall ensure that a comprehensive mental health or substance abuse evaluation is conducted when the need is identified through screening pursuant to paragraph 63E-7.004(2)(b), F.A.C. However, if a comprehensive evaluation, as defined in Rule 63E-7.002, F.A.C., was conducted within the past twelve months, an update to that evaluation may be completed instead. Only a licensed mental health professional or a mental health clinical staff person working under the direct supervision of a licensed mental health professional shall conduct a mental health evaluation or update. Any substance abuse evaluation or update shall be conducted by a qualified professional who is licensed under Chapter 458, 459, 490 or 491, F.S., or a substance abuse clinical staff person who is an employee of a service provider licensed under Chapter 397, F.S., or an employee in a facility licensed under Chapter 397, F.S.

(b) Reassessment. The program shall determine and document changes in each youth's risks and needs using the RPACT so that updated information is available when the intervention and treatment team prepares a 90-day Performance Summary pursuant to paragraph 63E-7.010(9)(b), F.A.C. Additionally, the program shall ensure that any other updates or reassessments are completed when deemed necessary by the intervention and treatment team to effectively manage the youth's case. The program shall maintain all re-assessment documentation in the youth's official youth case record.

(6) through (12) No change.

Rulemaking Authority 985.64 FS. Law Implemented 985.601(3)(a) FS. History–New 12-9-08, Amended 12-21-09, 5-4-10,\_\_\_\_\_.

63E-7.011 Delinquency Intervention and Treatment Services.

A residential commitment program shall provide delinquency intervention and treatment services that are gender-specific pursuant to Section 985.02, F.S., and that focus on preparing youth to live responsibly in the community upon release from the program. The program shall design its services and service delivery system based on the common characteristics of its primary target population, including age, gender, and special needs, and their impact on youths' responsiveness to intervention or treatment. However, in accordance with Rule 63E-7.010, F.A.C., the program shall individualize and coordinate the provision of delinquency intervention and treatment services based on each youth's prioritized risk and needs as identified through the RPACT and document services delivered in the youth's individual management record.

(1) through (2) No change.

(3) Treatment Services. Treatment services shall be provided in accordance with the following provisions:

(a) Authority for Evaluation and Treatment.

1. through 8. No change.

9. The AET does not authorize or provide consent for substance abuse services. The youth's consent for substance abuse services must be obtained as specified in paragraph (b) below.

(b) Youth Consent for Substance Abuse Evaluation and Treatment

1. A youth must consent to substance abuse evaluation and treatment unless such treatment is ordered by the court.

2. Youth consent for substance abuse services must be documented and obtained in accordance with Chapter 397, F.S., and Chapter 65D-30, F.A.C.

3. If a youth refuses to provide consent for necessary substance abuse evaluation and treatment, the department shall determine the need for a court order for the provision of such services.

4. Substance abuse records of service providers pertaining to the identity, diagnosis, and prognosis of and service provision to a youth may not be disclosed without the written consent of the youth to whom they pertain. However, appropriate disclosure may be made without written consent as specified in Section 397.501(7), F.S.

5. Any written consent for disclosure may be given only by the youth. This restriction on disclosure includes any disclosure of youth identifying information to the parent, legal guardian or custodian for the purpose of obtaining financial reimbursement.

6. Youth consent for release of substance abuse information and records must be documented and obtained in accordance with Chapter 397, F.S., Chapter 65D-30, F.A.C. and 42 Code of Federal Regulations, Part 2.

(b) through (c) renumbered (c) through (d) No change.

Rulemaking Authority 985.64 FS. Law Implemented 985.601(3)(a) FS. History--New 12-9-08, Amended 12-21-09, 5-4-10,\_\_\_\_\_.

63E-7.013 Safety and Security.

(1) through (7) No change.

(8) Gang Prevention and Intervention. A residential commitment program shall implement gang prevention and intervention strategies within the facility. Any indication of formal criminal gang activity, either observed or reported, shall be documented and the names of the youth identified as participating in formal criminal gang activity shall be entered in the alert system in JJIS and forwarded to local law enforcement for review. This information shall be shared with the education provider or local school district providing educational services at the facility, as well as with the youth's JPO and, if identified, his or her post residential services counselor. If local law enforcement certifies the youth as an associate or criminal gang member, the program shall document the information in the alert system in JJIS and shall assess each newly admitted youth to determine if he or she is a criminal street gang member or is affiliated with any criminal street gang. For the purpose of this rule chapter, the definitions of criminal street gang and criminal street gang member are consistent with definitions in Chapter 874, F.S. ~~The program shall share pertinent gang-related information, as appropriate, with the Florida Department of Law Enforcement, local law enforcement, Department of Corrections, school districts, the judiciary, and social service agencies, as well as with a youth's JPO and, if identified, his or her post-residential services counselor.~~

(9) through (17) No change.

(18) Transportation. When transporting a youth, a residential commitment program shall maintain custody and control while ensuring the safety of youth, staff and the community.

(a) The program shall comply with the following provisions whether or not secure transportation is required:

1. The program shall ensure a current drivers license for any staff member operating a program vehicle.

1. through 7. renumbered 2. through 8. No change.

(b) through (c) No change.

(19) through (22) No change.

Rulemaking Specific Authority 985.64 FS. Law Implemented 985.601(3)(a), 985.441(1)(b), 985.03(44) FS. History--New 4-13-08, Amended 8-25-08,\_\_\_\_\_.

63E-7.016 Program Administration.

(1) through (5) No change.

(6) A residential commitment program shall ensure that a system is in place to request payment by parents/legal guardians or private insurance, if available, for youth's necessary medical treatment prior to forwarding medical bills to the department for payment.

(6) through (15) renumbered (7) through (16) No change.

Rulemaking Authority 985.64 FS. Law Implemented 985.601(3)(a) FS. History--New 4-13-08, Amended 8-25-08, 12-21-09, 5-4-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Darryl Olson, Assistant Secretary for Residential Services  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Frank Peterman, Jr., Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 19, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 2010

**DEPARTMENT OF JUVENILE JUSTICE**

**Division of Administration**

|            |  |
|------------|--|
| RULE NOS.: | RULE TITLES:                                   |
| 63F-11.001 | Purpose and Scope                              |
| 63F-11.002 | Definitions                                    |
| 63F-11.003 | Reporting Incidents                            |
| 63F-11.004 | Reportable Incident Types                      |
| 63F-11.005 | Operation of the Central Communications Center |
| 63F-11.006 | Daily Reporting                                |

PURPOSE AND EFFECT: The rule governs the accurate and timely reporting and dissemination of information regarding incidents that require immediate or urgent response, action or other intervention by the department to protect the safety and security of the public and of youth under its jurisdiction.

SUMMARY: The rule governs the operation of the Central Communications Center, including incident reporting and dissemination of critical information.

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.

RULEMAKING AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 20.055(2), 20.316(1), 985.601 FS.

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

DATE AND TIME: Tuesday, May 25, 2010, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

63F-11.001 Purpose and Scope.

The rule establishes the requirements governing the accurate reporting and dissemination of information regarding occurrences which require the immediate and/or urgent response, action or other intervention by the department to protect and ensure the safety and security of the youth under its jurisdiction, and the public, and significant incidents relating to the care, safety and humane treatment of youths under department supervision and in facilities and programs operated by the department, its providers and grantees.

Rulemaking Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1), 985.601 FS. History--New \_\_\_\_\_.

63F-11.002 Definitions.

For the purpose of this rule chapter, the following terms are defined as follows:

(1) Administrator – The state employee or designee at the Headquarters or Regional level responsible for the overall department operation in a geographic area or program.

(2) Central Communications Center (CCC) – The unit located in department headquarters that is charged with receiving reports regarding incidents and events involving youths in department custody or under supervision, and state and contracted employees from all department and provider facilities, programs funded in whole or in part, offices, or sites operated by the department, a provider or grantee.

(3) CCC Duty Officer – The designated department employee who receives and processes the information coming into the CCC.

(4) Damage to Physical Structure – Damage that would render a building or other significant structure (e.g., a fence, gate, or a considerable portion of the building or structure) severely damaged, temporarily unsafe, or unsecured.

(5) Diligent Search – Is a thorough search made by the Juvenile Probation Officer (JPO) or Case Manager to check with the youth's parents, employer, school, family members, and others likely to have knowledge of his or her whereabouts, in order to document evidence supporting that the youth is hiding in an effort to avoid supervision.

(6) Facility/Program – A contracted or state-operated service or any other program funded in whole or in part by the department.

(7) Facility/Program Staff – Includes state and contracted employees, volunteers, and interns who manage, supervise, or provide direct care or other services to department youths, provider staff of programs funded in whole or in part by the department, and other direct care job positions or positions in direct contact with youths.

(8) Incapacitating Illness or Injury – Any injury which involves substantial risk of death, protracted and obvious disfigurement, protracted loss or impairment of the function or

a bodily member or organ or mental faculty, lacerations that cause severe hemorrhages, nerve, muscle, or tendon damage, second or third degree burns or any burns affecting more than five percent of the body surface, fracture or any bone, or the loss of sight in an eye.

(9) Protective Action Response (PAR) – The department-approved verbal and physical intervention techniques and the application of mechanical restraints used in accordance with Chapter 63H-1, F.A.C.

(10) Reportable Incident – Any incident or event that involves state-run facilities, staff, contracted facilities, contracted programs, contracted staff, youth on community supervision, volunteers or visitors, that disrupts or has the potential to disrupt the normal operation of the facility or program, any illness or medical condition or injury which causes or has the potential to cause grave harm or death to an individual youth or group of youths; or any other occurrence which causes or has the potential to cause grave harm or death to an individual youth or group of youths, or involves allegations of fraud, abuses, and deficiencies relating to programs and operations administered or financed by the department, or may bring public attention to the department, or other occurrences which do not reach this standard but may still be required to be documented or reported to the department under its rules.

(11) Suicide Attempt – Any action deliberately undertaken by the youth with suicide ideation or intent, which, if carried out, would result in death.

(12) Suicide Gesture – Any action deliberately undertaken by the youth with suicide ideation or intent, which, if carried out, would not result in death.

(13) Youth – For the purposes of this Rule a youth is defined as any person placed in the custody, care, or supervision of the department.

Rulemaking Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1), 985.601 FS. History–New \_\_\_\_\_.

#### 63F-11.003 Reporting Incidents.

(1) All designated incident types shall be reported to the CCC within two (2) hours of the affected facility, office, or program learning of the incident, with the exception of those specified in paragraph 63F-11.004(3)(d), F.A.C.

(a) The reporting facility/program staff shall provide all of the basic information currently known at the time the report is made, including the names of the youth and staff involved, the nature of the incident, the time and location and, when available, any incident number generated by other agencies.

(b) If the CCC is not staffed at the time the call is required, the reporting staff must leave a voice message with his or her name, program affiliation and a telephone number where a person can be reached for additional information.

1. In the case of a serious incident where safety or security is compromised, or a youth or on-duty staff at a state or provider-operated facility or program has an incapacitating illness or injury, or has died, the program must contact its Regional Director and report available details within the required two-hour reporting time, in addition to the voicemail reporting described above. The Regional Director receiving a report of incapacitating illness, injury or death must notify the Assistant Secretary of the pertinent program area, who will ensure that all appropriate notifications are made and CCC reporting is initiated.

2. Upon opening the CCC for operations, following any scheduled or unscheduled period in which the CCC is not staffed, it is the responsibility of the CCC duty officers to return all messages received on the voicemail system, beginning with the calls described in subparagraph 1, above. Other calls will be returned in the order in which they were received.

(c) If all operators are busy when the report is initiated, the call will be transferred to a voice-mail system where the reporting staff or administrator must leave his or her name, program affiliation and a local telephone number with area code where a person can be reached for additional information.

(d) CCC duty officers are required to return all voice messages.

1. If the reporting person or other facility/program staff person with information about the incident or event is not available when the call is returned, the duty officer will leave a message on voice-mail or with another person that the call has been returned. The obligation will then pass to the reporting person to contact the CCC.

2. If there is no answer by a person or voice-mail at the number left by the reporting person, the duty officer will make a maximum of two additional return calls within a 24-hour period. After 24 hours, the obligation will pass to the reporting person to again contact the CCC.

(2) Facility/Program staff shall provide an update of any pertinent information missing from the initial incident report by 10:00 a.m. the day after the incident was reported to the CCC. The update can be made electronically or by calling the CCC.

Rulemaking Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1), 985.601 FS. History–New \_\_\_\_\_.

#### 63F-11.004 Reportable Incident Types.

(1) Program Disruption Incidents, including but not limited to:

(a) Accident, Building Emergency, and/or System Malfunction: Any accident on the grounds of the facility or program, or any complete failure of an electronic or manual system that directly impacts the safety, security and welfare of department youths at a residential facility or program, juvenile assessment center, or detention center where maintenance staff

cannot affect repairs within twenty-four (24) hours, and facility operations will be disrupted, and/or any emergency situation that requires evacuation or results in the evacuation of youths and staff from a department or provider building. This includes, but is not limited to, fire, bomb threat, or the discovery of a suspect device. Excluded are scheduled exercises, drills, and false alarms.

(b) Discovery of Illegal or Controlled Drugs, Alcohol, Firearms, or Other Weapons: Any incident where the discovery occurred at any facility, program, office, vehicle or site operated by the department, a provider or grantee. The following are exceptions to the reporting requirement:

1. Controlled drugs properly stored and secured in a medical unit, in a staff housing unit located on the grounds of the facility/program, or in a department, provider or grant site.

2. Possession of a weapon or firearm by a certified law enforcement officer.

(c) Contraband: Any incident or event where the discovery of unauthorized items such as cigarette lighters, tobacco products, money, cellular telephones, or other items when the possession of said items presents a potential danger to youth or staff or otherwise disrupts or threatens program safety or security at any facility, program office, or site operated by the department, a provider or grantee.

(d) Food Boycott: Any incident where 50 percent or more of the youth population refuses to eat a scheduled meal.

(e) Disturbance: Any situation resulting in the loss of control at a facility or program that necessitates calling in law enforcement, or other outside sources to assist in the quelling of the disturbance, and in getting the facility back under control.

(f) Hostage Situation: Any incident where a person is held by force against his or her will to enforce the demands of the hostage-taker.

(g) Incidents Involving Visitors: Any incident involving visitors resulting in a report to law enforcement, in an investigation or in an arrest for a felony offense.

(h) Natural or Environmental Disaster: Any incident or event in which a state or contracted facility or program is exposed to adverse elements of nature including, but not limited to, high winds, lightning, flooding, as caused by hurricanes, or earthquake that causes damage to the physical structure interrupting the operation of the program, results in the evacuation of youths and staff, or results in injury to youths or staff. Any incident or event under this subsection involving the evacuation of a facility or program requires an update once the youth and staff return.

(i) Serious Incidents / Media Attention: Any incident that has resulted in media attention or will likely be subject to public interest. This may include, but is not limited to, incidents where media representatives were at the scene of the incident or have called with questions, and/or where public

officials have expressed concern. Regardless of the situation, sound judgment should always be used when assessing these types of incidents.

(j) Loss or Theft of Department Vehicles, Equipment, or Youth Property: Any incident where the listed categories of property are lost or stolen regardless of incident location:

1. Any state-owned vehicle utilized by the department, a provider or a grantee.

2. Firearms or other weapons.

3. Keys to a facility, program, or office building, including mechanical keys, electronic keys or access cards, if they cannot be located within 2 hours.

4. Any state-owned property, including property in the custody of a provider, with a value exceeding \$300.

5. Computer, computer storage media, or other digital mobile device, such as cellular telephones and personal digital assistant devices, where there is a reasonable belief that the device may contain statutorily protected confidential information.

6. A department-issued seven-point star badge.

7. Any property of a youth with a value of \$50.00 or more that is alleged to have been lost or stolen from the facility.

8. Any U.S. currency belonging to a youth that is alleged to have been lost or stolen from the facility.

(k) Threatened Use or Discovery of an Explosive Device: Any incident where there is a threatened use of an explosive device or an explosive device is discovered at any facility, program, office, or site operated by the department, a provider or grantee.

(l) Vehicle Traffic Crash: Any traffic crash involving a department vehicle or other vehicle used by on-duty staff in the performance of their duties and/or occupied by department youths must be reported to the CCC regardless of injuries.

(m) Detention Placement Alert: Any incident where a youth in any of the following categories is admitted to a secure detention facility:

1. The admitted youth is 10 years of age or younger;

2. The admitted youth has a formal IQ of 70 or below;

3. The admitted youth exhibits behavior suggestive of intellectual disability or developmental disability, including significant deficits in comprehension/reasoning, language expression, or maturity level;

4. The admitted youth is in special education classes for students with "Intellectual Disabilities" or "Autism Spectrum Disorder";

5. The admitted youth is blind, deaf, mute, or unable to walk without the use of a mechanical aid.

(2) Escape / Abscond Incidents:

(a) Absconder:

1. Any incident in which the whereabouts become unknown for a youth who is pending an administrative transfer, committed to minimum-risk and on pre-placement

status, is on an authorized home visit from a residential facility, or is on a temporary release status that was approved by the court. The incident should only be reported after a diligent search has been completed and an Affidavit for Pick Up Order has been submitted to the court.

2. Any incident in which a pre-placement youth is reported by the parent or legal guardian to have run away, the family of such a youth leaves the area with the youth without notifying the department or the court of their whereabouts, or a youth fails to arrive for transport to his or her program, and when an Affidavit for Pick Up Order has been submitted to the court as a result of the youth's whereabouts being unknown.

3. When, through a diligent search, it is determined that a youth committed to minimum risk has absconded and an Affidavit for Pick Up Order has been submitted to the court. Mere absenteeism from the assigned program does not constitute absconding.

(b) Escape Attempts: Any incident involving a youth who leaves the grounds or boundaries of a secure residential facility, or is committed to a secure residential facility and leaves the custody of facility staff when outside the facility, must be reported as an attempted escape if the youth is apprehended immediately and facility staff maintained constant sight supervision throughout the incident.

(c) Escapes:

1. Any incident involving a youth who leaves the grounds or fenced boundaries of a secure residential facility, detention facility or juvenile assessment center, or who is committed or detained in such a place and leaves the custody of facility staff when outside the facility, must be reported as an escape regardless of the length or duration of the departure.

2. Any incident involving a youth who leaves the grounds or boundaries of a non-secure residential facility, or is committed to a non-secure residential facility and leaves the custody and sight supervision of facility staff when outside the facility, must be reported as an escape.

(3) Medical Incidents:

(a) Contagious Diseases: Any incident involving contagious disease requiring the quarantining or hospitalization of ten percent (10%) of the total population of youths or staff or six (6) individuals, whichever number is less, within a facility or program.

(b) Employee Death: Any death of an employee while he or she is on or duty.

(c) PAR Restraint, Youth or Staff Injury: Any incident involving a PAR restraint where a youth or staff member receives a serious injury from any restraint that requires medical treatment beyond standard first aid.

(d) Youth Injury: Incidents or events involving a serious injury to a youth under department supervision occurring in a department facility, at a facility-based day treatment program, contracted facility, shelter, or contract site or program must be reported to the CCC when the nature of the injury requires

immediate and emergency medical care. An incident under this category is not required to be reported until staff have verified that a serious injury has occurred with the following:

1. Broken or dislocated bones;

2. Head Injury, excluding superficial cuts, bruises, or minor swelling unaccompanied by changes in mental acuity;

3. Eye injury involving a penetrating wound or an injury that alters vision;

4. Acute dental injury or broken teeth.

(e) Medical Illness: Incidents or events involving medical illness to a staff or youth under department supervision or occurring in a department facility, at a facility-based day treatment program, contracted facility, shelter, or contract site or program must be reported to the CCC when the nature of the life threatening injury or illness requires treatment on or off site, and falls within one of the following:

1. Heart or breathing has stopped or the person is turning blue;

2. Unconsciousness or unresponsiveness to voice;

3. CPR is initiated;

4. Severe, prolonged or uncontrollable bleeding;

5. Acute paralysis;

6. Overdose;

7. Acute or prolonged abdominal pain;

8. Acute or prolonged chest pain;

9. Fever of 103 degrees or higher;

10. Inability to urinate for eight (8) hours.

11. Ingestion of a poisonous or potentially poisonous substance.

12. Seizure due to an undiagnosed medical condition, i.e. Epilepsy;

13. Complications of pregnancy;

14. Unscheduled hospital or other healthcare facility admission requiring an overnight stay. This does not include scheduled medical procedures, treatment, or surgeries;

15. Any illness, disease, or other medical condition, or life endangering safety code violation, which requires reporting to the County Health Department, Board of Health, or other healthcare agency.

(f) Youth Death: Any death of a youth occurring while under department supervision.

(g) Youth Dependent Medical: Any biological child of a youth who receives off-site, non-scheduled emergency medical attention while in direct custody of the department.

(4) Mental Health and Substance Abuse Incidents:

(a) Self-Inflicted Injury: Any incident of self-inflicted injury that occurs at a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site or program resulting in physical injuries, marks or bruises requiring immediate, emergency treatment.

Self-inflicted injury means any deliberate action taken by the youth to harm himself or herself, but is not necessarily associated with suicide ideation or suicide intent.

(b) Suicide Attempts: Any incident of a suicide attempt that occurs in a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site or program requiring emergency medical services. Suicide attempts that do not require outside medical attention or emergency medical services, but which are believed to be potentially serious or life-threatening must also be reported to the CCC. When in doubt if the attempt or gesture was potentially serious or life-threatening, it shall be reported to the CCC.

(5) Complaints Against Staff Incidents:

(a) Force: Any alleged use of force including Protective Action Response (PAR) that results in an allegation of abuse. For STAR Programs, any PAR incident where a youth is alleged to have been subjected to harmful psychological intimidation techniques or to violations of Chapter 63H-1, F.A.C., must be reported to the CCC.

(b) Accessing, Downloading or Introducing Sexually Explicit Material: Any incident of accessing, downloading or introducing sexually explicit material by a department provider, grant employee, volunteer or intern while on duty or on the premises of a department or provider facility, program, office, or site operated by the department, a provider, or grantee that is unrelated to their official duties.

(c) Sexual Misconduct: Any allegation involving the staff of a department facility, facility-based day treatment program, contracted facility, shelter, contracted site, or program, initiating and/or engaging in sexual misconduct or contact with a youth or youth's family while the youth is under department supervision.

(d) Improper Relationship: Any allegation involving the staff of a department facility, facility-based day treatment program, contracted facility, or program receiving department funding initiating and/or engaging in a relationship outside their scope of employment with a youth or youth's family while the youth is under department supervision.

(e) Employment Prior to Background Screening: Any incident occurring in a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site or program where an applicant is utilized as an employee, volunteer, mentor, or intern prior to receiving an eligible rating on a department background screening.

(f) Employee Arrest: Any arrest of a department or contract employee, including grant employees, volunteers and interns.

(g) Falsification of Records or Documents: Any incident of falsification of records or documents with the intent to deceive or mislead related to any youth or to services provided to any youth where the youth is in custody of the department, under the supervision of the department, with a case pending

before the court, or receiving services funded in whole or in part by the department. This includes youth served by prevention contracts and grants.

(h) Criminal Activity: Any incident or event of suspected or actual criminal activity occurring in a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site, or program involving department or provider staff, volunteer, intern, or grant staff.

(i) Improper Release: Any incident or event where a youth is improperly released from any state operated or contracted residential facility, secure detention center or juvenile assessment center. This includes the release of a youth from a shelter when the placement is pursuant to a court order.

(j) Health or Mental Health / Substance Abuse Services Complaint: Any alleged improper action or omission of medical, mental health or substance abuse services by any administrative or direct-care staff, regardless of licensure, at a department facility, facility-based day treatment program, contracted facility, shelter, contracted site or program. This includes, but is not limited to:

1. Denial of care, services or treatment;
2. Narcotic inventory discrepancy; and
3. Missing medications.

(k) Other Agency Investigations: The CCC must be notified when an agency other than the department is present at a department facility, at a facility-based day treatment program, contracted facility, shelter, contracted site, or program to conduct an investigation of physical abuse, sexual abuse, neglect, or medical neglect.

(l) Use of Intoxicating Substances: Any incident of use of alcohol or illegal drugs by a department employee, provider employee, or grant employee while on duty or on the premises of a department or provider facility, program office, or site operated by department, provider or grantee.

(m) Threats by Staff: Any allegation where there are threats of violence between staff at a department or provider facility, program, office, or site operated by the department, provider or grantee.

(6) Youth Behavior Incidents:

(a) Battery: Any battery occurring in a department facility, facility-based day treatment program, contracted facility, shelter, contracted site, or program that results in a law enforcement arrest.

(b) Felony Activity or Incidents Involving Youths on Community Supervision:

1. Any arrest of a youth for a capital offense or life felony, when as a result of the youth's actions a victim died or sustained serious injury.
2. Any other situations where the activities of the youth or the department are likely to be the subject of public interest.

(c) Felony Arrests of Youth for Violations Committed While in Custody: Any incident involving felonious acts committed while in a department facility or program, including juvenile assessment centers and facility-based day treatment, minimum-risk programs, or shelters, resulting in an arrest.

