

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-304.800 Caloosahatchee River Basin TMDLs

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for certain surface waters within the Caloosahatchee River Basin where those waters previously have been identified as impaired for specific pollutants and included on the Department's verified list of impaired waters. Pursuant to Section 403.067(6), F.S., TMDLs must be adopted in rule by the Secretary of the Department. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside. Furthermore, upon paragraph 62-302.531(2)(a), F.A.C., becoming effective, these nutrient TMDLs, if adopted, are intended to constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C.

SUBJECT AREA TO BE ADDRESSED: TMDLs and their allocations will be established for the pollutants identified in the Department's verified list of impaired waters as causing the impairment for certain impaired waters in the above listed basin.

At this time, the Department is concurrently noticing a workshop where progress on the Caloosahatchee tributaries nutrient TMDL (model simulation and calibration efforts) will be presented and discussion on the Caloosahatchee TMDL rulemaking will occur.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: June 5, 2013, 1:30 p.m.

PLACE: Southwest Florida Regional Planning Council, First Floor Conference Room, 1926 Victoria Avenue, Ft. Myers, 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. Pat Waters, Watershed Evaluation and TMDL Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling (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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or via email at: jan.mandrup-poulsen@dep.state.fl.us

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: RULE TITLE:
69L-7.602 Florida Workers' Compensation Medical Services Billing, Filing and Reporting Rule

PURPOSE AND EFFECT: The proposed rule reduces regulatory burdens placed on insurers under existing provisions of the rule. In the case of medical bills for pharmaceuticals or pharmaceutical services provided by a pharmacist licensed under Chapter 465, F.S., insurers would be relieved of the obligation of issuing an Explanation of Bill Review to that pharmacy or pharmacist if there is a contract between the two that governs and specifies the amount of reimbursement due on the medical bill.

SUBJECT AREA TO BE ADDRESSED: The proposed rule relieves insurers of the obligation of issuing an Explanation of Bill Review when providing reimbursement of medical bills for contractual pharmaceutical services.

RULEMAKING AUTHORITY: 440.13(4), 440.15(3)(b), (d), (f), 440.185(5), 440.20(6)(b), 440.525(2), 440.591, 440.593(5) FS.

LAW IMPLEMENTED: 440.09, 440.13(2)(a), (3), (4), (6), (11), (12), (14), (16), 440.15(3)(b), (d), (f), 440.185(5), (9), 440.20(6), 440.525(2), 440.593 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: Thursday, June 6, 2013, 10:00 a.m.

PLACE: 104J, Hartman Building, 2012 Capital Circle Southeast, 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: Eric Lloyd @ (850)413-4889 or Eric.Lloyd@MyFloridaCFO.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Lloyd, Program Administrator, Medical Services Unit, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-4889 or Eric.Lloyd@MyFloridaCFO.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

NONE

**Section III
 Notice of Changes, Corrections and
 Withdrawals**

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-4.091	Publications, Forms and 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. 39, No. 61, March 28, 2013 issue of the Florida Administrative Register.

The hyperlink to the District's website in subsection (7) of 40D-4.091, F.A.C., has been removed. It will be replaced with a hyperlink to the ERP Applicant's Handbook Volume II that will be filed with the Department of State when the hyperlink is available.

Changes are made to certain sections of the proposed ERP Applicant's Handbook Volume II, as follows:

1.5 Simultaneous Reviews.

Applicants seeking an Environmental Resource Permit typically will also need to obtain additional permits or approvals from other agencies and may have to comply with other legal or regulatory constraints. Because of the time requirements ~~Aside from purely technical aspects, legal and institutional factors also must be considered. Because of legal time constraints~~ for processing permits, it is advisable for the

applicant to contact other interested agencies, organizations, and affected citizens prior to submitting a formal application to the District. Summaries of meetings and copies of responses from appropriate parties should be included in the application.
 [No further changes]

~~2.2 Criteria for Evaluation Reasonable Assurance.~~
 [subsection 2.2 is deleted in its entirety]
 Subsections 2.3 through 2.7 are renumbered as 2.2 through 2.6.

