

Cf. See Rules 69I-40.003 and 69I-42.005 for forms referenced herein which have been previously adopted by the Department; see Chapter 69I-40, F.A.C., for object code identification rules.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jennifer Pelham, Financial Administrator, Bureau of Financial Reporting, Division of Accounting & Auditing, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 7, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 8, 2012

Section III Notices of Changes, Corrections and Withdrawals

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

RULE NO.: RULE TITLE:
29F-21.001 Strategic Regional Policy Plan

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly has been withdrawn.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:
40C-1.1101 Amendments to and Releases of
 Conservation Easements.

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. 38, No. 26, June 29, 2012 issue of the Florida Administrative Weekly.

Reason for change: The purpose of the change is to clarify the scope of the new category of release or amendment requests (under new paragraph (1)(g)) that could not otherwise be released or amended by the District under the existing categories.

40C-1.1101 Amendments to and Releases of Conservation Easements.

(1) This section establishes the terms and conditions under which the District shall agree to amend or release all or part of a conservation easement conveyed to it, pursuant to Section 704.06, F.S., solely for mitigation or in compliance with other regulatory requirements of the District or another governmental entity. It does not apply to conservation

easements that were acquired by the District partly through purchase and partly through a regulatory program. The District’s decision to release or amend a conservation easement is a proprietary decision and does not result in any waiver of regulatory requirements. Property owners shall be responsible for obtaining all necessary permits for their construction activities, including any dredging or filling of wetlands. A request for the release or amendment of a conservation easement shall include a copy of the recorded conservation easement; a copy of any conservation easement over other property offered in exchange for the requested release or amendment; and a map showing the location of the recorded conservation easement and any conservation easement offered in exchange. For the District to agree to release or amend a conservation easement, the request for release or amendment shall satisfy the conditions of any one of the following seven categories and the general condition in paragraph 40C-1.1101(1)(h), F.A.C.:

(a) through (f) No change.

(g) Other Requests. For the purpose of this paragraph, “other requests” are all other requests for release or amendment of conservation easements that do not involve public projects as defined in paragraph 40C-1.1101(1)(c), F.A.C., or requests for release or amendment where the conservation easement that is the subject of the request is located on a single-family lot or within a permitted residential development. The District shall release or amend a conservation easement under this “other requests” category, under the following terms and conditions:

1. through 4. No change.

(h) No change.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.088 FS. Law Implemented 373.096, 373.089, 373.139(2), 373.088 FS. History—New 1-12-10, Amended_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-1.020 Definition of County of Residence

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. 38, No. 26, June 29, 2012 issue of the Florida Administrative Weekly.

The following changes have been made to the proposed rule.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-1.020 Definition of County of Residence.

For the purpose of county financial participation in the Medicaid Program, the county of residence for inpatient hospital care and nursing home care is determined by the recipient's address information contained in the federally approved Medicaid eligibility system.

(1) For hospital claims, whether through fee-for-service or managed care, the address is based on the current living or residential address, with the exception of when the resident lives in a nursing home. When an ~~recipient individual~~ lives in a nursing home, the address is based on the prior address.

(2) For nursing home claims, whether through fee-for-service or managed care, the address is based on the prior address, except when an ~~recipient individual~~ is admitted to a nursing home directly from a place of residence outside of the State of Florida. If the ~~recipient individual~~ is admitted to a nursing home from another state, the nursing home address will be used for county billing purposes.

(3) Since address information for children in custody of the Department of Children and Families is unavailable, counties are not responsible for these payments.