(d) Youth on Youth Sexual Contact: Any alleged incident or event occurring in a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site or program where youths engage in sexual contact with one another. Additionally, any alleged sex act which may constitute a form of sexual battery as defined in Section 794.011, Florida Statutes, occurring in a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site, or program in which there is obvious injury or physical evidence to support the allegations will be reported regardless of the elapsed time.

Rulemaking Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1), 985.601 FS. History--New \_\_\_\_\_.

63F-11.005 Operation of the Central Communications Center.

(1) The CCC will operate seven (7) days per week, including holidays.

(2) The CCC will maintain a primary toll-free number for the receipt of incident and event information.

(3) The CCC duty officer shall accurately record pertinent information and contact data.

Rulemaking Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1), 985.601 FS. History--New \_\_\_\_\_.

63F-11.006 Daily Reporting.

(1) A CCC Daily Report will be created and reviewed by the duty officer or CCC supervisor. The report will reflect all incoming information for the prior twenty-four (24) hour period (6:01 a.m. to 6:00 a.m.) and will be distributed each administrative workday to the Secretary, Executive Leadership Team (ELT), and other authorized recipients.

(2) Each CCC Daily Report is confidential to the extent provided for in Florida Statutes.

(a) Recipients of the CCC Daily Report are not authorized to forward or disseminate it to any other person except as provided for by this rule or by Florida law.

(b) Medical information accepted by the CCC will be limited to that which is relevant and critical to dissemination of incident or event information.

1. Prescription medications will not be identified in the CCC Report unless relevant to the nature of the incident.

2. Sexually transmissible disease (STD) information is statutorily protected under Section 384.30, F.S., and the CCC Report will not record information pertaining to a youth's STD diagnosis. STD information for staff is similarly protected under Section 119.071(4)(b), F.S., and will not be recorded.

Rulemaking Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1), 985.601 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mary Eubanks, Inspector General

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Frank Peterman, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 16, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 12, 2010

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

|            |  |
|------------|--|
| RULE NO.:  | RULE TITLE:                                      |
| 64B6-7.002 | Guidelines for Disposition of Disciplinary Cases |

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the guidelines to accommodate new disciplinary violations contained in Section 456.072, F.S.

SUMMARY: The guidelines will be updated to accommodate new disciplinary violations contained in Section 456.072, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-7.002 Guidelines for Disposition of Disciplinary Cases.

(1) No change.

(2) Violations and Range of Penalties. For applicants, all violations are sufficient for refusal to certify an application for licensure. For licensees or trainees, the imposition of probation as a penalty shall ordinarily require compliance with conditions such as restitution, continuing education and/or training, indirect or direct supervision by a Board-approved monitor, restrictions on practice, submission of reports, appearances before the Board, and/or hours of community

service. As appropriate, such conditions of probation also shall be required following any period of suspension. In addition to any other discipline imposed, the Board shall assess the actual costs related to the investigation and prosecution of a case. In imposing discipline pursuant to Sections 120.57(1) and 120.57(2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty as authorized by Section 456.072(2), F.S., within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included:

(a) through (cc) No change.

(dd) Section 456.072(1)(ii), F.S.: Being convicted of, or entering a plea of guilty or nolo contendere to a crime under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program from a minimum of a reprimand, six months probation and a fine of \$5,000 to a maximum of revocation and a fine of \$10,000. For a second offense, a fine of \$10,000 and revocation;

(ee) Section 456.072(1)(jj), F.S.: Failing to return an overpayment from the Medicaid program from a minimum of a reprimand, a fine of \$1000 and/or suspension until the Medicaid program is reimbursed in full to a maximum of revocation and a fine of \$10,000. For a second offense, a fine of \$10,000 and revocation;

(ff) Section 456.072(1)(kk), F.S.: Being terminated from the state Medicaid program pursuant to Section 409.913, F.S., if not terminated for cause, from a minimum of a reprimand, a fine of \$1000 and/or six months probation to revocation and a \$10,000 fine. If terminated for cause or if it is the second offense, a \$10,000 fine and revocation.

(gg) Section 456.072(1)(ll), F.S. Being convicted of, or entering a plea of guilty or nolo contendere to a crime related to health care fraud. If the crime is a felony under chapter 409, chapter 817, 21 U.S.C. ss. 801-970, or 42 U.S.C. ss. 1395-1396 the penalty shall be a minimum fine of \$1000 and revocation. Otherwise the penalty range is from a from a minimum of a reprimand, six months probation and a fine of \$5,000 to a maximum of revocation and a fine of \$10,000. For a second offense, a fine of \$10,000 and revocation.

(3) through (6) No change.

Rulemaking Specific Authority 456.079 FS. Law Implemented 456.079 FS. History--New 2-11-87, Amended 2-16-89, Formerly 21JJ-7.005, Amended 8-18-93, 9-22-94, Formerly 61G9-7.005, Amended 11-11-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-8.0011  
 RULE TITLE: Standard Terms Applicable to Orders  
 PURPOSE AND EFFECT: The proposed rule amendments are intended to set forth changes with regard to compliance with Board orders and to clarify criteria with regard to community service requirements and lecture requirements in disciplinary cases.

SUMMARY: The proposed rule amendments sets forth a new address for compliance with terms in the Board's orders; requires documentation of community service to be submitted from the community service organization; and requires lectures to address specific events arising from the Respondent's disciplinary matter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 458.309(1), 458.331(5) FS.

LAW IMPLEMENTED: 458.331(5) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.0011 Standard Terms Applicable to Orders.

Unless otherwise approved by the Board or its designee, or addressed by the Final Order, the following are the terms applicable to all Final Orders rendered by the Board in disciplinary proceedings.

(1) PAYMENT OF FINES AND COSTS. All fines and costs shall be paid by check or money order made payable to the Board and sent to DOH/Compliance Management Unit, Bin #C76 Client Services, P. O. Box 6320, Tallahassee, Florida 32314-6320, within 30 days of the filing of the Order.

(2) No change.

(3) COMPLIANCE ADDRESS. All reports, correspondence and inquiries shall be sent to: DOH, Compliance Management Unit, Bin #C76 Client Services Unit, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3251, Attn: Medical Compliance Officer.

(4) No change.

(5) COMMUNITY SERVICE AND CONTINUING EDUCATION UNITS. All community service requirements, continuing education units/courses must be completed, and documentation of such completion submitted to DOH/Client Services, at the address set forth in subsection (3) above. Documentation of completion of community service hours must be confirmed by an official from the organization at which the community service was performed. Documentation of completion of community service hours solely from the Respondent will not be accepted.

(a) through (b) No change.

(6) LECTURES. In the event the Respondent is required by Board Order to present a lecture on a specific topic, one component of the lecture must address the specific events arising from the Respondent's disciplinary matter.

(6) through (10) renumbered (7) through (11) No change.

Rulemaking Specific Authority 458.309(1), 458.331(5) FS. Law Implemented 458.331(5) FS. History--New 8-1-06, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules Committee, Board of Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 19, 2010

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-44.007  
RULE TITLE: Standards of Practice

PURPOSE AND EFFECT: To consider the rule in light of technological developments and national changes in the practice field which may be impacting Florida practitioners negatively.

SUMMARY: The proposed rule amendment would allow a video conference for the initial assessment of a patient, providing the patient and practitioner is provided the same auto and video equipment.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. The Board determined that the amendments to the rule would not have an impact on small businesses.

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.

RULEMAKING AUTHORITY: 456.072(1)(t), 468.503(4), 468.507, 468.516(1)(a) FS.

LAW IMPLEMENTED: 456.072(1)(t), 468.503(4), 468.516, 468.517, 468.518 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, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-44.007 Standards of Practice.

Licenses, under Chapter 468, Part X, F.S., shall comply with the following standards in their professional practice and conduct, which reflect the ethical principles of the dietetic/nutrition professional and outline obligations of the licensee to self, client, society and the profession.

(1) through (20) No change.

(21) ~~Except as excepted herein,~~ The licensee's initial nutritional assessment of a patient must be done in a face-to-face setting, and may not be done by telephone, fax, or internet, except through use of a two point or multiple point video-conference system to provide each participant with a video camera, microphone and speakers which allow video and audio communication between all participants as if they were virtually seated in the same room or by any other means in which the patient is not physically present with the licensee. Communication between the patient and the licensee subsequent to the initial nutritional assessment may be accomplished either face-to-face or by other means, in the reasonable clinical judgment of the licensee. Federal programs that are federally funded are exempt from this subsection, so long as the administration of the program follows the dictates of the federal statutes and rules applicable to the program.

Rulemaking Specific Authority 456.072(1)(t), 468.503(4), 468.507, 468.516(1)(a), (2)(a) FS. Law Implemented 456.072(1)(t), 468.503(4), 468.516, 468.517, 468.518 FS. History--New 6-22-94, Formerly 61F6-50.007, Amended 2-20-96, Formerly 59R-44.007, Amended 7-14-03, 4-26-04, 1-8-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Council  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 31, 2009

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-51.006  
 RULE TITLE: Rule Governing Licensure and Inspection of Electrology Facilities

PURPOSE AND EFFECT: To update the Application Form reference and address for obtain an Electrolysis facility form.

SUMMARY: The proposed change brings the rule into compliance with the new legislative requirements.

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.

RULEMAKING AUTHORITY: 456.037, 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 456.037(2), (3), (5), 478.49, 478.51 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, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

(1) No change.

(2)(a) No change.

(b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-MQA 1213, 11/09, ~~DOH/MQA/EP APP/REV 7/97~~, entitled "Application for Electrolysis Facility Licensure," effective 11/09, which can be obtained from the Council at The Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256 address set forth in paragraph 64B8-50.002(3)(b), F.A.C.. The applicant must pay a \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed activity fee ~~and a~~.

(3) through (7) No change.

Rulemaking Specific Authority 456.037, 478.43(1), (4), 478.51(3) FS. Law Implemented 456.037(2), (3), (5), 478.49, 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00, 3-25-01, 4-8-02, 6-16-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 2009

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-2.016  
 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose of this amendment is to adopt forms necessary to implement the 2009 amendments to Section 464.019, F.S. by adopting a form that prescribes the format for approval of nursing programs.

SUMMARY: The purpose of this amendment is to adopt forms necessary to implement the 2009 amendments to Section 464.019, F.S. by adopting a form that prescribes the format for approval of nursing programs.

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.

RULEMAKING AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 456.013, 464.008, 464.009 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 R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-2.016 Forms.

The following forms are incorporated by reference, and may be obtained from the Board office or on the Board's website: [www.doh.state.fl.us/mqa/nursing](http://www.doh.state.fl.us/mqa/nursing):

(1) through (8) No change.

(9) Application for New Nursing Program DH-MQA 1211, 06/09, 03/10 (rev.).

Rulemaking Authority 464.006 FS. Law Implemented 456.013, 464.008, 464.009 FS. History--New 6-22-09, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 7, 2009

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE NO.: 64B10-12.002  
RULE TITLE: Application for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete reference to the provisional application fee as it is no longer necessary.

SUMMARY: The rule amendment will delete reference to the provisional application fee as it is no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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.

RULEMAKING AUTHORITY: 468.1685(1), 468.1695(2) FS. LAW IMPLEMENTED: 456.013(2), 468.1685(4), 468.1705(1), 468.1735 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: Sharon Guilford., Acting Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-12.002 Application for Licensure.

(1) ~~The application fee for provisional licensure shall be \$250.00.~~

(2) The application fee for preceptor is \$50.00.

Rulemaking Specific Authority 468.1685(1), 468.1695(2) FS. Law Implemented 456.013(2), 468.1685(4), 468.1705(1), 468.1735 FS. History--New 12-26-79, Formerly 21Z-12.02, Amended 1-22-90, Formerly 21Z-12.002, 61G12-12.002, 59T-12.002, Amended 11-4-02, 2-15-06, 10-15-07, 3-17-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 26, 2010

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.: 64B11-4.003  
RULE TITLE: Standards of Practice; Discipline

PURPOSE AND EFFECT: The purpose of this rule amendment is to bring the rule into compliance with new requirements of Florida law.

SUMMARY: The rule amendments will update the disciplinary guidelines pursuant to new statutory language in Section 456.072, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost was prepared. Licensees found to have violated any of the new sections will experience the cost of associated penalties. Any occupational therapists in private practice (many of which are small businesses) will be unable to continue practicing if they violate certain sections. Similarly, some applicants will be denied licensure and thereby lose the opportunity to acquire any income.

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.

RULEMAKING AUTHORITY: 456.079, 468.204 FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.217 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:

64B11-4.003 Standards of Practice; Discipline.

(1) through (3) No change.

(4) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each

statutory provision cited must be consulted in order to determine the conduct included. For applicants, any and all offenses listed herein are sufficient for refusal to certify an application for licensure.

In addition to the penalty imposed, the Board shall recover the costs of investigation and prosecution of the case. Additionally, if the Board makes a finding of pecuniary benefit

or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient.

| VIOLATION  | PENALTY RANGE   |  |
|--|---|--|
|  | MINIMUM   | MAXIMUM  |
| (a) through (z) No change.<br>(aa) through (ii) No change.   |   |  |
| <u>(jj) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program. 456.072(1)(ii), F.S.</u><br>First Offense | <u>Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.</u>                             |  |
| <u>(kk) Failing to remit the sum owed to the State for an overpayment from the Medicaid Program pursuant to a final order, judgment, or Stipulation or settlement. 456.072(1)(jj), F.S.</u><br>First Offense<br>Second Offense<br><br>Third Offense  | <u>Letter of concern and a fine of \$500</u><br><u>Reprimand and a fine of \$2,500</u><br><br><u>Suspension and a fine of \$5,000</u> | <u>Probation and a fine of \$2,500</u><br><u>Reprimand, probation and a fine of \$5,000</u><br><u>Revocation and a fine of \$5,000</u> |
| <u>(ll) Being terminated from the state Medicaid Program pursuant to s. 409.913, any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored. 456.072(1)(kk), F.S.</u><br>First Offense<br>Second Offense<br>Third Offense              | <u>Letter of concern and a fine of \$1,000</u><br><u>Probation and a fine of \$1,000</u><br><u>Suspension and a fine of \$5,000</u>   | <u>Probation and a fine of \$1,000</u><br><u>Suspension and a fine of \$5,000</u><br><u>Revocation and a fine of \$10,000</u>          |
| <u>(mm) Being convicted of, or entering a plea of guilty Or nolo contendere to, any misdemeanor or felony, Regardless of adjudication, a crime in any jurisdiction Which related to health care fraud. 456.072(1)(ll), F.S.</u><br>First Offense   | <u>Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.</u>                             |  |
| (5) through (7) No change.   |   |  |

Rulemaking Specific Authority 456.079, 468.204 FS. Law Implemented 456.072, 456.079, 468.217 FS. History--New 9-12-88, Amended 11-9-92, Formerly 21M-15.002, 61F6-15.002, 59R-63.002, Amended 1-27-00, 12-27-01, 12-27-05, 4-10-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Occupational Therapy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 2, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 16, 2009

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.:                   RULE TITLE:  
64B15-12.005               Limited Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised limited license application in the rule and to clarify the criteria for physicians who have been out of practice for more than 3 years.

SUMMARY: The proposed rule amendment incorporates the revised form into the rule and clarifies the requirement regarding supervision for those physicians who have been out of practice for more than 3 years.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 459.005, 459.0075 FS.

LAW IMPLEMENTED: 459.0075 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.005 Limited Licensure.

(1) Each applicant for limited licensure pursuant to Section 459.0075, F.S., shall file board approved application form, DH-MQA 1171 (Revised 2/10 ~~11/09~~), Application for Limited License, which is hereby incorporated by reference, and may be obtained from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida

32399-3256, or by web at [www.doh.state.fl.us/mqa/osteopath/index.html](http://www.doh.state.fl.us/mqa/osteopath/index.html), ~~and submit an affidavit to the Board.~~ For purposes of this rule, retired means previously separated or withdrawn from the practice of Osteopathic Medicine, as distinguished from a relocation of the applicant's practice to a different geographic area.

(2) Any applicant for limited licensure who has been out of active practice of Osteopathic Medicine for more than 3 years prior to application for limited license must, as a condition of said licensure, function under the supervision of the full-time director of a local health unit for ~~at least~~ six months unless the Board determines that a shorter period of supervision will be sufficient to ensure that the applicant is qualified for licensure. Supervision under this subsection shall be consistent with the following criteria:

- (a) through (d) No change.
- (3) through (4) No change.

Rulemaking Authority 459.005, 459.0075 FS. Law Implemented 459.0075 FS. History--New 10-28-93, Formerly 61F9-12.005, Amended 10-15-95, Formerly 59W-12.005, Amended 11-27-97, 6-28-09, 3-25-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Osteopathic Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 2, 2010

**DEPARTMENT OF HEALTH**

**Board of Athletic Training**

RULE NO.:                   RULE TITLE:  
64B33-5.001               Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to address changes and additions to the disciplinary guidelines.

SUMMARY: The rule amendment will address changes and additions to the disciplinary guidelines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined that small businesses would not be affected by this rule.

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.

RULEMAKING AUTHORITY: 456.072, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.719 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 Athletic Trainers/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B33-5.001 Disciplinary Guidelines.

(1) through (4) No change.

(5) When the Board finds an applicant or licensee whom it regulates under Chapter 468, Part XIII, F.S., has violated Section 456.072, F.S., by violating any of the following provisions, it shall issue a final order imposing appropriate penalties within the ranges recommended in the following disciplinary guidelines:

(a) through (k) No change.

| VIOLATIONS  | RECOMMENDED PENALTIES  |                |               |
|---|--|----------------|---------------|
|   | First Offense  | Second Offense | Third Offense |
| <p><u>(l) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 USC s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 USC ss. 1320a-7b, relating to the Medicaid program.</u><br/>(456.072(1)(ii), F.S.)</p> | <p><u>Revocation or denial of application for licensure unless the completion of the sentence and any probation ended more than 15 years prior to the date of the application.</u></p>   |                |               |
| <p><u>(m) Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement.</u><br/>(456.072(1)(jj), F.S.)</p>   |  |                |               |
| <p><u>(n) Being terminated for cause from the State Medicaid program or any other state Medicaid program, or the federal Medicare program.</u><br/>(456.072(1)(kk), F.S.)</p>   | <p><u>Revocation unless the applicant or licensee has been in good standing for the most recent five years and if the action was taken by another state of the federal program, the termination occurred at least 20 years prior to the date of the application.</u></p> |                |               |
| <p><u>(o) Being convicted of, or entering into a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, which relates to health care fraud.</u><br/>(456.072(1)(ll), F.S.)</p>  |  |                |               |



parent has established legal residency in Florida that is not solely for the purpose of pursuing an education and has relinquished residency in any other state for at least twelve (12) consecutive months prior to classification. Each institution of higher education may establish submission deadlines for all documentation that will be used to determine residency for tuition purposes. Residency Reclassification Determination. A student who is classified as a nonresident for tuition purposes may become eligible for reclassification as a resident for tuition purposes by presenting a minimum of three (3) documents identified in Section 1009.21(3)(c)1. or 2., Florida Statutes, that convincingly demonstrate the establishment of permanent legal residence in Florida other than for the sole purpose of pursuing a postsecondary education. Documentation must demonstrate that the student or, if the student is a dependent, his or her parent, has maintained legal residence in Florida for at least twelve (12) consecutive months prior to his or her request for reclassification.

(4) A non-United States citizen may be eligible to establish residency for tuition purposes if evidence is presented verifying that he or she is legally present in the United States and the student is one of the following: The burden of providing clear and convincing documentation that justifies the institution's classification of a student as a resident for tuition purposes rests with the student or, if the student is a dependent, his or her parent. For documentation to be "clear and convincing," it must be credible, trustworthy, and sufficient to persuade the institution that the student or, if that student is a dependent, his or her parent has established legal residency in Florida that is not solely for the purpose of pursuing an education and has relinquished residency in any other state for at least twelve (12) consecutive months prior to classification. Each institution of higher education may establish submission deadlines for all documentation that will be used to determine residency for tuition purposes.

(a) A foreign national in a nonimmigrant Visa classification eligible for study and with a date of departure that is not during the term the student will be enrolled. The student, and parent, if the student is a dependent, must present evidence of legal presence in the United States. A Student Visa shall not be accepted as evidence of eligibility to establish residency.

(b) A foreign national, such as permanent resident aliens, parolees, asylees, Cuban-Haitian Entrants, and other legal aliens granted indefinite stay, in a status that is eligible for study in the United States.

(5) Each institution's official residency appeal process established pursuant to Section 1009.21(11), Florida Statutes, shall be in writing and prominently displayed on the institution's web site. Non U.S. citizens who are currently classified as permanent residents, parolees, asylees, refugees, or other permanent status persons (e.g., conditional permanent residents and temporary residents) must present valid and

~~eligible documentation from the U.S. Citizenship and Immigration Services (USCIS) as identified in subsections (6) and (7) of this rule. Non-U.S. citizens who have applied to the USCIS with no date certain for departure shall be considered eligible to establish Florida residency for tuition purposes. Both student, and parent, if the student is a dependent, must have valid and eligible USCIS documentation. All non-U.S. citizen document categories must be valid and non-expired for the entire term in which a non-U.S. citizen is classified as a Florida resident.~~

~~(6) Nonimmigrants holding one of the following visas shall be considered eligible to establish Florida residency for tuition purposes. Individuals with non-immigrant visas must provide evidence that: (1) he or she is in an eligible visa category (and parent, if a dependent); and (2) he or she has lived in Florida for the required twelve (12) month-qualifying period (or parent, if a dependent). Visa categories must be valid and non-expired for the entire term in which a nonimmigrant is classified as a Florida resident. Persons in visa categories not listed herein shall be considered ineligible to establish Florida residency for tuition purposes.~~

~~(a) Visa category A — Foreign Government Official, including members of their immediate family.~~

~~(b) Visa category E — Treaty Traders and Investors, including their spouse and children.~~

~~(c) Visa category G — Foreign Government Officials to International Organizations, including members of their immediate family.~~

~~(d) Visa category H-1B — Temporary Workers (Specialty Occupations, Department of Defense Workers, Fashion Models, and Nurses in HPSA's), including their spouse and children.~~

~~(e) Visa category I — Foreign Media Representatives, including their spouse and children.~~

~~(f) Visa category K — Fiancé(e)s of United States citizen(s), including their children.~~

~~(g) Visa category L — Intracompany Transferees, (including their spouse and children).~~

~~(h) Visa category N — Parent or child of alien accorded special immigrant status.~~

~~(i) Visa category O-1 — Workers of "Extraordinary" Abilities, including their spouse and children.~~

~~(j) Visa category R — Religious workers, including their spouse and children.~~

~~(k) Visa category NATO 1-7 — North Atlantic Treaty Organization Representatives and their immediate family.~~

~~(l) Visa category S — Alien witnesses and informants, including their spouse and children.~~

~~(m) Visa category T — Victims of trafficking, who cooperate with federal authorities in prosecutions of traffickers, including their spouses and children.~~

~~(n) Visa category U—Victims of Certain Crimes, including their spouse and children.~~

~~(o) Visa category V—Spouses and children of lawful permanent residents.~~

~~(7) Non U.S. citizens who fall within the following categories shall also be considered eligible to establish Florida residency for tuition purposes:~~

~~(a) Citizens of Micronesia.~~

~~(b) Citizens of the Marshall Islands.~~

~~(c) Beneficiaries of the Family Unity Program.~~

~~(d) Individuals granted Temporary Protected Status (TPS).~~

~~(e) Individuals granted Withholding of Removal status.~~

~~(f) Individuals granted Suspension of Deportation status or cancellation of Removal.~~

~~(g) Individuals granted a Stay of Deportation status or Stay of Removal.~~

~~(h) Individuals granted Deferred Action Status.~~

~~(i) Individuals granted Deferred Enforced Departure status.~~

~~(j) Applicants for Adjustment of Status.~~

~~(k) Asylum applicants with INS receipt or Immigration Court stamp.~~

~~(8) Institutions shall establish a residency appeal committee that is responsible for making final residency determinations for students who initiate an appeal according to the institution's official appeal process. The official appeal process shall be written and prominently displayed on the institution's web site.~~

Rulemaking Specific Authority 1009.21(11) FS. Law Implemented 1009.21(11) FS. History—New 10-6-92, Amended 10-17-00, 3-22-05,\_\_\_\_\_.

**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**

**South Florida Water Management District**

RULE NO.: 40E-1.659  
 RULE TITLE: Forms and Instructions

**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. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

40E-1.659 Forms and Instructions.

