

## Section I

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

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

##### Office of Energy

RULE NO.:       RULE TITLE:

50-4.001       Natural Gas Fuel Fleet Vehicle Rebate

PURPOSE AND EFFECT: The purpose of this new rule is to provide guidance to eligible applicants for the application process, review and administration of the Natural Gas Fuel Fleet Vehicle Rebate.

SUBJECT AREA TO BE ADDRESSED: Natural Gas Fuel Fleet Vehicle Rebate, s. 17, ch. 2013-198, L.O.F.

RULEMAKING AUTHORITY: s. 17, ch. 2013-198, L.O.F.

LAW IMPLEMENTED: s. 17, ch. 2013-198, L.O.F.

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

DATE AND TIME: Wednesday, July 17, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: 401 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida, 32399-1100, Conference Number: 1(888)670-3525, Conference Code: 746-582-9551

DATE, TIME: Tuesday, July 23, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Orange County IFAS Extension, Main Auditorium, 6021 South Conway Road, Orlando, Florida 32812

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Matt Arsenault, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001 or telephone (850)617-7470

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.:       RULE TITLE:

6A-14.065       Meta-Major Academic Pathways

PURPOSE AND EFFECT: The purpose of this rule is to establish meta-major academic pathways as required by Section 1008.30(5), F.S. A meta-major is a collection of academic programs that have common or related content. For example, a health science meta-major would include programs such as Emergency Medical Technician (EMT) and Nursing. The effect is that Florida College System institutions will advise students based on the selection of a meta-major academic pathway. When students select a meta-major at the time of admission, the Florida College System institution will

be able to advise the student early in their academic program about which courses are most appropriate. The goal is to provide students with clear and specific advice about a program of study that is matched with their intended degree.

SUBJECT AREA TO BE ADDRESSED: Meta-majors.

RULEMAKING AUTHORITY: 1008.30(5) FS.

LAW IMPLEMENTED: 1008.30 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Julie Alexander, julie.alexander@fldoe.org. Requests for a rule development workshop must be made in writing and should be addressed to Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1514, Tallahassee, Florida 32399-0400 or lynn.abbott@fldoe.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

##### 6A-14.065 Meta-Major Academic Pathways.

(1) The following meta-major academic pathways are established for the purposes of advising Florida College System associate degree seeking students of the gateway courses that are aligned with their intended academic and career goals.

(a) Arts, humanities, communication and design

(b) Business

(c) Education

(d) Health sciences

(e) Industry/manufacturing and construction

(f) Public Safety

(g) Science, technology, engineering, and mathematics

(h) Social and behavioral sciences and human services

(2) Students shall be advised of the academic pathway that correlates with their selected meta-major to include gateway courses that are appropriate to the student's intended program of study. Students who are exempted pursuant to Section 1008.30(2)(a), F.S., shall not be required to enroll in developmental education.

(a) The gateway course for communication identified for all meta-major academic pathways is English Composition I, ENC X101.

(b) The gateway courses for mathematics are aligned with the meta-major academic pathway.

1. The gateway courses for business are College Algebra, MAC X105, or Elementary Statistics, STA X023.

2. The gateway courses for science, technology, engineering, and mathematics is College Algebra, MAC X105.

3. The gateway courses for all other meta-major academic pathways identified in subsection (1) of this rule are College Algebra, MAC X105, Liberal Arts Mathematics I, MGF X106, Liberal Arts Mathematics II, MGF X107, or Elementary Statistics, STA X023.

(3) Meta-major academic pathways must be a component of each Florida College System institution's approved comprehensive advising plan pursuant to Section 1008.30(6)(a), F.S., for entering, first-time-in-college students. Rulemaking Authority 1008.30(5) FS. Law Implemented 1008.30 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

RULE NO.: RULE TITLE:

58A-5.0185 Medication Practices

PURPOSE AND EFFECT: Section 429.256(2), Florida Statutes, requires an unlicensed person assisting residents in an assisted living facility with the self-administration of medication to read the label of the prescription "in the presence of the resident." Rule 58A-5.0185, F.A.C., which deals with medication practices in assisted living facilities, does not currently address this statutory requirement. The Department is proposing to amend Rule 58A-5.0185 to implement or interpret this requirement. SUBJECT AREA TO BE ADDRESSED: The Department is proposing to amend Rule 58A-5.0185 to implement or interpret the statutory requirement contained in Section 429.256(2), Florida Statutes, that unlicensed persons that assist residents with the self-administration of medication read the label of the prescription "in the presence of the resident" while assisting residents with the self-administration of medication.

RULEMAKING AUTHORITY: 429.256, 429.41 FS.

LAW IMPLEMENTED: 429.255, 429.256, 429.41 FS.

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

DATE AND TIME: August 13, 2013, 9:30 a.m.

PLACE: Department of Elder Affairs, Room 225F, 4040 Esplanade Way, Tallahassee, FL 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 5 days before the workshop/meeting by contacting: Jason Nelson, Department of Elder Affairs, E-mail nelsonj@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, IF AVAILABLE, IS: Jason Nelson, Department of Elder Affairs, E-mail nelsonj@elderaffairs.org

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

**Section II  
Proposed Rules**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Regulatory Council of Community Association Managers**

RULE NO.: RULE TITLE:

61E14-2.001 Standards of Professional Conduct

PURPOSE AND EFFECT: To update language, remove unnecessary or unauthorized language, and to clarify the standards of professional conduct for community association managers.

SUMMARY: The proposed rule amends the standards of professional conduct for community association managers to reflect recent court decisions, remove unnecessary and unauthorized language, and clarify terms in the statute and in the rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

The agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted 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.

RULEMAKING AUTHORITY: 468.4315(2) FS.

LAW IMPLEMENTED: 468.433, 468.436 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: R. Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

THE FULL TEXT OF THE PROPOSED RULE IS:

61E14-2.001 Standards of Professional Conduct.

Licensees shall adhere to the following provisions, standards of professional conduct, and such provisions and standards shall be deemed automatically incorporated, as duties of all licensees, into any written or oral agreement for the rendition of community association management services, ~~the violation of which shall constitute gross misconduct or gross negligence.~~

(1) Definitions. As used in this rule, the following definitions apply:

~~(a) The word "control" means the authority to direct or prevent the actions of another person or entity pursuant to law, contract, subcontract or employment relationship, but shall specifically exclude a licensee's relationship with a community association, its board of directors, any committee thereof or any member of any board or committee.~~

~~(a)(b) "Licensee" means a person licensed pursuant to Sections 468.432(3)(4) and (4)(2), F.S.~~

(b) "Community Association Management services" means performing any of the following practices requiring substantial specialized knowledge, judgment, and managerial skill:

1. Controlling or disbursing funds of a community association;
2. Preparing budgets or other financial documents for a community association;
3. Assisting in the noticing or conduct of community association meetings;
4. Coordinating maintenance for the residential development; and
5. Other day-to-day services involved with the operation of a community association.

~~(c) The word "Funds" as used in this rule includes money and negotiable instruments including checks, notes and securities.~~

(d) "Due Professional care" means the ethical duty of a community association manager or community association management firm to exercise the level of care, diligence, and skill as prescribed in Sections 468.432(3) and (4), F.S., in the manner as other licensees would exercise in the same or similar circumstances.

(e) "Professional competence" means the capability to perform community association management services with skill of an acceptable quality as other licensees.

(2) Honesty. During the performance of management services, a licensee shall not do the following knowingly make an untrue statement of a material fact or knowingly fail to state a material fact:

(a) Make misleading, deceptive, or fraudulent representations in or related to the practice of community association management; or

(b) Make deceptive, untrue, or fraudulent representations in or related to the practice of community association management, or employ a trick or scheme in or related to the practice of community association management.

(3) Professional Competence. A licensee shall undertake to perform only those community association management services which ~~he or it~~ can reasonably be expect to completed with professional competence.

(4) Due Professional Care.

(a) A licensee shall show exercise due professional care in the performance of community association management services by doing the following:

~~1.(b) A licensee shall not knowingly fail to C~~omplying with the requirements of the association's governing documents or by-laws by which the association is created or operated so long as such documents comply with the requirements of law;

~~(5) Control of Others. A licensee shall not permit others under his or the management firm's control to commit on his or the firm's behalf, acts or omissions which, if made by either licensee, would place that licensee in violation of Chapter 455, 468, Part VIII, F.S., or Chapter 61 20, F.A.C. or other applicable statutes or rules. A licensee shall be deemed responsible by the department for the actions of all persons who perform community association management related functions under his or its supervision or control.~~

~~(5)(6) Gross Misconduct Records.~~

(a) It shall be considered gross misconduct, as provided by Section 468.436(2), F.S., for a licensee to violate the following provisions of this subsection:

~~1.(a) A licensee shall not W~~withholding possession of any original books, records, accounts, funds, or other property of a community association when requested by the community association to deliver the same to the association upon reasonable notice. Reasonable notice shall extend no later than 10 business days after termination of any management or employment agreement and receipt of a written request from the association. The manager may retain those records necessary for up to 20 days to complete an ending financial statement or report. Failure of the association to provide access or retention of accounting records to prepare the statement or report shall relieve the manager of any further responsibility or liability for preparation of the statement or report. The provisions of this rule apply regardless of any contractual or other dispute between the licensee and the community association. It shall be considered gross misconduct, as provided by Section 468.436(2), F.S., for a licensee to violate the provisions of this subsection.

~~2.(b) A licensee shall not deny~~ access to association records, for the purpose of inspecting or photocopying the same, to a person entitled to such by law, to the extent and under the procedures set forth in the applicable law.

~~3.(e) Creating A licensee shall not create~~ false records or alter records of a community association or of the licensee except in such cases where an alteration is permitted by law (e.g., the correction of minutes per direction given at a meeting at which the minutes are submitted for approval).

~~4.(d) Failing A licensee shall not, to the extent charged with the responsibility of maintaining records, fail to maintain his or its records, the records of a community association manager or management firm or and~~ the records of any applicable community association, in accordance with the laws and documents requiring or governing the records.

5. Using funds received by the community association manager or management firm for any purpose other than for the specific purpose or purposes for which the funds were remitted.

~~(7) Financial Matters. A licensee shall use funds received by him or it on the account of any community association or its members only for the specific purpose or purposes for which the funds were remitted.~~

~~(6)(8) Other Licenses.~~

(a) A licensee shall not commit acts of gross negligence or gross misconduct in the pursuit of community association management or any other profession for which a state or federal license is required or permitted. It shall be presumed that gross negligence or gross misconduct has been committed where a licensee's other professional license has been suspended or revoked for reasons other than non-payment of fees or noncompliance with applicable continuing education requirements.

(b) A licensee shall not perform, agree to perform or hold himself or itself out as being qualified to perform any services which, under the laws of the State of Florida or of the United States, are to be performed only by a person or entity holding the requisite license for same, unless the licensee also holds such license or registration; provided, however, that no violation hereof shall be deemed to have occurred unless and until the authority administering the license or registration in question makes a final determination that the licensee or registrant has failed to obtain a license or registration in violation of the law requiring same.