~~(1) A person is considered to be residing in a county when they establish or maintain a physical living arrangement, outside of a medical facility, which they or someone responsible for them, consider to be home. A visit to another county does not make a person a resident of that county, nor does a planned temporary living arrangement prior to admission in a medical facility. Except in unusual situations related to an extended visit, it makes no difference how long a person has been physically located in the county if they maintain a primary residence in another county, and intend to return to that county. In all instances the person's intent to reside in a county is the determining factor, regardless of the length of time involved.~~

~~(2) When an applicant has been admitted to a nursing home directly from a place of residence outside of the State of Florida, so that no Florida residency has been established, the certified county of residency will be considered as that county in which the nursing home is located.~~

~~(3) In situations that are not clear cut, or otherwise unusually complicated, the determination of residency should be made on the basis of the preponderance of evidence. If a decision is not possible on this basis, the case should be referred to the Office of Social and Economic Services for determination.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.915 FS. History—New 1-1-77, Formerly 10C-7.31, 10C-7.031, Amended_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:

59G-1.025

RULE TITLE:

Medicaid County Billing

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. 38, No. 26, June 29, 2012 issue of the Florida Administrative Weekly.

The following changes have been made to the proposed rule.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-1.025 Medicaid County Billing.

(1) Retrospective Bills. This paragraph applies to the certification of county billings from November 1, 2001, through April 30, 2012, that remain unpaid, as provided in Section 409.915(7), F.S.

(a) By August 1, 2012, the Agency will certify to each county the amount that is unpaid for retrospective bills.

(b) By September 1, 2012, a county may contest the amount certified by filing a petition under the applicable provisions of Chapter 120, F.S. This procedure is the exclusive method to challenge the amount certified.

(c) September 13, 2012, 5:00 p.m. Eastern ~~Standard~~ Time, each county may make total or partial payment in the form of a check or wire transfer to the Agency of the amount certified by the Agency pursuant to paragraph (1)(a).

(d) By September 15, 2012, the Agency will certify to the Department of Revenue:

1. 100 percent of the amount provided in subsection (1)(a) minus amounts credited to the counties and/or amounts paid and received by the Agency pursuant to paragraph (1)(c) for each county that challenges the certified amount by filing a petition pursuant to paragraph (1)(b) by September 1, 2012.

2. 85 percent of the amount provided in paragraph (1)(a) minus amounts credited to the counties and/or paid and received by the Agency pursuant to paragraph (1)(c) for each county that does not challenge the certified amount by filing a petition pursuant to paragraph (1)(b) by September 1, 2012.

(2) Prospective Bills. This paragraph applies to the monthly amount of each county's contribution to Medicaid as required in Section 409.915, F.S. The monthly bills will be rendered to the counties no later than the second business day of the month.

(a) Certification.

1. For all certifications prior to June 1, 2013, the Agency will certify to the Department of Revenue by the 7th day of each month the amount of the monthly bill rendered one month prior less any amounts as provided in paragraphs (2)(b) and (2)(c).

2. For the June, 2013 certification, the Agency will certify to the Department of Revenue the amount of the monthly bills rendered in May, 2013 and June, 2013 less any amounts credited to a county pursuant to paragraph (2)(b).

3. Beginning July 1, 2013, the Agency will certify to the Department of Revenue by the 7th day of each month the amount of the monthly bill rendered that month less any amounts as provided in paragraph (2)(b).

4. If the 7th day of the month falls on a weekend or holiday, certification will be completed on the first business day following the 7th day of the month.

5. If the Department of Revenue determines there are insufficient funds to pay a county's monthly certified amount, the Department will notify the Agency of the amount still owed, and the Agency will send an invoice to the affected county within two months of receiving the Department's notice. The county shall pay the invoice within 60 days of receipt. The balance on any invoice that remains unpaid after 60 days will be re-certified to the Department of Revenue in subsequent months until paid in full.

(b) Payments.

Each county may choose to submit payment in the form of a check or wire transfer to the Agency. Such payment must be received by 5:00 p.m. Eastern Standard Time two business days prior to the date of certification.

(c) Refund Requests.

1. Advanced Refund Request.

a. No later than the last business day of each billing month, each county may request an advanced refund request through the county billing portal for those claims on the same monthly billing that the county disputes. If the request is less than or equal to the amount of the county's highest monthly dispute rate reasonable, the Agency will stay certification of the amount requested in the for the advanced refund request.

b. Refund requests resulting in certification amounts stayed will be researched within 60 days by the Agency.

I. Denied refund requests will be certified to the county on a subsequent bill no later than 45 days from the completion of Agency research.