3.1 Discharges.

Off-site discharge is limited to amounts which will not cause adverse off-site impacts.

a. For a project or portion of a project located within an open drainage basin, the allowable discharge is:

1. historic discharge, which is the peak rate at which runoff leaves a parcel of land by gravity under existing site conditions, or the legally allowable discharge at the time of permit application; or
2. amounts determined in previous District permit actions relevant to the project.

3.4 100-Year Flood Level Determinations.

a. Flood elevations shall be determined using the most accurate information available, which can include:

1. Actual data, including water level, stream flow and rainfall records; ~~or~~
2. Hydrologic/hydraulic modeling; ~~or~~
3. Federal Flood Insurance Rate Maps and supporting flood study data; or
4. Floodplain analysis studies ~~approved by the District Governing Board.~~

b. ~~Flood elevations shall be evaluated for accuracy considering the extent to which flood elevations are validated by site specific~~ Site-specific data for observed and measured flood elevations shall be compared to modeled or existing study data to verify accuracy.

4.3 Sewage Treatment Percolation Ponds.

Above ground pond dikes shall not be located within 200 feet of water bodies or 100 feet of dry retention areas. The applicant may propose specific alternative measures that are equivalent to these criteria in their effectiveness to protect the water resources and adjacent property. The applicant shall provide the District with reasonable assurance of no adverse impact to the water resources or adjacent property, based on the plans, calculations and other information specific to the design proposed.

6.5 Ground Surface Infiltration.

Ground surface infiltration will be reviewed on the basis of commonly accepted procedures. Suggested commonly accepted procedures include: such as those of Soil Conservation Service (see the U.S. Department of Agriculture, Soil Conservation Service Technical Paper No. 149, "A Method for Estimating Volume and rate of Runoff in Small Watersheds" (1973); the and U.S. Department of Agriculture, Soil Conservation Service Technical Release No. 55, "Urban Hydrology for Small Watersheds" (1975); or the Rational Method as discussed in the (see State of Florida Department of Transportation, "Drainage Manual" (January 2013) (1987) or Hydrology Handbook (February 2012) or standard civil engineering textbooks), unless test data are submitted to justify. Site-specific test data should be submitted to support other methods of calculating ground surface infiltration. Additional, more current references and design aids are listed in Appendix D.

6.7 Runoff.

The usual methods of computation of runoff used by project designers and acceptable to the District are as follows:

- a. Rainfall minus losses and storage.
- b. Soil Conservation Service design methods (see for example U.S. Department of Agriculture, Soil Conservation Service, "National Engineering Handbook, Section 4, Hydrology." Additional, more current reference sources and design aids can be found in Appendix D.)
- c. Rational method, for systems serving projects of less than 10 acres total contributing area (~~see State of Florida Department of Transportation, "Drainage Manual" Volume 2A 1987; or standard civil engineering texts.~~ Suggested Additional, more current references and design aids are listed in Appendix D).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-7.669	Definitions
40E-7.670	Competitive Solicitation Preferences
40E-7.671	District Implementation
40E-7.672	Compliance
40E-7.674	Certification Review Procedures
40E-7.675	Recertification Review Procedures
40E-7.677	Reciprocity

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 23, February 4, 2013 issue of the Florida Administrative Register.

This correction notice is published to correct the error made to the original notice of correction published on April 2, 2013 Vol. 39/64 of the FAR.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NOS.:	RULE TITLES:
64B20-2.001	Licensure by Certification of Credentials
64B20-2.003	Provisional Licensure; Requirements

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. 39, No. 14, January 22, 2013 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). Changes are being made as follows:

1. In rule 64B20-2.001, changes are being made to the form to address multiple comments from JAPC, including correcting the website address; clarifying language regarding how to obtain other forms; modifying requirements regarding official transcripts; clarifying endorsement language; clarifying the requirements for the HIV/AIDS course; deleting language regarding restoration of civil rights; modifying applicant's health history information; among other items. In addition, the name of the form shall be corrected in the rule to reflect the actual name set forth on the form, and additional law implemented citations shall be included.