(c) A licensee shall reveal all other licenses or registrations held by him or it under the laws of the State of Florida or the United States, if, as a result of such license or registration, a licensee receives any payment for services or goods from the community association or its board.

(d) Violation of any provision of Section 455.227(1), F.S., or of any part of this rule shall subject the licensee to disciplinary measures as set out in Section 468.436, F.S.

Rulemaking Authority 468.4315(2) FS. Law Implemented 468.433, 468.436 FS. History—New 5-5-88, Amended 2-5-91, Formerly 7D-55.007, 61B-55.007, Amended 1-8-98, 5-31-99, Formerly 61-20.503, Amended 4-21-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 31, 2013

DATE THE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 18, 2013

### Section III

## Notice of Changes, Corrections and Withdrawals

### WATER MANAGEMENT DISTRICTS

#### Suwannee River Water Management District

RULE NO.: 40B-4.1140  
 RULE TITLE: Limiting Conditions on Permits  
 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. 57, March 22, 2013 issue of the Florida Administrative Register.

40B-4.1140 Limiting Conditions on Permits.

(1) No change.

(2) The following standard limiting conditions shall be a part of all permits issued pursuant to this chapter unless waived or modified by the District:

(a) No change.

(b) Immediately prior to, during construction, and for the period of time after construction to allow for stabilization of all disturbed areas, the permittee shall implement and maintain performance based erosion and sediment control best management practices. All best management practices shall be in accordance with the guidelines and specifications described in the State of Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual, effective July 2008. This document is incorporated herein by reference and may be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. If project-specific conditions require additional measures beyond those specified

in the erosion and sediment control plan, if approved as part of the permit, the permittee shall implement the additional best management practices as necessary. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources or adjacent properties.

(c) through (s) No change

(3) No change

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.117, 373.171 FS. Law Implemented 373.084, 373.085, 373.117, 373.409, 373.413, 373.416, 373.419, 373.423, 373.426 FS. History--New 9-25-85, Amended 2-1-89, 12-22-92, 9-13-04, 11-3-08,\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Professions**

RULE NO.: RULE TITLE:  
61-6.043 Renewal Process for Appraisal Management Company  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 39, No. 82, April 26, 2013, issue of the Florida Administrative Register.

61-6.043 Renewal Process for Appraisal Management Company.

(1) Each registration of an appraisal management company shall be renewed on a biennial basis. The schedule for biennial renewal shall be as established in subsection Rule 61-6.001(4), F.A.C.

(2) When the total period of inactive status exceeds 4 years, the registration shall automatically expire per Section 475.619(2), F.S. and the appraisal management company must meet all the requirements for initial registration. If automatic expiration has occurred pursuant to Section 475.619(2), F.S., the appraisal management company shall be required to meet all requirements for initial licensure. Two years prior to the expiration, the Department of Business and Professional Regulation shall give notice by mail to the last known address of the registrant.

(3) Inactive Registration.

(a) At any time after obtaining registration as an appraisal management company, the registrant may request inactive status by submitting Form DBPR FREAB-2, "Appraisal Management Company – Maintenance", effective April 2012, adopted and incorporated herein, which may be found at <https://www.myfloridalicense.com/CheckListDetail.asp?SID=>

&actCode=8001&clientCode=6410&XACT\_DEFN\_ID=14050 or at \_\_\_\_\_. The fee to change licensure status is found in Rule 61J1-2.001, F.A.C.

(b) An appraisal management company, whose registration is designated inactive pursuant to subsection (1), (2) or (3) above, may request an active registration on DBPR FREAB-2, "Appraisal Management Company – Maintenance", effective April 2012. The fee to change licensure status is found in Rule 61J1-2.001, F.A.C.

~~(4) Refund of Application and Licensure Fees.~~

~~Upon written request, a refund of fees will be made under the following circumstances and in the following amounts:~~

~~(a) The Board shall refund to the applicant any portion of the application fee not expended in processing the application. The application shall be considered void upon payment of the refunded amount.~~

~~(b) Any fees accepted or collected in error or in excess of that required shall be refunded.~~

(4) Current biennial renewal fees specified in subsection 61J1-2.001(2), F.A.C. and late fees set forth in subsection 61J1-2.001(6), F.A.C., shall be collected for each period of inactivity through the elected or automatic inactive date.

Rulemaking Authority 455.271(3), 475.619(2), 475.6147, 475.6235(7)(8) FS. Law Implemented 455.271(3), 475.619(2), 475.6147, 475.6235(7)(8) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Regulatory Council of Community Association Managers**

RULE NO.: RULE TITLE:  
61E14-5.003 Notice of Non-Compliance  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 39, No. 36, February 21, 2013, issue of the Florida Administrative Register.

61E14-5.003 Notice of Non-Compliance.

(4) In accordance with Section 455.225(3), F.S., when a complaint is received, the agency may provide a licensee with a notice of non-compliance for an initial offense of a minor violation. Failure of a licensee to take action in correcting the violation within 15 days after notice may result in the institution of regular disciplinary proceedings. "Minor violations" as used in Section 455.225(3), F.S., are defined as follows:

~~(1)(a)~~ Violations of paragraph 61E14-2.001(6)(a), F.A.C.: Withholding possession of any original books, records, accounts, funds, or other property of a community association when requested by the community association to deliver the same to the association upon reasonable notice.

~~(2)(b)~~ Violations of paragraph 61E14-2.001(6)(b), F.A.C.: Failing to provide access to association records, for the purpose of inspecting or photocopying the same, to a person entitled to such by the law, ~~as set forth in Section 718.111(12)(e), F.S.~~

Rulemaking Authority 468.4315, 455.225(3) FS. Law Implemented 120.695, 455.225(3) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-13.023	Background Screening Requirements
65C-13.024	Pre-service Training
65C-13.025	Initial Licensing Procedures
65C-13.026	In-Service Training
65C-13.027	Changes During the Licensed Year
65C-13.028	Re-Licensing
65C-13.029	Licensed Out-of-Home Team Member Roles
65C-13.030	Standards for Licensed Out-of-Home Caregivers
65C-13.031	Terms of a License
65C-13.032	Capacity, Placement, and Over-Capacity Assessments
65C-13.033	Babysitting, Respite and Other Supervision
65C-13.034	Complaint Investigations and foster Care Referrals
65C-13.035	Administrative Actions, Appeals and Closures

**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. 91, December 14, 2012 issue of the Florida Administrative Register.

Notice of Change 65C-13, F.A.C.: Foster Home Licensing ~~Substitute Care of Children~~

65C-13.022	Definitions
65C-13.023	Background Screening Requirements
65C-13.024	Parent Preparation Pre-service Training
65C-13.025	Initial Licensing <del>Procedures</del>
65C-13.026	Continuing Education <del>In Service Training</del>
65C-13.027	Changes During the Licensed Year
65C-13.028	Re-Licensing
65C-13.029	Licensed Out-of-Home Team Member Roles
65C-13.030	Standards for Licensed Out-of-Home Caregivers
65C-13.031	Terms of a License
65C-13.032	Over-Capacity Assessments and Exceptions <del>Capacity, Placement, and Over Capacity Placements</del>
65C-13.033	Babysitting, Overnight Care, Extended Overnight Care, and Other Supervision Arrangements <del>Babysitting, Respite, and Other Supervision</del>
65C-13.034	Foster Care Referrals and Investigations <del>Complaint Investigations and Foster Care Referrals</del>

65C-13.035 Administrative Actions, Appeals, and Closures

65C-13.022 Definitions.

All definitions for this rule are located in Rule 65C-30.001, F.A.C.

65C-13.023 Background Screening Requirements.

(1) The department shall conduct background screenings for all persons considered by the department for initial licensure or re-licensure as an out-of-home caregiver and all adult household members pursuant to Section 409.175, F.S. The five year re-screens for the relicensing process must include fingerprints. ~~These screenings shall be completed before an applicant is shall be licensed as an out of home caregiver and before any children are placed in the home. Exemptions from background screening disqualification may be granted to potential licensed out of home caregivers for crimes or offenses based on covered by Sections 435.07(1) and (2), F.S., and according to the guidelines established under Sections 435.07(3) and (4), F.S. Failure to comply with any requirement for good moral character and background screening as described in this rule may be grounds for denial, suspension or revocation of an application or license.~~ The supervising agency or the department has the discretion to request background screening for visitors to a family foster home if there is reasonable belief that:

- (a) The person is a household member; or
- (b) His or her presence in the family foster home adversely affects the health, safety and welfare of the children in the home; or
- (c) The person has or potential exists for unsupervised contact with the children.

(2) These screenings shall, at a minimum, include fingerprinting; statewide criminal and juvenile records checks through the Florida Department of Law Enforcement; federal criminal records checks through the Federal Bureau of Investigation; local criminal record checks through local law enforcement agencies, and may include records of any responses to the home by law enforcement that did not result in criminal charges. Records checks through the department’s Statewide Automated Child Welfare Information System (SACWIS) regarding child abuse and neglect investigations and civil court records checks regarding domestic violence complaints and orders of protection must also be included. If the applicant or any other adult household member has resided in any other state ~~during over~~ the past five years, requests for abuse and neglect histories must be made of those states, and the results of such requests included with the application packet. Only abuse and neglect reports in which the person being considered for licensure was named as the “caregiver responsible” for the abuse or neglect may be used for initial

licensing decisions. If the person applying is or was a licensee of the department and was named in any capacity in three or more reports during a five year period, regardless of classification, those reports may be reviewed by the department for their relevancy as it relates to the licensing decision. All reports in which the person seeking licensure or re-licensure was named as the "caregiver responsible" must be considered for licensing purposes. For homes being considered for licensure for longer than one year under Section 409.175(6)(j), F.S., all abuse reports with any findings shall be considered.

(3) Each applicant and adult household member being screened shall sign an "Affidavit of Good Moral Character", CF 1649, ~~February 2013 August 2010~~, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), and a "Release of Information", CF-FSP 5090, ~~February 2013 August 2010~~, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). ~~Failure to comply with any requirement for good moral character and background screening as described in this rule is considered when determining whether to deny, suspend or revoke an application or license.~~

(4) Each applicant and adult household member being screened under this section shall provide all the names, under which he or she has been known.