II. Bills for which a refund request is granted on the basis that the bill should have been submitted to a different county will be transferred and certified to the appropriate county on a subsequent bill no later than 45 days from the completion of Agency research.

c. A county does not waive any right to subparagraph (c)2., Back End Refund Request, by making an advanced refund request.

d. Except for sub-subparagraph 1.b., subparagraph 1. ~~s~~shall expire on April 30, 2013.

2. Back End Refund Request.

a. Each county may request a back end refund request no later than 60 days from the date of certification of the monthly bill for which the back end refund request is being requested the last business day of the month following the bill issuance, each county may request a back end refund request.

b. Back end refund requests must be in writing and must include the reason and documentation for the request, ~~and be received by the agency by the last business day of the month in which that bill was certified.~~

c. Within ~~90~~ 60 days ~~of receipt~~ of the certification request, the Agency will notify the county whether the request is granted, either in part or in whole. If any portion of the request is denied, the agency will provide information as to the reasons for the denial. If any portion of the refund request is granted, the refund will be in the form of a credit notification to the Department of Revenue, or a credit applied to a subsequent bill, within 60 days of the Agency's decision. Approved refunds that should have been billed to a different county, will be transferred to the appropriate county on a subsequent bill, within 60 days of the Agency's decision.

(d) Receipts.

1. The Agency will provide each county a monthly receipt of amounts billed, amounts paid and amounts certified to the Department of Revenue.

2. The Agency will provide each county a monthly receipt of action taken on Advance Refund Requests.

Actions taken include:

a. ARR Denied – Advance Refund Request Denied and the claim will appear on a subsequent bill with a status of ARR Denied;

b. ARR Transferred Out – Advance Refund Request Transferred Out and the claim will be transferred to a different county than the county requesting Advanced Refund;

~~e. Adjusted and closed.~~

~~3. The Agency will provide each county a written receipt approving or denying each Back End Refund Request.~~

~~a. Approved Back End Refund Requests will be credited to a future bill.~~

~~b. Denied Back End Refund Request will state the reason for denial.~~

Rulemaking Authority 409.919 FS. Law Implemented 409.915 FS. History--New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

<p>RULE NOS.:</p> <p>61-11.008</p> <p>61-11.015</p>	<p>RULE TITLES:</p> <p>Licensure Examination Format and Procedures for Candidates with Disabilities (ADA)</p> <p>Definition of a National Examination</p>
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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. 38, No. 22, June 1, 2012 issue of the Florida Administrative Weekly.

61-11.008 Licensure Examination Format and Procedures for Candidates with Disabilities (ADA).

(1) The Department of Business and Professional Regulation will provide reasonable and appropriate accommodations to candidates with physical, mental, or specific learning disabilities to the extent permitted by cost, administration restraints, security considerations, and availability of resources. Accommodations made will vary depending upon the nature and the severity of the impairment. Each case will be dealt with on an individual basis within the limits prescribed herein. In the instances of nNational examinations, guidance will be sought from the nNational provider. Reference information and guidelines regarding the process for documenting disabilities are contained in Form DBPR 2002-064B, ~~the document~~ titled “ADA Application State of Florida Instruction Booklet Request for Examination Accommodations for Examinees with Disabilities,” effective June 2012, adopted and incorporated herein, ~~made available by the Bureau of Education and Testing~~, which may be obtained by writing the Department of Business and Professional Regulation, Bureau of Education and Testing, Attention: Special Testing Coordinator, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0791 or at <https://flrules.org/Gateway/reference.asp?No=Ref-01542>.

(2) A candidate requesting special accommodation must file Form DBPR 2002-064, titled “Application for Candidate’s Requesting Special Testing Accomodations, effective June 2012” ~~the ADA application~~, adopted and incorporated herein by reference, which can be obtained by writing Department of Business and Professional Regulation, Bureau of Education and Testing, Attention: Special Testing Coordinator, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0791 or at <http://flrules.org/Gateway/reference.asp?No=Ref-01541>, in addition to his or her completed application for licensure examination by the final application deadline of the assigned examination. The candidate must provide the following documentation of his or her disability completed by an appropriate professional

- (a) The diagnosis and length of time with the condition;
- (b) The name and the results of the test(s) used for diagnosis; and
- (c) Recommended accommodations and testing environment.