The following forms and instructions are hereby incorporated by reference throughout the District's rules as specified below and are listed herein for convenience in this chapter and Copies may be obtained without cost by contacting the Records Management Specialist, South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-8045, ext. 6436, or (561)682-6436 or online at [www.sfwmd.gov](http://www.sfwmd.gov) or at any of the District's Service Centers. Locations and contacts for the District's Service Centers may be obtained from the Record Management Specialist at the address and phone number provided herein or on the District's website at <http://www.sfwmd.gov>. These forms may also be obtained from the District's website at <http://www.sfwmd.gov>, "What We Do", then "Permitting/Regulation". On the "Permitting/Regulation" page, click on "Environmental Resource Permits" then "Forms":

|      |      |  |
|------|------|--|
| 1190 | 1-07 | Deed of Conservation Easement (Standard), <u>incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>                         |
| 1191 | 1-07 | Deed of Conservation Easement (Standard Passive Recreational), <u>incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>    |
| 1192 | 1-07 | Deed of Conservation Easement (Standard Riparian), <u>incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>                |
| 1194 | 1-07 | Deed of Conservation Easement (Third Party Standard), <u>incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>             |
| 1195 | 1-07 | Deed of Conservation Easement (Third Party Passive Recreational), <u>incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u> |

|             |       |  |
|-------------|-------|--|
| 1196        | 1-07  | Deed of Conservation Easement (Third Party Riparian), <u>incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u> |
| 1197        | 1-07  | <u>Restrictive Covenant (Standard), incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>                      |
| <u>1318</u> | _____ | <u>Deed of Conservation Easement (Local Governments), incorporated by reference in Section 4.3.8, of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>    |

Rulemaking Specific Authority ~~420.53~~, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS. Law Implemented ~~420.53~~, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

|           |  |
|-----------|--|
| RULE NO.: | RULE TITLE:  |
| 40E-4.091 | Publications, Rules and Interagency Agreements Incorporated by Reference |

**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. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

Changes to the text in Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C., are posted online at [www.sfwmd.gov](http://www.sfwmd.gov), or can be obtained at no cost by contacting Kathie Ruff, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6320 or (561)682-6320.

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) No change.

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, effective date \_\_\_\_\_ ~~11-11-09~~”, which incorporates the following forms by reference:

1. Form No. 1190, Deed of Conservation Easement (Standard), effective date January 23, 2007;
2. Form No. 1191, Deed of Conservation Easement (Standard Passive Recreational), effective date January 23, 2007;
3. Form No. 1192, Deed of Conservation Easement (Standard Riparian), effective date January 23, 2007;
4. Form No. 1194, Deed of Conservation Easement (Third Party Standard), effective date January 23, 2007;
5. Form No. 1195, Deed of Conservation Easement (Third Party Passive Recreational), effective date January 23, 2007;

6. Form No. 1196, Deed of Conservation Easement (Third Party Riparian), effective date January 23, 2007;

7. Form No. 1197, Restrictive Covenant (Standard), effective date January 23, 2007;

8. Form No. 1318, Deed of Conservation Easement (Local Governments), effective date \_\_\_\_\_, 2010;

(b) through (k) No change.

(2) The documents listed in subsection (1) are available from ~~District Service Centers upon request.~~ online at [www.sfwmd.gov](http://www.sfwmd.gov) or can be obtained at no cost by contacting the District Clerk’s Office, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436, or (561)682-6436.

Rulemaking Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, 11-11-09, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

|           |  |
|-----------|--|
| RULE NO.: | RULE TITLE:  |
| 40E-4.091 | Publications, Rules and Interagency Agreements Incorporated by Reference |

**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. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

Delete the following subsections from the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District: 4.3.9.1 through 4.3.9.5 and Figure 4.3-1 (Incentive Graph), which were inadvertently omitted from the previous publication. These subsections all pertain to Section 4.3.9, the Mitigation Reduction Through a Melaleuca Eradication Program. Subsection 4.3.9.1 pertains to determination of wetland boundaries, subsection 4.3.9.2 pertains to the method for determination of melaleuca coverage and reduction in mitigation, subsection 4.3.9.3 pertains to

melaleuca eradication plans and stewardship agreements, subsection 4.3.9.4 does not allow for incentives if required by another agency to remove melaleuca and landowners must remain in compliance with the terms of the stewardship agreement in order to receive future mitigation reduction, subsection 4.3.9.5 allows a landowner to combine an application for a conceptual approval with a melaleuca eradication program, and Figure 4.3-1, Incentive Graph, shows the incentive by percentage based on the initial coverage of melaleuca and eradication over time.

The deleted rule text is available online on the District's website at [www.sfwmd.gov](http://www.sfwmd.gov) or may be obtained at no cost by contacting Kathie Ruff, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6320 or (561)682-6320, email: [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.300  
 RULE TITLE: State Mental Health Hospital Services

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** A SERC has been prepared by the Agency. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

The four State owned/operated mental health hospitals serve on average 40 Medicaid eligible individuals ages 65 and older each month. Two facilities are fully State operated, two are operated by private contractors. Services to the individual Medicaid recipients will not be impacted. There will be no impact to the Agency for implementation of this rule. The Agency does not anticipate that the changes/updates to this handbook will have a financial impact on the Medicaid providers. No small counties or small cities are impacted by this rule change.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NOS.: 59G-13.030  
 RULE TITLES: Aged and Disabled Adult Waiver Services  
 59G-13.031 Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule

**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. 36, No. 2, January 15, 2010 issue of the Florida Administrative Weekly.

The following revisions were made to the Notice of Proposed Rule text.

59G-13.030 Aged and Disabled Adult Waiver Services.

(1) through (3) No change.

(a) Appendix A contains the ~~Adult Services Client Assessment, CF-AA 3019, PDF 10/2005, eight pages.~~ DOEA Assessment Instrument, DOEA Form 701B, September 2008 and DCF Assessment Instrument, CF-AA Form 3019, PDF 10/2005. The latter form is available at the Department of Children and Families website at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

(b) Appendix B contains the Medical Certification for Nursing Facility/Home and Community Based Services Form, AHCA-MedServ Form 3008, May 2009.

(c) Appendix C contains Informed Consent Form AHCA-Med-Serv Form 2040, May 2009.

(d)(b) Appendix D contains the Notification of Level of Care, DOEA-CARES ~~form Form~~ 603 (Revised March 2003); ~~one page.~~ The form is mailed to the provider by the Department of Elder Affairs, CARES Unit.

(e)(e) Appendix E contains the Aged and Disabled Adult Services Waiver Agreement of Expectations, AHCA-Med Serv Form 033, May 2009, ~~two pages.~~ The form is available by photocopying it from the handbook.

(f) Appendix F contains Hospice Forms: Notice of Hospice Election Waiver, AHCA Form 5000-29, October 2003; Cooperative Agreement for a Hospice and Medicaid Waiver Enrolled Recipient, AHCA Form 5000-30, October 2003; Attachment to Cooperative Agreement for a Hospice and Medicaid Waiver Enrolled Recipients, AHCA Form 5000-30A, October 2003.

(g)(d) Appendix G contains the Request for Approval of Care Plan Services Increase, CF-AA 1116, PDF 05/2004, ~~two pages.~~ The form is available from the Department of Children and Families website at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

(h)(e) Appendix H contains the Aged/Disabled Adult Waiver Aging Out Plan of Care, AHCA-Med Serv Form 047, May 2009, ~~five pages.~~ The form is available by photocopying it from the handbook.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.912 FS. History--New 6-1-05, Amended 4-17-06,\_\_\_\_\_.

The purpose of the amendment to Rule 59G-13.030, F.A.C., is to incorporate by reference the revised Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook, May 2009. The following revisions have been made to the handbook.

Page 1-4 AAAs and Medicaid Waiver Specialists. Fifth paragraph is changed to read as follows: "The AAAs shall follow policies and procedures regarding recipient enrollment into the A/DA Waiver Program and "wait list" policies and procedures for those individuals on the "wait list." The "wait list" shall be available for review by AHCA; DCF, Adult Protective Services; and DOEA."

Page 1-5 DCF's Spending Authority. First paragraph is changed to read as follows: "DCF's Adult Protective Services Headquarters Program Office manages the budgetary authority for disabled adults ages 18 to 59 served by the A/DA waiver."

Page 1-6

Case Management Agency Requirements.

First paragraph is changed to read as follows: "To provide A/DA waiver case management services, the entity must have one of the following unless case management is provided by DCF staff:"

Second bullet is changed to read as follows: "A referral agreement and contract with the Department of Children and Families (DCF)."

After "General Case Management Provider Qualifications" Insert: "Transition Case Management. Transition Case Management services can be provided to Medicaid eligible individuals who reside in a nursing facility and wish to transition into a less restrictive environment within the community. This service can be used to assess, evaluate, plan, and coordinate the services needed by a potential nursing home transition candidate. Transition case management services can be provided to Medicaid eligible individuals who have resided in a nursing facility for at least 60 consecutive days before their discharge from the nursing facility. The enrolled case management provider may bill for a time period no greater than 180 consecutive days (6 months) prior to discharge, and is not authorized to bill for transition case management services provided until after the individual is discharged from the nursing facility and is actively enrolled in the waiver. After discharge from the nursing facility and enrollment in the waiver, transition case management services end and regular waiver case management services can begin. If an individual is not discharged from the nursing facility, the case management provider will not be authorized to bill for transition case management services.

The provider qualifications and the reimbursement rate for Transition Case Management will remain the same as currently provided by case management services under the waiver."

Page 1-8

Adult Companion Providers.

Fifth bullet is changed to read as follows: "A home health agency licensed under Chapter 400, Part III, F.S."

Sixth bullet is changed to read as follows: "A home health agency licensed under Chapter 400, Part III, F.S. that meets federal conditions of Medicare participation under 42 CFR 484;"

Page 1-9

Case Aide Providers.

First paragraph is changed to read as follows: "To provide A/DA waiver case aide services, providers must have one of the following unless case aides are provided by DCF staff:"

Second bullet is changed to read as follows: "A referral agreement and contract with the Department of Children and Families (DCF)."

Page 1-10 Consumable Medical Supply providers. Fifth bullet is changed to read as follows: "HME providers licensed in accordance with Chapter 400, Part VII, F.S., if the HME provider supplies products that require recipient training and enrolled as a Medicaid Durable Medical Equipment provider."

Page 1-14 Specialized Medical Equipment and Supply Providers. Fifth bullet is changed to read as follows: "HME providers with an occupational license issued in accordance with Chapter 205, F.S. and have an HME license issued in accordance with Chapter 400, Part VII, F.S., if the HME provides supplies requiring recipient training. Enrolled as a Medicaid Durable Medical Equipment provider."

Page 1-17 Referral Agreement. Paragraph is changed to read as follows: "Every A/DA waiver service provider must maintain a current executed referral agreement or memorandum of agreement with the AAA or case management agency. The Department of Children & Families' Adult Protective Services offices maintain referral agreements or memorandum of agreement with the A/DA waiver service providers. The executed referral agreement or memorandum of agreement must be on file with the AAA or case management agency before any A/DA waiver service is provided. Failure to comply with this A/DA waiver provider responsibility can result in AHCA recouping any payments made for services provided prior to the executed referral agreement or memorandum of agreement being placed on file."

Page 2-5

Request for Level of Care. Second paragraph is changed to read as follows: "Note: See Appendix B in this handbook for a copy of the Medical Certification for Nursing Facility/Home and Community Based Services Form (MCNF/HCBS), AHCA-Med Serv Form 3008. The form is available on the DOEA website at <http://elderaffairs.state.fl.us/english/cares.php>."

Informed Consent Form. Second paragraph is changed to read as follows: "Note: See Appendix C for a copy of the Informed Consent Form, AHCA Med-Serv Form 2040 in English and Spanish. The form is available on the DOEA website at <http://elderaffairs.state.fl.us/english/cares.php>."

Page 2-7 Recipient Enrollment into the Waiver. Last paragraph is changed to read as follows: "Enrollment into the waiver for individuals 18 to 59 years old is determined by the Florida Department of Children and Families, Adult Protective Services Programs' Region Offices. A listing of the District Offices and the telephone numbers are available on this website: <http://www.dcf.state.fl.us/as/>"

Page 2-8 A/DA Waiting List. Last paragraph is changed to read as follows: "The A/DA waiting list for the 18 to 59 year old disabled adult population of the waiver is maintained at the Florida Department of Children and Families, Adult Protective Services Program Office."

Page 2-10 Choice of Case Manager. Paragraph is changed to read as follows: "Recipients have a right to select the case management provider or case manager of their choice. In the absence of a selection by the recipient or authorized representative, the case management agency may assign a case manager. The recipient or authorized representative may make a different selection at a later date after the initial selection."

Page 2-11 Case Manager Responsibilities. Eighth bullet is changed to read as follows: "Review and update the plan of care every three (3) months to ensure the appropriate services are provided at the level needed by the recipient;"

Page 2-13 Covered Services. Ninth bullet is changed to read as follows: "The three (3) month and twelve (12) month reviews and updates to the recipient's plan of care;"

Page 2-15 Case Narrative Requirements. Following fifth paragraph, insert new paragraph as follows: "For monthly telephone contact, the narrative must reflect the case manager's monitoring of client changes and the receipt and satisfaction with services;"

Page 2-17. Plan of Care Document. Paragraph is changed to read as follows: "The plan of care document must contain the following elements: 1) Client name and Medicaid identification number; 2) Case management agency name and Medicaid provider identification number; 3) Client's assessed service needs; 4) Types, units, frequency and duration of planned waiver and non-waiver services; 5) The provider and associated costs of each planned service; 6) Initiation, revision and termination dates of the care plan; 7) An acknowledgement that the client or client's representative is involved in the development of the care; and 8) Client or representative and case manager signatures and date of signatures."

Page 2-20

Plan of Care Implementation and Review. The fourth bullet is changed to read as follows: "Reviewing the plan of care with the recipient or caregiver face-to-face every three (3) months to determine if the recipient's needs continue to be met. The plan of care may need to be reviewed more frequently depending on changes in the recipient's condition or living situation. The necessity for reviews conducted more frequently than the three-month review must be justified in the narrative."

Increasing and Decreasing Service Authorizations. Last paragraph is changed to read as follows: "For changes or increases in services for the disabled adult population of the waiver to be effective the case manager must submit a completed Request for Service Increase Form, CF-AA 1116, pdf. May 2004, for processing through the DCF, Adult Protective Services Region Program Office."

Page 2-21 Annual Assessment. First paragraph is changed to read as follows: "A/DA waiver recipients must receive a complete assessment at least annually. If changes in the recipient's condition warrant a complete update assessment, an assessment should be done based on circumstances and need."

Page 2-22

Termination of Enrollment. Eighth bullet is changed to read as follows: "The recipient no longer meets the defined level of care criteria for Intermediate I or Intermediate II as stated in Rule 59G-4.180, F.A.C.; or"

Case Manager Responsibilities Regarding Termination. Second bullet is changed to read as follows: "Notify the DCF Region Office;"

Page 2-27 Service Limitations. Following second bullet, insert new bullet as follows: "Adult companions may not drive the recipient in their car or the recipient's car but may accompany the recipient on public transportation, by taxi, or on Medicaid transportation."

Page 2-28 Service Limitations. Fourth bullet is changed to read as follows: "Authorization of ten hours per day requires extensive written justification."

Page 2-34 Incontinence Supplies. Last paragraph is removed from the text as follows: "Note: See the Adult and Disabled Waiver Disposable Incontinence Medical Supplies Fee Schedule and Quality Standards for Briefs and Diapers available on the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. They are incorporated by reference in Rule 59G-13.032, F.A.C."

Page 2-35

Service Limitations-Consumable Medical Supplies.

Fifth bullet is changed to read as follows: "See the Aged and Disabled Adult Services Waiver Procedure Codes and Fee Schedule."

Last paragraph is removed from the text as follows: "Note: The Aged and Disabled Adult Services Fee Schedule and the Adult and Disabled Waiver Disposable Incontinence Medical Supplies Fee Schedule are available on the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Aged and Disabled Adult Services Fee Schedule is incorporated by reference in Rule 59G-13.031, F.A.C.; and the Adult and Disabled Waiver Disposable Incontinence Medical Supplies Fee Schedule is incorporated by reference in Rule 59G-13.032, F.A.C."

Page 2-36

Service Exclusions. Paragraph is changed to read as follows: "A/DA waiver funds may not be utilized for Consumable Medical Supplies available under the Florida Medicaid Durable Medical Equipment and Medical Supply Services Program, unless the supplies that are available under the Medicaid Durable Medical Equipment and Medical Supply Services Program are unable to meet the physician-ordered specifications. A copy of the completed Prior Authorization form PA01 07/2008, denying or approving the request, must be in the case record for each requested DME service."

Page 2-46 Service Exclusions. Last paragraph is removed from the text as follows: "**Note:** The Fee Schedule is available on the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. It is incorporated by reference in Rule 59G-13.031, F.A.C."

Page 2-55 Service Limitations. Fourth bullet is changed to read as follows: "See the Aged and Disabled Adult Services Waiver Procedure Codes and Fee Schedule, for the maximum units of service and the maximum reimbursement per unit. Although this service may be authorized for up to four hours per day, such an authorization would be unusual and requires extensive documentation."

Page 4-2 The header at the top of this page has been corrected to read "Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook."

Page 4-4 The header at the top of this page has been corrected to read "Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook."

The purpose of the amendment to Rule 59G-13.031, F.A.C., is to incorporate by reference the revised Aged and Disabled Adult Waiver Fee Schedule, May 2009. The following information was added to the fee schedule.

**AGED AND DISABLED ADULT SERVICES WAIVER  
FEE SCHEDULE**

|       |    |                            |                            |   |
|-------|----|----------------------------|----------------------------|---|
| T2024 | U2 | TRANSITION CASE MANAGEMENT | \$11.25 per 15-minute unit | 80 units (20 hours) per six (6) month transition period (\$900 maximum) |
|-------|----|----------------------------|----------------------------|---|

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers' Board**

RULE NO.: 61G3-16.007  
 RULE TITLE: Examination for Restricted Licensure

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 12, March 26, 2010 issue of the Florida Administrative Weekly.

The correction is as follows:

The Rule Development is: October 30, 2009.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OF CORRECTION IS: Robyn Barineau, Executive Director, 1940 North Monroe Street Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-24.008  
 RULE TITLE: Biennial Renewal Fee for Cosmetologists and Specialists

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimate Regulatory Costs was prepared. The Board determined that the rule amendments would have an impact on small businesses. The increase in the biennial fee will have an impact on licensed cosmetologist. The information compiled by the Office of Budget and Financial Management of the Department of Business and Professional Regulation, shows the projected numbers of licensed cosmetologist that will be impacted for the next three fiscal years:

- 2010 - 2011 = 41, 220.
- 2011 - 2012 = 43,542.
- 2012 - 2013 = 42, 045.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OF CORRECTION IS: Robyn Barineau, Executive Director, 1940 North Monroe Street Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-24.010  
 RULE TITLE: Delinquent License and Specialty Registration Fee

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimate Regulatory Costs was prepared. The Board determined that the rule

amendments would have an impact on small businesses. The increase in the delinquent renewal fee will have an impact on licensed cosmetologist. The information compiled by the Office of Budget and Financial Management of the Department of Business and Professional Regulation, shows the projected numbers of licensed cosmetologist that will be impacted for the next three fiscal years:

- 2010 - 2011 = 5, 327.
- 2011 - 2012 = 2, 949.
- 2012 - 2013 = 5, 434.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OF CORRECTION IS: Robyn Barineau, Executive Director, 1940 North Monroe Street Tallahassee, Florida 32399-0750

**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 ENVIRONMENTAL PROTECTION**

RULE NO.:                      RULE TITLE:  
62-304.600                      Tampa Bay Basin TMDLs

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the following subsections, as noticed in the Vol. 35, No. 31, August 7, 2009 issue of the Florida Administrative Weekly have been withdrawn:

- 62-304.600(1)
- 62-304.600(3)
- 62-304.600(6)
- 62-304.600(9)
- 62-304.600(10)
- 62-304.600(12)
- 62-304.600(14)
- 62-304.600(15)
- 62-304.600(19)
- 62-304.600(21)
- 62-304.600(25)
- 62-304.600(26)
- 62-304.600(28)
- 62-304.600(30)
- 62-304.600(31)
- 62-304.600(33)
- 62-304.600(36)

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.:                      RULE TITLE:  
62-304.610                      Hillsborough River Basin TMDLs

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the following subsections, as noticed in the Vol. 35, No. 31, August 7, 2009 issue of the Florida Administrative Weekly have been withdrawn:

- 62-304.610(13)
- 62-304.610(16)

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

|            |  |
|------------|--|
| RULE NOS.: | RULE TITLES:                             |
| 62-306.100 | Scope and Intent                         |
| 62-306.200 | Definitions                              |
| 62-306.300 | General Requirements                     |
| 62-306.310 | Prohibitions and Restrictions            |
| 62-306.320 | Eligibility for Registration of Credits  |
| 62-306.400 | Waters and Pollutants Subject to Trading |
| 62-306.500 | Credit Generation and Validation         |
| 62-306.600 | Use of Credits and Credit Tracking       |
| 62-306.700 | Compliance with Trade Provisions         |
| 62-306.800 | Program Evaluation                       |
| 62-306.900 | Forms                                    |

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 14, April 9, 2010 issue of the Florida Administrative Weekly. In both the chapter index and the proposed text, Rules 62-306.500 and 62-306.600 were incorrectly identified as 62-305.500 and 62-305.600, respectively. The rules are correctly identified as Rules 62-306.500 and 62-306.600. These corrections do not affect the substance of the rules as they appeared in the Florida Administrative Weekly.

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE NO.:                      RULE TITLE:  
64B10-15.001                      Continuing Education for Licensure Renewal

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, F.S., published in Vol. 36, No. 9, of the March 3, 2010, issue of the Florida Administrative Weekly. The change is in response to concerns stated by the Board at its meeting on February 26, 2010, granting continuing education hours for practitioners who assist in the examination process. The change is as follows:

(7) Five hours of continuing education per biennium may be obtained by participating in the examination process by serving as a consultant.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.:                   RULE TITLE:  
64B11-2.003               Fees; Application

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 4, January 29, 2010 issue of the Florida Administrative Weekly.

These corrections are in response to the Joint Administrative Procedures Committee comments, dated March 10, 2010. The corrections are as follows:

64B11-2.003 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. This application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152, (revised 08/09 09-08), hereby adopted and incorporated by reference, and can be obtained from the Board of Occupational Therapy’s website at <http://www.doh.state.fl.us/mqa/occupational/>.

Form DH-MQA 1116.

Confidential and Exempt from Public Records Disclosure, Page 1.

\*This page is exempt from public records disclosure. The Department of Health is required and authorized to collect Social Security Numbers relating to applications for professional licensure pursuant to Title 42 USC § 666 (a)(13). For all professions regulated under chapter 456, Florida Statutes, the collection of Social Security Numbers is required by Section 456.013(1)(a), Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OF CORRECTION IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Board of Occupational Therapy**

RULE NO.:                   RULE TITLE:  
64B11-3.001               Fees; Application

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 4, January 29, 2010 issue of the Florida Administrative Weekly.

These corrections are in response to the Joint Administrative Procedures Committee comments, dated March 10, 2010. The corrections are as follows:

64B11-3.001 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. This application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152, (revised 08/09 09-08), hereby adopted and incorporated by reference, and can be obtained from the Board of Occupational Therapy’s website at <http://www.doh.state.fl.us/mqa/occupational/>.

Form DH-MQA 1116.

Confidential and Exempt from Public Records Disclosure, Page 1.

\*This page is exempt from public records disclosure. The Department of Health is required and authorized to collect Social Security Numbers relating to applications for professional licensure pursuant to Title 42 USC § 666 (a)(13). For all professions regulated under chapter 456, Florida Statutes, the collection of Social Security Numbers is required by Section 456.013(1)(a), Florida Statutes.

The publication date of the proposed rule development is: May 15, 2009.

THE PERSON TO BE CONTACTED REGARDING THIS NOTICE OF CORRECTION IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.:                   RULE TITLE:  
64F-16.006               Sliding Fee Scale

**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. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly.

The changes are in response to written comments received from the Joint Administrative Procedures Committee (JAPC). These changes include the following: correcting the rule number from 64F-16.001 to 64F-16.006; correcting the introduction of the text from “The preliminary text of the proposed rule development” to “The full text of the proposed rule is”; incorporating by reference the Health and Human

Services poverty guidelines; reflecting that there is no change to subsection (2) of the rule; amending paragraph (3)(f) to reflect that all family planning methods will be limited depending on the availability of funds; amending subsection 64F-16.006(4), F.A.C., to reflect paragraphs (3)(a) through (h) instead of subsections (a) through (h); correcting the date the notice of proposed rule development was published in the Florida Administrative Weekly from September 2, 2009 to September 11, 2009; and deleting the history note that reflects the rule was amended in August 31, 2009. The foregoing changes (except the proposed rule development publication date) are reflected in the rule as follows:

The full text of the proposed rule is:

64F-16.006 Sliding Fee Scale.