(5) ~~For children between the ages of twelve and eighteen, the background screening shall be limited to statewide criminal and juvenile records name checks through the Florida Department of Law Enforcement and does not require fingerprinting. Screening of Young young adults ages age 18 through 22 who are receiving services through Chapter 65C-31, F.A.C., and who have had no break in service provision are not required to be screened.~~

(6) ~~The background screenings under this section shall ensure that no out of home caregiver licensed by the department and no person residing in a family foster home has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to any offense prohibited under Section 435.04, F.S., or similar statutes of another jurisdiction at any time. When the individual who is being screened is a former dependent child under 23 years of age and the security background screening reveals a disqualifying offense which was committed during or prior to the time that the child was dependent, that offense shall not automatically affect the licensure of the out-of-home caregivers. Exemptions for disqualifying offenses may be sought under Section 435.07, F.S.~~

(7) All records obtained, as a part of the background screening, shall be considered in the process of determining whether to issue a foster care license or, if there is a current license, whether the license should be revoked. Such records

shall include findings of delinquency; any misdemeanor or felony criminal arrests resulting in a plea of nolo contendere or conviction; any criminal traffic offenses resulting in a plea of nolo contendere or conviction, and any civil cases of domestic violence and orders for protection. Crimes perpetrated in other states that are misdemeanors in that state but would be felonies listed under Section 435.04, F.S., if committed in Florida shall be considered as disqualifying offenses by the department for licensing decisions.

(8) Persons who are currently licensed as out-of-home caregivers and any adult household members shall be re-screened at least annually as a part of the application for re-licensing. Annual screening for re-licensure shall be limited to a local criminal records check, an abuse and neglect record check clearance through the Statewide Automated Child Welfare Information System, and may include records of any responses to the home by law enforcement that did not result in criminal charges; and any 911 calls to the home. The state criminal records checks and fingerprints shall be completed every five years through the Florida Department of Law Enforcement. The background screening of a prospective out-of-home caregiver shall ensure that any previous licensing, registration or certification as an out-of home caregiver in Florida or in any other state or country is considered. Abuse and neglect reports in which the applicant was named in any capacity in three institutional reports, regardless of classification, over the past five years shall be reviewed for relevancy related to the licensing decision and will be considered ~~may be used~~ in determining whether to renew or revoke the person's license. All reports with any findings are ~~may be~~ considered for the purposes of re-licensing a home for more than one year under Section 409.175(6)(j), F.S.

(9) The cost of all background screening activities shall be borne by the supervising or lead agency.

~~Rulemaking Specific Authority 39.012, 39.0121, 435.01 (2), 409.175 FS. Law Implemented 39.0121, 409.175(5)(a)5., 435.04 FS. History--New 4-6-08, Amended\_\_\_\_\_.~~

#### 65C-13.024 Parent Preparation Pre-service Training.

~~(1) All prospective out of home caregivers shall successfully complete a department approved parent preparation pre service training as a condition of licensure.~~

~~(1)(2)~~ Parent preparation pre-service training shall meet the requirements of Section 409.175, F.S., and shall include training for out-of-home caregivers on decision-making related to the balance of normalcy for children in care and their safety. The parent preparation pre-service curriculum shall also include training related to the administration of psychotropic medication, the social and emotional development of children and youth, the role of mentors and other helpers, development of life skills for teens in care,

~~foster~~ and the ~~caregiver's foster parent's~~ role in supporting and promoting the educational progress of the ~~foster~~ child. The training on administration of psychotropic medication shall consist of a review of the proper dosage of medication and the importance of monitoring for possible side effects and intended effects of the specific medications administered to the child. All caregivers are required to complete a minimum of 21 hours of pre-service training.

~~(2)(3)~~ Each parent preparation pre-service training class shall be led by a certified child protection professional according to Section 402.40(7), F.S., who has a bachelor's degree or a master's degree from an accredited college or university, and who has also successfully met any curriculum-specific requirements to train the department approved parent preparation pre-service training curriculum (e.g., curriculum trainer certification). Each parent preparation pre-service training class shall follow the recommendations of the curriculum designer regarding the number and type of facilitators involved in the training process. If the agency is the designer of the curriculum, the number and types of facilitators to be involved in the training process must be clearly defined. ~~should include a licensed out of home caregiver as a co-facilitator in addition, a young adult formerly in foster care must be invited to participate in one or more sessions of the training; this invitation would provide an opportunity for the prospective out of home caregivers to benefit from a former foster youth's perspective.~~

~~(3)(4)~~ The certified child protection professional trainer is responsible for ensuring that the parent preparation pre-service training curriculum is presented and discussed and that copies of all handouts and reading materials are provided to the participants.

~~(4)(5)~~ The lead agency is authorized to approve the completion of individualized pre-service training. Individualized may be completed with the approval of the lead agency. If individualized training is done, the certified child protection professional trainer is responsible for complying with the requirements set forth for parent preparation pre-service training in Section 409.175(14)(b), F.S., and the requirements set forth in this Chapter.

~~(5)(7)~~ Prospective out-of-home caregivers and adoptive parents have the option to attend parent preparation pre-service training as defined in subsection (2) of this section, offered by any licensed child placing agency. Agencies shall ~~are expected to~~ work cooperatively with each other and prospective licensed out-of-home caregivers and adoptive parents to ensure the ongoing availability of such training.

~~(6)(8)~~ Exemptions to the parent preparation pre-service training for individuals who have successfully completed parent preparation pre-service training equivalent to the parent preparation pre-service training offered by the local

supervising agency are based on whether the training was completed within the last five years and on the condition that the individual provides proof of successful completion. If there have been changes or updates in the curriculum, the individual must take those portions of the course only. Supervising agencies must request any information regarding the curriculum completed for the purposes of making a recommendation to the department. The Regional Licensing Authority shall review the curriculum content and consider the recommendation of the supervising agency in determining whether the individual is exempt from attending the parent preparation pre-service training.

~~(7)(9)~~ When prospective out-of-home caregivers successfully complete or who commence and fail to complete the parent preparation pre-service training but do not continue the licensing process, the supervising agency staff shall document the reason the process was discontinued on the Person Provider Page, under the Training Tab, in Florida Safe Families Network (FSFN) in the State Automated Child Welfare Information System. Completed Parent preparation pre-service training is valid for five years from the date of verified curriculum completion. Previously licensed out-of-home caregivers who have a break in service of eighteen months or less, but who completed parent preparation pre-service training within the last five years have the option to apply to be licensed without completing parent preparation pre-service training.

Rulemaking Authority 409.175, 402.40 (6), 402.40(10) FS. Law Implemented 409.175, 402.40, 402.40(7) FS. History—New 4-6-08, Amended \_\_\_\_\_.

65C-13.025 Initial Licensing.

(1) General.

(a) Each applicant wishing to become a licensed out-of-home caregiver shall complete the "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013 ~~September March 2007~~, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). Parenting figures ~~Married persons~~ living together shall both be licensed ~~sign the application~~. After successfully completing training and the home study process, any person who requests an application either verbally or in writing shall be provided one.

(b) The supervising agency completing the home study shall, at a minimum, conduct two visits to the applicant's home, inspect the entire indoor and outdoor premises, document the conditions, and conduct face to face interviews with all household members. The dates, names of persons interviewed and summary of these interviews shall be documented in the home study.



(c) The supervising agency is responsible for advising the applicant of all rules, regulations, and standards that apply to the applicant if a license is issued.

~~(2) References.~~

~~(a) The applicant(s) shall provide the names of three personal references that are not related to the applicant(s) and that shall have known the applicant(s) for at least two years. Each of the three personal references must be able to attest to the applicant's parenting skills. References are to be verified either verbally or in writing by the supervising agency staff.~~

~~(b) The supervising agency staff shall make reasonable efforts to obtain references from the adult children of each applicant. These references shall address the applicant's suitability to become a licensed out of home caregiver. All unsuccessful attempts to solicit information shall be documented and the overall impact of the missing information considered as a part of the recommendation to license or not to license.~~

~~(c) The supervising agency shall obtain a current employment reference for each applicant. At a minimum, this reference shall include sufficient information to establish or corroborate the applicant's current employment status. If current employment is less than two consecutive years in duration, secondary employment references shall be obtained.~~

~~(d) The supervising agency shall obtain references from school personnel of each school age child residing in the home.~~

~~(e) The supervising agency shall obtain references be obtained from the childcare provider of any preschool age child residing in the home who is enrolled in a childcare program.~~

~~(3) Verifications. The applicant(s) shall provide the agency with proof of the following, if applicable: documentation of Florida residency, proof of legal status in the United States (for non citizens), driver's licenses, auto insurance coverage, financial capability and income, and pet vaccinations.~~

~~(2)(4) Employees, Relatives and Sub-Contractors as Licensed Out-of-Home Caregivers. Licensing of employees of the department, County Sheriff's Offices, Agencies and their subcontracted providers or their relatives who desire to become out-of-home caregivers is allowable as long as the following conditions are met:~~

~~(a) No conflict of interest exists that could result in preferential treatment concerning the placement and movement of children placed in the potential licensed family foster home;~~

~~(b) The licensing study is completed by a licensed child-placing agency outside of the employee's service area and submitted to the Regional Licensing Authority for approval;~~

(c) The lead agency responsible for submitting the licensing packet (traditional or attestation) to the department has a procedure approved by the Regional Licensing Authority, which requires the executive director or designee in upper level management of the lead agency to review and approve the submission of all such applications to the department.

(d) Attestation is an option for use during the initial licensure or re-licensing of a family foster home. The Community-Based Care (CBC) lead agency certifies that the supporting documentation for the initial licensure or re-licensure of a family foster home is in compliance with state law and Florida Administrative Code. The CBC lead agency is responsible for the review and maintenance of the supporting documents for initial and re-licensure. The Department issues the license based on a statement attesting that the licensure or re-licensure packet complies with state law and code.

~~(e) The notarized document, Attestation For Foster Home Licensure, CF-FSP 5357, February 2013, October 2014, is incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). The Community-Based Care lead agency must also submit the completed Licensing Standards Checklist For 24-Hour Family Care, CF-FSP 5358, February 2013 September 2011, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). The the checklist must be signed by the supervising agency licensing counselor and supervisor.~~

(f) Community-Based Care agencies participating in the Attestation Model for licensure must enter into a Memorandum of Agreement with the Regional Licensing office. The Memorandum of Agreement, CF-FSO 5356, September 2011, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

~~(3)(5) Initial Licensing Home Study. A staff person, certified pursuant to Section 402.40(7), F.S., from the supervising agency shall perform a thorough assessment of each prospective licensed out-of-home caregiver and document this assessment in a home study, which shall include, at a minimum:~~

~~(a) Demographics: names, dates of birth, addresses, and contact numbers;~~

~~(b) Pre-service Experience:~~

~~1. Dates of parent preparation pre-service training and a description of the applicant's participation in the classes;~~

~~2. Applicant's motivation to foster and his or her commitment to the foster care experience including how other family members and extended family feel about the decision to foster.~~

~~(c) Chronology of events. Include dates of home visits and persons interviewed;~~

~~(d) Home and Neighborhood:~~

1. Physical description of the home, including the number of bedrooms and bathrooms, type and number of available beds and current sleeping arrangements, storage space for children's personal belongings, living area, dining area and other interior space. Interior and exterior photographs must be included. Interior photographs shall include all common living areas, the child's bedroom and bathroom, and the storage space for the child's personal belongings.

