

Tallahassee, Florida 32399-3252. Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on August 23, 2010, the Board of Pharmacy has received the petition for declaratory statement from Kirk Peterson, RPh., on behalf of Wellfount Corporation. The petition seeks the agency’s opinion as to the applicability of Rule 64B16-28.606, F.A.C., as it applies to the petitioner.

The petition requests the Board to issue a declaratory statement regarding the applicability of Rule 64B16-28.606, F.A.C., and whether Wellfount Corporation can use a remote medication system in the nursing home setting and whether that system needs to be operated by a pharmacist licensed in Florida.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Kelli Ferrell, RPh., Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

NOTICE IS HEREBY GIVEN THAT on November 8, 2010, the Board of Pharmacy has issued an order disposing of the petition for declaratory statement filed by Michael J. Simpko, Esquire, on behalf of Walgreen Company on September 14, 2010. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement published on September 24, 2010, in Vol. 36, No. 38, of the Florida Administrative Weekly. Petitioner sought the Board’s interpretation of Section 499.003(54)(a)4., (d), F.S., entitled, “Definition of Terms Used in this Part,” and whether certain practices would fall under the definition of “wholesale distribution” found in Section 499.003(54), F.S. The Board of Pharmacy considered the Petition at its meeting held on October 13, 2010, in Tallahassee, Florida. The Board’s Order found that the Board does not have jurisdiction to determine whether certain acts would constitute the wholesale distribution of drugs. This determination must be made by the Department of Health. The Board found that the Petition should be denied for failing to state sufficient facts for the Board to issue a declaratory statement.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Kelli Ferrell, R.Ph., Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

**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

Statement of Qualifications – Apalachicola Shellfish Center
As an Architectural Engineer, you are invited to submit an SOQ to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF AQUACULTURE, hereinafter referred to as the Department.