(3) through (6) No change.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(1) FS. History–New 9-25-80, Formerly 21-11.08, Amended 6-22-88, Formerly 21-11.008, Amended 2-25-01,_____.

61-11.015 Definition of a National Examination.

(1) through (2) No change.

(3) Organizations that wish to provide an examination to be adopted and used by the Department shall complete Form DBPR-BET 001, titled “Examination Evaluation Questionnaire, Part A,” effective February 2012, adopted and incorporated herein, and Form DBPR-BET 002, titled “Examination Evaluation Questionnaire, Part B,” effective February 2012, adopted and incorporated herein. ~~Parts A and B of the Examination Evaluation Questionnaire are adopted and incorporated herein by reference. These~~ This questionnaires can be obtained by writing to the Department of Business and Professional Regulation, Bureau of Education and Testing, Attention: Examination Development Supervisor, Northwood Centre, # 1940 North Monroe Street, Tallahassee, Florida 32399-0791. Form DBPR-BET 001 can also be obtained at <https://flrules.org/Gateway/reference.asp?No=Ref-01543> and Form DBPR-BET 002 can also be obtained at <https://flrules.org/Gateway/reference.asp?No=Ref-01544>.

Rulemaking Authority 455.203(5), 455.217(1)(d) FS. Law Implemented 455.217(1)(d) FS. History–New 6-14-89, Formerly 21-11.015, Amended 2-25-01,_____.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-137.001	Annual and Quarterly Reporting Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 29, July 20, 2012 issue of the Florida Administrative Weekly.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW states September 2, 2012 and it should be corrected to read September 2, 2011.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69O-137.001	Annual and Quarterly Reporting Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 29, July 20, 2012 issue of the Florida Administrative Weekly.

PURPOSE AND EFFECT currently reads: This rule is being amended to adopt the current NAIC Annual Statement Instructions and also adopts the 2011 NAIC accounting practices and procedures manual.

The PURPOSE AND EFFECT should be changed to read: This rule is being amended to adopt the current NAIC Annual and Quarterly Statement Instructions. The rule is also being amended to adopt the 2011 NAIC accounting practices and procedures manual.

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

RULE NO.: 69U-105.206
 RULE TITLE: Regulatory Standards for Evaluating Applications

NOTICE OF PUBLIC HEARING

The Financial Services Commission, Office of Financial Regulation announces a change of hearing regarding the above rule, as noticed in Vol. 38, No. 27, July 6, 2012 Florida Administrative Weekly.

DATE AND TIME: September 18, 2012, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to this rule, published on July 6, 2012, Vol. 38, No. 27, Florida Administrative Weekly. The previously noticed final public hearing for August 21, 2012 was cancelled. A copy of the agenda may be obtained by contacting: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html> or OFR website at: http://www.flofr.com/Cabinet/Public_Notices.aspx.

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: John Kim, Office of Financial Regulation, (850)410-9781, john.kim@flofr.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).

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

RULE NOS.: 69U-110.005
 RULE TITLES: Application and Filing Fee
 69U-110.031 Powers

NOTICE OF PUBLIC HEARING

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FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

RULE NOS.: 69U-120.004
 RULE TITLES: Loans Secured by Secondary Liens on Real Estate
 69U-120.009 Securities Purchasable by Banks; Investment Characteristics

NOTICE OF PUBLIC HEARING

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FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

RULE NOS.: RULE TITLES:
 69U-140.008 Permissible Activities for an Agency
 69U-140.015 Capital Equivalency or Asset
 Maintenance

NOTICE OF PUBLIC HEARING

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FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: RULE TITLE:
 69V-160.025 Property Insurance on Loans

NOTICE OF PUBLIC HEARING

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FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: RULE TITLE:
 69V-560.802 Minimum Disclosure

NOTICE OF PUBLIC HEARING

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FINANCIAL SERVICES COMMISSION

Securities

RULE NOS.: RULE TITLES:
 69W-500.004 Computation of Number of
 Purchasers for Purposes of Section
 517.061(11), F.S.