2. A description of the home, including location and verification of operating fire extinguishers ~~with current tag~~ and smoke detectors, storage of medications, cleaning supplies, ~~and toxins~~ and safety nets for trampolines. The description shall also include the storage of alcoholic beverages, ~~weapons and ammunition~~, location of burglar bars, fireplaces, handrails on stairways and space heaters, if applicable. ~~All prospective, licensed out-of-home caregivers must complete The Fire Arms Acknowledgement CF FSP 5346, February 2012 incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).~~

3. Water Safety. A description of the outdoor area including swimming pools, canals, ponds, lakes, streams, septic tanks and other potential water hazards and documentation of the counselor's discussion with the applicant regarding the requirements for supervision and how the applicant will ensure safety and adequate supervision.

(e) Animals. Provide a description of any household pets, exotic pets, or livestock residing on the premises. The immunization of animals as required by Section 828.30, F.S., shall be verified. Descriptions shall include observations of the care, behavior, and ~~of~~ maintenance and safety plan relating to each animal. The applicant shall have measures in place to assure the safety of children from any potentially dangerous animals and this information shall be documented in the home study, if applicable;

(f) Social History. A description of the following shall be included:

1. Background and Family History. Background and family history including education, types of discipline used in the family, the family's willingness and ability to use appropriate discipline as described in the Partnership Plan for Children in Out-of-Home Care, CF-FSP 5226, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), family values, and any prior residences in or out of Florida.

2. Marital Status and Other Significant Relationships.

3. Medical History. Medical history including physical and mental health treatments for all household members shall be assessed. This assessment shall include any debilitating, communicable or progressive diseases or conditions. The applicant must supply recent medical and mental health reports and evaluations upon request of the supervising agency

or department. Health concerns relating to the applicant and household members, including any history of alcohol or other substance abuse, shall be documented in the home study.

a. Current smoking and alcohol use by household members;

b. Any history of alcohol or substance abuse.

4. Parenting experience of each applicant. All of the applicant's children shall be identified whether they reside in the home or not. If the applicant has parenting experience with children other than their biological or adopted children, circumstances under which this experience was acquired shall be discussed. This section must include a description of the experience, as opposed to just listing the identities of the applicant's children or the children they may have parented.

5. Family Life. Document observations of family members' personalities and their interpersonal relationships. Describe family activities, hobbies and interests and civic involvement including how children placed in the home will participate in these activities, as well as family vacations. For each child living in the home, describe the child's school, grades, achievements and interests. Describe each child's relationship with the applicant and siblings in the home, as well as his or her feelings about having a foster child in the home.

6. Religion. Assess and document the family's attitudes regarding seeking medical treatment, celebrating holidays or birthdays, and respecting the religious beliefs of the child's family of origin.

7. Child Care. Describe child care arrangements, including transportation to and from the child care provider, if applicable.

(g) Transportation. The licensed out-of-home caregiver shall have transportation available twenty-four hours a day. All vehicles used to transport children shall be in safe condition, in compliance with applicable motor vehicle laws of the state, and equipped with seat belts and approved car seats for children as required by law. Vehicles shall be smoke free when children are being transported. The licensed out-of-home caregiver shall have the ability to safely transport the number of children in his or her care. The licensed out-of-home caregiver shall ensure appropriate safety equipment is utilized. Describe the family's plan for safely transporting children placed in the home.

(h) Employment. Describe the current employment status for each parent, including occupation, current place of employment, work hours and flexibility of schedule in case of emergencies, medical or school appointments for ~~foster~~ children.

(i) Financial Capacity and Income. Describe and document the applicant's current financial capacity and how

the impact of the additional financial responsibilities of fostering will be addressed.

(j) Other Adult Household Members. The responsibilities the applicant(s) will expect the other adults in the household to have with children placed in the home.

~~The following information shall be obtained and documented for any other adult household members, whether or not they intend to supervise or assist with the care of the child:~~

- ~~1. Background Screening,~~
- ~~2. Medical History, and~~

~~3. The responsibilities the applicant(s) will expect the other adults in the household to have with children placed in the home.~~

k) Summary and Recommendations:

1. Characteristics of Applicant. The applicant shall demonstrate the following characteristics:

a. A willingness to work with the supervising agency and all applicable parties including biological parents to work toward permanence for the child as established in the child's case and

b. An understanding and respect for the importance of preserving a child's family connections and relationships.

2. Summarize reference responses and follow up contacts, if applicable, as they relate to the applicant's suitability and potential success as a licensed out-of-home caregiver. Describe and assess the family's strengths and needs, taking into consideration all factors affecting the health, safety and welfare of children who might be placed in this home. A recommendation shall be made as to the suitability for licensure.

3. Recommendation for licensure shall describe the characteristics of children most appropriate for placement in the home. These characteristics shall include number of children, age, gender(s), types of behaviors, and special needs. Explore and address any limitations or concerns and under what conditions the prospective family would not be willing or able to accept the child.

4. If recommending denial of licensure, the summary shall specify the licensing standards the applicant is unable to meet and attach all supporting documentation. The department must notify the applicant regarding the appeal process.

(l) The home study shall be reviewed, and signed by the applicant, licensing counselor and the counselor's supervisor. A copy of the home study shall be provided to the applicant.

~~(4)(6)~~ Application Packet Submission and Approval Process.

(a) The complete application packet shall be submitted in accordance with the traditional or Attestation Model for licensure. A request for additional information shall be

submitted by the ~~R~~egional ~~L~~icensing ~~A~~uthority within ten working days of receipt of the packet.

(b) A traditional licensing application packet shall consist of the following documentation:

1. "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

2. "Release of Information", CF-FSP 5090, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

3. "Authorization for Release of Health and Medical Information for Prospective Foster or Adoptive Parents", CF-FSP 5230, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications/)(as needed);

4. Licensing Home Study;

5. Proof of Income;

6. A Partnership Plan for Out-of-Home Care, CF-FSP 5226, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications/).

7. Parent Preparation Pre-service training certificate;

8. Parent Preparation Pre-service biographical profile, which shall be the demographic and narrative portions of the Unified Home Study as completed by the applicant(s);

9. Documentation of water safety training, if applicable. As a prerequisite to licensure, potential licensed out-of-home caregivers who have swimming pools or whose homes are adjacent to bodies of water unprotected by a barrier of at least four feet will be required to complete a basic water safety course administered by the American Red Cross, YMCA or a trainer certified in water safety training. This requirement does not apply to homes with temporary wading pools ~~or, which are temporary and~~ portable pools with a depth of less than two feet. Standing water shall not remain in wading pools when not in use;

10. "Confidentiality Agreement", CF-FSP 5087, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

11. Verification of Criminal History Screening for applicant and all adult household members as specified in subsection 65C-13.023(2), F.A.C., including:

a. "Affidavit of Good Moral Character", CF 1649, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

b. Local Law Enforcement check;

c. Civil Court records check;

d. Florida Department of Law Enforcement records check;

e. Federal Bureau of Investigation clearance letter;

f. Abuse history background check through the Florida Safe Families Network (FSFN) system;

g. Abuse registry checks for the previous five years from any previous state of residence if the applicant or adult household members have resided in the State of Florida for less than five years.

12. References including:

a. The applicant(s) shall provide the names of three personal references that are not related to the applicant(s) and that shall have known the applicant(s) for at least two years. Each of the three personal references must provide information to the applicant's parenting skills. References are to be verified either verbally or in writing by the supervising agency staff. Three personal references that speak to the prospective caregiver's parenting skills;

b. The supervising agency shall obtain a current employment reference for each applicant. At a minimum, this reference shall include sufficient information to establish or corroborate the applicant's current employment and income. If current employment is less than two consecutive years in duration, secondary employment references shall be obtained. Employment reference;

c. The supervising agency staff shall make reasonable efforts to obtain references from the adult children of each applicant. These references shall address the applicant's suitability to become a licensed out-of-home caregiver. All unsuccessful attempts to solicit information shall be documented and the overall impact of the missing information considered as a part of the recommendation to grant or deny a license. References from adult children;

d. The supervising agency shall obtain references from school personnel of each school age child residing in the home. School references on all school age children;

e. The supervising agency shall obtain references from the childcare provider of any preschool age child residing in the home who is enrolled in a childcare program. Childcare references for all preschool children receiving child care services;

~~f.g.~~ References and documentation regarding any previous licensure as out-of-home caregivers.

13. Family Documents:

a. Documentation of Florida legal residency, proof of legal status in the United States (for non-citizens), for applicants not born in the United States (United States citizenship is not required);

b. Driver's license(s) and driving records for household members who may transport children;

c. Vehicle insurance.

~~14.13.~~ Family Foster Home Safety Documentation:

a. Satisfactory home environmental health inspection report completed by from the a licensing specialist who has been trained by the state or local health department in the areas of water supply, food holding temperature, plumbing,

vermin and vector control, sewage, and garbage and rubbish disposal;

b. Radon testing results (when applicable);

c. Fire inspection report (where required by local zoning laws);

d. Floor plan;

e. Evacuation and disaster preparedness plans;

f. Documentation of pet vaccinations (if applicable);

g. Photographs of household members and pets;

15. All prospective, licensed out-of-home caregivers must complete The Fire Arms Acknowledgement form CF-FSP 5343, February 2013, CF-FSP 5346, February 2012 incorporated by reference and available at www.dcf.state.fl.us/publications/.

~~(5)(7)~~ Unless otherwise outlined in an Attestation Memorandum of Agreement, CF-FSP 5356, March 2013, incorporated by reference and available at www.dcf.state.fl.us/publications/, ~~the~~ ~~The~~ Regional Licensing Authority is responsible for ensuring that the licensing application packet is complete and that all licensing requirements are met ~~and~~ for the issuance of the license. The licensing packet shall contain documentation of a review by the lead agency and the department's Regional Licensing Authority and a recommendation for approval or denial by the Regional Licensing Authority.

~~(6)(8)~~ If the application packet is approved, a license shall be issued to the applicant(s). The license shall include the name and address of the caregiver(s), the name of the supervising agency, ~~along with~~ the licensed capacity, and the dates for which the license is valid. The Regional Managing Director ~~regional administrator~~ or designee within upper level management shall sign the license. Any limitations shall be displayed on the license if the home study indicates the necessity for such restrictions, such as specific age or gender preference. An initial license is valid for one year from the date of issuance unless the license is revoked or voluntarily relinquished.

~~(7)(9)~~ A copy of the license shall be provided by the Regional Licensing Authority to the lead agency.

~~(8)(10)~~ When the department determines that the application shall be denied, the department shall promptly notify the applicant and supervising agency by certified mail, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S. The denial and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

~~(9)(11)~~ Unless the applicant voluntarily withdraws the application, the department shall proceed with formal actions. Rulemaking Authority 409.175, 435.01 435.04 FS. Law Implemented 409.175, 435.04 FS. History--New 4-6-08 Amended\_\_\_\_\_.

65C-13.026 Continuing Education.