(1) Persons with net family incomes between 101 and 200 percent of the ~~Federal Office of Management and Budget Health and Human Services Poverty Guidelines for the 48 Contiguous States and the District of Columbia (poverty guidelines), as published in January 23, 2009 rendition of the Federal Register, incorporated by reference and available at <http://aspe.hhs.gov/poverty/> or per subsection 64F-16.001(6), F.A.C.~~, shall be charged a fee on a sliding scale based on the following increments. For family planning services only, persons with incomes between 101 percent ~~200~~ and 250 percent of poverty shall be charged on a sliding fee scale as described in paragraph 64F-16.006(3)(h), F.A.C., below:

- (a) through (g) No change.
- (2) No change.
- (3) This sliding fee scale applies to recipients of integrated family health and communicable disease control services, with the following exceptions: . . .
- (a) through (e) No change.
- (f) Clients served by CHDs and their subcontractors shall not be denied family planning services for failure or inability to pay a prescribed fee, regardless of their income; however all family planning methods ~~the family planning services of inserting Norplant, and, male and female sterilization,~~ shall be limited depending on the availability of funds, ~~to pay for these services.~~

(g) Clients shall not be denied pregnancy testing for failure or inability to pay a fee.

(h) For family planning services only, persons with net family incomes between 101 percent and 250 ~~200~~ percent of the ~~Federal Office of Management and Budget~~ poverty guidelines shall be charged a fee on a sliding scale based on the following increments:

- 1. Persons with incomes at or below 100 percent of the poverty guidelines shall pay no fee. ~~Persons with incomes at 200 to 224 percent of the OMB poverty guidelines shall pay 90 percent of the full fee for family planning services.~~

- 2. Persons with incomes at 101 to 129 percent of the poverty guidelines shall pay 17 percent of the full fee. ~~Persons with incomes at 225 to 249 percent of the OMB poverty guidelines shall pay 95 percent of the full fee for family planning services~~
- 3. Persons with incomes at 130 to 159 percent of the poverty guidelines shall pay 33 percent of the full fee. ~~Persons with incomes at or above 250 percent of the OMB poverty guidelines shall pay the full fee for family planning services.~~
- 4. Persons with incomes at 160 to 189 percent of the poverty guidelines shall pay 50 percent of the full fee.
- 5. Persons with incomes at 190 to 219 percent of the poverty guidelines shall pay 67 percent of the full fee.
- 6. Persons with incomes at 220 to 250 percent of the poverty guidelines shall pay 83 percent of the full fee.
- 7. Persons with incomes at or above 251 percent of the poverty guidelines shall pay the full fee.

(4) Persons with net family incomes above 200 percent of the ~~OMB~~ poverty guidelines shall be charged the full fee promulgated by the department or the relevant board of county commissioners, with the exception of those groups listed in ~~paragraphs (3) subsections~~ (a) through (h) above.

Rulemaking Specific Authority 154.011(5) FS. Law Implemented 154.011 FS. History—New 10-14-93, Amended 8-2-94, 4-29-96, Formerly 10D-121.007, Amended 6-24-02, 6-17-03,\_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: 65A-1.704  
 RULE TITLE: Family-Related Medicaid Eligibility Determination Process

**NOTICE OF CORRECTION**

The following notice was incorrectly published in Vol. 36, No. 16, April 23, 2010 of the Florida Administrative Weekly. The notice should have read:

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 15, April 16, 2010 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 5, 2010

**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 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."

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## 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 April 15, 2010, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No.: 2010-069-DAO-ROW was issued to AT&T Florida (Application No. 09-1217-2). The petition for waiver was received by the SFWMD on February 8, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 36, No. 7, on February 19, 2010. No public comment was received. This Order provides a waiver of the District's criteria to allow for the installation of a temporary aerial crossing with poles located west of State Road 7 Bridge crossing the C-51 Canal while Palm Beach County is widening the bridge; Section 1, 36, Township 43, 44 South, Range 41, 42 East, Palm Beach County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within forty feet of the top of the canal bank and within the District's equipment staging areas located 100 feet upstream or downstream of pile-supported crossings within works or land of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Petitioner from suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email: [jurussel@sfwmd.gov](mailto:jurussel@sfwmd.gov).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on April 16, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Melinda Patnoi on behalf of Bay Tree Club Association in Sarasota. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires Fire Fighter Service Phase I and Phase II. Petitioner states that they have contracted for the work but needs more time to receive the equipment and complete the work. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on April 16, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Joel Sainer on behalf of Belmont Park Apartments, Inc. from paragraph 61C-5.001(1)(a), F.A.C., which requires two-way communication from outside the hoistway into the elevator car. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code. Petitioner states that due to continued economic hardships he cannot afford to install the communication devices as planned until July 1, 2013. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on April 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency variance from J.D. Patel on behalf of Best Western Altamonte Springs, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4, 3.3.2 & 3.10.4(e) as adopted by Chapter 30, Section 3001.2

Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires door restriction, a 21" toe guard and a cartop stop switch. Petitioner states that additional time is needed to add these features as they need to raise funds, contract for the work and complete the upgrades. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rachael Carpenter on behalf of Boca Raton Community Hospital, Boca Raton, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.13.5, 2.12.6 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a) and Rule 61C-5.0051, Florida Administrative Code, which require nudging on Fire Fighter Service, hoistway door numbering, and keyed stop switches in the cars. Petitioner states that there is insufficient funding this fiscal year to complete these upgrades and they wish to do the work as soon as the new fiscal year arrives. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency variance from Tarun Patel on behalf of Clarion Hotel, Fort Myers, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires Fire Fighter Service Phase I and Phase II. Petitioner states that additional time is needed to complete this major upgrade to the elevators as they will trigger other requirements. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency variance from Tarun Patel on behalf of Days Inn Hotel, Fort Myers, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires Fire Fighter Service Phase I and Phase II. Petitioner states that this existing condition will require an extensive remodelling of the elevator as other requirements will be triggered by this upgrade and they need additional time to raise the funds and complete the work. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 15, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received an Emergency Variance on April 5, 2010 for Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1) and paragraph 61C-1.004(1)(d), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code from Healthy Delights, Coral Springs, FL. The above referenced F.A.C. addresses the requirement that each establishment discharge sewage into an approved collection system and have an approved plumbing system installed. They are requesting to utilize holding tanks to provide potable water and to collect waste water.

The variance request will post in Vol. 36, No. 16 on 4/23/10, and approval is contingent upon the Petitioner ensuring the waste water holding tanks for the three-compartment sink and hand wash sink are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the three-compartment sink and hand wash sink are provided with hot and cold running water under pressure.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on April 16, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received an Emergency Variance on April 7, 2010, for Subparagraph 3-304.11, FDA Food Code, 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Subparagraph 4-301.12(A), 2001 FDA Food Code, Subparagraph 4-602.11(A)(5), 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (5), (6) and 61C-4.161(1), Florida Administrative Code, from Joy Wallace Catering, Miami, FL. The above referenced F.A.C. addresses the requirement for proper handling, protection and dispensing of food and sanitization of food contact surfaces. They are requesting to dispense potentially hazardous foods from a smoker unit mounted on an open air trailer.

The initial request will post in Vol. 36, No. 17 on 4/30/10 and concludes that the Petitioner's request for variance fails to meet the burden of demonstrating public health safeguards. The following are some of the public health reasons regarding the need to provide adequate warewashing facilities and food protection/enclosure structure (found in the Public Health Reasons/Administrative Guidelines of the 2001 FDA Food Code Annex 3):

Pathogens can be transferred to food from utensils that have been stored on surfaces which have not been cleaned and sanitized. Some pathogenic microorganisms survive outside the body for considerable periods of time. Food that comes into contact directly or indirectly with surfaces that are not clean and sanitized is liable to such contamination. The handles of utensils, even if manipulated with gloved hands, are particularly susceptible to contamination. Pathogens can also contaminate and/or grow in food that is not stored properly.

Food-contact surfaces and equipment used for potentially hazardous foods should be cleaned as needed throughout the day but must be cleaned no less than every 4 hours to prevent the growth of microorganisms on those surfaces.

The three-compartment sink requirement allows for proper execution of the 3-step manual warewashing procedure. If properly used, the three compartments reduce the chance of contaminating the sanitizing water and therefore diluting the strength and efficacy of the chemical sanitizer that may be used.

Sources of environmental contamination may include...air from an uncontrolled atmosphere such as may be encountered when preparing food in a building that is not constructed according to Food Code requirements.

Insects and rodents are vectors of disease-causing microorganisms which may be transmitted to humans by contamination of food and food-contact surfaces. The presence of insects and rodents is minimized by protecting outer openings to the food establishment.

Walls and roofs provide a barrier to protect the interior and foods from the weather, windblown dirt and debris, and flying insects.

There is a reasonable alternative to the requested variance. The petitioner owns and operates a licensed Mobile Food Dispensing Vehicle which if operated in conjunction with a screened, closed-system smoker unit would be in compliance with the above requirements. The petitioner has chosen not to pursue this alternative.

The hardship has been deliberately caused by the petitioner's decision to not use the reasonable alternative of utilizing the currently licensed Mobile Food Dispensing Vehicle in conjunction with the smoker unit.

Therefore the Division concludes that this variance submission meets none of the statutory criteria for granting a variance.

Granting this variance in its current format would create an undesirable precedent upon which all types of mobile food dispensing units could claim a variance. Granting this variance would be inconsistent with the principles of public safety and sanitation articulated in Section 509.032(e)(1), F.S., for public food service establishments enforced by the Division. Based on the foregoing, the Division concludes that the Petitioner's request for variance fails to meet the burden of demonstration that required safety and sanitation safeguards have otherwise been met.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN THAT on April 7, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-304.11, FDA Food Code, 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Subparagraph 4-301.12(A), 2001 FDA Food Code, Subparagraph 4-602.11(A)(5), 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (5), (6) and 61C-4.161(1), Florida Administrative Code, from Joy Wallace Catering, Miami, FL. The above referenced F.A.C. addresses the requirement for proper handling, protection and dispensing of food and sanitization of food contact surfaces. They are requesting to dispense potentially hazardous foods from a smoker unit mounted on an open air trailer.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN THAT on April 12, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(6), (7), Florida Administrative Code, from Kissimmee Kitchen Share, Kissimmee, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located within another licensed public food service establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on April 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Leon Express, Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on April 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency variance from Carroll Crawford on behalf of Poincianna Place Condos, Loxahatchee, FL. Petitioner seeks a temporary variance of the requirements of ASME A17.3, 1996 edition, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires door restriction when the car is more than 3" from the landing zone. Petitioner states that the cars have straight arm restriction that does not comply with the code but provides the protection the code is intended to provide. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on April 15, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a petition for an Emergency Variance on April 7, 2010 for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsection 61C-4.010(1), and (6), Florida Administrative Code, from Ready Food, Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The variance request will be posted in Vol. 36, No. 16 on 4/23/10 and approval is contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on April 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an Emergency Variance from Debra Shade on behalf of Neighborly Care Network, License Number 97176, in Clearwater, FL. The Petition seeks a variance from subsection 61C-5.009(1), Florida Administrative Code, which requires all elevator hoistways be vented to the outer air. Petitioner states that the building was planned and built without venting in accordance to the exceptions allowed in Chapter 3004.1 of the Florida Building Code. Petitioner is awaiting the CO of the building so they can move in which is why they are requesting an emergency variance. Any interested

person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 19, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Jon T. Randle on behalf of USF Marine Science Bldg., St. Petersburg, FL. Petitioner seeks a variance of the requirements of ASME A17.3, Sections 3.11.1, 3.11.1(a)(1) and (a)(2), 3.4.5, 3.10.5 and 2.2.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which require top of car operator devices, in-car alarm and two-way communication devices, emergency lights in the car, mainline disconnecting means, and access to the machine room. Petitioner states that this 1940 vintage elevator will be taken out of service as soon as new elevator can be installed so spending the considerable funds necessary to make these repairs would be lost. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency variance from Lee Rigby on behalf of USF Patel Building, Tampa, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which requires a sump pump in the pits of elevators in buildings with sprinklers. Petitioner states that this building was designed and built prior to the determination by the Bureau that the exemption for sump pumps does not apply to sprinklered buildings. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 16, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received

a petition for an emergency variance of the requirements of ASME A17.3, Section 3.11.3, which requires Fire Fighter Service, Phase I and Phase II, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, from 500 WS Owner LLC on behalf of Westshore 500 Building. Petitioner states that they are modernizing the elevators and require time to complete the extensive work and they are currently delinquent and face administrative action if they cannot pass an inspection. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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NOTICE IS HEREBY GIVEN THAT on April 9, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received an Emergency Variance on April 1, 2010 for paragraphs 61C-1.004(2)(a), 61C-4.010(7)(c), Florida Administrative Code, from Yogurtland located in Hallandale. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize public bathrooms located on the same level over 300 feet away for customers only.

The variance request was published in Vol. 36, No. 15 on 4/16/10, and approval is contingent upon the Petitioner ensuring the public bathrooms located in The Village At Gulfstream Park are maintained in a clean and sanitary manner and are provided cold running water under pressure, soap, approved hand drying devices and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within and outside the establishment clearly stating the location of the bathrooms. If the circumstances governing access to the public bathrooms change, this variance approval will be revisited.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

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NOTICE IS HEREBY GIVEN THAT on March 24, 2010, the Electrical Contractors' Licensing Board, received a petition for Robert Matos, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board within 14 days of publication of this notice.

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#### 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 14, 2010, the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems has issued an order.

A petition was filed on October 29, 2009, by Archibald and Martha Thomas, William and Debra Herron, and Laura Lundberg (Neary), requesting a renewal of a variance from subsections 62B-33.002(18), (19) and Rule 62B-33.0051, F.A.C. A variance was previously granted October 31, 2008, #SJ-1031 AR V, but expired. The properties are located at 3550, 3560 and 3570 Coastal Highway, Vilano Bch., in St. Johns County, FL. Notice of receipt of this petition was published in the Florida Administrative Weekly on November 13, 2009. On November 17, 2009, an amended renewal of petition for variance was received requesting a permanent variance from subsections 62B-33.002(18) and (19), F.A.C., which defines "eligible structures" and "emergency protection", respectively, and from Rule 62B-33.0051, F.A.C., which provides general armoring criteria. No public comment was received. The Order, #SJ-1031 AR V2, grants a variance from subsection 62B-33.002(18) and subparagraph 62B-33.0051(1)(a)1., F.A.C., only, and for a one year time period. No variance is granted for remaining sections in Rule 62B-33.002 or 62B-33.0051, F.A.C. The variance is granted based upon the Petitioner's demonstration that a strict application of the rule would result in substantial hardship to the Petitioner and because Petitioner had successfully fulfilled the requirements of the underlying statute by other means.

A copy of the Order may be obtained by contacting: Rosaline Beckham, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, (850)488-7815 or e-mail: [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us).

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#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on April 13, 2010, the Board of Dentistry, received a petition for variance or waiver of subsection 64B5-2.021(1), F.A.C., filed by Ivette Contreras, D.D.S. Petitioner requests that the Board of Dentistry grant a

waiver or variance of the requirements set forth in subsection 64B5-2.021(1), F.A.C., and allow Petitioner to sit for re-examination of the restorative part of the examination only.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE IS HEREBY GIVEN THAT on April 15, 2010, the Board of Physical Therapy Practice, received a petition for Lucelly Vargas, seeking a waiver of the requirements of paragraph 64B17-3.001(4)(j), Florida Administrative Code. The Petitioner seeks a waiver, due to hardship, of the requirement that an applicant who did not receive his or her education in English, must obtain a minimum score on the TOEFL exam.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)488-0595. Comments on this petition should be filed with the Board of Physical Therapy Practice/MQA within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on April 19, 2010, the Board of Psychology, received a petition for waiver or variance filed by Rosemarie Johnson, from Rule 64B19-11.005, F.A.C., with regard to the requirement that all applicants for licensure complete at least 2,000 hours of post doctoral experience under a supervisor whose supervision comports with the rule. Comments on this petition should be filed with: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373.

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#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on March 23, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(1), Florida Administrative Code, from Trevor Nelson, assigned Case No.: 10-024W. Subsection 65C-14.055(1), F.A.C. requires the Executive Director who is responsible for the general management and administration of the agency is required to have a bachelor's degree in social work or a related area of study from an accredited college or university and three years of experience in management supervision.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on April 8, 2010, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(1), Florida Administrative Code, from St. Johns County Board of County Commissioners and Venerria Thomas, assigned Case No.: 10-026W. Subsection 65C-15.017(1), F.A.C., requires the Director shall have a master's degree in social work or a related area of study from an accredited college or university and at least two years experience in human services or child welfare programs.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on April 8, 2010, the Department of Children and Families, received a petition for waiver of Rule 65C-13.030, F.A.C., from Latausa Freeman assigned Case No.: 10-027W. Rule 65C-13.030, F.A.C., states there should be no more than five children in a licensed home, including the family's own children.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on March 25, 2010, the Agency for Persons with Disabilities, received a petition for Waiver of Bedroom Size from Petitioner, Quality 1st Care Group Home, Inc., Jenamay Garland. This is Petition for Waiver of subparagraph 65G-2.012(8)(c)2., F.A.C., for an APD Individual to reside on his own.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Percy W. "Pet" Mallison, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399.

## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 11:00 a.m. – conclusion

PLACE: Mission San Luis Conference Room, 2100 West Tennessee Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee will meet to discuss summer events, Board Terms, and fiscal year budgets.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)487-1666 or jbshiver@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 48 hours before the workshop/meeting by contacting: Jessica Shiver at (850)487-1666 or jbshiver@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.

For more information, you may contact: Jessica Shiver at (850)487-1666 or jbshiver@dos.state.fl.us.

The **Division of Library and Information Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: An orientation session for new Library Services and Technology Act Advisory Council members.

A copy of the agenda may be obtained by contacting: Dolly Frank, Library Program Specialist at (850)245-6631 or e-mail: dafrank@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 5 days before the workshop/meeting by contacting: Dolly Frank, Library Program Specialist at (850)245-6631 or e-mail: dafrank@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).

For more information, you may contact: Dolly Frank, Library Program Specialist at (850)245.6631 or e-mail: dafrank@dos.state.fl.us.

#### DEPARTMENT OF LEGAL AFFAIRS

The **Florida Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 6, 2010, 11:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

DATE AND TIME: May 12, 2010, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: May 12, 2010, 11:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: legislative Committee.

DATE AND TIME: May 13, 2010, 9:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance/Budget Committee.

DATE AND TIME: May 27, 2010, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on participation  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131. 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 Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

**DEPARTMENT OF EDUCATION**

The **Department of Education**, Charter School Appeal Commission announces a hearing to which all persons are invited.

DATES AND TIMES: May 6, 2010, 9:30 a.m. – completion; May 7, 2010 9:00 a.m. – completion

PLACE: Betty Easley Conference Center, Room 180, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission Hearing will hear the Application Denial of Ben Gamla Charter School vs. Palm Beach County School Board, Shine! Educational Services, Inc. vs. Palm Beach County School Board, Florida High School for Accelerated Learning vs. Palm Beach County School Board and Tradition Academy of Innovation vs. St. Lucie 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 2 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 **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIMES: A Teacher Hearing Panel will begin at May 14, 2010, 9:00 a.m. or as soon thereafter as can be heard; Administrator Hearing Panel, 11:00 a.m. or as soon thereafter as can be heard

PLACE: Staybridge Suites, 1600 Summit Lake Drive, Tallahassee, Florida 32317, (850)219-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

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: Kathleen M. Richards at (850)245-0455. 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: Janice Harris or Kathleen M. Richards at (850)245-0455.

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#### DEPARTMENT OF COMMUNITY AFFAIRS

The **Century Commission for a Sustainable Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2010, 10:00 a.m. – completion

PLACE: Orlando City Hall Chamber, 400 South Orange Avenue, 2nd Floor, Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** During this meeting, Century Commission members will discuss outlining a vision for Florida using the three sustainability pillars of Social, Environment and Economy with committee reports.

In addition, they will hear a presentation of the Leadership Florida Sunshine State Survey from Dr. Susan MacManus and a presentation from Dr. David Coburn, University of Florida, about the lack of a common identity of Florida.

A copy of the agenda may be obtained by contacting: Century Commission online at [www.CenturyCommission.org](http://www.CenturyCommission.org) or (850)219-0082, ext. 5.

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The **Department of Community Affairs, Division of Housing and Community Development**, The Florida Building Commission, “The Commission”, announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 13, 2010, 10:00 a.m. – until completion. The following Technical Advisory Committee (TAC) will meet concurrently: Plumbing TAC, Swimming Pool Sub-Committee to the Plumbing TAC, Electrical TAC, Fire TAC, Mechanical TAC, Special Occupancy TAC, Structural TAC, Code Administration TAC, Energy TAC, and Roofing TAC

PLACE: Conference Call: 1(888)808-6959, Conference Code: 1967168#, Department of Community Affairs, Building Codes and Standards, Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the call is to discuss, train and update the TACs members on the new Proposed Code Modification module. Topics include website navigation, comment submittal, report generation, etc.

For further information please contact: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. 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: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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The **State Emergency Response Commission**, Training Task Force announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 5, 2010, 10:00 a.m. – 12:00 Noon

PLACE: This is a telephone conference call which can be attended via the internet and telephone. Go to the web site: <https://www2.gotomeeting.com/join/916947067>, then dial 1(888)808-6959, Password: 4148565, Meeting ID: 916-947-067

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The goal of this meeting is to review the top 6 deficiencies noted in the Operations Readiness Evaluation conducted on Regional Hazardous Materials Teams last year. Then it needs to be determined what can be corrected or mitigated by projects the Training Task Force could perform.

A copy of the agenda may be obtained by contacting: Division of Emergency Management at (850)413-9970.

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: Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399, (850)413-9970. 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 TRANSPORTATION

The **Jacksonville Transportation Authority** in cooperation with the Florida **Department of Transportation** announces a hearing to which all persons are invited.

DATE AND TIME: May 20, 2010, 6:00 p.m.

PLACE: The Best Western – Southpoint, 4660 Salisbury Road, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of FIN 416501-2; otherwise known as JT Butler Boulevard (SR 202) at I-95 and US-1 improvements in Jacksonville, Duval County, Florida. The Jacksonville Transportation Authority is recommending a systems-systems trumpet interchange with flyovers over the existing JT Butler Boulevard (SR 202) at-grade roadway and ramps through the I-95 interchange are provided. Local access to JT Butler Boulevard (SR 202) west of I-95 and Belfort Road is provided along the at-grade JT Butler Boulevard (SR 202) roadway and ramps. The I-95 northbound to JT Butler Boulevard (SR 202) westbound left turn is restored and the existing weave areas between I-95 and Belfort Road are reduced or mitigated through signalization. At-grade conventional intersection improvements are proposed for the JT Butler Boulevard (SR 202) and US-1 (Philips Highway) and JT Butler Boulevard (SR 202) and Bonneval Road intersections. Minimal additional right-of-way may be required. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Hamid Tabassian, P.E., Manager of Design, Jacksonville Transportation Authority, P. O. Drawer "0", Jacksonville, Florida 32203.

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: Mr. Hamid Tabassian, P.E., Manager of Design, Jacksonville Transportation Authority, P. O. Drawer "0", Jacksonville, Florida 32203, (904)630-3181. 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 Transportation** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 25, 2010, Open House, 6:00 p.m. – 7:00 p.m.; Formal Presentation, 7:00 p.m.

PLACE: Florida Department of Transportation District 5 Headquarters, 719 South Woodland Blvd., DeLand, FL 32720; and Sonesta Orlando Downtown Hotel, 60 South Ivanhoe Blvd., Orlando, FL 32804

DATE AND TIME: Thursday, May 27, 2010, Open House, 6:00 p.m. – 7:00 p.m.; Formal Presentation, 7:00 p.m.

PLACE: Hearings will be held at Sanford City Hall, 300 North Park Ave., Sanford, FL 32771; and Kissimmee Civic Center, 201 East Dakin Ave., Kissimmee, FL 34741. Each hearing will follow the same agenda, and the same pertinent project information will be on display for public review and comment.

GENERAL SUBJECT MATTER TO BE CONSIDERED: These hearings are being held to allow interested persons an opportunity to express their views concerning the location; conceptual design; and social, economic and environmental effects of the proposed 61.5-mile Central Florida Commuter Rail Transit (CFCRT) project, also known as "SunRail". The project will traverse the counties of Volusia, Seminole, Orange and Osceola, Financial Identification Number: 412994-2-22-01. These hearings are being conducted to afford persons the opportunity to express their views about the CFCRT project, specifically with regard to (1) certain proposed station modifications for DeLand, Altamonte Springs, Sand Lake Road, Meadow Woods, Osceola Parkway, Kissimmee and Poinciana Industrial Park and (2) a general analysis of noise and vibration impacts associated with the change in vehicle technology from diesel multiple units to "push-pull" locomotives and coaches.

A copy of the agenda may be obtained by contacting: Steve Olson, Public Information Officer, Florida Department of Transportation, District 5, 719 S. Woodland Blvd., DeLand, FL 32720, (386)943-5479 or e-mail: Steve.Olson@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. Lorie Wilson, c/o Florida Department of Transportation, 719 S. Woodland Blvd., DeLand, FL 32720, (386)943-5346 or email: lorie.wilson@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).

For more information, you may contact: Steve Olson, Public Information Officer, Florida Department of Transportation, District 5, 719 S. Woodland Blvd., DeLand, FL 32720, (386)943-5479 or email: steve.olson@dot.state.fl.us.

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### **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."