2. In Rule 64B20-2.003, changes are being made to form DH-SPA-2 to address multiple comments from JAPC, including correcting the website address; clarifying language regarding how to obtain other forms; modifying requirements regarding official transcripts; clarifying the requirements for the HIV/AIDS course; deleting language regarding restoration of civil rights; modifying applicant's health history information; among other items. In addition, the names of forms DH-SPA-2 and DH-SPA-2A shall be corrected in the rule to reflect the actual names set forth on the forms, and additional law implemented citations shall be included.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:
 64B20-4.001 Certification of Assistants
 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. 39, No. 14, January 22, 2013 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). Changes are being made to the form to address multiple comments from JAPC, including correcting the website address; clarifying the requirements for the HIV/AIDS course; deleting language regarding restoration of civil rights; modifying applicant's health history information; among other items. In addition, the name of the form shall be corrected in the rule to reflect the actual name set forth on the form, and additional law implemented citations shall be included.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: RULE TITLE:
 69K-1.008 Criteria for Review of Criminal Records
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 73, April 15, 2013 issue of the Florida Administrative Register.

The following is provided to correct the lack thereof on the notice of proposed rule published on April 1, 2013.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs, summarized as follows. The agency estimates that approximately 50 license applicants per year will have criminal records subject to the rule. The agency estimates that on average affected applicants will spend 2 hours collecting and preparing materials to submit to address factors specified in the rule. If the value of the time of these persons is estimated at \$20 per hour, times 2 hours per applicant = \$40 per applicant, times 50 applicants per year = \$2,000 per year.

**Section IV
 Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on May 17, 2013, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner's Name: Tampa Hillsborough Expressway Authority

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: lawn and Landscape Irrigation

The Petition has been assigned tracking No. 13-4162.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-8.007: Geographic Service Area

NOTICE IS HEREBY GIVEN that on May 17, 2013, the Agency for Health Care Administration received a petition for emergency variance pursuant to section 120.542, Florida Statutes, from the petitioner, Pediatric Services of America, Inc. dba PSA Healthcare. The petitioner seeks an emergency variance from Rule 59A-8.007, Florida Administrative Code, to allow its home health agency in Hillsborough County (area 6) to serve Medicaid pediatric patients in Pinellas and Pasco Counties (area 5).

Any interested person may file comments within 5 days of the publication of this notice with Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, Agency for Health Care Administration by email to HQAHOMEHEALTH@ahca.myflorida.com or by fax to (850)922-6059.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, Agency for Health Care Administration, 2727 Mahan Dr., Bldg. 1, Mail Stop 34, Tallahassee, Florida 32308 or by email to HQAHOMEHEALTH@ahca.myflorida.com.

DEPARTMENT OF JUVENILE JUSTICE

Staff Training

RULE NO.: RULE TITLE:

- 63H-1.001: Purpose and Scope
- 63H-1.002: Definitions
- 63H-1.003: Authorized Levels of Response
- 63H-1.004: Authorized Techniques
- 63H-1.005: Authorized Mechanical Restraints
- 63H-1.006: Supervision of Youth in Mechanical Restraints
- 63H-1.007: Documentation and Retention of Records
- 63H-1.008: Medical Requirements for Training
- 63H-1.009: Certification
- 63H-1.010: Cross-Over Training
- 63H-1.011: Rehired Employee Training
- 63H-1.012: Annual Training Requirement
- 63H-1.013: Testing Requirements
- 63H-1.014: Training Instructor Qualifications
- 63H-1.015: Training Instructor Certification Renewal
- 63H-1.016: Law Enforcement, County, and Municipally Operated Facilities and Partnerships

NOTICE IS HEREBY GIVEN that on May 14, 2013, the Florida Department of Juvenile Justice, received a petition for permanent waiver of Rule Chapter 63H-1, F.A.C., which establishes Protective Action Response (PAR) as the required method of verbal and physical intervention techniques and mechanical restraints in juvenile programs and facilities. The Pasco Sheriff's Office, which staffs the Pasco Juvenile Assessment Center, cites economic hardship if all of their CJSTC-certified staff must also be PAR-trained in order to staff the facility.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chakita Jenkins, Agency Clerk, 2737 Centerview Dr., Ste. 3200, Tallahassee, Florida 32399-3100. Comments on this petition should be filed with the Agency Clerk within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

NOTICE IS HEREBY GIVEN that on May 20, 2013, the Board of Medicine received a petition for waiver or variance filed by Peter Sadasivan, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

The Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 12, 2013, 1:00 p.m.