(1) ~~Prior to the annual renewal of a traditional foster home license, each licensed out-of-home caregiver shall successfully complete at least 8 eight hours of continuing education. Foster homes that qualify for a three year license shall complete 24 twenty four hours of continuing education prior to the renewal of the license.~~ The supervising agency may require therapeutic and medical foster homes to complete additional continuing education hours based on the level of therapeutic and medical care they provide. Licensed out-of-home caregivers shall be offered continuing education opportunities by their supervising agency. Continuing education opportunities shall be offered no less than quarterly and at times and places convenient to the licensed out-of-home caregiver. For those licensed out-of-home caregivers unable to attend, other methods shall be developed for satisfying this requirement. Continuing education materials shall be approved by the supervising agency prior to use. Documentation of completed continuing education shall be documented on the provider training page in Florida Safe Families Network.

(2) Licensed out-of-home caregivers participating in required continuing education shall be reimbursed for mileage expense at a rate not to exceed the rate paid per mile to supervising agency personnel.

(3) If the absence of the caregiver during training would leave children without approved adult supervision, the supervising agency shall make arrangements for child care or shall reimburse the caregiver for child care purchased by the parents for children in their care.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended \_\_\_\_\_.

## 65C-13.027 Changes During the Licensed Year.

## (1) Requirements.

(a) The licensed out-of-home caregiver shall report law enforcement involvement with any household member. Law enforcement involvement includes arrests, incidents of domestic violence, driving infractions and any local law enforcement response to the home over the course of the licensed year. In addition, the caregiver shall report a change in marital status; a change in household composition; a change of physical address; changes in financial situation such as bankruptcy, repossessions and evictions; serious health issue such as a debilitating injury or communicable disease regarding a household member; change in contact information; change in employment or significant change in work schedule to the supervising agency within ~~48 forty eight~~ business hours of the change occurring. A significant change in work schedule occurs when a licensed caregiver's work schedule differs from the work schedule at initial licensure and the new schedule causes the caregiver to seek child care. For example,

a licensed caregiver's work schedule changes from part-time to full-time employment. The supervising agency shall notify the lead agency within 24 twenty four business hours of learning of any of these changes. Failure to do so may be reason to suspend, deny or revoke a license if the non-reported situation threatens the safety of any child in care or results in the non-conformity with licensing requirements stated in this rule.

(b) The supervising agency shall assess the impact on the household immediately upon learning one of these events has occurred or is likely to occur. Changes in physical address, require re-licensing.

(c) All new household members age 18 and older shall be fingerprinted within five days of residence and those fingerprints shall be submitted to the Florida Department of Law Enforcement within five days of the receipt of the fingerprints by the supervising agency. All household members shall meet the requirements for background screening.

(2) Significant Change in Household Changes Composition.

(a) The licensed out-of-home caregiver must also report the following significant household changes: ~~Marital Status. Reportable changes include marriage, separation, reconciliation, divorce or death of a spouse.~~

~~(b) Within 10 calendar days from~~ if a licensed out-of-home caregiver marrying marries or reconciling reconciles with an unlicensed spouse or partner, the unlicensed spouse or partner shall complete an "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), submit fingerprints within five calendar days of residence for background screening, unless previously completed, attend parent preparation pre-service training, if not previously completed within the last five years, and meet all licensing requirements. The unlicensed spouse or partner shall have six months from the date of marriage or reconciliation to complete pre-service training. Failure to meet the licensing and background screening provisions which may threaten the safety of any child in care, or place the home in violation of the licensing standards, are grounds for denial, suspension or revocation of an application or license. During this evaluation period, the home remains licensed and previously placed children may remain in the home pending the outcome of the assessment. No new children shall be placed in the home until the application has been completed and approved. The supervising agency will update the home study summary, including interviews with all children in the home, verification of satisfactory background screening, and verification of

income and expenses, and submit to the lead agency within 30 days of any marriage or reconciliation.

~~(e) The supervising agency will update the home study summary, including interviews with all children in the home, verification of satisfactory background screening, and verification of income and expenses, and notify the lead agency and the department within 30 days of any marriage or reconciliation. Once all licensing requirements have been met, the supervising agency shall update the home study summary and submit a request to the licensing authority for the issuance of a new license.~~

~~(b)(4)~~ In cases of separation, divorce or death of a spouse, paramour, or partner, the supervising agency shall update the home study summary and assess its impact upon the children placed in the home. The home study summary update shall include interviews with the children, if age appropriate, verification of income and expenses and the remaining caregiver's plan to meet all financial obligations. The updated home study shall be submitted to the Regional Licensing Authority within 45 forty five calendar days for issuance of an amended license.

~~(c)(e)~~ New Household Member. When new members join the household, the supervising agency shall update the home study summary, address the changes in sleeping arrangements, and submit to the lead agency at the time the home is relicensed within thirty days.

(d) Once all licensing requirements have been met, the supervising agency shall update the home study summary and submit a request to the licensing authority for the issuance of a new license.

~~(3)(g)~~ Change of Location. A license is issued for a specific location and is not transferable. A licensed out-of-home caregiver shall notify the supervising agency no less than 30 thirty days prior to the expected date of the relocation. The supervising agency shall complete a relocation packet for submission to the Regional Licensing Authority for issuance of a license.

~~(a)(h)~~ Within Region.

1. Changing location within the region shall require an "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013, September 2007, available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/); an updated home study which contains a description of the home and neighborhood, school changes, sleeping arrangements, a satisfactory environmental health inspection of the new residence, the current floor plan, disaster plan, home emergency evacuation plan, fire inspection where required by local zoning laws and radon testing where applicable. A provisional license may be issued prior to the health inspection after the supervising agency conducts a safety assessment of the new location. This

provisional license will expire within 90 days of issuance by the Regional Licensing Authority. No new children shall be placed in a home that is provisionally licensed.

2. The supervising agency shall obtain all required documentation and submit it to the lead agency and Regional Licensing Authority for review. The lead agency will submit all required documents to the Regional Licensing Authority to initiate the for issuance of a standard license.

3. The supervising agency shall complete at least one home visit as part of the updated licensing home study.

4. If approved, an amended license shall be issued and shall expire on the same date as the previous license.

5. If licensure of the new home is not recommended and there are children currently placed in the home, the primary case manager shall immediately begin assessing alternative placement options.

~~(b)(4)~~ Between Regions.

1. A licensed out-of-home caregiver who plans to move from one region to another and wishes to continue being licensed, shall notify their current supervising agency at least thirty calendar days prior to the planned move. Coordination and responsibility for ensuring the transition of the license shall be as follows:

a. The supervising agency shall assist the licensed out-of-home caregiver in finding a supervising agency in the new region.

b. The current lead agency and supervising agency will work in partnership to secure a commitment from the receiving supervising agency in the new region to complete the requirements for re-licensing.

2. The current supervising agency shall secure a release of information form from the family that is relocating, "Release of Information", CF-FSP 5090, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). The current supervising agency shall then send the new supervising agency information to allow the agency to access the family's information in FSFN. If the new supervising agency does not have access to FSFN, the current supervising agency shall provide a complete copy of the licensing file including the new contact information for the out-of-home caregiver to the new supervising agency send the new supervising agency a complete copy of the licensing file to include the new contact information for the out of home caregiver.

3. The new supervising agency will contact the licensed out-of-home caregivers immediately upon notification of the relocation to begin the licensing process.

4. When currently placed children are relocating with the out-of-home caregiver, the new supervising agency shall submit the home study and completed application packet

according to the regional licensing submission process within thirty days of notification of relocation.

5. Prior to submission of the home study and application packet, the new home remains unlicensed but a provisional license may be issued after the safety assessment is completed and received by the new Regional Licensing Authority and prior to the satisfactory home environmental health inspection report completed by a licensing specialist who has been trained by the state or local health department to conduct such inspections by the county health department. This provisional license will expire within 90 days of issuance by the Regional Licensing Authority. No new children shall be placed in a home that is provisionally licensed.

6. The new Regional Licensing Authority shall request any additional documentation legally required to ensure that all minimum standards and out-of-home caregiver expectations are met within ten working days of receipt of the application packet. If no additional information is legally required, the new license shall be issued within ten working days of receipt of the complete application packet. No additional children will be placed in the home until the new license is signed.

7. If the decision is made to deny the new application, the Regional Licensing Authority will notify the applicant and supervising agency by certified mail within five working days of the decision to deny, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S. The denial and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency. If there are any children that moved with the caregiver from the former region the Regional Licensing Authority will notify the new supervising agency within twenty-four hours of the decision to deny the application. The new supervising agency shall notify the former supervising agency and the contracted service provider responsible for courtesy supervision within twenty-four hours of receiving the notice. All possible placement options, the possible risk to the children and their best interest shall be considered and a decision made regarding their placement within twenty-four hours of receipt of the notification. The removal and placement of the children is the responsibility of the former supervising agency and the contracted service provider with primary responsibility for supervision of the children.

(c)(f) Out of State. The same process as outlined for a change in region is to be followed. However, if the children are to move out of state with the licensed out-of-home caregiver, the primary case manager is required to initiate an Interstate Compact for the Placement of Children request pursuant to Section 409.401, F.S. In any instance where the decision to relocate to another state is made or it is intended to

send or bring the child to the receiving state, or the child and existing family unit have already been sent or brought to the receiving state, an ICPC-100A, Interstate Compact Placement Request, CF 0791, February 2013, 0794, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), the required supporting documentation shall be prepared immediately upon the making of the decision, processed within five (5) business days by the sending agency's state compact administrator and transmitted to the receiving state compact administrator with notice of the intended placement date. The sending agency's state compact administrator shall request that the receiving state respond to the case within five (5) business days of receipt of the request and with due regard for the desired time for the child to be sent or brought to the receiving state. If the family unit and child are already present in the receiving state, the receiving state's compact administrator shall determine within five (5) business days of receipt of the 100A and complete home study request packet whether provisional approval shall be granted and provide the decision in writing to the sending state compact administrator by facsimile, mail, overnight mail or electronic transmission, if acceptable. If extenuating circumstances exist, the case manager shall provide an explanation and documentation of the circumstances surrounding the move for consideration and processing by the Florida Interstate Compact for the Placement of Children Office.

(4)(k) Change of Supervising Agency. Between supervising agencies.

(a)4- A currently licensed out-of-home caregiver wishing to change providers shall file an "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), with the desired supervising agency.

(b)2- The desired supervising agency shall:

1.a- Request all information concerning the performance of the respective licensed out-of-home caregiver from the current supervising agency, including their recommendation for licensure;

2.b- Consider the application and advise the applicant in writing of whether it does or does not find the family appropriate for transfer to their agency within ~~thirty~~ 30 days of receipt of the application; and

3.e- Notify the sending agency and the department of the determination.

4.d- If the family is found to be inappropriate for continued licensure, the supervising agency and Regional Licensing Authority shall deny the application and the department shall make the family aware of the appeal process. The denial and reason(s) for denial shall promptly be recorded

in the Florida Safe Families Network by the supervising agency.