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### **STATE BOARD OF ADMINISTRATION**

The **State Board of Administration** of Florida (SBA) announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 11, 2010, 9:00 a.m. (ET) – conclusion of the meeting

**PLACE:** Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This is a meeting of the Trustees of the SBA to authorize the Florida Hurricane Catastrophe Fund to file five emergency rules to implement changes made to Section 215.555, F.S., by CS/SB 1460, to authorize the filing of a Notice of Proposed Rulemaking for Rule 19-8.028, F.A.C., Reimbursement Premium Formula, and to authorize filing of Rule 19-8.028, F.A.C., Reimbursement Premium Formula, for adoption if no member of the public requests a rule hearing. In addition, other general business may be addressed.

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: Tracy Allen, Florida Hurricane Catastrophe Fund at (850)413-1341 or [tracy.allen@sbafla.com](mailto:tracy.allen@sbafla.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: Tracy Allen at the number or email listed above.

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The **Florida Hurricane Catastrophe Fund Advisory Council** announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 18, 2010, 9:00 a.m. – 1:00 p.m. (ET)

**PLACE:** Room 116 (Hermitage Conference Room), 1801 Hermitage Boulevard, Tallahassee, FL 32308, Conference Call: 1(888)808-6959, Conference Code: 4765251363#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discussion will include the May claims paying capacity estimates. In addition, other general business of the Council will be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, Florida 32317-3300, [donna.sirmons@sbafla.com](mailto:donna.sirmons@sbafla.com), (850)413-1349.

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: Donna Sirmons at the number or email 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).

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### **FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, May 12, 2010, 8:30 a.m. (Tallahassee)

**DATE AND TIME:** Wednesday, May 26, 2010; Thursday May 27, 2010, 8:30 a.m. (Hollywood)

**PLACE:** Florida Parole Commission, 2601 Blair Stone Road., Bldg. C, Tallahassee, FL 32399-2450; Broward Branch Library, 7300 Pines Boulevard, Hollywood, FL 33024

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission at (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 at [ada@fpc.state.fl.us](mailto:ada@fpc.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.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

**DATE AND TIME:** May 18, 2010, 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: Office of Commission Clerk at (850)413-6770 or writing: 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: <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 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.

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The Florida **Public Service Commission** announces its Internal Affairs Meeting to all interested persons are invited.

DATE AND TIME: May 18, 2010, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

PLACE: Betty Easley Conference Center, Joseph P. 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 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/>.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Gubernatorial Fellows Program**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Gubernatorial Fellows Program Board of Directors to review and discuss program status and the proposed 2010-2011 budget.

A copy of the agenda may be obtained by contacting: Kelli Gebbia at (850)410-0501, [kelli.gebbia@eog.myflorida.com](mailto:kelli.gebbia@eog.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 1 day before the workshop/meeting by contacting: Kelli Gebbia at (850)410-0501, [kelli.gebbia@eog.myflorida.com](mailto:kelli.gebbia@eog.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).

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#### REGIONAL PLANNING COUNCILS

The **County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 18, 2010, 10:00 a.m.; Public Hearing followed by regular meeting

PLACE: Washington County Library, 1444 Jackson Avenue, Chipley, FL 32428

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing and Regular Local Coordinating Board meeting. Items for discussion include Membership Certification and the annual update of the Transportation Disadvantaged Service Plan (TDSP).

Agendas will be available one week prior to the meeting at [www.wfrpc.org/washingtontd](http://www.wfrpc.org/washingtontd). For more information, you may contact: Julia Pearsall at email: [julia.pearsall@wfrpc.org](mailto:julia.pearsall@wfrpc.org) or 1(800)226-8914, ext. 231.

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: Amy Brown at e-mail: [amy.brown@wfrpc.org](mailto:amy.brown@wfrpc.org) or

1(800)226-8914, ext. 281. 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 **Holmes County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 18, 2010, 1:00 p.m.; Public Hearing followed by regular meeting

PLACE: Holmes Commission Building, 107 East Virginia Avenue, Bonifay, FL 32425

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing and Regular Local Coordinating Board meeting. Items for discussion include Membership Certification and the annual update of the Transportation Disadvantaged Service Plan (TDSP).

Agendas will be available one week prior to the meeting at [www.wfrpc.org/holmestd](http://www.wfrpc.org/holmestd). For more information, you may contact: Julia Pearsall at email: [julia.pearsall@wfrpc.org](mailto:julia.pearsall@wfrpc.org) or 1(800)226-8914, ext. 231.

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: Amy Brown at e-mail: [amy.brown@wfrpc.org](mailto:amy.brown@wfrpc.org) or 1(800)226-8914, ext. 281. 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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2010, 12:30 p.m.

PLACE: North Central Florida Regional Planning Council, 2009 Northwest 67th Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

The **Northeast Florida Regional Council**, Local Emergency Planning Committee, District IV announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 10:00 a.m.

PLACE: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Northeast Florida Regional Council, Local Emergency Planning Committee for Hazardous Materials, District IV, announces the following public meeting to which all persons are invited. Notice is also given that two or more members of the Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at this meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, Florida 32216.

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. Joyce Rhodes at (904)279-0880. 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: Mr. Jason Taylor at (904)279-0880 or [JTaylor@nefrc.org](mailto:JTaylor@nefrc.org).

The **Baker County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 20, 2010, 10:00 a.m.

PLACE: Baker County Health Department, 480 West Lowder Street, Macclenny, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the Baker County Transportation Disadvantaged Local Coordinating Board to voice concerns regarding the public transportation system will take place in conjunction with the Board's quarterly meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council at (904)279-0880.

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: Ed Lehman at (904)279-0880. 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 **Nassau County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 20, 2010, 2:00 p.m.

PLACE: Nassau County Council on Aging, 1367 South 18th Street, Fernandina Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Hearing for the Nassau County Transportation Disadvantaged Local Coordinating Board to voice concerns regarding the public transportation system will take place in conjunction with the Board's quarterly meeting.

A copy of the agenda may be obtained by contacting: NEFRC at (904)279-0880.

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: Ed Lehman at (904)279-0880. 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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NOTICE OF CHANGE – The **Central Florida Regional Planning Council** announces a workshop to which all persons are invited.

DATE AND TIME: May 10, 2010, 6:00 p.m. (This meeting was changed from May 3, 2010)

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Avon Park Air Force Range and the Central Florida Regional Planning Council will hold a public workshop to discuss the Joint Land Use Study (JLUS) currently underway. The Workshop will have an open house format. Displays will open at 6:00 p.m.; presentation at 6:30 p.m., and a question and answer period following. The presentation will cover the purpose, progress and draft recommendation of the JLUS Study. Comments by the public will be encouraged.

A copy of the agenda may be obtained by contacting: Helen Sears at (863)534-7130, ext. 124, email: hsears@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2010, 9:30 a.m.

PLACE: Circle B Bar Reserve, Polk's Nature Discovery Center, 4399 Winter Lake Road, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or it's Executive Committee.

A copy of the agenda may be obtained by contacting: Kathryn Hall at email: khall@cfrpc.org or (863)534-7130, ext. 129.

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: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830.

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The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 10, 2010, 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.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: 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).

For more information, you may contact: Suzanne Cooper at (727)570-5151, ext. 32.

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The **Tampa Bay Regional Planning Council**, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 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).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 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](http://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).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 14, 2010, 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 Legislative Committee.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://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).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Tampa Bay Regional Planning Council**, Clearinghouse Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 28, 2010, 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](http://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).

For more information, you may contact: Wren Krahl at (727)570-5151, ext. 22.

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The **Treasure Coast Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 21, 2010, 9:30 a.m.

PLACE: Indian River State College (Chastain Campus), Wolf High Technology Center, 2400 S. E. Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the monthly meeting of the Treasure Coast Regional Planning Council.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060.

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: Liz Gulick at (772)221-4060. 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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#### METROPOLITAN PLANNING ORGANIZATIONS

The **Hillsborough County MPO Transportation Disadvantaged Coordinating Board (TDCB)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6 2010, 10:00 a.m. – 12:00 Noon

PLACE: 601 East Kennedy Boulevard, 18th Floor, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: TDCB Planning sub committee meeting to discuss the update of the Transportation Disadvantaged Service Plan (TDSP).

A copy of the agenda may be obtained by contacting: Michele Ogilvie at (813)273-3774, ext. 317 or ogilviem@plancom.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: Michele Ogilvie at (813)273-3774, ext. 317 or ogilviem@plancom.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: Michele Ogilvie at (813)273-3774, ext. 317 or ogilviem@plancom.org.

The Local Coordinating Board (LCB) for the **Transportation Disadvantaged of the Collier Metropolitan Planning Organization (MPO)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 2:00 p.m.

PLACE: Collier County Government Center, Building B (Human Resource Training Room), 3301 E. Tamiami Trail, Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular LCB business. The LCB agenda will be posted on the MPO's Web site not less than two weeks prior to the meeting. To access the LCB's agenda: www.colliermpo.net, select the calendar and click on the meeting date.

A copy of the agenda may be obtained by contacting: Collier MPO at (239)252-8192.

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: Collier MPO Director Phillip Tindall at (239)252-8192. 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: (239)252-8192.

**WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2010, 9:00 a.m.

PLACE: Cedar Key Library, 460 2nd Street, Cedar Key, FL 32625

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board meeting to consider District business and conduct public hearings on regulatory and land acquisition matters. A workshop will follow the Board meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire or Kristel Callahan at (386)362-1001 or 1(800)226-1066 (Florida Only) or on the District's website at: www.mysuwanneeriver.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 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). 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 **Suwannee River Water Management District** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 24, 2010, 1:30 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Monthly Teleconference: General items of discussion.

A copy of the agenda may be obtained by contacting: Lisa Cheshire or Kristel Callahan at (386)362-1001 or 1(800)226-1066 (Florida Only) or on the District's website at: www.mysuwanneeriver.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 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). 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 **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 24, 2010, 2:00 p.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board committee meeting to discuss surplus lands.

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: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). 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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The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 3:00 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Projects and Land Committee will discuss agenda items followed by Committee recommendations to be approved by the Full Governing Board. In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet

DATE AND TIME: Tuesday, May 11, 2010, 8:00 a.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, Attention: Heather Barnes at (386)329-4347 or on District website: [www.floridaswater.com](http://www.floridaswater.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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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The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 11, 2010, 8:15 a.m., Governing Board and Committee Chairmen's meeting; 9:00 a.m., Finance, Administration, and Audit Committee meeting; 10:00 a.m., Regulatory Committee followed by Governing Board meeting and Public Hearing on Land Acquisition. The agenda may identify a time certain for considering specific agenda items

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external budget amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, Attention: Marji Hightower at (386)329-4214 or District website: [www.floridaswater.com](http://www.floridaswater.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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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The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 6, 2010, 10:00 a.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

DATE AND TIME: Tuesday, May 11, 2010, 10:00 a.m.

PLACE: SWFWMD Bartow Service Office, 170 Century Blvd., Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2010 Regional Water Supply Plan public hearing to receive comment on the update to the District-wide assessment of water supply demand and potential sources of water to meet demand over a 20-year planning horizon, as required by Florida Statutes. One or more Governing Board, Basin Board, or Advisory Committee members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar or SWFWMD Planning Department at 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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).

For more information, you may contact: Paula McCleery at email: Paula.McCleery@watermatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4400 (AD Order #60575).

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The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 2:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of Task Force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida Only), Josie Guillen, ext. 4227 or online: [www.watermatters.org/waterways](http://www.watermatters.org/waterways).

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: (352)796-7211 or 1(800)423-1476 (Florida Only), extension 4702, TDD (Florida Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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).

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Workshop Meeting, May 12, 2010, 10:00 a.m.

PLACE: John F. Armstrong Wing at the Blake Library, 2351 S. E. Monterey Rd., Stuart, Florida 34996-3331

DATE AND TIME: Regular Business Meeting, May 13, 2010, 9:00 a.m.

PLACE: John F. Armstrong Wing at the Blake Library, 2351 S. E. Monterey Rd., Stuart, Florida 34996-3331 (All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If Workshop items are not discussed on 5/12, the items may be discussed on 5/13.)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2010 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or website: <http://www.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: 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: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Lake Belt Mitigation Committee, May 14, 2010, 9:00 a.m.

PLACE: SFWMD, Building B-1, 3rd Floor, Cypress Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

A copy of the agenda may be obtained by contacting: Susan Brown at (561)682-2743, <http://www.sfwmd.gov/org/pld/proj/lakebelt/mitigcom.html>. Teleconference information Local SFWMD: (561)682-6700, Nationwide Toll Free: 1(866)433-6299, Meeting ID: 9434#.

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 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: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2010, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained at the (1) District Website: <http://www.sfwmd.gov/org/ema/toc/draftagenda.html> or (2) by writing: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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 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: District Clerk's Office at (561)682-2087.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Lake Belt Mitigation Committee, August 20, 2010, 9:00 a.m.

PLACE: SFWMD, Building B-1, 2nd Floor, Richard Rogers Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

A copy of the agenda may be obtained by contacting: Susan Brown at (561)682-2743, <http://www.sfwmd.gov/org/pld/proj/lakebelt/mitigcom.html>, Teleconference information: Local SFWMD: (561)682-6700, Nationwide Toll Free: 1(866)433-6299, Meeting ID: 4585#.

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 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: District Clerk's Office at (561)682-2087.

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#### **COMMISSION FOR THE TRANSPORTATION DISADVANTAGED**

The **Commission for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2010, 9:00 a.m.

PLACE: Rosen Center, 9840 International Drive, Orlando, FL 32819, (407)996-2327

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final order of bid protest and regular Commission business.

A copy of the agenda may be obtained by contacting: Amy Priest, 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: Amy Priest, 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: Amy Priest, 605 Suwanne Street, MS #49, Tallahassee, FL 32399, (850)410-5700.

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#### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: May 11, 2010; June 8, 2010; July 13, 2010; August 10, 2010, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: Elder Source, 4160 Woodcock Drive, Bldg. 2800, 2nd Floor, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Coast District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Michael Milliken, 4161 Carmichael Ave., Ste. 141, Jacksonville, FL 32207, (904)391-3942 or email: millikenm@elderaffairs.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 72 hours before the workshop/meeting by contacting: Michael Milliken at 4161 Carmichael Ave., Ste. 141, Jacksonville, Florida 32207, (904)391-3942 or email: millikenm@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: Michael Milliken at 4161 Carmichael Ave., Ste. 141, Jacksonville, FL 32207, (904)391-3942 or email: millikenm@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: May 11, 2010; June 8, 2010; July 13, 2010; August 10, 2010, 1:00 p.m. – 2:15 p.m. (EST)

PLACE: 1400 West Commercial Blvd., 2nd Floor, Rm. 205, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Broward District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: DeLois Williams, 7771 W. Oakland Park Blvd., Sunrise, FL 33351, (954)474-7919 or email: williamsde@elderaffairs.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 72 hours before the workshop/meeting by contacting: DeLois Williams, 7771 W. Oakland Park Blvd., Sunrise, Florida 33351, (954)474-7919 or email: williamsde@

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).

A copy of the agenda may be obtained by contacting: DeLois Williams, 7771 W. Oakland Park Blvd., Sunrise, FL 33351, (954)474-7919 or email: williamsde@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: May 12, 2010; June 9, 2010; July 14, 2010; August 11, 2010, 10:00 a.m. – 11:00 p.m. (EST)

PLACE: 210 North Palmetto Ave., Rm. 148, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Coast South District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Claudia Dinardo, Department of Elder Affairs, 210 N. Palmetto, Ste. 403, Daytona Beach, Florida 32114, (386)226-7846 or email: dinardoc@elderaffairs.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 72 hours before the workshop/meeting by contacting: Claudia Dinardo, Department of Elder Affairs, 210 North Palmetto, Ste. 403, Daytona Beach, Florida 32114, (386)226-7846 or email: dinardoc@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: Claudia Dinardo, Department of Elder Affairs, 210 North Palmetto, Ste. 403, Daytona Beach, Florida 32114, (386)226-7846 or email: dinardoc@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: May 13, 2010; June 10, 2010; July 8, 2010; August 12, 2010, 10:00 a.m. – 12:00 Noon (EST)

PLACE: St. Anne Byzantine Catholic Church, 7120 Massachusetts Avenue, New Port Richey, FL 34653

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pasco and North Pinellas District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Lynn Penley, Department of Elder Affairs, 11351 Ulmerton Road, Ste. 110, Largo, FL 33778, 1(888)831-0404 or email: penleyl@elderaffairs.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 72 hours before the workshop/meeting by contacting: Lynn Penley, Department of Elder Affairs, 11351 Ulmerton Road, Ste. 110, Largo, FL 33778, 1(888)831-0404 or email: penleyl@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: Lynn Penley, Department of Elder Affairs, 11351 Ulmerton Road, Ste 110, Largo, Florida 33778, 1(888)831-0404 or email: penleyl@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

**DATES AND TIME:** May 13, 2010; June 10, 2010; July 8, 2010; August 12, 2010, 10:30 a.m. – 12:00 Noon (EST)

**PLACE:** North Miami Beach Public Library, 1601 N. E. 164th Street, North, North Miami Beach, FL 33162

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** North Dade District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Ramon Keppis, Department of Elder Affairs, 7270 N. W. 12th Street, Suite 550, Miami, Florida 33126, (786)336-1418 or email: keppisra@elderaffairs.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 72 hours before the workshop/meeting by contacting: Ramon Keppis, Department of Elder Affairs, 7270 N. W. 12th Street, Suite 550, Miami, Florida 33126, (786)336-1418 or email: keppisra@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: Ramon Keppis, Department of Elder Affairs, 7270 N. W. 12th Street, Suite 550, Miami, Florida 33126, (786)336-1418 or email: keppisra@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

**DATES AND TIME:** May 13, 2010; June 10, 2010; July 8, 2010; August 12, 2010, 12:00 Noon – 2:00 p.m. (EST)

**PLACE:** Mayor William Beardall Senior Center, 800 South Delaney Avenue, Orlando, FL 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** East Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Lashea Heidelberg, Department of Elder Affairs, 988 Woodcock Rd., Ste. 198, Orlando, Florida 32803, (407)228-7752 or email: heidelbergl@elderaffairs.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 72 hours before the workshop/meeting by contacting: Lashea Heidelberg, Department of Elder Affairs, 988 Woodcock Rd., Ste. 198, Orlando, Florida 32803, (407)228-7752 or email: heidelbergl@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: Lashea Heidelberg, Department of Elder Affairs, 988 Woodcock Rd., Ste. 198, Orlando, Florida 32803, (407)228-7752 or email: heidelbergl@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

**DATES AND TIME:** May 13, 2010; June 10, 2010; July 8, 2010; August 12, 2010, 2:00 p.m. – 3:00 p.m. (EST)

**PLACE:** United Way of Central Florida, 5605 US Hwy. 98 South, Highland City, FL 33846

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** South Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Tresa Johnston, Department of Elder Affairs, 200 N. Kentucky Ave., Suite 224, Lakeland, FL 33801, (863)413-2764 or email: johnstont@elderaffairs.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 72 hours before the workshop/meeting by contacting: Tresa Johnston, Department of Elder Affairs, 200 North Kentucky Ave., Suite #224, Lakeland, FL 33801, (863)413-2764 or email: johnstont@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: Tresa Johnston, Department of Elder Affairs, 200 N. Kentucky Ave., Suite 224, Lakeland, Florida 33801, (863)413-2764 or email: johnstont@elderaffairs.org.

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Statewide Advocacy Council Procedures Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 6, 2010, 2:00 p.m.

PLACE: Dial In 1(888)808-6959, Conference Code: 4886175#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the provisions of Sections 402.164-.167, Florida Statutes.

A copy of the agenda may be obtained by contacting: <http://dms.myflorida.com/fsac> or calling 1(800)342-0825. Please be advised that all Statewide Advocacy Council and Local Advocacy Council meeting agendas and minutes are posted to the website on a regular basis.

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 4 days before the workshop/meeting by contacting: 1(800)342-0825. 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: Staff at 1(800)342-0825.

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The **Agency For Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 9:00 a.m. – 10:00 a.m.

PLACE: Medicaid Area 7 Office, 400 West Robinson Street, Suite 309, Conference Room #S309D, Orlando, FL 32801; Contact: Karen Monson for information at (407)420-2480 (Note: Free parking is available, on a first come, first served basis in the covered parking lot west of the building. Limited spaces are available)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a workshop in Orlando for the purpose of encouraging input from the public on an amendment to Rule 59G-4.130, F.A.C., which revises the Florida Medicaid Home Health Services Coverage and Limitations Handbook, update July 2010. The handbook was revised to comply with changes to Section 409.905(4), F.S. Changes include requiring prior authorization for all home health visits (skilled nursing and home health aide services), private duty nursing, and personal care. The ordering physician cannot be employed by or under contract with the home health service provider that is rendering the services and must have provided an examination or medical consultation to the recipient within 30 days preceding the request for services. The ordering physician's National Provider Identifier, Medicaid Provider Number, or medical license number must be written on the order for services and the prior authorization request. In addition, the update includes numerous policy clarifications.

A copy of the agenda may be obtained by contacting: Claire Anthony-Davis, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308-5407, e-mail: [Claire.davis@ahca.myflorida.com](mailto:Claire.davis@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 48 hours before the workshop/meeting by contacting: Claire Anthony-Davis, Bureau of Medicaid Services at (850)412-4266. 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).

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The **Agency For Health Care Administration** announces a workshop to which all persons are invited.

DATE AND TIME: Monday, May 17, 2010, 9:00 a.m. – 10:00 a.m.

PLACE: Medicaid Area 10 Office, 1400 W. Commercial Blvd., Suite 100, Conference Room 110A, Fort Lauderdale, Florida 33309; Contact: Jose Rodriguez for information at (954)958-6548 (Note: Free parking is available in front of the building)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a workshop in Fort Lauderdale for the purpose of encouraging input from the public on an amendment to Rule 59G-4.130, F.A.C., which revises the Florida Medicaid Home Health Services Coverage and Limitations Handbook, update July 2010. The handbook was revised to comply with changes to Section 409.905(4), F.S. Changes include requiring prior authorization for all home health visits (skilled nursing and home health aide services), private duty nursing, and personal care. The ordering physician cannot be employed by or under contract with the home health service provider that is rendering the services and must have provided an examination or medical consultation to the recipient within 30 days preceding the request for services. The ordering physician's National Provider Identifier, Medicaid Provider Number, or medical license number must be written on the order for services and the prior authorization request. In addition, the update includes numerous policy clarifications.

A copy of the agenda may be obtained by contacting: Claire Anthony-Davis, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308-5407, e-mail: [Claire.davis@ahca.myflorida.com](mailto:Claire.davis@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 48 hours before the workshop/meeting by contacting: Claire Anthony-Davis, Bureau of Medicaid Services at (850)412-4266. 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).

**DEPARTMENT OF MANAGEMENT SERVICES**

The **Agency for Workforce Innovation**, Unemployment Compensation Claims and Benefits Information System, Executive Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 11, 2010, 10:30 a.m. – 12:00 Noon

PLACE: Caldwell Building, Conference Room B49, 107 E. Madison Street, Tallahassee, Florida 32399, Conference Call: 1(888)808-6959, Conference Code:7532872126#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/Events/index.html>.

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: Dianne Corbett at (850)245-7285. 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 **Agency for Workforce Innovation** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 11, 2010, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Room 110, Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed revisions to proposed Rules 60BB-3.0251, 60BB-3.0252, 60BB-3.0253 and 60BB-3.0254, F.A.C.

A copy of the agenda may be obtained by contacting: John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, 107 E. Madison Street, Tallahassee, Florida 32399.

The **Agency for Workforce Innovation** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, May 11, 2010, 3:00 p.m. – 4:00 p.m.

PLACE: Conference Room 110, Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revisions to Rules 60BB-3.0261, 60BB-3.0262 and 60BB-3.0263, F.A.C.

A copy of the agenda may be obtained by contacting: John R. Perry, Assistant General Counsel, 107 E. Madison Street, Tallahassee, Florida 32399.

NOTICE OF CHANGE – The **Department of Management Services, Division of Telecommunications**, JTF Tech Committee Report to the Legislature Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Highway Safety and Motor Vehicle, Neil Kirkman Building, Room D-329, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the SLERS Report to the Legislature.

NOTE: This meeting will replace meeting #8555805 which is already in the F.A.W.

A copy of the agenda may be obtained by contacting: Bruce Meyers at (850)922-7510 or e-mail: [bruce.meyers@dms.myflorida.com](mailto:bruce.meyers@dms.myflorida.com).

For more information, you may contact: Bruce Meyers at (850)922-7510 or e-mail: [bruce.meyers@dms.myflorida.com](mailto:bruce.meyers@dms.myflorida.com).

The **FSECC Statewide Steering Committee** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, May 10, 2010, 9:00 a.m. – 12:00 Noon; Thursday, May 13, 2010, 2:00 p.m. – 5:00 p.m.; Tuesday, May 25, 2010, 2:00 p.m. – 5:00 p.m.; Thursday, May 27, 2010, 2:00 p.m. – 5:00 p.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Room 101, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- Old Business
- New Business
- Brief update on the rule promulgation process for Chapter 60L-39, F.A.C.
- Steering Committee reviews and votes on recommendations for charitable organizations applying to participate in the 2010 Florida State Employees' Charitable Campaign.