PLACE: Doyle Conner Building, Basement Department Training Center, 3125 Conner Boulevard, Tallahassee, FL 32399-1650

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting items of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: Stefis Demetropoulos, 3535 NE 39th Avenue, Gainesville, FL 32609, (352)955-2083, Stefis.Demetropoulos@freshfromflorida.com.

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

The Florida School for the Deaf and the Blind announces a public meeting to which all persons are invited.

DATE AND TIME: Executive Session, May 31, 2013, 9:00 a.m.

PLACE: Center for Learning Development, Room 126, Moore Hall, FSDB Campus, 207 N. San Marco Avenue, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Executive Session to discuss negotiated labor agreement teachers and specialists.

A copy of the agenda may be obtained by contacting: Dr. Jeanne G. Prickett, President, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084 at (904)827-2210.

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 hours before the workshop/meeting by contacting: Dr. Jeanne G. Prickett, President, (904)827-2210. 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: Jeanne G. Prickett, President, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following budget workshop for Wednesday, May 29, 2013, to which the public is invited.

BUDGET WORKSHOP:

DATE AND TIME: Wednesday, May 29, 2013, 12:00 Noon – 2:00 p.m.

PLACE: College’s Administrative Offices, Board Room 405, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters and review of the 2013-14 fiscal year budget.

All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the Interim College President, Florida State College at Jacksonville, on or before May 29, 2013. All legal issues should be brought to the College’s attention and an attempt made to resolve them prior to the public meeting. The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access / equal opportunity / affirmative action college. If special accommodations are required, please advise Human Resources 24 hours in advance of the meeting.

FLORIDA STATE COLLEGE AT JACKSONVILLE

Dr. Willis N. Holcombe
Interim College President

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following shade meeting on Wednesday, May 29, 2013.

SHADE MEETING:

DATE AND TIME: Wednesday, May 29, 2013, 10:30 a.m. – 11:30 a.m.

PLACE: Administrative Offices, Room 403A, 501 West State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 286.011(8)(a), Florida Statutes, the District Board of Trustees will hold a shade meeting to discuss litigation strategy, settlement negotiations and strategy related to litigation expenditures in the matter of *Donald W. Green, Jr., Ph.D. vs. The District Board of Trustees of Florida State College at Jacksonville, Case No. 16-2012-CA-011684*, filed in the Fourth Judicial Circuit of Florida.

Attendance at the shade meeting is limited to counsel, the chief administrative officer of the College and the Board. As required by law, the shade meeting will be transcribed by a court reporter and a transcript of the meeting will become a public record at the conclusion of litigation.

All objections to this notice or the propriety of the scheduled meeting should be filed in writing with the Interim College President, Florida State College at Jacksonville, on or before May 29, 2013. Any legal issues should be brought to the College’s attention and an attempt made to resolve them prior to the meeting. The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise Human Resources 24 hours in advance of the meeting.

FLORIDA STATE COLLEGE AT JACKSONVILLE

Dr. Willis N. Holcombe
Interim College President

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles, Bureau of Motorist Compliance, Medical Advisory Board announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, June 8, 2013, 8:30 a.m.

PLACE: DoubleTree by Hilton Hotel, 101 South Adams Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss medical conditions that affect the safe operation of a motor vehicle and to develop educational materials for the public, law enforcement, and

medical professionals on the medical review process and how to report medically at-risk drivers.

A copy of the agenda may be obtained by contacting: Mr. Michael Sarvis, Bureau of Motorist Compliance, 2900 Apalachee Parkway, MS 86, Tallahassee, Florida 32399, email: MichaelSarvis@flhsmv.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: Mr. Michael Sarvis, (850)617-2710 or MichaelSarvis@flhsmv.gov. 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).

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces public meetings to which all persons are invited.

DATES AND TIMES: June 6, 2013: Planning & Growth Management Committee, 8:30 a.m.; Strategic Regional Policy Planning Committee, 9:00 a.m.; Personnel, Budget & Finance Committee, 9:00 a.m.; Full Board of Directors, 10:00 a.m.; Legislative Committee immediately following the Board meeting.

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or sforde@nefrc.org.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

The Department Of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 5, 2013, 9:30 a.m.