(c)3- Supervising agencies shall share all information concerning the performance of the respective licensed out-of-home caregiver, along with their recommendations, upon request.

(d)4- If the licensed out-of-home caregiver is accepted, the new supervising agency shall submit a new application packet according to the regional licensing submission process for issuance of the new license.

(e)5- If the request to change providers occurs during the licensure year, the new supervising agency need only submit an "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), and letter of acceptance in accordance with the regional licensing submission process. The Regional Licensing Authority will issue an amended license to reflect the new supervising agency for the remainder of the established licensure year. The new supervising agency assumes all responsibility for the annual re-licensure activities. Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended \_\_\_\_\_.

65C-13.028 Re-Licensing.

(1) Requirements.

(a) Re-licensing procedures shall be initiated by the supervising agency and the re-licensing packet shall be submitted to the lead agency at least thirty days prior to expiration of the current license. The re-licensing process shall not be initiated more than ninety days prior to the expiration of the current license.

(b) Out-of-home caregivers requesting to be re-licensed shall Complete the "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). Persons living together in a caretaking role shall both sign the application. Any licensed out-of-home caregiver that requests an application either verbally or in writing for re-licensure shall be provided one.

(c) An applicant shall sign all required re-licensing documentation as requested.

(d) The supervising agency shall ensure the completion of the application process by doing the following:

1. Request a home environmental health inspection report completed by a licensing specialist who has been trained by the state or local health department ~~an environmental inspection from the local health department~~. The request shall be made 60 days in advance of the home's re-licensing due date to facilitate the receipt of a satisfactory environmental

health inspection report prior to the expiration of the license. For the homes that are issued a three-year license, the health inspection is not required annually; however, the home health inspection must be completed before the end of the three-year licensure period. ~~In the event the home is issued a three year license, an annual inspection will not be required; however, the home will be inspected at the time the three year license expires.~~

2. Direct the licensed out-of-home caregivers to obtain a radon test every fifth year if required by Section 404.056, F.S.

(e) The supervising agency shall ensure that all required background screening has been completed.

(f) References. The supervising agency responsible for completing the re-licensing home study shall obtain and review information about the home from the "Case Manager's Review of the Licensed Out-of-Home Caregiver's Performance", CF-FSP 5223, March 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), for the case managers who have supervised children in the home during the previous licensing year.

~~1. The supervising agency responsible for completing the re-licensing home study shall obtain and review information about the home from the "Case Manager's Review of the Licensed Out of Home Caregiver's Performance", CF FSP 5223, March 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), for the case managers who have supervised children in the home during the previous licensing year.~~

~~2.~~

(g) The supervising agency shall obtain from the case managers the completed Exit Interview with Foster\_Child about Foster Parents form, CF-FSP 5353, March 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). This form must be completed when children over the age of five exit the home following a placement of thirty days or more. The supervising agency will review the exit interviews and must address issues raised in the exit interviews in the relicensing summary. The re-licensing packet must contain exit interviews. If exit interviews are not provided with the re-licensing packet, the proper administrator of the lead agency shall be notified.

(h) Applicants for renewal shall provide the agency with:

1. Documentation of at least eight hours of in-service training;

2. Updated driver's license, driving record, and auto insurance coverage information as applicable.

(2) Re-licensing Procedures.

(a) The supervising agency shall conduct a minimum of one face-to-face visit in the home and interview all household members prior to re-licensure.



b) The supervising agency shall review and discuss The Partnership Plan for Children in Out-of-Home Care, CF-FSP 5226, March 2013, June 2011, incorporated by reference and available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications). with the applicants.

(c) The licensing counselor shall inspect the entire premises of the home, including all interior and exterior areas, for continued compliance with initial licensing standards.

(d) Vehicles used for transporting children shall be observed for seatbelt compliance and any obvious safety hazards documented and addressed in a corrective action plan, if necessary.

(e) Fire drill logs shall be reviewed and discussed to ensure continued compliance with initial licensing standards. The evacuation plan and disaster preparedness plan shall be reviewed and discussed.

(3) Re-licensing Home Study. As a part of the re-licensing application packet, the supervising agency shall make a thorough evaluation of each licensed out-of-home caregiver and document this evaluation using the Unified Home Study module in FSFN. The updated in a re-licensing home study, which shall include, at a minimum:

(a) Demographics: Names, Dates of Birth, Address, and contact numbers;

(b) In-Service Training. List all applicable training, including dates, number of hours and topics. Identify expiration date for water safety training as applicable;

(c) Chronology. Dates of home visits and persons interviewed;

(d) Family Composition and Description. Note any changes in household composition, employment, family members, arrests, divorce or separations, serious illness or medical conditions in detail. Any new household member shall be interviewed and a written summary provided;

(e) Home and Neighborhood. Any changes to the physical environment, addition of a pool or remodeling, fencing, physical surroundings, and sleeping arrangements, maintenance of both interior and exterior conditions of home, surrounding outdoor area and continued availability of safe play areas for children, shall be documented;

(f) Animals. Any new animals such as dogs, cats or exotic pets that could potentially cause harm to a child should be discussed as in the initial licensing home study. Animals requiring rabies vaccination under Section 828.30, F.S., must be vaccinated for rabies and their vaccinations current at the time of re-licensure;

(g) Licensed out-of-home caregiver's fostering experience. Documentation of the licensed out-of-home caregiver's experiences with staff and providers and his or her statements regarding services received by the child shall be completed. The licensed out-of-home caregiver's experience

over the previous licensing year and the family's feelings of how fostering has affected their relationships or lifestyle shall be discussed;

(h) Discipline. Description of how the licensed out-of-home caregiver has managed behavior with children placed in the home;

(i) Family life.

1. Documentation of the licensed out-of-home caregiver's support and integration of children into the family such as attendance and involvement with children's activities; ensure children have reliable transportation to school, social events, medical appointments, and inclusion in other family activities. ~~The licensed out of home caregiver shall attend children's activities, transport children to school, social events, medical appointments and include them in family activities. The supervising agency will d~~Describe the licensed out-of-home caregiver's attentiveness to the provision of clothing and allowances to the children in their care.

2. Documentation of the level of cooperation of licensed out-of-home caregivers with the children's families, including visitation for any children placed in the home during the previous licensing year. Describe how the family has worked with the supervising agency and other service providers.

3. Documentation ~~Document~~ of the licensed out-of-home caregiver's compliance with proper administration and monitoring of medication, cooperation with medical directives and appointments;

4. Documentation of the maintenance of school and resource records for each child in placement.

(j) Child care. Assess and document the current arrangements for child care and after school care;

(k) Transportation Safety.

1. The licensed out-of-home caregiver shall have transportation available twenty-four hours a day. All vehicles used to transport children shall be in safe condition, in compliance with applicable motor vehicle laws of the state, and equipped with seat belts and approved car seats for children as required by law. Vehicles shall be smoke free when children are being transported. The licensed out-of-home caregiver shall have the ability to safely transport the number of children in his or her care. The licensed out-of-home caregiver shall ensure appropriate safety equipment is utilized.

2. The licensed out-of-home caregiver shall have all vehicles insured.

(l) Employment, Financial Capacity and Income. Any change in financial status or employment shall be addressed;

(m) Safety. Assess and document continuing compliance with initial licensing standards as they relate to the safety of the home;

(n) Other Adult Household Members. Documentation of the ~~The following information shall be obtained and documented for any other adult household members whether or not they intend to supervise or provide care to the foster child:~~

~~1. All required background screening;~~ The responsibilities the applicant(s) will expect the other adults in the household to have with children placed in the home.

~~2. Medical History that may impact the care and safety of the child;~~

~~3. Role in the family and involvement with the child;~~

(o) Background Screening. The results of all background screening information shall be obtained, reviewed and assessed for each individual in the home who is older than twelve years of age;

(p) History of Placement Activity. Placement activity during the previous licensing year shall be identified and discussed. If the family requested that a child be moved, the reasons and circumstances must be addressed. The narrative must provide detail about each child who has left the home and address how the family has worked with each child;

(q) Youth Exit Interviews. An exit interview, Exit Interview with Foster Child About Foster Parents, CF-FSP 5353, March 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications) must be conducted and assessed with every child ages five through eighteen who lived in the home for 30 days or longer ~~must be conducted and assessed;~~

(r) Staff Feedback. A summary of feedback from staff members as it relates to the family's continued suitability and performance as a licensed out-of-home caregiver;

(s) Investigations, Special Condition Referrals, Concerns or Complaints. A summary assessment of investigations and special condition referrals, incident reports, accidents and complaints during the previous licensing period must be included;

(t) Summary. All forms and information obtained as a part of the relicensing process shall be summarized in a written narrative. The narrative should include the characteristics of children for whom the family is most appropriate, including number of children, age, gender, special needs and behaviors. A summary of the family's ability to continue the provision of foster care services shall be completed and encompass the following:

1. A recommendation concerning the appropriateness of continued licensure including a professional development plan.

2. An on-going continuing education needs assessment;

3. If re-licensure is not recommended, the applicant must be made aware of the appeal process by the Regional Licensing Authority. Attempts must be made to assist the

licensed out-of-home caregiver in overcoming identified deficiencies; The denial of re-licensure and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

4. The home study shall be reviewed, signed and dated by the counselor responsible for completing the study and the counselor's supervisor. The licensed out-of-home caregiver shall be offered an opportunity to sign the home study and must be provided a copy;

~~(4)(5) Re-Licensing Process. Re-licensing Application Packet. All relicensing documentation shall be submitted using either the Attestation Model or traditional model for relicensing~~

(a) If the region and community based care lead agency do not participate in the attestation model for license, within ten working days of receipt of the re-licensing packet, the Regional Licensing Authority shall determine if the re-licensing application packet is complete and notify the lead supervising agency in writing of the need for any additional materials or information within 10 working days of receipt of the re-licensing packet. The lead supervising agency must submit the necessary materials or information to the Regional Licensing Authority within ten working days of receipt of the written notice. A license cannot be issued until all information has been received in order to ensure the safety and well-being of children.

(b) If approved a license shall be issued to the applicant no later than ten working days from receipt of the complete re-licensing packet.

(c) If the completed packet of materials was received prior to the expiration of the existing license, upon approval, the renewal date of licensure shall begin on the day the existing license expires.

(d) If the submitted application packet is not complete at the time the existing license expires, the renewal date of licensure shall be the actual date of approval by the Regional Licensing Authority. No child shall be placed or remain in an unlicensed setting.

(e) A copy of the license shall be provided by the Regional Licensing Authority to the lead agency for dissemination to the supervising agency. The supervising agency is responsible for sending the license to the family.

(f) If the supervising agency or Regional Licensing Authority determines that the out-of-home caregivers have not satisfactorily met the standards for continued licensure, the licensing authority shall consult with the Regional Legal Counsel, lead agency and supervising agency, concerning the appropriate course of action.