A copy of the agenda may be obtained by contacting: Ms Erin Thoresen at (850)922-1274 or email: [Erin.Thoresen@dms.myflorida.com](mailto:Erin.Thoresen@dms.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 48 hours before the workshop/meeting by contacting: Ms Erin Thoresen at (850)922-1274 or by email: [Erin.Thoresen@dms.myflorida.com](mailto:Erin.Thoresen@dms.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: Ms Erin Thoresen at (850)922-1274 or email: [Erin.Thoresen@dms.myflorida.com](mailto:Erin.Thoresen@dms.myflorida.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The **Department of Business and Professional Regulation, Division of Hotels and Restaurants** announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Restaurant and Lodging Association Board Room, 230 South Adams Street, Tallahassee, FL, Conference Call: 1(800)416-8128, Conference Code: 127824#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Hotels and Restaurants Advisory Council meeting.

A copy of the agenda may be obtained by contacting: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399, (850)410-2487.

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: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399, (850)410-2487. 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: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399, (850)410-2487.

The **Department of Business and Professional Regulation, Division of Hotels and Restaurants** announces a workshop to which all persons are invited.

DATE AND TIME: May 19, 2010, 2:00 p.m. – 4:00 p.m. or until business is concluded

PLACE: Professions Board Room, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule language addressing acceptable methods for conducting food service employee training.

A copy of the agenda may be obtained by contacting: Michelle Comingore, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1011, email: Michelle.Comingore@dbpr.state.fl.us or call: (850)488-1133.

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: Michelle Comingore, Department of Business and Professional Regulation, Division of Hotels and Restaurants,

1940 North Monroe Street, Tallahassee, Florida 32399-1011, email: Michelle.Comingore@dbpr.state.fl.us or call: (850)488-1133. 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: Michelle Comingore, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, email: Michelle.Comingore@dbpr.state.fl.us or call: (850)488-1133.

The **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2010, 9:00 a.m.

PLACE: The Gaylord Palms, 6000 W. Osceola Parkway, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Architecture and Interior Design announces a public meeting to which all persons are invited to attend.

DATE AND TIME: May 12, 2010, 9:00 a.m.

PLACE: The Gaylord Palms, 6000 W. Osceola Parkway, Kissimmee, FL 34746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Architectural Design & Planning, Inc., Javier A. Gomez

James Wayne Caughman, Caughman + Caughman Architects, LLC

Consultech & Associates, Robert McGoldrick

Design Studio by Natalia, Inc., Natalia Neverko

John D. Ehas, TheEhos Plans

Glenn Gray, Glenn Gray & Associates

Reginald R. Harris

Eldin Hotic, Aqua-terra Dynamics, LLC

Hua Cong and Yan Huang & Associates

J. Scott Drafting, Inc., James Scott

Jillian Douglas Design Group, Inc., Douglas & Jill Burghardt

Killen Design, Inc., Christian Killen

PMD Group, Inc., Paul P. Mineo

Erik C. Schreiber, Schreiber & Partners, LLC

Sla-Tur Construction, William Slade

Suzanne M. Smith, S.M. Smith Designs, Inc.

Weber Design Group, Inc., William Weber

David K. Minacci, Smith, Thompson, Shaw & Manusa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manusa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

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: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570. 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: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, FL 32309, (850)402-1570.

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The **Florida Engineers Management Corporation**, Board Operations Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 16, 2010, 8:30 a.m. (EST)

PLACE: Hyatt Regency Tampa, Two Tampa City Center, Tampa, FL, Conference Call: 1(866)895-8146, Passcode: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation. Other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: rsammons@fbpe.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 48 hours before the workshop/meeting by contacting: Rebecca Sammons at email: rsammons@fbpe.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: Rebecca Sammons at email: rsammons@fbpe.org.

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The **Florida Engineers Management Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 16, 2010, 10:00 a.m. (EST)

PLACE: Hyatt Regency Tampa, Two Tampa City Center, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: rsammons@fbpe.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 48 hours before the workshop/meeting by contacting: Rebecca Sammons at email: rsammons@fbpe.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: Rebecca Sammons at email: rsammons@fbpe.org.

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The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday – Thursday, June 16, 2010, 1:00 p.m.; June 17, 2010, 8:30 a.m.

PLACE: Hyatt Regency Tampa, Two Tampa City Center, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: rsammons@fbpe.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 48 hours before the workshop/meeting by contacting: Rebecca Sammons at email: rsammons@fbpe.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: Rebecca Sammons at email: rsammons@fbpe.org.

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The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 13, 2010, 1:00 p.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Road, Ste. 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. Any public portions of the Probable Cause Panel meeting may be accessed by dialing Conference Call: 1(866)895-8146, Participant Code: 30295716#. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Shannon McCoy at least 48 hours prior to the meeting. A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: rsammons@fbpe.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 48 hours before the workshop/meeting by contacting: Rebecca Sammons at email: rsammons@fbpe.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: Rebecca Sammons at email: rsammons@fbpe.org.

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The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2010, 8:30 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Educational Advisory Review Committee Meeting. Review applications for licensure and other general business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: rsammons@fbpe.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 48 hours before the workshop/meeting by contacting: Rebecca Sammons at email: rsammons@fbpe.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: Rebecca Sammons at email: rsammons@fbpe.org.

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The Florida **Board of Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 23, 2010, 10:00 a.m. (EST)

PLACE: Florida Board of Professional Engineers, 2507 Callaway Rd., Ste. 200, Tallahassee, FL 32303, Conference Call: 1(866)895-8146, Conference Code: 30295716#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons at email: rsammons@fbpe.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 48 hours before the workshop/meeting by contacting: Rebecca Sammons at email: rsammons@fbpe.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: Rebecca Sammons at email: rsammons@fbpe.org.

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The **Building Code Administrators and Inspectors Board** announces a public meeting to which all persons are invited.

DATES AND TIME: June 8-11, 2010, 9:00 a.m. each day

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walter Boulevard, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings, probable cause panel (portions may be closed to the public), and general board business.

A copy of the agenda may be obtained by contacting: Building Code Administrators & Inspectors Board, 1940 N. Monroe Street, Tallahassee, FL 32399-2211.

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 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.

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**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."

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The **Acquisition and Restoration Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 6, 2010, 6:00 p.m. (EST)

PLACE: Desoto County Commissioners Office, 201 East Oak St., Suite 103, Arcadia, FL 34266-4451

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public testimony on all Florida Forever land acquisition projects, new proposals, and ranking within categories.

A copy of the agenda may be obtained by contacting: Office of Environmental Services at (850)245-2784 or Teresia Whalen at [teresia.whalen@dep.state.fl.us](mailto:teresia.whalen@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 5 days before the workshop/meeting by contacting: Desoto County Commissioners Office, Carol Treadwell at (863)993-4800. 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 Environmental Services at (850)245-2784 or Teresia Whalen at [teresia.whalen@dep.state.fl.us](mailto:teresia.whalen@dep.state.fl.us)

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The Florida **Department of Environmental Protection**, Clean Marina Program announces a workshop to which all persons are invited.

DATE AND TIME: May 11, 2010, 8:30 a.m. – 12:00 Noon

PLACE: Cooperative Extension, 12520 Ulmerton Road, Largo, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Clean Marina workshop for new and existing marine and freshwater marinas, boatyards, and retailers. Participants can learn how to apply for grant funding to install a pumpout at their facility and how to qualify to become designated as a clean facility.

A copy of the agenda may be obtained by contacting: Earl E. "Gene" Quinn, M.A., Solid Waste Program Coordinator, Pinellas County Solid Waste/Utilities – SQG Program, 3095 – 114th Avenue N., St. Petersburg, FL 33716, (727)464-7505 or email: [gquinn@pinellascounty.org](mailto:gquinn@pinellascounty.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 48 hours before the workshop/meeting by contacting: Earl E. "Gene" Quinn, M.A. at the address 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).

For more information, you may contact: Earl E. "Gene" Quinn, M.A. at the address above.

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The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 10:00 a.m.

PLACE: Nassau County Building, 45401 Mickler Street, Callahan, FL 32011

GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft lists of waters verified as impaired pursuant to Chapter 62-303, Florida Administrative Code, and waters proposed for delisting from Florida's 303(d) list within the Nassau-St. Marys River Basin. The draft lists will be available on the Department's Watershed Assessment Program website: <http://www.dep.state.fl.us/water/watersheds/assessment/index.htm>, by April 30 2010, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft lists for a period of 30 days, beginning April 30, 2010, and ending June 1, 2010. Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400 or email: [julie.espy@dep.state.fl.us](mailto:julie.espy@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400 or email: [patricia.waters@dep.state.fl.us](mailto:patricia.waters@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 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2010, 1:30 p.m.

PLACE: City of Jacksonville Jake Godbold Building, First Floor, Conference Room 407, N. Laura Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lower St. Johns River Tributaries Basin Working Group was formed to provide a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding development of the Lower St. Johns River Tributaries Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the Lower St. Johns River Tributaries Fecal Coliform Total Maximum Daily Loads (TMDLs). Topics for this meeting include discussion of the BMAP document and a vote to endorse the BMAP.

A copy of the agenda may be obtained by contacting: Mrs. Amy Tracy, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS #3565, Tallahassee, Florida 32399-2400, (850)245-8506.

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: Mrs. Amy Tracy at (850)245-8506. 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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 14, 2010, 9:30 a.m. – 12:00 Noon (CDT)

PLACE: Florida Department of Environmental Protection, Northwest District Office, Room 502 (Fifth Floor), 160 Governmental Center, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft lists of waters verified as impaired pursuant to Chapter 62-303, Florida Administrative Code, and waters proposed for delisting from Florida's 303(d) list within the Pensacola Bay Basin. The draft lists will be available on the Department's Watershed Assessment Program website <http://www.dep.state.fl.us/water/watersheds/assessment/index.htm> by April 30 2010, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft lists for a period of 30 days, beginning April 30, 2010, and ending June 1, 2010. Any and all written comments should be directed: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400 or email: [julie.espy@dep.state.fl.us](mailto:julie.espy@dep.state.fl.us).

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3555, Tallahassee, Florida 32399-2400 or email: [patricia.waters@dep.state.fl.us](mailto:patricia.waters@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 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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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NOTICE OF CORRECTION: The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, May 17, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4513843#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act. This meeting replaces the teleconference scheduled for May 10, 2010 which has been cancelled.

A copy of the agenda may be obtained by contacting: Becky Prado e-mail: [rebecca.prado@dep.state.fl.us](mailto:rebecca.prado@dep.state.fl.us), (850)245-2094 or mail: 3900 Commonwealth Blvd., MS #235, 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: Becky Prado at [rebecca.prado@dep.state.fl.us](mailto:rebecca.prado@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).

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The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 18, 2010, 9:30 a.m – 12:00 Noon

PLACE: Dunnellon City Hall, 20750 River Drive, Dunnellon, Florida 34431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Draft lists of waters verified as impaired pursuant to Chapter 62-303, Florida Administrative Code, and waters proposed for delisting from Florida's 303(d) list within the Withlacoochee River Basin. The draft lists will be available on the Department's Watershed Assessment Program website: <http://www.dep.state.fl.us/water/watersheds/assessment/index.htm>, by April 30 2010, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft lists for a period of 30 days, beginning April 30, 2010, and ending June 1, 2010. Any and all written comments should be directed to:

Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, email: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, email: patricia.waters@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 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 25, 2010, 11:30 a.m.

PLACE: South Florida Water Management District, Fort Lauderdale Field Station, Joe Lopez Jr. Conference Room, 2535 Davie Road, Davie, FL 33317

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Draft lists of waters verified as impaired pursuant to Chapter 62-303, Florida Administrative Code, and waters proposed for delisting from Florida's 303(d) list within the Southeast Coast-Biscayne Bay Basin. The draft lists will be available on the Department's Watershed Assessment Program website: <http://www.dep.state.fl.us/water/watersheds/assessment/index.htm>, by April 30 2010, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft lists for a period of 30 days, beginning April 30, 2010, and ending June 1, 2010. Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, email: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, email: patricia.waters@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 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 26, 2010, 10:00 a.m.

PLACE: Archbold Biological Station Auditorium, 123 Main Drive, Venus, Florida 33960

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Draft lists of waters verified as impaired pursuant to Chapter 62-303, Florida Administrative Code, and waters proposed for delisting from Florida's 303(d) list within the Kissimmee River and Fisheating Creek Basins. The draft lists will be available on the Department's Watershed Assessment Program website: <http://www.dep.state.fl.us/water/watersheds/assessment/index.htm>, by April 30 2010, and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft lists for a period of 30 days, beginning April 30, 2010, and ending June 1, 2010. Any and all written comments should be directed to: Ms. Julie Espy, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, email: julie.espy@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3555, Tallahassee, Florida 32399-2400, email: patricia.waters@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 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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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## DEPARTMENT OF HEALTH

The **Florida Coordinating Council for the Deaf and Hard of Hearing**, Legal Systems Accessibility Task Force Video Subcommittee announces a workshop to which all persons are invited.

DATE AND TIME: May 7, 2010, 12:00 Noon – 4:00 p.m. (EDT)

PLACE: Tampa Bay Florida Workforce Alliance, 9515 N. Florida Avenue, Tampa Florida 33612

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a free Train-the-Trainer Session on accessibility accommodations in legal settings for anyone who is interested in helping with this effort. During this session we will walk

through the materials with you and provide detailed information as to how to train with these materials. This is NOT a session to train the general public; this is a session to train people to become trainers in their area, such as people who are Deaf, hard of hearing, deaf-blind, law enforcement officers, judges, attorneys, DSC employees, private citizens etc. However you MUST RSVP before the deadline and MUST receive a confirmation to attend. Seating is limited.

A copy of the agenda may be obtained by contacting: Mary Grace Tavel at email: marygrace\_tavel@doh.state.fl.us, 1(866)602-3275 (Toll-Free) or 1(866)602-3276 (Toll-Free TTY).

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: Mary Grace Tavel at email: marygrace\_tavel@doh.state.fl.us, 1(866)602-3275 (Toll-Free) or 1(866)602-3276 (Toll-Free TTY). 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: Mary Grace Tavel at email: marygrace\_tavel@doh.state.fl.us, 1(866)602-3275 (Toll-Free) or 1(866)602-3276 (Toll-Free TTY).

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**The Florida Coordinating Council for the Deaf and Hard of Hearing** announces a public meeting to which all persons are invited.

DATES AND TIMES: May 13, 2010, 9:00 a.m. – 6:00 p.m.; May 14, 2010, 9:00 a.m. – 12:00 Noon (EDT)

PLACE: The Crowne Plaza Orlando Airport Hotel, 5555 Hazletine National Drive, Orlando, FL 32812. Computer assisted realtime translation services will be provided remotely via: <http://www.streamtext.net/text.aspx?event=FCCDHH>.

Conference Call: 1(888)808-6959, Event code: 5221678031 #  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General policy recommendations for accessibility, supports and services for persons who are deaf, hard of hearing, late-deafened or deaf-blind in the State of Florida AND special presentations on CART Services and Emergency Preparedness for the Deaf/HOOH Community.

A copy of the agenda may be obtained by contacting: Mary Grace Tavel at email: marygrace\_tavel@doh.state.fl.us or 1(866)602-3275 (Toll-Free), 1(866)602-3276 (Toll-free TTY).

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: Mary Grace Tavel at email: marygrace\_tavel@doh.state.fl.us or 1(866)602-3275 (Toll-Free), 1(866)602-3276 (Toll-free TTY). 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: Mary Grace Tavel at email: marygrace\_tavel@doh.state.fl.us or 1(866)602-3275 (Toll-Free), 1(866)602-3276 (Toll-free TTY).

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**The Department of Health**, Office of Public Health Nursing announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2010, 2:00 p.m. – 4:00 p.m.

PLACE: Florida Department of Health, 4040 Esplanade Way, Room 301, Tallahassee, FL 32399-1711

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Special Needs Shelter Interagency Committee Meeting is being hosted by the Department of Health, Office of Public Health Nursing, to identify and resolve challenges related to special needs shelters that are not currently addressed in the state comprehensive plan, relating to Rules 64-3.010, .020, .030, .040, .050, .060, .070, .080, F.A.C. The meeting shall also serve as a forum to develop policies and procedures which support sheltering best practices throughout the state. The continuation of the committee work assures the best quality service to clients with special medical needs and Florida's vulnerable population.

To obtain a copy of the agenda, or for additional meeting information, please contact: Denita Mitchell at (850)245-4444, ext. 2168 or e-mail: [Denita\\_Mitchell@doh.state.fl.us](mailto:Denita_Mitchell@doh.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: Denita Mitchell at (850)245-4444, ext. 2168, or e-mail: [Denita\\_Mitchell@doh.state.fl.us](mailto:Denita_Mitchell@doh.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).

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**The Board of Chiropractic Medicine**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, May 11, 2010, 9:30 a.m.

PLACE: Conference Call 1(888)808-6959, Conference Code: 9849329103#, Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sharon Guilford, Acting Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257.

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: 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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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: July 8, 2010, 2:00 p.m.; July 9, 2010, 8:30 a.m.

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819, (407)996-9700

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.

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The **Board of Dentistry** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2010, 7:30 a.m.

PLACE: Embassy Suites, 9300 Baymeadow, Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 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 at (850)245-4474.

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The **PCP South Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 14, 2010, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: Karen\_Miller2@doh.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 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: Karen\_Miller2@doh.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.

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The **Board of Nursing** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 11, 2010, 9:30 a.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Conference Code: 1439710#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general Board business.

A copy of the agenda may be obtained by visiting: [http://www.doh.state.fl.us/mqa/nursing/nur\\_meeting\\_info.html](http://www.doh.state.fl.us/mqa/nursing/nur_meeting_info.html) or writing: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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 Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 13, 2010, 10:00 a.m. – 1:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Conference Code: 2458182#

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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 **Department of Health, Board of Nursing** hereby gives notice that, pursuant to Section 120.54(3)(c)1., F.S., a Public Hearing will be held on Rule 64B9-8.005, F.A.C., to which all interested persons are invited.

DATE AND TIME: Friday, June 11, 2010, 10:00 a.m. – until business is concluded

PLACE: Hyatt Regency Riverfront, 225 East Coastline Drive, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conscious sedation.

Notice of the above-referenced proposed rule was originally published in Vol. 36, No. 11, of the March 19, 2010, Florida Administrative Weekly.

The person to be contacted regarding the proposed rule is: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, email: MQA\_Nursing@doh.state.fl.us, (850)245-4125.

All written materials will be accepted for these rules through the end of the hearing.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

#### DEPARTMENT OF CHILDREN AND FAMILIES

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2010, 1:00 p.m. – 6:00 p.m.

PLACE: Crowne Plaza Hotel, Orlando-Airport, 5555 Hazeltine National Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families Advisory Committee for the Deaf and Hard-of-Hearing will meet to commence its responsibilities as outlined in the Settlement Agreement between the Department of Children and Families and the U.S. Department of Health and Human Services.

A copy of the agenda may be obtained by contacting: marilyn\_thurman@dcf.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: marilyn\_thurman@dcf.state.fl.us, (850)487-1901, (TDD) (850)922-9220. 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 Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 4:00 p.m. – 7:00 p.m.

PLACE: Old County Commissioner's Chambers, 107 N. 6th St., Bldg. F, Room 1, Palatka, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic initiatives.

A copy of the agenda may be obtained by contacting: Denise Kelly at (386)238-4648.

The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 13, 2010, 4:00 p.m. – 7:00 p.m.

PLACE: Department of Health, 1845 Holsonback Road, Conference Room 516C, Daytona Beach, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic initiatives.

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The **Community Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 18, 2010, 2:30 p.m.

PLACE: Daytona Beach Regional Service Center, 210 N. Palmetto Ave., Conference Room 148, Daytona Beach, Florida  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Foster Care Redesign.

A copy of the agenda may be obtained by contacting: Denise Kelly at (386)238-4648.

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: Denise Kelly at (386)238-4648. 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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The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 19, 2010, 4:00 p.m. – 7:00 p.m.

PLACE: St. Johns County Health and Human Services, 1955 US Highway 1 South, Main Conference Room, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic initiatives.

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The **Orange County Alliance for Children** announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2010, 12:15 p.m.

PLACE: Facilities Management Training Room, 2010 E. Michigan St., Orlando, FL 32806

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to children and families.

A copy of the agenda may be obtained by contacting: Kristi Gray at (407)245-0400.

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: Kristi Gray at (407)245-0400. 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: Kristi Gray at (407)245-0400.

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The **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: Center for Public Safety Innovation, St. Petersburg College, Allstate Center, 3200 34th Street South, St. Petersburg, Florida 33711

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Children and Families announces the third meeting of the Statewide Task Force on Human Trafficking, which was created during the 2009 legislative session to: 1) examine and analyze the problem of human trafficking, 2) plan and coordinate a humane response for victims through a review of existing programs, policy, and examination of options, and 3) prepare a final report with strategies and actions to reduce or eliminate human trafficking in 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 5 days before the workshop/meeting by contacting: Regina Bernadin by email Regina\_Bernadin@dcf.state.fl.us or Fax: (305)377-5770. 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: Regina Bernadin at (305)376-1948.

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The **Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, May 8, 2010, 9:00 a.m. – 1:00 p.m.

PLACE: Center for Language and Culture, Duval County Public Schools, 7401 Old Kings Road South, Jacksonville, Florida 32217

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northeast Region, Refugee Advisory Panel.

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: Debbie Ansbacher at email: Debbie\_Ansbacher@dcf.state.fl.us or Fax: (904)723-2144. 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: Debbie Ansbacher at (904)726-1540, email: Debbie\_Ansbacher@dcf.state.fl.us, or Fax: (904)723-2144; Taddese Fessehay at email: Taddese\_Fessehay@dcf.state.fl.us.

**The Department of Children and Families, Division of Refugee Services** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, May 12, 2010, 1:30 p.m. – 3:30 p.m.

**PLACE:** Florida State College at Jacksonville, Downtown Campus, 101 West State Street, Building A, Room 1058, Small Auditorium, Jacksonville, Florida 32202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Northeast Region, Refugee Task Force.

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: Debbie Ansbacher at email: Debbie\_Ansbacher@dcf.state.fl.us or Fax: (904)723-2144. 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: Debbie Ansbacher at (904)726-1540, email: Debbie\_Ansbacher@dcf.state.fl.us or Fax: (904)723-2144; Taddese Fessehay at email: Taddese\_Fessehay@dcf.state.fl.us.

**The Agency for Persons with Disabilities** announces a public meeting to which all persons are invited.

**DATE AND TIME:** May 17, 2010, 10:00 a.m. – 12:00 Noon

**PLACE:** St. Johns County, Emergency Operations Center, 100 EOC Drive, St. Augustine, FL 32092, (904)824-5550

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss possible changes for the utilization of APD Medicaid Waiver Alternative Transportation Providers.

A copy of the agenda may be obtained by contacting: Kent Carroll, Agency For Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8501, Conference Call: 1(888)808-6959, Conference Code: 9227733. 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: Kent Carroll, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8501. 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: Kent Carroll, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8501.

### NAVIGATION DISTRICTS

**The West Coast Inland Navigation District** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, May 10, 2010, 2:30 p.m.

**PLACE:** Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, 200 Miami Avenue, E., Venice, Florida 34285.

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.

### 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:** May 19, 2010, 1:30 p.m. – 5:00 p.m.

**PLACE:** Fish and Wildlife Conservation Commission, Farris Bryant Building, Room 272, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Evaluations for the FY 10-11 Florida's Wildlife Legacy Initiative's Targeted Grant proposals.

Communications Media Technology will be used via video conferencing at the Florida Fish and Wildlife Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, Florida 33701-5095. Public should attend at the Tallahassee location.

A copy of the agenda may be obtained by contacting: Laura Morse, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

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: Laura Morse, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Grants Coordinator, (850)488-3831.

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The Florida **Fish and Wildlife Conservation Commission (FWCC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2010, 6:00 p.m. – 8:00 p.m. (EDT)

PLACE: University of North Florida, Board of Trustees, Room 1058, 12000 Alumni Drive, Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC), as part of its deer management strategic plan and in response to input received from the public is considering changes to hunting season timing on public hunting areas to align more closely with recent changes to hunting zones. This meeting is being held to invite members of the public to learn about possible changes and share their views with agency staff on this topic.

A copy of the agenda may be obtained by contacting: Cory R. Morea at (850)410-0656, ext. 17256.

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: Cory R. Morea at (850)410-0656, ext. 17256.

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#### **AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

The **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 24, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Room 225A, 4030 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Services Strategic Plan – meeting of the technical workgroup to discuss enterprise IT services.

A copy of the agenda may be obtained by contacting: Damu Kuttikrishnan at Damu.Kuttikrishnan@aeit.myflorida.com or (850)410-2954.

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: Damu Kuttikrishnan at Damu.Kuttikrishnan@aeit.myflorida.com or (850)410-2954. 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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#### **NORTHWOOD SHARED RESOURCE CENTER**

The **NSRC Technical Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2010, 3:00 p.m.