PLACE: 4052 Bald Cypress Way, Room 301, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Committee will submit the revised SOP's for approval along with other administrative and operational matters related to the Statewide Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: Debi Smith at (850)922-7435 or Debi.Smith@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 5 days before the workshop/meeting by contacting: Debi Smith at (850)922-7435 or Debi.Smith@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: Debi Smith at (850)922-7435 or Debi.Smith@DMS.MyFlorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 9, 2013, 10:00 a.m.

PLACE: (888)670-3525, participant code 8492079683#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N Monroe St., Tallahassee, FL.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, June 5, 2013, 2:00 p.m. – 4:00 p.m. and 6:00 p.m. – 8:00 p.m.

PLACE: South Florida Water Management District Headquarters, Main Auditorium, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Southeast Florida Coral Reef Initiative (SEFCRI) is holding a community meeting to launch “Our Florida Reefs: Your Voice, Our Future.” This is a transparent, inclusive, stakeholder-driven process to achieve SEFCRI’s mission: to develop and support the implementation of an effective strategy to preserve and protect southeast Florida’s coral reefs and associated reef resources, emphasizing balance between resource use and protection, in cooperation with all interested parties. The meeting is an opportunity to discuss the status and future of southeast Florida’s coral reefs, and gain knowledge of SEFCRI and the “Our Florida Reefs” community planning process.

A copy of the agenda may be obtained by contacting Julio Jimenez: by e-mail: Julio.Jimenez@dep.state.fl.us, phone (305)795-1221 or mail 1277 N. E. 79th St/JFK Causeway Miami, FL 33138-4206.

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: Julio Jimenez at Julio.Jimenez@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).

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

The Board of Orthotists & Prosthetists announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, June 6, 2013, 9:00 a.m., at meet me number (888)670-3525, participate password 9238150597

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the web at: www.doh.state.fl.us/mqa/orthpros/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: Sherra W. Causey. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Office of Statewide Research

CANCELLED – The Department of Health announces public meetings to which all persons are invited.

DATES: May 28-29, 2013

PLACE: Florida Department of Health – Orange/Seminole Counties, 6101 Lake Ellenor Drive, Orlando, FL 32809, office: (407)858-1429

GENERAL SUBJECT MATTER TO BE CONSIDERED: Biomedical Research Advisory Council General Meeting has been cancelled for the following dates: May 28-29.

DEPARTMENT OF HEALTH

Office of Statewide Research

CANCELLED – The Florida Department of Health announces a public meeting to which all persons are invited.

DATE: June 3, 2013

PLACE: Florida Department of Health, 6101 Lake Ellenor Drive, Orlando, FL 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Biomedical Research Advisory Council General Meeting has been cancelled for the following date: June 3, 2013.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: The May 24, 2013 meeting of the Executive Steering Committee for the Medicaid Eligibility System is cancelled

PLACE: 1317 Winewood Blvd., Bldg. 4, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates on future meetings of the Executive Steering Committee for the Medicaid Eligibility System can be found in the events section on the agency web site at <http://www.myflfamilies.com/>.

A copy of the agenda may be obtained by contacting: Jennifer_lange@dcf.state.fl.us, (850)717-4688.

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

The Florida Fish and Wildlife Conservation Commission announces a facilitated stakeholder meeting to discuss and examine manatee issues.

DATE AND TIME: May 31, 2013, 9:00 a.m.

PLACE: Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Conference Room 272, Tallahassee, FL 32399

Participation by teleconference also will be available at the following location, and remotely via the Internet and telephone (see contact information below for who to contact for details).

Additional remote location: Florida Fish and Wildlife Research Institute, 100 8th Ave, S.E., 3rd Floor Conference Room, St. Petersburg, FL 33701.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is exchange of information and fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. Limited public comments will be taken.

A copy of the agenda may be obtained by contacting: Ms. Carol Knox at (850)922-4330 or Carol.Knox@MyFWC.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the FWC 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: Ms. Carol Knox, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section 6A, 620 South Meridian Street, Tallahassee, Florida, 32399, telephone (850)922-4330.

HOLMES COUNTY HOSPITAL CORP.

The Holmes County Hospital Corp., d/b/a Doctors Memorial Hospital announces a hearing to which all persons are invited. DATE AND TIME: Tuesday, May 28, 2013, 5:00 p.m.