(g) If the Regional Licensing Authority denies the application for re-licensure, and the applicant does not

voluntarily withdraw the application, the Regional Licensing Authority shall proceed with formal actions.

(h) Licensed out-of-home caregivers meeting the criteria of Section 409.175, F.S., may be issued a license for longer than one year, but no longer than three years. During the three-year period the licensing counselor shall annually conduct a minimum of one face to face visit in the home. The licensing agency shall submit local law enforcement screenings, abuse registry checks, FBI and FDLE clearance based on the five year renewal date and other documentation outlined in this section and submit it to the Regional Licensing Authority with a statement certifying that the family continues to meet all licensing requirements annually.

~~(5)(3)~~ Three-Year License. Section 409.175, Florida Statutes, and paragraph 65C-13.028(5)(h), (i), Florida Administrative Code, grant the authority to licensing agents to issue a license for up to three years to a family foster home (this includes does not include medical or therapeutic foster homes) meeting specific criteria. A family foster home shall meet the following criteria to be considered for a three year license:

(a) The family has been licensed for three years or longer.

(b) The family has not been the subject of a report of child abuse or neglect or foster care referral with findings of maltreatment and is recommended by the assigned Child-Placing Agency and the lead agency for a three-year license.

(c) The family has not been placed on a performance improvement plan/corrective action plan.

(d) The family has clear background checks.

(e) The home is not licensed for more than five children.

(f) The family has no infractions of good moral character.

(g) The number and frequency of placements that result in disruptions ~~Trends in placement and disruptions~~ will be considered and used in the decision as to whether to issue a three-year license.

~~(6)(4)~~ Documentation. A brief, yet concise summary that is completed annually using the Unified Home Study module in FSN will replace the Re-licensing Summary for Licensed Homes for Dependent Children. This summary must address all changes that have occurred in the household during the licensing year and allow foster parents to discuss any issues, concerns or triumphs they experienced during the licensing period. The summary shall include:

(a) Youth exit interviews and case manager reviews ~~will be included in the summary.~~

(b) Documentation of at least eight hours (annually) of in-service training;

(c) Documentation of updated water safety training, if applicable;

(d) Background screening which includes local law enforcement records checks completed prior to the one year

expiration date on existing checks, abuse history checks, and FDLE re-screening, if applicable;

(e) Pet vaccinations;

(f) Documentation of driver's license (s) and vehicle insurance;

(g) Updated evacuation and disaster preparedness plan if changes in the layout of the home or means of egress have occurred.

(h) The annual health inspection is waived for three-year licensed homes and only occurs at the expiration of the three year licensing period. ~~Family foster homes that are dependent upon well water for drinking, cooking and bathing, must have their water tested anytime during the licensure period if contamination is suspect, such as during inclement weather.~~

~~(7)(5)~~ Applicants Previously Licensed or Approved in another State or Region.

(a) If the applicants were licensed previously in another state or outside the region in which they are seeking licensure, the supervising agency shall make a written request to the previous licensing agency for a reference, copies of the initial and previous licensing studies, closing summaries, information about any complaints, foster care referrals, or concerns expressed regarding the prospective family's parenting ability, reason for closure, and the results of their background screening and abuse history check.

(b) The written request and all information received from the originating state, or region shall be included in the application packet. All attempts to obtain the information shall be documented.

(c) Applicants who have previously completed a departmentally approved pre-service training curriculum in the past five years, and who can provide proof of completion, shall not be required to complete pre-service training. Applicants who completed pre-service training in another state may be exempt from pre-service training if the curriculum is the same as an approved version of pre-service training offered in Florida. Supervising agencies shall submit a copy of the curriculum to the Regional Licensing Authority for review and approval if the previously completed training is not an approved curriculum in Florida.

~~(8)(6)~~ Re-opening of Previously Licensed Out-of-Home Caregivers within the Region.

(a) through (c) No change.

(d) Required background screening for previously licensed out-of-home caregivers shall be completed no more than ~~then~~ ninety days prior to the submission of the application.

(e) No change.

(f) A copy of the license shall be provided by the Regional Licensing Authority to the supervising agency.

(g) If the Regional Licensing Authority denies the application for re-licensure and the applicant does not voluntarily withdraw the application, the Regional Licensing Authority shall proceed with formal actions. The denial of re-licensure and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended \_\_\_\_\_.

#### 65C-13.029 Licensed Out-of-Home Team Member Roles.

(1) Responsibilities of the Licensed Out-of-Home Caregiver to the Child.

~~(a) The licensed out of home caregiver is a valued and respected member of a team that supports children and youth in out of home care. The team consists of the professionals representing the department, the lead agency, the licensing authority or supervising agency, the case manager, caregiver, and other professionals with responsibility for the welfare of children in care. With support from the team, caregivers have primary responsibility for the care, nurture and development of a child in his or her home. They have a voice in the case plan and as to the decisions made by the team and other professionals with responsibility for the welfare of children in their care. They are recognized partners in ensuring that children are safe, loved, and nurtured when they are in department custody. As part of the team, the caregiver is authorized by the department to promote normalcy for the child to the fullest extent possible, and to ensure that the child is allowed to participate in age appropriate activities at home, in school and in the community. The caregiver advocates for and supports the child in order to minimize trauma to the greatest degree possible, including trauma stemming from the transition from and to their home and other placements. As part of the team, the caregiver supports the child in maintaining progress in school or exceeding past performance when possible. The caregiver helps the child to acquire life and social skills consistent with their age and maturity level. With support from the team, the caregiver ensures that the child receives appropriate health, dental and mental health care as needed, and works with families, where permitted by the court, to promote visitation and the safe return of children to their families care. Caregivers are encouraged to share their perspectives with team members and the courts with respect to the best interest of the child(ren) in their care. The licensed out-of-home caregiver shall be a is a valued and respected member of a team that supports children and youth in out-of home care. The team consists of the professionals representing the department, the lead agency, the Regional Licensing Authority or supervising agency, the case manager, caregiver, and other professionals with responsibility for the~~

welfare of children in care. ~~Caregivers~~ With support from the team, caregivers have primary responsibility for the care, nurture and development of a child in his or her home. The caregiver is required to promote normalcy for the child to the fullest extent possible. Therefore, caregivers shall:

1. Provide input into the development of the child's case plan and other decisions made by the team.

2. Ensure that children in their care are safe, loved, and nurtured.

3. Allow the child to participate in age-appropriate activities at home, in school, and in the community.

4. Advocate for and support the child in order to minimize trauma to the greatest degree possible, including trauma stemming from the transition from and to their home and other placements.

5. Support the child in maintaining progress in school or exceeding past performance when possible.

6. Help the child to acquire life and social skills consistent with their age and maturity level.

7. Ensure that the child receives appropriate health, dental, and mental health care as needed.

8. Work with families, where permitted by the court, to promote visitation and the safe return of children to their families' care.

9. Share their perspectives with team members and the courts with respect to the best interest of the child(ren) in their care.

(b) All children in the home shall be protected from abandonment, exploitation, neglect, and abuse. Suspected child abuse or neglect, including incidents of child-on-child sexual abuse, shall be reported immediately to the Florida Abuse Hotline.

(c) The child must be assisted in understanding and accepting who he or she is, and helped to deal with any feelings about his or her parents and the circumstances which brought him or her into out-of-home care.

(d) Licensed out-of-home caregivers shall provide a loving environment, acceptance, and care to a child without expecting a demonstration of appreciation from the child.

(e) Licensed out-of-home caregivers shall provide the child with opportunities for normal growth and development.

(f) Licensed out-of-home caregivers shall accept the direction and supervision given by the Regional Licensing Authority or supervising agency in caring for the children.

(g) Licensed out-of-home caregivers shall promote the following conditions for the child in the home:

1. Opportunities and encouragement to communicate and have contact with family members, friends, and other people important to the child. The only exception is when the court specifically bars contact with an individual;

2. Promote and encourage the child's educational progress, and ensure that the child completes assignments and homework;

3. Respect for the child's body, person, possessions, bed and personal space;

4. Opportunities to develop interests and skills through participation in school and community activities;

5. Encourage and support the child in making new friends and maintaining past friends who have had a positive relationship with the child;

6. Licensed out-of-home caregivers shall keep records of school reports;

7. Licensed out-of-home caregivers shall never make negative statements about a child's family and shall work to preserve the child's cultural history and family connections;

8. Licensed out-of-home caregivers shall ~~should~~ work in partnership with the child's case manager in maintaining awards, legal documents, special recognitions, family photos, and other items that will help the child maintain a sense of his or her identity and connections.

(h) Licensed out-of-home caregivers shall allow children and their legal family, including siblings, to communicate by mail and by telephone in accordance with the child's case plan and in keeping with the directions of the court.

(i) Licensed out-of-home caregivers shall not open the child's mail, monitor telephone conversations or otherwise interfere with free communication with the legal family, except as necessary to comply with the directions of the court.

(j) Licensed out-of-home caregiver shall provide children opportunities in the home and through life skills classes and other organized activities to learn and practice skills needed for independent living, such as food preparation, money management, consumer awareness, personal hygiene and appearance, housekeeping and care of personal belongings, accessing health care services, transportation, job seeking, education, study skills and interpersonal relationship building or other skills provided for in the child's independent living skills plan.

(k) The licensed out-of-home caregiver shall support the child's efforts to learn to drive a car and obtain a learner's permit and driver's license as appropriate for their age, maturity level, and availability of insurance. If opportunities for driver's education are not available through the school district, the licensed out-of-home caregiver, case manager and legal parents should work in partnership to assist the youth in finding a driver's education program and in obtaining automobile insurance for children who are allowed to drive. Nothing in this section is meant to imply that the licensed out-of-home caregiver must pay for a car, or insurance on behalf of the youth in their care.

(l) Licensed out-of-home caregivers shall be knowledgeable of the Americans with Disabilities Act and shall treat children with disabilities with respect and include them in activities to the extent that they are able.

(m) As part of the licensed out-of-home caregiver's responsibility for promoting educational success, the caregiver will work with each ~~foster~~ child each day on homework and reading skills, and ensure that homework is completed.

(n) Family Care Activities.