PLACE: Department of Juvenile Justice, 2737 Centerview Drive, Knight Bldg., Room 1134, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical Issues.

A copy of the agenda may be obtained by contacting: monica\_cash@nsrc.myflorida.com.

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#### **SOUTHWOOD SHARED RESOURCE CENTER**

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 3, 2010, 3:00 p.m.

PLACE: Room 114, Executive Conference Room, Caldwell Building, 107 E. Madison Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Operations and Finance Committee.

A copy of the agenda may be obtained by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.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 2 days before the workshop/meeting by contacting: Judith Joseph at (850)245-7290, judith.joseph@flaawi.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: Judith Joseph at (850)245-7290, judith.joseph@flaawi.com.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 5, 2010, 10:00 a.m.

PLACE: Room 129, Burns Building, 605 Suwannee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of Executive Directors and Board Chairs of the three state primary data centers and the CIO Council Chair.

A copy of the agenda may be obtained by contacting: Faye Hall at (850)414-4772, faye.hall@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 2 days before the workshop/meeting by contacting: Faye Hall at (850)414-4772, email: faye.hall@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).

For more information, you may contact: Faye Hall at (850)414-4772, email: faye.hall@dot.state.fl.us.

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The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 10, 2010, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Board of Trustees.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.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 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.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: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

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#### **CITIZENS PROPERTY INSURANCE CORPORATION**

The **Information Systems Advisory Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 12, 2010, 1:00 p.m.

PLACE: Dial in Number: 1(866)765-5861

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Information Systems Advisory Committee. A copy of the agenda may be obtained by contacting: Corporate website at: <https://www.citizensfla.com> or Stephanie Martin at (850)513-3751.

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: Stephanie Martin at (850)513-3751. 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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#### **FLORIDA INDEPENDENT LIVING COUNCIL, INC.**

The **Florida Independent Living Council, Inc.** announces a telephone conference call to which all persons are invited.

MEETING: Planning Committee Meeting

DATE AND TIME: Thursday, May 6, 2010, 1:00 p.m.

PLACE: 1416 N. Adams Street, Tallahassee, Florida 32303

MEETING: Full Council Meeting

DATE AND TIME: Thursday, May 6, 2010, 3:00 p.m.

PLACE: 1416 N. Adams Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of the Planning Committee meeting held on April 14, 2009, was inadvertently omitted from the notification published in Vol. 36, No. 12, Issue March 26, 2010 of the Florida Administrative Weekly. Consequently, to satisfy the open meetings requirement of the Government in the Sunshine Act, a meeting of the Planning Committee is scheduled for May 6, 2010, 1:00 p.m., for the purpose of considering the Goals and Objectives to be included in the 2010-2013 Florida State Plan for Independent Living, and any other business properly before it.

Notice of Full Council Meeting: The President of the Florida Independent Living Council, Inc., calls a meeting of the Council on May 6, 2010, 3:00 p.m., for the purpose of considering the Goals and Objectives to be included in the 2010-2013 Florida State Plan for Independent Living, and any other business properly before it.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

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**JUSTICE ADMINISTRATIVE COMMISSION**

The **Justice Administrative Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2010, 11:00 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 or email: jessicak@jac.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: Jessica Kranert at 1(866)355-7902, ext. 261 or email: jessicak@jac.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).

**DESOTO COUNTY LOCAL COORDINATING BOARD TRANSPORTATION DISADVANTAGED**

The **DeSoto County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2010, 9:30 a.m.

PLACE: DeSoto County Administration Building, 201 East Oak Street, Suite 103, Arcadia, FL 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the annual public hearing and conduct a regular business of the DeSoto County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: Peggy Waters, Social Services Manager, DeSoto County Community Services Department, 201 East Oak Street, Suite 202, Arcadia, Florida 34266.

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: Peggy Waters, (863)993-4858 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: Peggy Waters, Social Services Manager, DeSoto County Community Services Department, 201 East Oak Street, Suite 202, Arcadia, Florida 34266.

**TAMPA BAY ESTUARY PROGRAM**

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATES AND TIMES: Management Board, Thursday, May 13, 2010, 1:30 p.m.; Policy Board, Friday, May 14, 2010, 10:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Action will be taken on approval of the FY10/11 Cooperative Agreement and Workplan Budget, acceptance of the annual audit, and revised habitat goals.

A copy of the agenda may be obtained by contacting: ron@tbep.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 7 days before the workshop/meeting by contacting: ron@tbep.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: ron@tbep.org.

**SOIL AND WATER CONSERVATION DISTRICT**

The **Clay County Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 3, 2010, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 SR 16 W., Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

For more information, you may contact: Sally Doyle at (904)284-6355.

**FLORIDA COMMUNITY COLLEGES' COUNCIL OF PRESIDENTS**

The **Florida Community Colleges' Council of Presidents** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 6, 2010, 9:00 a.m.

PLACE: Telephone Conference Call

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 Brawer at (850)222-3222.

Petitioner asks whether M2301.2.3, Florida Building Code, Residential Volume (2007), allows the installation of a pressure relief valve in the solar loop portion of an active direct solar water heating system?  
A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, Tallahassee, Florida 32399-2100.

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## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Agriculture and Consumer Services, Division of Consumer Services, Board of Professional Surveyors and Mappers has issued an order disposing of the petition for declaratory statement filed by Florida Surveying and Mapping Society, Inc. and Mr. James H. Humphrey, an individual, on January 15, 2010. The following is a summary of the agency's disposition of the petition:

The Petition was granted. The Declaratory Statement states that the services requested in a specific request for proposals do constitute surveying and mapping within the meaning of Chapter 472, Florida Statutes. In addition, photogrammetry services, similar to those offered in the request for proposals, may be provided in Florida only by Florida licensed professional surveyors and mappers. So long as they are Florida licensed surveyors and mappers, the Petitioners are not aiders and assisters of unlicensed practice merely by responding to a request for proposals. The Petitioners have an obligation under Section 472.0351(1)(n), Florida Statutes, to report to the Board any aiding and assisting of unlicensed practice.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Bennett M. Miller, Board Counsel, Board of Professional Surveyors and Mappers, Division of Consumer Services, Department of Agriculture and Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3834.

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### DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from C.W. Bentley, LeverEdge (DCA10-DEC-034) on March 9, 2010. The petition seeks the agency's opinion as to the applicability of Section M2301.2.3, Florida Building Code, Residential Volume (2007), as it applies to the petitioner.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Robert O. Covington (DCA10-DEC-037) on February 22, 2010. The petition seeks the agency's opinion as to the applicability of unspecified portion(s) of the Florida Building Code as it applies to the petitioner.

The petitioner asks what rating is required for power panels in a 645 square foot swimming pool equipment room with constant forced air cross ventilation located in a sports facility. A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Gillette Generators (DCA10-DEC-038). The petition seeks the agency's opinion as to the applicability of Section 202, Florida Building Code, Building Volume (2007, with 2009 supplement), and a previously issued declaratory statement, DCA09-DEC-060, as it applies to the petitioner.

Petitioner asks if its electrical generator enclosures, whether or not designed to be occupied, are "buildings," as defined in Section 202, Florida Building Code, Building Volume, and if so, petitioner seeks instructions on how to make its structures compliant with the Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from QiTec LLC (DCA10-DEC-042). The petition seeks the agency's opinion as to the applicability of the Florida Building Commission's opinion as to the applicability of Chapter 9B-72, F.A.C., as it applies to the petitioner.

The petitioner asks whether its product, a reflective fluoropolymer surface coating for roofs, is within the scope of Chapter 9B-72, F.A.C.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from George Merlin Associates, Inc. (DCA10-DEC-045). The petition seeks the agency's opinion as to the applicability of sections 3109.1.1, 3109.3, and 3109.4, Florida Building Code, Special Construction Volume (2007, with 2009 supplement) as it applies to the petitioner.

The Petitioner asks if proposed modifications to single family dwellings located seaward of the FDEP/FBC coastal construction control line (the CCCL zone) are exempt from CCCL design standards under section 3109.1.1, F.B.C., where the work is classified as a substantial improvement per Section 161.54(12), F.S., but is built over and within the limits of the existing foundation. The Petitioner also asks if proposed modifications to single family dwellings located seaward of the CCCL are exempt from CCCL design standards under sections 3109.3 and 3109.4, F.B.C., where the work is classified as a substantial improvement per Section 161.54(12), F.S., and is built outside the limits of the existing foundation, but doesn't advance farther than the seaward limits of the existing structure and doesn't cost more than 50% of the market values of the existing structure.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Thomas H. Ford, R.A., of Bhamani, Ford and Associates, Inc. (DCA09-DEC-269) on July 22, 2009. The following is a summary of the agency's disposition of the petition:

The Commission determined that Chapter 13, Florida Building Code, Building Volume (2007), limits voltage drop for feeders and customer-owned service conductors to 2 percent at design load, notwithstanding the more permissive recommendation contained in the National Electrical Code as referenced in the Florida Building Code.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Alan C. Plante, Orange County

Building and Safety (DCA09-DEC-309) on November 16, 2009. The following is a summary of the agency's disposition of the petition:

The Commission determined that the Florida Building Code, Existing Building Volume (2007) applies to the renovation of an existing swimming pool.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

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NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has declined to rule on the petition for declaratory statement filed by George Merlin, President of George Merlin Associates, Inc. (DCA09-DEC-347) on October 28, 2009. The following is a summary of the agency's declination of the petition:

The Commission determined that; a) Where proposed renovations to a single story single family dwelling, which include a second story addition, are all within the footprint perimeter of the existing foundation, and the existing foundation has been proven to be adequate to support the proposed renovations, the project is not required to be redesigned to resist the predicted forces associated with a 100-year storm event; and; b) Where proposed renovations to a single story single family dwelling, which include a second story addition, are all within the footprint perimeter of the existing foundation, and the existing foundation has been proven to be adequate to support the proposed renovations without modifying the existing foundation in any way, the project is not required to be redesigned to resist the predicted forces associated with a 100-year storm event as long as the level of work does not advance the seaward limits and constitute rebuilding of the existing structure. The petition is denied to the extent that it seeks an interpretation of local floodplain management ordinances and a determination supremacy between the Florida Building Code and such ordinances.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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#### **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."

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Michael Venezia, Petitioner/Unit Owner, In Re: Hallmark of Hollywood Condominium Association, Inc., Docket No.: 2010018869. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(d), (8), Florida Statutes, as it applies to the petitioner.

Whether the board of the Hallmark of Hollywood Condominium Association, Inc. violated Section 718.112(2)(d), (8), Florida Statutes, in filling a vacancy.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Terry Back, Petitioner/Unit Owner, In Re: Harbour Pointe Condominium Association, Inc., Docket No. 2010019019. The petition seeks the agency's opinion as to the applicability of Section 718.110(4), Florida Statutes, as it applies to the petitioner.

Whether the board of Harbour Pointe Condominium Association, Inc.'s blocking of unit owner ingress by closing the north gate entrance violates Section 718.110(4), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT on April 5, 2010, the Electrical Contractors' Licensing Board has received the petition for declaratory statement from Richard B. Szpyrka. The petition seeks the agency's opinion as to the applicability of Section 489.505(12), F.S. as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 489.505(12), F.S. as to whether directional boring, auger boring, jacking and boring, trenchless technology operations, and conduit installation within public rights-of-way and easements is included in the scope of work of "Florida licensed electrical contractors" or "Florida licensed unlimited electrical contractors" as defined in Chapter 489, Part II, of the Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

**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**

NOTICE IS HEREBY GIVEN THAT on March 16, 2010, the Board of Physical Therapy Practice has received the petition for declaratory statement from Holly Hester. The petition seeks the agency's opinion as to the applicability of Rule 64B17-6.007, F.A.C. as it applies to the petitioner.

The petition requests the Board to issue a declaratory statement regarding the applicability of Rule 64B17-6.007, F.A.C., and what tasks can be delegated to unlicensed personnel.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)488-0595.

Please refer all comments to: the Board of Physical Therapy Practice/MQA within 14 days of publication of this notice.

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The Board of Physical Therapy Practice hereby gives notice that on April 6, 2010, it has received a Petition for Declaratory Statement from Cecille Riggs. The petition requests the Board to issue a declaratory statement addressing whether staple removal is within the scope of practice.

Comments on this petition should be filed with: Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

For a copy of the petition, contact Allen Hall, Executive Director, Board of Physical Therapy Practice, at the above address or telephone (850)488-0595.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by Stephen M. Hodge on March 16, 2010. The following is a summary of the agency’s declination of the petition:

The Petition asks for an interpretation of the Florida Building Code, Section 553.73(9)(i), Florida Statutes, and National Fire Protection Association (“NFPA”) Standard 1-10.1.3. However, the Department’s interpretation of the NFPA standard is dependent on the Florida Building Code’s interpretation of Section 553.73(0)(i), Florida Statutes. According to Section 120.565, Florida Statutes, an agency can only interpret and apply its own statutes, rules and orders in a declaratory statement. Since the Department cannot opine on Chapter 553, Florida Statutes, the questions in the Petition cannot be answered and the Petition for a Declaratory Statement is denied.

A copy of the Order Declining 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@myfloridacfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services has received the petition for declaratory statement from Safety-Net Hospital Alternative Risk Pool, LLC on March 12, 2010. The petition seeks the agency’s opinion as to the applicability of Sections 626.932 and 626.9325, Florida Statutes, as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Regina Keenan, Division of Legal Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

**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 AGRICULTURE AND CONSUMER SERVICES**

**INVITATION TO BID**

As a Contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Division of Forestry, hereinafter referred to as Owner, for the construction of building facilities at the Sebring Forestry Station, 8036 CR 17 South, Sebring, Florida. The Project Budget is estimated to be \$425,000.00.

The Department is seeking a Contractor for the construction of building facilities for the Sebring Forestry Station. The contractor shall provide all materials, labor, equipment and

inspection fees necessary for the construction of building facilities in accordance with the terms and conditions of the Invitation to Bid.

**PROJECT NAME AND LOCATION:** Sebring Forestry Station, 8036 CR 17 South, Sebring, Florida.

**SOLICITATION DOCUMENT:** The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/DF-09/10-80, or by calling the Purchasing Office at (850)617-7181.

**PLANS AND DRAWINGS:** Architectural and Civil Drawings, including technical specifications and a copy of the bid document can be viewed at Office Max, 420 Sebring Square, Sebring, Florida 33870, (863)402-0167, and Seminole Blueprint, 2915 E. Park Avenue, Suite 1, Tallahassee, Florida 32301, (850)671-2714. These documents are available for purchasing copies, and they are listed as follows: Architectural Plans, Architectural Specification Book, Civil Engineering Plans, and Invitation to Bid for Sebring Forestry Station.

**MANDATORY PRE-BID CONFERENCE/SITE VISIT:** Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on May 12, 2010, 11:00 a.m. at Sebring Forestry Station, 8036 CR 17 South, Sebring, Florida, (863)655-6407. During the pre-bid conference, a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES:** An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may

not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** Each bid shall be accompanied by a Performance Bond in the amount of one-hundred percent (100%) of the Base Bid Price.

**BID BOND:** Each bid shall be accompanied by a Bid Bond Guarantee payable to the Department in the amount of five percent (5%) of the Base Bid Price.

Sealed bids will be received, publicly opened and read aloud on:

**DATE AND TIME:** June 16, 2010, 2:00 p.m.

**PLACE:** Department of Agriculture and Consumer Services, 407 S. Calhoun Street, SB-8 Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7181.

**CONTRACT AWARD:** The official Notice of Award Recommendation will be by electronic posting at: [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](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, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

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## DEPARTMENT OF EDUCATION

### NOTICE TO DESIGN/BUILD TEAMS

The Florida State University, announces that Qualifications Based Design/Build Services for the design and construction of a new parking garage, will be required for the project listed below:

**PROJECT NUMBER:** FS-227

**PROJECT NAME AND LOCATION:** Parking Garage 6, Florida State University, Tallahassee, Florida

The project consists of the design and construction of a new parking garage. The site of the new facility is in the southwest quadrant of the main campus, on the southeast corner of the intersection of St. Augustine and Dunwoody Streets. The new garage will accommodate approximately 1,000 cars and is not planned to include any retail, administrative or instructional space. Total planned new space is 303,040 gross square feet, with occupancy expected June 2012.

The Design/Build Services contract shall be in compliance with the qualifications based Design/Build selection provisions in Section 287.055, F.S. and Rule 6C-14.007, F.A.C., including design and pre-construction fees, construction related service costs and a guaranteed maximum price. The University will contract with a single contract entity whose Design/Build Team shall provide all services including, but not necessarily limited to professional services, budgeting, construction

services, labor, materials, and equipment required to design and construct the project. Blanket professional design liability insurance will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

The proposed value of this project is approximately \$14,500,000.00. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class IX. Project development including professional services is contingent upon availability of funds.

#### INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a letter of interest, a completed "Design/Build Services Qualification Supplement" form (DBSQS), dated March 2009, with attachments, and additional information required as described in the DBSQS. Applications submitted in any other format will not be considered. The Design/Build Services Qualifications Supplement form dated March 2009, project information and selection criteria, may be obtained on line at [www.fpc.fsu.edu](http://www.fpc.fsu.edu). For further project information, contact: Gary Feldman, Project Manager, Facilities Design & Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843.

Each applicant must be properly licensed and registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Selection of finalists for interview will be made on the basis of qualifications of the proposed design/build team, including team qualifications, team related experience, and ability to provide service in meeting the project requirements. Florida State University strongly encourages the use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services.

Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. The plans and specifications for The Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, F.S. As required by Section 287.133, F.S., a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract

with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Seven (7) bound copies of the required proposal data shall be submitted. Submittals must be received in: FSU Facilities Design & Construction Office, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, by 2:00 p.m. (Local Time), Wednesday, June 2, 2010. Facsimile (FAX) or electronic submittals will not be considered.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

#### CALL FOR BIDS

made by Florida A&M University (FAMU) for:

PROJECT NAME: Recreation Fields, Florida A&M University, PROJECT NUMBER: BR-345

LOCATION: Florida A&M University (FAMU), Tallahassee, FL 32307

Project consists of recreation fields, softball (grass), baseball (grass), soccer (grass), multi-purpose (artificial) and a golf driving range. Other elements include; paved parking areas, a covered pavilion, outdoor basketball courts, outdoor volleyball courts and a free standing toilet/storage building. Estimated construction Budget \$3,700,000.

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2.

Sealed bids will be received on:

DATE AND TIME: June 1, 2010 until 2:00 p.m. (Local Time)

PLACE: Plant Operations Facilities, Building A, Room 100, 2400 Wahnish Way, Florida A&M University, Tallahassee, FL, immediately after which time and place they will be publicly opened and read aloud down the hall in one of the Conference Rooms (Bid Tabulation will be posted back in Suite 100).

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer: JRA Architects, 2551 Blairstone Pines Drive, Tallahassee, Florida 32301, (850)878-7891, Fax: (850)878-7491

PRE-SOLICITATION/PRE-BID MEETING: This meeting has been scheduled for:

DATE AND TIME: May 18, 2010, 2:00 p.m. (Local Time)

PLACE: 2400 Wahnish Way, FAMU Plant Operations Facilities, Building-A, Room 125, Florida A&M University, Tallahassee, FL

DEPOSIT: \$350 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and two (2) sets of drawings and Project Manuals for plumbing, heating/ventilating/air conditioning and electrical contractors acting as subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. Submit a bona fide bid, or
- b. Provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Architect/Engineer for \$350 per set for the printing and handling cost. Partial sets may be purchased at \$10.00 per sheet of the Drawings and \$40.00 per copy of the Project Manual, and are sold subject to the provisions of Article B-27 of the Instructions to Bidders.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor 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 successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Direct all project related question to the Architect/Engineer first, then to Elston Peets, Project Manager at (850)599-8057.

**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 MANAGEMENT SERVICES**

**PUBLIC ANNOUNCEMENT FOR GENERAL CONTRACTORS**

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: DFS-27035000

PROJECT NAME: Renovations to Third Floor, Rhode Building, South Tower

PROJECT LOCATION: Miami, Florida

MANADATORY PRE-BID MEETING: May 19, 2010, 401 N. W. 2nd Avenue, Rohde Building Lobby

BID OPENING: June 17, 2010

ESTIMATED BASE BID CONSTRUCTION BUDGET: +/- \$350,000.00

PREQUALIFIED BIDDERS: Refer to DMS Website (below) for further details

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

Please visit the Department's Website [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu) and click on "Search Advertisements - Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

**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."

**CITY OF FORT LAUDERDALE**

**NOTICE TO CONTRACTORS**

Sealed bids will be received until 2:00 p.m., Wednesday, May 26, 2010, in the Office of the City Engineer, Public Works Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida; and opened immediately thereafter in the Conference Room, for: Project 10940B Riverland Annex Sanitary Sewer & Water Main Improvements being issued under the WaterWorks 2011 Program.

The work includes furnishing all labor, equipment, materials and performing all related operations in connection with the construction of a pipeline project in the City of Fort Lauderdale. The project primarily includes the installation, testing and restoration of a pipeline project including approximately 16,000 LF of 6 inch water mains, approximately 17,500 LF of 8 inch gravity sewers, approximately 1,800 LF of 6 inch force main, and one pump station. Plans consist of Drawing File No. WS 06-15, consisting of 72 sheets.

Bidding Documents with Plans and Specifications may be obtained at the Office of the City Engineer.

A pre-bid meeting will be held on Wednesday, May 5, 2010, 1:30 p.m., at the City of Fort Lauderdale's WaterWorks 2011 office at 200 North Andrews Avenue, Suite 300 (Third Floor), Fort Lauderdale, Florida. It is recommended but not mandatory that bidders attend the pre-bid meeting.

It will be the sole responsibility of the bidder to clearly mark the bid as such, and ensure that his bid reaches the City prior to the bid opening date and time listed.

A certified check, cashier’s check, bank officer’s check or bid bond for five percent (5%) of the amount bid, made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

The projects may be funded, in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund (SRF). Bidders are encouraged to become familiar with the provisions of the Supplemental Conditions contained in these documents and in particular, the requirements of FDEP Article 20, Equal Employment Opportunity.

The City of Fort Lauderdale reserves the right to waive any informality in any or all and to reject any or all bids.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line at (954)828-5688. For general inquiries please call: (954)828-5772.

Jonda K. Joseph  
City Clerk  
NTC-1

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.: BLIM-05-2009-005  
DATE RECEIVED: April 19, 2010  
DEVELOPMENT NAME: Circle Square Woods  
DEVELOPER/AGENT: On Top of the World  
Communities, Inc.  
Sherry A. Spiers  
DEVELOPMENT TYPE: 28-24.029, 28-24.020, 28-24.031,  
28-24.023, F.A.C.  
LOCAL GOVERNMENT: Marion County

DCA Final Order No.: DCA10-OR-070

In Re: CITY OF POLK CITY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY  
CITY OF POLK CITY

**FINAL ORDER**

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6), (11), Florida Statutes, (2009), approving identified Articles and Sections and rejecting identified Articles and Sections of the City of Polk City (“City”) Unified Land Development Code.

**FINDINGS OF FACT**

1. The Green Swamp Area is a statutorily designated area of critical state concern and City of Polk City is a local government within the Green Swamp Area.
2. On February 12, 2010, the Department received for review the entire Polk City Unified Land Development Code as the City is unsure which Ordinances adopting portions of the Land Development Code have been rendered to the Department for review, approval, or rejection, and which Ordinances have not been rendered and are thereby not adopted. The entire Polk City Unified Land Development Code, originally adopted March 3, 1998, and as amended thereafter was rendered to the Department on February 12, 2010.
3. The Polk City Unified Land Development Code contains Articles 1 through 9, Definitions, Index, and a Directory of Tables containing Tables 1 through 37.
4. Exhibit 1 – Articles Adopted identifies portions of the Polk City Unified Land Development Code that are consistent with, and Exhibit 2 – Articles Rejected identifies portions of the Polk City Unified Land Development Code that are inconsistent with, the City’s Comprehensive Plan, Land Development Regulations and the Principles for Guiding Development.