69W-500.007 General Solicitation or General Advertising in Connection with an Offering Exempted Under Section 517.061(11), F.S.

69W-500.013 Exemption/Mobile Home Parks/Limited Purpose Stock Offering

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FINANCIAL SERVICES COMMISSION

Securities

RULE NOS.:	RULE TITLES:
69W-600.001	Application for Registration as a Dealer, Issuer/Dealer, or Investment Adviser
69W-600.004	Registration of Issuer/Dealers, Principals and Branch Offices
69W-600.008	Termination of Registration as Dealer, Investment Adviser, Branch Office, Principal or Agent

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FINANCIAL SERVICES COMMISSION

Securities

RULE NOS.:	RULE TITLES:
69W-700.019	Submission of Sales Reports

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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: John Kim, Office of Financial Regulation, (850)410-9781, john.kim@flofr.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).

FINANCIAL SERVICES COMMISSION

Securities

RULE NO.: 69W-800.001
 RULE TITLE: Filing – Notification Registration Including Shelf Filings

NOTICE OF PUBLIC HEARING

The Financial Services Commission, Office of Financial Regulation announces a change of hearing regarding the above rule, as noticed in Vol. 38, No. 27, July 6, 2012 Florida Administrative Weekly.

DATE AND TIME: September 18, 2012, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is the Final Public Hearing on the adoption of proposed amendments to this rule, published on July 6, 2012, Vol. 38, No. 27, Florida Administrative Weekly. The previously noticed final public hearing for August 21, 2012 was cancelled. A copy of the agenda may be obtained by contacting: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html> or OFR website at: http://www.flofr.com/Cabinet/Public_Notices.aspx

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**Section IV
 Emergency Rules**

NONE

**Section V
 Petitions and Dispositions Regarding Rule
 Variance or Waiver**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that on August 3, 2012, the Division of Emergency Management, Bureau of Preparedness, Technological Hazards Section, received a petition for University Hospital & Medical Center. Petitioner seeks a waiver of the requirements of Sections 252.85(4), (5), Florida Statutes, adopted by Rules 9G-14.004 and 9G-14.005, Florida Administrative Code, that requires payment of late fees and

penalties which pose a significant economic/financial hardship. Petitioner has satisfied the reporting requirements. Any interested person may file comments within 15 days of the publication of this notice with: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on August 9, 2012, the Criminal Justice Standards and Training Commission has issued an order.

On July 26, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., by the Florida Department of Corrections on behalf of three officers. Paragraph 11B-27.00213(4)(b), F.A.C., requires officers on a Temporary Employment Authorization to have a four year break in service if they separate from employment while in good standing. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 38, No. 32, on August 10, 2012.

On August 9, 2012, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, FL, the Commission found that the Petitioner’s situation is unique. The Petitioner demonstrated that the strict application of the Commission’s rules in this case would violate the principles of fairness. The Petitioner’s TEA officers had, in fact, complied with all aspects of paragraph 11B-27.00213(4)(b), F.A.C. and Section 943.131(1), F.S. The TEA officers were involuntarily separated from employment with the Petitioner while in good standing because of the Petitioner’s budgetary issues. The Commission found that the purposes of the underlying statute, Section 943.131(1), F.S., to ensure that TEA officers do not voluntarily separate from TEA employment while in good standing merely to pursue a more attractive TEA elsewhere, will be met by granting this waiver request. The Commission granted the Petitioner’s waiver permanently for the June 3, 2011, separation. The TEA officers may obtain another TEA without waiting four years from June 3, 2011, if they comply with all other requirements for becoming TEA trainees. A similar petition for waiver of paragraph 11B-27.00213(4)(b), F.A.C., was granted by the Commission for 190 DoC TEA trainees in June of 2011. The three trainees who are the subject of this petition were inadvertently omitted from the list of TEA trainees submitted by DoC for the 2011 waiver request.