PLACE: Doctors Memorial Hospital Conference Room.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Holmes County Hospital Corporation Board of Trustees will hold a public hearing on Florida Statute 155.40 (formerly known as HB 711) on Tuesday, May 28, 2013 at 5:00 p.m. in the Doctors Memorial Hospital Conference Room, located at 2600 Hospital Drive, Bonifay, Florida.

A copy of the agenda, or more information, may be obtained by contacting JoAnn Baker, Administrator at (850)547-8003.

Section VI

**Notice of Petitions and Dispositions
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

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 Karl M. Scheuerman, Esq. and Peter S. Sachs, Esq., In Re: Kings Point Recreation Corporation, Inc., Docket No. 2013021709, filed

on May 17, 2013. The petition seeks the agency's opinion as to the applicability of Section 718.103(2), Florida Statutes as it applies to the petitioner.

Whether Kings Point Recreation Corp. is a master condominium association as defined in section 718.103(2), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robin McDaniel, Division Clerk, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1424; robin.mcdaniel@myfloridalicense.com.

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. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Pari-Mutuel Wagering

NOTICE IS HEREBY GIVEN that on May 3, 2013, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received an amended petition for declaratory statement from Petitioner Investment Corporation of Palm Beach in DBPR Case No. 2013007595 (DS 2013-010). The petition seeks the agency's opinion as to the applicability of Chapter 550, F.S., as it applies to the Petitioner, and notice of receipt of Petitioner's initial petition was published in Vol. 39 No. 45, March 6, 2013 issue of the Florida Administrative Register.

Petitioner seeks a determination by its amended petition as to whether Chapter 550, F.S., allows an individual or entity to condition Petitioner's receipt of intertrack or simulcast wagering signals upon payment of "Interface Fees," as well as whether any individual or entity is authorized under Chapter 550, F.S., to condition Petitioner's receipt of intertrack or simulcast wagering signals upon payment of a monthly license fee to the Thoroughbred Racing Protective Bureau (TRPB). Petitioner also inquires whether, if it refuses to pay such fees, the Division can fine, suspend, or revoke its pari-mutuel license. All petitions to intervene already filed in this cause need not be re-filed; they will be considered. However, any other person whose substantial interests may be affected by a declaratory statement on the subject matter of the Amended Petition may file a motion to intervene within 21 days of the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, phone (850)921-0342.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

NOTICE IS HEREBY GIVEN that on May 3, 2013, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received the petition for declaratory statement from Petitioners Calder Race Course, Inc., and Florida Horsemen’s Benevolent and Protective Association, Inc., in DBPR Case No. 2013020471 (DS 2013-035). The petition seeks the agency’s opinion as to the applicability of Sections 550.002, .01215, .0251, .3351, and .6305, F.S., as they apply to the petitioners.

Petitioners seek a determination as to whether a “race meet” must consist of live racing, whether thoroughbred permitholders may amend their racing dates at any time after February 28 of each year, and whether, if a permitholder operates a “race meet” of three racing dates of three days a week from December 15 through May 3 of the following year and then on June 30, therefore allowing it to serve as a host track from July 1 to June 30 of the following year for importing signals of out-of-state thoroughbred races. Petitioners also seek a determination as to whether Section 3002 of the Interstate Horseracing Act requires a “full program” of live races on a specified day in order for a Florida licensed thoroughbred pari-mutuel permitholder to receive broadcasts of out-of-state races. Any person whose substantial interests may be affected by a declaratory statement on the subject matter of the Petition may file a motion to intervene within 21 days of the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, phone: (850)921-0342.

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notice 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

NONE

**Section XII
Miscellaneous**

**AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need**

**NOTICE OF BATCHED APPLICATION RECEIPT AND
NOTICE OF TENTATIVE PUBLIC HEARINGS**

The Agency for Health Care Administration received and accepted the following Certificate of Need applications for review in the batched Other Beds and Programs review cycle with an application due date of May 15, 2013.

COUNTY: Manatee District: 6-2
 CON #10190 Date Received: May 15, 2013
 Applicant/Facility: Greenbriar NH, LLC/Greenbriar Rehabilitation & Nursing Center

Project Description: Add up to 21 community nursing home beds by delicensure of up to 21 beds from an existing facility in same subdistrict.