**Exhibit 1 – Articles Adopted**

Article 1, Article 2, Article 3, Section 3.04.02, Section 3.05.00, Section 3.05.03, Section 3.05.04, Section 3.06.00, Section 3.06.01, Section 3.06.02 (3.06.02.01 – 3.06.02.13), Section 3.07.00, Section 3.07.01, Section 3.07.02, Section 3.07.02.01, Section 3.07.02.02, Section 3.07.03, Section 3.07.4, Section 3.07.04.02, Section 3.07.05, Section 3.07.06, Section 3.08.00, Section 3.08.02, Section 3.08.02.03, Section 3.08.03, Section 3.08.03.01, Section 3.08.04 (partially), Section 3.09.02, Section 3.09.03, Section 3.10.00, Section 3.10.02, Section

3.10.02.01, Section 3.10.02.02, Section 3.10.02.03, Section 3.10.02.04, Section 3.10.02.05, Section 3.10.02.06, Section 3.10.02.07(1-5), Section 3.11.00 – 3.11.01.03, Section 3.11.01.01, Section 3.11.01.02, Section 3.11.01.03, Section 3.11.01.04, Section 3.11.01.05, Section 3.11.01.09, Section 3.11.01.10, Section 3.11.01.11, Section 3.11.02, Section 3.11.02.01 through 3.11.02.04, Section 3.11.02.06, Section 3.11.02.07, Section 3.11.02.07(1), Section 3.11.02.07(3-5), Section 3.11.02.08(5-8), Section 3.11.02.08(10), Section 3.11.06, Section 3.11.07, Section 3.11.08, Section 4.01.00, Section 4.03.00, Section 4.03.01, Section 4.04.00, Section 4.04.01, Section 4.04.02, Section 4.05.00, Section 4.06.00, Section 4.07.00, Section 4.08.00, Section 5.01.00 – 5.01.05, Section 5.01.06, Section 5.01.07 – 5.01.07.02, Section 5.01.08 – 5.01.08.05, Section 5.01.09 – 5.01.09.06, Section 5.02.00 – 5.02.05, Section 5.03.03, Section 5.03.04, Section 5.03.05, Section 5.03.07, Section 5.03.08, Section 5.04.00, Section 5.05.00, Section 6.01.00, Section 6.01.01, Section 6.01.02, Section 6.01.03, Section 6.01.04, Section 6.01.05, Section 6.01.06, Section 6.01.07, Section 6.01.08, Section 6.01.09, Section 6.02.00 – 6.02.03, Section 6.03.00 – 6.03.02, Section 7.01.00, Section 7.02.02 – 7.02.06, Section 7.02.07, Section 7.03.00 – 7.03.03, Section 7.03.04 – 7.03.07, Section 7.04.00 – 7.04.01, Section 7.04.03, Section 7.04.04 – 7.04.08, Section 7.04.10, Section 7.05.00 – 7.05.01.02, Section 7.05.02 – 7.05.04, Section 7.05.04.01, Section 7.05.04.02, Section 7.05.05 – 7.05.08, Section 7.06.00 – 7.06.02, Section 7.07.00 – 7.07.03, Section 7.08.00, Section 7.09.00, Section 7.10.00 – 7.10.04, Section 7.11.00, Section 8.01.00 – 8.01.02, Section 8.02.00, Section 8.03.01, Section 8.03.02, Section 8.03.03, Section 8.03.03.03, Section 8.03.03.03.04, Section 8.03.03.05, Section 8.04.00, Section 8.05.00, Section 8.06.00, Section 8.07.00 – 8.07.03, Section 8.08.00 – 8.10.00, Section 8.10.02, Section 8.10.03 – 8.10.04, Article 9.

Exhibit 2 – Articles Rejected

Section 3.04.01(c)(2)(a), Section 3.04.01(c)(2)(b), Section 3.04.01(c)(3), Section 3.05.02(I), Section 3.08.01.01 E4, Section 3.08.01.02 A, Section 3.08.01.02 B, Section 3.08.01.02 A and B, Section 3.08.03.02, Section 3.08.04 H1 and H2, Section 3.09.00, Section 3.09.01, Section 3.10.01, Section 3.11.01.08, Section 3.11.02.05, Section 3.11.02.07(2), Section 3.11.02.07(6-27), Section 3.11.02.08(1-4), Section 3.11.02.08(9), Section 3.11.02.09, Tables 30-32, Section 3.11.03, Section 3.11.05, Table 34, Section 3.11.06 D2, Section 3.11.06 H, Section 5.03.03 B, Section 5.03.05 A, C, E, and H, Section 5.03.06 A(2-4), Section 6.01.02(B)(2)(i), Section 7.02.01, Section 7.04.02 A, Section 7.04.09 B, Section 7.05.01.03, Section 7.05.04.01 C(2), Section 8.06.00 G(1), Section 8.07.05, Section 8.10.02.

Section 3.08.04 (Animal Farm Intensive; Fish Camp; Hotels; Lodges; Motor Freight; Multi-family 4 (a-c); Offices Individual; Recreation High Intensity; Recreation Low

Intensity; Recreation and Amusement Intensive; Recreation and Amusement, General; Religious Institutional Camp; Research and Development; Residential Refill).

Section 3.10.02.07 (H) [Reject following uses: Correctional Facility; Gasoline Sales/Gas Stations; Heliports; Residential Treatment Facility; Utilities Class III (including wastewater treatment facilities); Vehicle Repair in Rural Commercial Enclaves].

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. Sections 380.05(6) and (11), Florida Statutes (2009).
6. City of Polk City is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2009) and Rule Chapter 28-26, Florida Administrative Code.
7. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by the Ordinances are land development regulations.
8. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Section 380.05(6), 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 for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. (“Principles”).
9. Exhibit 1 – Articles Adopted contains all of the Articles and Sections of the Polk City Unified Land Development Code that are consistent with the Principles in Rule 28-26.003, Florida Administrative Code and are not inconsistent with any one Principle.
10. Exhibit 2 – Articles Rejected contains all of the Articles and Sections of the Polk City Unified Land Development Code that are inconsistent with the Principles in Rule 28-26.003, Florida Administrative Code.

WHEREFORE, IT IS ORDERED that all of the Articles and Sections of the Polk City Unified Land Development Code identified in Exhibit 1 – Articles Adopted, are found to be consistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are hereby APPROVED.

WHEREFORE, IT IS ORDERED that all of the Articles and Sections of the Polk City Unified Land Development Code identified in Exhibit 2 – Articles Rejected, are found to be

inconsistent with the Principles for Guiding Development of the Green Swamp Area of Critical State Concern, and are hereby REJECTED.

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.

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 PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S 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 19th day of April, 2010.

Paula Ford, Agency Clerk

By U.S. Mail:  
 Donald L. Penton, Sr.  
 Mayor City of Polk City  
 123 Broadway Blvd., S. E.  
 Polk City, Florida 33868

Patricia R. Jackson  
City Clerk City of Polk City  
123 Broadway Blvd., S. E.  
Polk City, Florida 33868

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

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 (USA), Inc., intends to allow the establishment of Dan Nettuno Sr., LLC, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacturer, Co., Ltd. (BASH) at 4520 Manatee Avenue West, Bradenton (Manatee County), Florida 34209, on or after April 21, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Dan Nettuno Sr., LLC, are dealer operator(s): Dan Nettuno, 4520 Manatee Avenue West, Bradenton, Florida 34209; principal investor(s): Dan Nettuno, 4520 Manatee Avenue, West, Bradenton, Florida 34209.

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: Meiredith Huang, Peace Industry Group (USA), 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 Power Group International, LLC, intends to allow the establishment of Deland Motorsports, Inc., d/b/a Deland Suzuki as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group, Co., Ltd., (GUNG) at 2610 S. Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after April 21, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Deland Motorsports, Inc., d/b/a Deland Suzuki are dealer operator(s): Kurt E. Dye, 2610 South Woodland Boulevard, Deland, Florida 32720; principal investor(s): Kurt E. Dye, 2610 South Woodland Boulevard, Deland, Florida 32720.

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: Elinore Hollingsworth, Power Group International LLC, 3123 Washington Road, Augusta, Georgia 30907.

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 Chrysler Group Carco, LLC, intends to allow the establishment of First Coast CJDR, LLC, as a dealership for the sale of automobiles manufactured by Chrysler Group Carco, LLC (CHRY) at 10979 Atlantic Boulevard, Jacksonville (Duval County), Florida 32225, on or after May 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of First Coast CJDR, LLC, are dealer operator(s): Henry Martell, 600 Grapetree Drive, Apartment 7B, Key Biscayne, Florida 33149 and Henry F. Martell, 7425 Southwest 157 Terrace, Miami, Florida 33157; principal investor(s): Henry Martell, 600 Grapetree Drive Apartment 7B, Key Biscayne, Florida 33149 and Henry F. Martell, 7425 Southwest 157 Terrace, Miami, Florida 33157.

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: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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.

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#### 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 Chrysler Group Carco, LLC, intends to allow the establishment of First Coast CJDR, LLC, as a dealership for the sale of automobiles manufactured by Chrysler Group Carco, LLC (JEEP) at 10979 Atlantic Boulevard, Jacksonville (Duval County), Florida 32225, on or after May 20, 2010.

The name and address of the dealer operator(s) and principal investor(s) of First Coast CJDR, LLC, are dealer operator(s): Henry Martell, 600 Grapetree Drive Apartment 7B, Key Biscayne, Florida 33149 and Henry F. Martell, 7425 Southwest 157 Terrace, Miami, Florida 33157; principal investor(s): Henry Martell, 600 Grapetree Drive Apartment 7B, Key Biscayne, Florida 33149 and Henry F. Martell, 7425 Southwest 157 Terrace, Miami, Florida 33157.

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: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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.

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#### 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 Power Group International, LLC, intends to allow the establishment of Mid Florida Golf Cars, as a dealership for the sale of low-speed vehicles manufactured by Tomberlin Automotive Group (TOMB) at 2411 US Highway 92, Deland (Volusia County), Florida 32724, on or after May 2, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Mid Florida Golf Cars are dealer operator(s): Bobby Sanders, 2411 US Highway 92, Deland, Florida 32724; principal investor(s): Bobby Sanders, 2411 US Highway 92, Deland, Florida 32724.

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: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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 Power Group International, LLC, intends to allow the establishment of Mid Florida Golf Cars, as a dealership for the sale of low-speed vehicles manufactured by Tomberlin Automotive Group (TOMB) at 5864 Phillips Highway, Jacksonville (Duval County), Florida 32216, on or after May 2, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Mid Florida Golf Cars are dealer operator(s): Bobby Sanders, 5864 Phillips Highway, Jacksonville, Florida 32216; principal investor(s): Bobby Sanders, 5864 Phillips Highway, Jacksonville, Florida 32216.

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: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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 Power Group International, LLC, intends to allow the establishment of Mid Florida Golf Cars, as a dealership for the sale of low-speed vehicles manufactured by Tomberlin Automotive Group (TOMB) at 1611 State Road 60 East, Valrico (Hillsborough County), Florida 33594, on or after May 2, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Mid Florida Golf Cars are dealer operator(s): Bobby Sanders, 1611 State Road 60 East, Valrico, Florida 33594; principal investor(s): Bobby Sanders, 1611 State Road 60 East, Valrico, Florida 33594.

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: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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 Power Sports, Inc. intends to allow the establishment of Suncoast Lease A Fleet, Inc., d/b/a All Seasons Auto Sales as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturer, Co., Ltd. (BASH) at 11725 Seminole Boulevard, Largo (Pinellas County), Florida 33778, on or after May 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Lease A Fleet, Inc., d/b/a All Seasons Auto Sales are dealer operator(s): Cliff Bragg, 11725 Seminole Boulevard, Largo, Florida 33778; principal investor(s): Cliff Bragg, 11725 Seminole Boulevard, Largo, Florida 33778.

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: Amanda Bowers, Peace Power Sports, Inc., 2533 Royal Lane Suite 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.

**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**

The Agency for Health Care Administration authorized the following exemption pursuant to section 408.036(3), Florida Statutes:

County: Hillsborough District: 6  
 ID # E1000004 Decision: A Issue Date: 4/13/2010  
 Facility/Project: St. Joseph's Hospital  
 Applicant: St. Joseph's Hospital, Inc.  
 Project Description: Establish a 10-bed child/adolescent inpatient psychiatric unit  
 Proposed Project Cost: \$250,000.00

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Lake District: 3-7  
 ID # E1000005 Decision: A Issue Date: 4/21/2010  
 Applicant: Lady Lake SNF, LLC  
 Project Description: Create a 120-bed nursing home from the delicensure of 60 beds at Williston Rehabilitation & Nursing Center, 30 beds at Arbor Village Nursing Center & 30 beds at North Campus Rehab. & Nursing Center  
 Proposed Project Cost: \$12,576,000.00  
 County: Sarasota District: 8  
 ID # E1000006 Decision: A Issue Date: 4/21/2010  
 Facility/Project: Doctors Hospital of Sarasota  
 Applicant: Sarasota Doctors Hospital, Inc.  
 Project Description: Establish a 16-bed inpatient adult psychiatric unit through the renovation of a 29-bed acute care unit  
 Proposed Project Cost: \$1,800,000.00

**LETTERS OF INTENT**

The Agency for Health Care Administration received and accepted the following letters of intent for the May 19, 2010 application filing date for Other Beds and Programs batching cycle:

County: Clay District: 4A  
 Date Filed: 4/19/2010 LOI #: N1004001  
 Facility/Project: Haven Hospice  
 Applicant: North Central Florida Hospice, Inc.  
 Project Description: Establish an inpatient hospice facility of up to 18 beds  
 County: Polk District: 6-5  
 Date Filed: 4/19/2010 LOI #: N1004002  
 Facility/Project: Lakeland Investors II, LLC  
 Applicant: Lakeland Investors II, LLC  
 Project Description: Establish a 60-bed community nursing home through the delicensure of 60 beds from Lakeland Investors, L.L.C. d/b/a Valencia Hills Health and Rehabilitation Center  
 County: Orange District: 7B  
 Date Filed: 4/19/2010 LOI #: N1004003  
 Facility/Project: Cornerstone Hospice and Palliative Care, Inc.  
 Applicant: Cornerstone Hospice and Palliative Care, Inc.  
 Project Description: Establish an inpatient hospice facility of up to six beds  
 County: Orange District: 7 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004004  
 Facility/Project: The Nemours Foundation  
 Applicant: The Nemours Foundation  
 Project Description: Establish a pediatric cardiac catheterization program

County: Orange District: 7 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004005  
 Facility/Project: The Nemours Foundation  
 Applicant: The Nemours Foundation  
 Project Description: Establish a pediatric open heart surgery program

County: Lee District: 8C  
 Date Filed: 4/19/2010 LOI #: N1004006  
 Facility/Project: Compassionate Care Hospice of Florida, Inc.  
 Applicant: Compassionate Care Hospice of Florida, Inc.  
 Project Description: Establish a hospice program

County: Broward District: 10  
 Date Filed: 4/19/2010 LOI #: N1004007  
 Facility/Project: Compassionate Care Hospice of Florida, Inc.  
 Applicant: Compassionate Care Hospice of Florida, Inc.  
 Project Description: Establish a hospice program

County: Broward District: 10  
 Date Filed: 4/19/2010 LOI #: N1004008  
 Facility/Project: Douglas Gardens of Broward, Inc.  
 Applicant: Douglas Gardens of Broward, Inc.  
 Project Description: Establish a hospice program

County: Broward District: 10  
 Date Filed: 4/19/2010 LOI #: N1004009  
 Facility/Project: Hospice of Palm Beach County, Inc.  
 Applicant: Hospice of Palm Beach County, Inc.  
 Project Description: Establish a hospice program

County: Broward District: 10  
 Date Filed: 4/19/2010 LOI #: N1004010  
 Facility/Project: Odyssey Health Care of Central Florida  
 Applicant: Odyssey Health Care of Collier County, Inc.  
 Project Description: Establish a hospice program

County: Broward District: 10 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004011  
 Facility/Project: Broward General Medical Center  
 Applicant: North Broward Hospital District  
 Project Description: Establish an adult liver transplantation program

County: Miami-Dade District: 11 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004012  
 Facility/Project: University of Miami Hospital  
 Applicant: University of Miami  
 Project Description: Establish an adult liver transplantation program

County: Miami-Dade District: 11 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004013  
 Facility/Project: University of Miami Hospital  
 Applicant: University of Miami

Project Description: Establish an adult heart transplantation program

County: Miami-Dade District: 11 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004014  
 Facility/Project: University of Miami Hospital  
 Applicant: University of Miami

Project Description: Establish an adult intestines transplantation program

County: Miami-Dade District: 11 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004015  
 Facility/Project: University of Miami Hospital  
 Applicant: University of Miami

Project Description: Establish an adult lung transplantation program

County: Miami-Dade District: 11 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004016  
 Facility/Project: University of Miami Hospital  
 Applicant: University of Miami

Project Description: Establish an adult kidney transplantation program

County: Miami-Dade District: 11 – SA 4  
 Date Filed: 4/19/2010 LOI #: N1004017  
 Facility/Project: University of Miami Hospital  
 Applicant: University of Miami

Project Description: Establish an adult pancreas and islet cell transplantation program

County: Miami-Dade District: 11  
 Date Filed: 4/19/2010 LOI #: N1004018  
 Facility/Project: Compassionate Care Hospice of Florida, Inc.  
 Applicant: Compassionate Care Hospice of Florida, Inc.

Project Description: Establish a hospice program

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after June 23, 2010, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on June 4, 2010.

**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 OF AVAILABILITY  
 NORTH MIAMI BEACH, FLORIDA**

The Department of Environmental Protection has determined that North Miami Beach's proposed wastewater management facilities will not have a significant adverse impact on the environment. The total construction cost is estimated at

\$3,425,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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**NOTICE OF AVAILABILITY  
NORTH MIAMI BEACH, FLORIDA**

The Department of Environmental Protection has determined that North Miami Beach's proposed wastewater management facilities will not have a significant adverse impact on the environment. The total construction cost is estimated at \$5,100,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

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**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://www.dep.state.fl.us/secretary/oip/state\\_clearinghouse/](http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/). For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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**DEPARTMENT OF JUVENILE JUSTICE**

The Florida Department of Juvenile Justice has posted a revised policy and revised chapters to a manual for review and comment.

The revised policy (Information Resource Security Standards and Guidelines FDJJ – 1205.30), is posted at [http://www.djj.state.fl.us/policies\\_procedures/policyreview.html](http://www.djj.state.fl.us/policies_procedures/policyreview.html). This revised policy and associated handbook addresses information resource security issues within the Department of Juvenile Justice (DJJ) and its impact on the Department's day to day operations.

Revised chapters to the Health Services Manual are posted at <http://www.djj.state.fl.us/manuals/manualreview.html>.

The Health Services Manual is a document that addresses the comprehensive physical health care of youth who are in the custody of the Department of Juvenile Justice. The manual addresses the continuum of medical services for our youth,

inclusive of the CINS/FINS shelters, facility based community corrections programs, secure detention centers and residential commitment programs. Proposed revisions to the manual was a joint effort by the Office of Health Services and providers.

The revised policy and chapters to the manual are being posted for a single 20 working day review and comment period. The closure date for submission of comments on the manual is May 27, 2010. Comments should be sent to the person identified on the above Websites utilizing the Matrix of Comments. 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.

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**DEPARTMENT OF HEALTH**

On April 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Bruce W. Chace, C.N.A., License #CNA 82334. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Sara Jean D. Fury, C.N.A. License #CNA 178751. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Grace Elizabeth Hanlon, L.P.N., License #PN 5165555. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Christie Marie Hoelter, R.N. License #RN 9220117. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Desiree L. Leclair, C.N.A. License #CNA 139989. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Kellie A. Marino, C.N.A. License #CNA 59602. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On April 20, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Justine Renee Rindosh, R.N. License #RN 9225488. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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## **FINANCIAL SERVICES COMMISSION**

### **NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

#### **APPLICATION WITHDRAWN**

Financial Institution to be Acquired: Bonifay Holding Company, Inc. (The Bank of Bonifay) Bonifay, Florida  
Proposed Purchasers: Kirk Mathew Dorskocil

Received: March 5, 2010

Withdrawn: April 14, 2010

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**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN April 12, 2010  
 and April 16, 2010

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

**DEPARTMENT OF EDUCATION**  
**State Board of Education**

|             |         |        |       |       |
|-------------|---------|--------|-------|-------|
| 6A-1.0081   | 4/13/10 | 5/3/10 | 35/50 | 36/2  |
| 6A-1.0391   | 4/13/10 | 5/3/10 | 36/6  |       |
| 6A-1.0421   | 4/13/10 | 5/3/10 | 35/50 |       |
| 6A-1.0451   | 4/13/10 | 5/3/10 | 36/6  |       |
| 6A-1.045111 | 4/13/10 | 5/3/10 | 36/6  |       |
| 6A-1.0691   | 4/13/10 | 5/3/10 | 35/50 |       |
| 6A-1.09412  | 4/13/10 | 5/3/10 | 36/7  |       |
| 6A-1.0943   | 4/13/10 | 7/1/10 | 36/6  |       |
| 6A-1.09430  | 4/13/10 | 5/3/10 | 36/6  | 36/10 |
| 6A-1.09441  | 4/13/10 | 5/3/10 | 36/6  |       |
| 6A-1.09514  | 4/13/10 | 5/3/10 | 35/51 |       |
| 6A-1.0956   | 4/13/10 | 5/3/10 | 35/51 |       |
| 6A-5.071    | 4/12/10 | 5/2/10 | 36/6  |       |
| 6A-6.03012  | 4/12/10 | 7/1/10 | 36/6  |       |
| 6A-6.030121 | 4/12/10 | 7/1/10 | 36/6  | 36/8  |
| 6A-6.0571   | 4/13/10 | 5/3/10 | 36/6  |       |
| 6A-6.0785   | 4/13/10 | 5/3/10 | 36/6  |       |
| 6A-10.0312  | 4/12/10 | 5/2/10 | 35/50 |       |
| 6A-10.0314  | 4/12/10 | 5/2/10 | 35/50 |       |
| 6A-10.0317  | 4/12/10 | 5/2/10 | 35/50 |       |

**University of Central Florida**

|           |         |        |           |  |
|-----------|---------|--------|-----------|--|
| 6C7-8.006 | 4/15/10 | 5/5/10 | Newspaper |  |
| 6C7-8.007 | 4/15/10 | 5/5/10 | Newspaper |  |
| 6C7-8.008 | 4/15/10 | 5/5/10 | Newspaper |  |
| 6C7-8.010 | 4/15/10 | 5/5/10 | Newspaper |  |

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Certificate of Need**

|            |         |        |      |  |
|------------|---------|--------|------|--|
| 59C-1.0355 | 4/13/10 | 5/3/10 | 36/8 |  |
|------------|---------|--------|------|--|

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

|            |         |        |       |  |
|------------|---------|--------|-------|--|
| 61G6-5.009 | 4/15/10 | 5/5/10 | 36/10 |  |
|------------|---------|--------|-------|--|

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

**Board of Professional Engineers**

|               |         |        |      |  |
|---------------|---------|--------|------|--|
| 61G15-19.0051 | 4/15/10 | 5/5/10 | 36/5 |  |
|---------------|---------|--------|------|--|

**Board of Accountancy**

|              |         |        |       |       |
|--------------|---------|--------|-------|-------|
| 61H1-27.0041 | 4/13/10 | 5/3/10 | 35/30 | 35/40 |
|--------------|---------|--------|-------|-------|

**Florida Real Estate Appraisal Board**

|            |         |        |       |       |
|------------|---------|--------|-------|-------|
| 61J1-4.010 | 4/13/10 | 5/3/10 | 35/17 | 35/41 |
|------------|---------|--------|-------|-------|

**DEPARTMENT OF JUVENILE JUSTICE**

**Division of Commitment**

|           |         |        |      |       |
|-----------|---------|--------|------|-------|
| 63E-7.002 | 4/14/10 | 5/4/10 | 36/4 | 36/10 |
| 63E-7.009 | 4/14/10 | 5/4/10 | 36/4 |       |
| 63E-7.010 | 4/14/10 | 5/4/10 | 36/4 |       |
| 63E-7.011 | 4/14/10 | 5/4/10 | 36/4 | 36/10 |
| 63E-7.016 | 4/14/10 | 5/4/10 | 36/4 | 36/10 |

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

|            |         |        |       |       |
|------------|---------|--------|-------|-------|
| 64B1-6.005 | 4/12/10 | 5/2/10 | 35/21 | 35/51 |
|------------|---------|--------|-------|-------|

**Board of Clinical Laboratory Personnel**

|            |         |        |      |  |
|------------|---------|--------|------|--|
| 64B3-5.008 | 4/16/10 | 5/6/10 | 36/7 |  |
|------------|---------|--------|------|--|

**Board of Osteopathic Medicine**

|              |         |        |      |  |
|--------------|---------|--------|------|--|
| 64B15-12.003 | 4/14/10 | 5/4/10 | 36/5 |  |
|--------------|---------|--------|------|--|

**Board of Psychology**

|              |         |        |       |       |
|--------------|---------|--------|-------|-------|
| 64B19-11.010 | 4/12/10 | 5/2/10 | 35/50 | 36/11 |
|--------------|---------|--------|-------|-------|

**Council of Licensed Midwifery**

|             |         |        |      |  |
|-------------|---------|--------|------|--|
| 64B24-3.004 | 4/12/10 | 5/2/10 | 36/5 |  |
|-------------|---------|--------|------|--|

**Board of Respiratory Care**

|             |         |        |      |  |
|-------------|---------|--------|------|--|
| 64B32-5.001 | 4/14/10 | 5/4/10 | 36/7 |  |
|-------------|---------|--------|------|--|

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

|            |         |        |       |       |
|------------|---------|--------|-------|-------|
| 69I-3.001  | 4/14/10 | 5/4/10 | 35/51 | 36/10 |
| 69I-3.003  | 4/14/10 | 5/4/10 | 35/51 | 36/10 |
| 69I-3.004  | 4/14/10 | 5/4/10 | 35/51 | 36/10 |
| 69I-20.041 | 4/13/10 | 5/3/10 | 36/3  | 36/11 |