COUNTY: Hillsborough District: 6A
 CON #10191 Date Received: May 15, 2013
 Applicant: LifePath Hospice, Inc.

Project Description: Establish an eight-bed inpatient hospice facility.

COUNTY: Charlotte District: 8A
 CON #10192 Date Received: May 13, 2013
 Applicant: Tidewell Hospice, Inc.

Project Description: Establish a seven-bed inpatient hospice facility.

COUNTY: Desoto District: 8A
 CON #10193 Date Received May 13, 2013.
 Applicant: Tidewell Hospice, Inc.

Project Description: Establish an eight-bed inpatient hospice facility.

COUNTY: Lee District: 8C
 CON #10194 Date Received: May 13, 2013.
 Applicant: Hope Hospice and Community Services, Inc.

Project Description: Establish an inpatient hospice facility of up to 24 beds.

Also, if requested, tentative public hearings have been scheduled as follows:

PROPOSALS: District 6
 DATE AND TIME: Monday, July 1, 2013: CON #10190, 8:00 a.m. – 12:00 Noon; CON #10191, 1:00 p.m. – 5:00 p.m.
 PLACE: Health Council of West Central Florida, Inc., 9600 Koger Blvd., 2nd Floor Conference Room, St. Petersburg, FL 33702

PROPOSALS: CON #10192 and 10193
 DATE AND TIME: Wednesday, June 26, 2013, 9:00 a.m. – 12:00 Noon.

PLACE: Charlotte County Health Department, 1100 Loveland Blvd., Port Charlotte, FL 33980

DATE AND TIME: CON #10194: Thursday, June 27, 2013, 9:00 a.m. – 10:30 a.m.

PLACE: Health Planning Council of Southwest Florida, Inc., 8961 Daniels Center Drive, # 401, Ft. Myers, FL 33912

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308, attention James B. McLemore, by 5:00 p.m., June 5, 2013. In lieu of requesting and attending a public hearing, written comments submitted to the agency relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by June 19, 2013.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PROPOSED**

MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Conditions of Certification (Conditions) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes (“F.S.”), for the South Broward Resource Recovery Facility (SBRRF), Power Plant Siting Application No. PA85-21, OGC Case No. 13-0874. Pursuant to Section 403.516(1)(c), F.S., the Department proposes to modify the Conditions for SBRRF to delete conditions no longer consistent with current regulations related to the facility’s ash landfill, delete federal requirements covered in the Title V air permit, update requirements for the facility wide groundwater

monitoring plan, and to add requirements for the addition of a leachate treatment system to the facility's existing leachate collection system. A copy of the proposed modification may be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-3000, (850)717-9000. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

DEPARTMENT OF HEALTH
Board of Nursing

Emergency Action

On May 20, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kelly Rene Newman, L.P.N., License # PN 5198759. 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 (2011). 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.

HENDRY REGIONAL MEDICAL CENTER

Hendry Regional Medical Center Final Hospital

Valuation Findings

NOTICE PURSUANT TO SECTION 155.40(5)(e)(1), FLORIDA STATUTES (2012).

On May 14, 2013, the Hendry County Hospital Authority Board of Trustees ("Board") conducted a public hearing, in accordance with Section 155.40, Florida Statutes (2012), to determine whether the Hendry County Hospital Authority should continue to own and operate Hendry Regional Medical Center or whether Hendry Regional Medical Center should be operated by a for-profit or not-for-profit entity. Based upon the totality of the information considered by the Board, including a valuation report prepared by Pershing, Yoakley, & Associates, and Quorum Health Resources Consulting Services for Data Metrics to compare the operating costs and measurable quality outcomes between Hendry Regional Medical Center and other similarly situated government, not-for-profit and for-profit hospitals with similar service mixes, comments from the public, the Hendry County Hospital Authority took the following action:

1. Received, filed and accepted a report prepared by Pershing, Yoakley, and Associates, pursuant to Section 155.40, Florida Statutes (2012), which is now part of the public records of the Hendry County Hospital Authority; and
2. Determined that it is in the best interest of the affected community for the Hendry County Hospital Authority to continue to own and operate Hendry Regional Medical Center.

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