1. Daily living tasks.

a. Licensed out-of-home care providers are expected to provide supervision, structure and daily activities designed to promote the individual physical, social, intellectual, spiritual, and emotional development of the children in their home according to each child's age and developmental level.

b. Licensed out-of-home care providers shall assist the children in performing tasks and developing skills; that will promote their independence and the ability to care for themselves.

c. Licensed out-of-home caregivers will help children in their care maintain a sense of their past and a record of their present.

d. Children in out-of-home care will be encouraged by the licensed out-of-home caregiver to assume household chores reasonable for their age and ability but not to exceed those expected of their own children.

e. Children in out-of-home care shall be provided information as appropriate to their age and maturity level, concerning drug and alcohol use and abuse, teen sexuality issues, runaway prevention, health services, community involvement, knowledge of available resources, and in identifying legal issues. These opportunities shall not be withheld as a form of discipline.

f. Children in out-of-home care shall be encouraged and assisted in participating in activities such as having his or her picture taken for publication in a newspaper or yearbook; receiving public recognition for accomplishments; participating in school or after-school organizations or clubs; and participating in community events. Children shall be able to participate in activities that promote personal and social growth, self-esteem and independence ~~as long as they are not identified as dependent children~~. Confidentiality requirements for department records shall not restrict the children's participation in customary activities appropriate for the child's age and developmental level.

g. Children in licensed out-of-home care shall be afforded every opportunity for social development, recreation, and normalization of their lives. Children in licensed out-of-home care may attend overnight or planned outings if such activities are determined to be safe and appropriate by the licensed out-of-home caregiver. The case manager shall be available for

consultation ~~and must be notified of the activity~~. The child's case manager shall be notified within 48 hours of overnight trips exceeding one night. These trips must not interfere with visitation schedules. Background screening is not necessary for participation in normal school or community activities and outings, such as school field trips, dating, scout campouts and activities with friends, families, school and church groups.

h. Licensed out-of-home caregivers shall be as diligent in determining approval for such events as he or she would for his or her own children. Licensed out-of-home caregivers shall use their parenting skills to familiarize themselves with the individual or group that the child wishes to spend time with and evaluate the child's maturity level and ability to participate in the activity safely and appropriately.

~~9. The licensed out of home caregiver is expected to may allow foster children to experience circumstances without adult supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out of home caregiver's familiarity with the child and the circumstances in which the child shall be unsupervised shall be the primary factors in the decision making. The licensed out of home caregiver is ultimately responsible for the supervision of the child. Therefore the licensed out of home caregiver shall be prudent and conscientious about circumstances where the child is granted independence, including trips to the movies, mall, athletic events and work.~~

~~i. The licensed out of home caregiver is expected to allow children to experience circumstances without adult supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out of home caregiver's familiarity with the child and the circumstances in which the child shall be unsupervised shall be the primary factors in the decision making. The licensed out of home caregiver is ultimately responsible for the supervision of the child. Therefore the licensed out of home caregiver shall be prudent and conscientious about circumstances where the child is granted independence, including trips to the movies, mall, athletic events and work.~~

~~j. The licensed out of home caregiver shall have knowledge of where and with whom the child is staying and the type of supervision and care the child shall be receiving before approving an outing or overnight activity. The licensed out of home caregivers shall meet the adult who will be supervising prior to allowing the child to spend the night away from their licensed placement or exercise the same reasonable and prudent decision making they would use in making this decision for their own children. Overnight trips exceeding one night must be approved by the child's case manager and must not interfere with visitation schedules.~~

~~i.k.~~ The licensed out\_of\_home caregiver shall be sensitive to the parent's input regarding the types of activities in which

the child can participate and the parents must be included, when practicable, in the decision making process.

## 2. Food and Nutrition.

a. The licensed out-of-home caregiver shall provide nutritionally balanced meals and age appropriate snacks daily.

b. Licensed out-of-home caregivers are expected to provide for any special dietary needs of children placed in their home. The licensed out-of-home caregiver shall be sensitive to the parent's input regarding special dietary needs.

c. Licensed out-of-home caregivers shall not withhold food as a means of discipline or punishment.

## 3. Clothing and Personal Belongings.

a. All children are to be provided with their own clean, well-fitting, attractive clothing appropriate to their age, gender and individual needs, in keeping with community standards and appropriate to the season.

b. Each child must be provided towels, washcloths, and toiletry items such as toothbrushes, combs, and hairbrushes.

c. All children must be allowed to bring, retain and acquire personal belongings while in care. Licensed out-of-home caregivers must help each child protect and preserve possessions, which are important to the child.

d. Licensed out-of-home caregivers shall keep an inventory of belongings the child brought to the home, as well as those purchased or subsequently obtained for the child. When the child leaves the family home, the licensed out-of-home caregiver must send ~~along~~ with the child ~~him~~ all serviceable clothing and personal belongings bought for, earned or given to the child. This includes any toys, bicycles, radios, or other things that are the child's personal belongings.

4. Religion and ethnic heritage. A licensed out-of-home caregiver shall cooperate with the child's case manager in arranging opportunities for a child to participate in the faith of his or her choice or that is requested by the child's family. The child's licensed out-of-home caregiver shall coordinate appropriate arrangements for the child's attendance at religious activities in partnership with the child's case manager.

## 5. Discipline.

a. Licensed out-of-home caregivers shall discipline children with kindness, consistency, and understanding, and with the purpose of helping the child develop responsibility and self-control.

b. Licensed out-of-home caregivers shall use positive methods of discipline. Acceptable methods of discipline include: ~~are~~ reinforcing acceptable behavior, expressing verbal disappointment of the child's behavior, loss of privileges, grounding, restricting the child to the house or yard, ~~or~~ sending the child out of the room and away from the family activity, ~~and~~ redirecting the child's activity.

c. Licensed out-of-home caregivers shall not subject children to cruel, severe, or unusual forms of discipline.

d. Licensed out-of-home caregivers shall not use corporal ~~punishments~~ punishment of any kind.

e. Licensed out-of-home caregivers shall not delegate discipline or permit punishment of a child by another child or by another adult not in a caregiver role.

f. Licensed out-of-home caregivers shall not withhold meals, clothing, allowance or shelter as a form of discipline.

h. No child shall be mechanically restrained or locked in any enclosure, room, closet, bathroom or area of the house or premises, for any reason.

i. Licensed out-of-home caregivers shall not threaten a child with removal, or with a report to authorities or prohibit visitation with family and significant others as consequences for unacceptable behavior.

j. Licensed out-of-home caregivers will seek the assistance of the child's primary case manager or therapist for behavior problems.

#### 6. Health Care.

~~a.~~ Licensed out-of-home caregivers are responsible for ensuring the child has routine medical, vision and dental care. The case manager shall promptly provide licensed out-of-home caregivers with the child's prescription medication and information regarding any medical, vision and dental interventions necessary for the child's health and well-being. Licensed out-of-home caregivers are responsible for administering and documenting medication as prescribed for the child. The amount, date and time the medication is administered to the child shall be documented and kept with the child's resource record. Licensed out-of-home caregivers shall keep accurate records of the administering of all medications, including psychotropic medications, and of medical treatment and interventions. No child shall be given prescription medication without a physician's prescription or medication prescribed to another person.

~~b. Maintaining and keeping the medical history current is the responsibility of the licensed out of home caregivers.~~

~~e. Licensed out of home caregivers shall transport and accompany children for necessary medical, dental or other appointments. If transportation cannot be provided by the licensed out of home caregiver, he or she shall contact the child's case manager who shall be responsible for arranging transportation.~~

~~d. Licensed out of home caregivers shall ensure that each child who needs medical attention receives appropriate and adequate medical services promptly.~~

~~e. Licensed out of home caregivers shall notify the case manager or supervising agency of any serious illness or any injury that requires medical treatment for a child. Licensed out of home caregivers shall notify the supervising agency~~

~~immediately if any of the following occur a child requires hospitalization or emergency medical treatment; or a child dies; or any other life-threatening situation occurs.~~

7. Licensed out-of-home caregivers shall comply with court orders, visitation plans and the case plan for any children placed in their care.

#### 8. Medicine.

~~a. Licensed out of home caregivers are responsible for administering and documenting medication prescribed for the child. The amount, date and time the medication is administered to the child shall be documented and kept with the child's resource record.~~

~~b. No child shall be given prescription medication without a physician's prescription or medication prescribed to another person.~~

~~8.9.~~ Resource Records. The child's resource record (CRR) shall be maintained by the licensed out of home care giver. The CRR is a standardized record developed and maintained for every child entering out-of-home care that contains copies of the basic legal, demographic, available and accessible educational, and available and accessible medical and psychological information pertaining to a specific child, as well as any documents necessary for a child to receive medical treatment and educational services. Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information must be in the file. The Child's Resource Record (CRR) shall be housed where the child is placed and shall accompany the child to every health encounter and shall be updated as events occur as set forth in paragraph 65C-30.011(5)(a), F.A.C.

~~9.i.~~ Education. Licensed out-of-home caregivers shall work in partnership with the child's case manager to address the child's educational needs and to allow for the continuation of school. To further promote visibility within the community, children in care may not be home schooled.

10.j. Allowances. Children in licensed out-of-home care shall receive an allowance. The licensed out-of-home caregiver shall not expect the child to use this allowance for purchasing personal hygiene items, school supplies, clothing or other necessities. Allowances are not to be withheld as a form of discipline.

(2) Licensed Out-of-Home Caregiver Responsibilities to the Case Management Agency.

(a) Licensed out-of-home caregivers must work cooperatively with the case manager as a member of a treatment team in seeking counseling, other professional services and in preparing and implementing the case plan for each child.

(b) Licensed out-of-home caregivers must provide pertinent information for judicial review hearings and

administrative review conferences for children placed in their home.

(c) Licensed out-of-home caregivers shall work in partnership with the case manager to maintain child resource records in a secure manner, which ensures confidentiality for the child and the child's parents.

(d) Licensed out-of-home caregivers must work in partnership with the child's case manager in preparing the child to leave their family in accordance with the case plan goal, and must participate in and support the placement process.

(e) Licensed out-of-home caregivers shall only allow the child to be moved from the home by a child protective investigator or department, lead agency or case management agency staff member, after seeing proof of identification.

(f) Licensed out-of-home caregivers shall obtain prior approval from the supervising agency for the movement of the child to another home for purposes of respite.

(g) Licensed out-of-home caregivers shall notify the child's case manager ~~at least two weeks~~ in advance of vacations in which the child shall be participating.

(h) Licensed out-of-home caregivers shall notify the child's case manager within 24 hours of any sexually inappropriate action or behavior by the child.

(i) Licensed out-of-home caregivers shall comply with court orders, visitation plans and the case plan for any children placed in their care.

(3) Responsibilities of the Licensed Out-of-Home Caregivers to the Child's Family.

(a) Licensed out-of-home caregivers must present a positive image of and demonstrate respect for the child's own family and must agree to maintain a working relationship with the child's family members as indicated in the child's case plan.

(b) Licensed out-of-home caregivers must participate in planning and facilitating visits for the child with his parents and family members as indicated in the case plan.

(c) Licensed out-of-home caregivers must allow children and their family members to communicate by mail and telephone in accordance with the child's case plan.

(d) Licensed out-of-home caregivers must share as many parenting experiences as possible with the child's legal family, i.e.; participating in school conferences and activities, transporting the child to medical appointments, buying clothing, and attending social activities.

(e) Licensed out-of-home caregivers must never be openly critical of the child's legal family to the child or to others. Negative experiences and feelings should be shared with the case manager in a private setting and any indication of abuse and/or neglect shall be reported to the Florida Abuse Hotline.

(f) Licensed out-of-home caregivers must willingly case manager and with the child's share information about the child, his development, school progress, behavior, and any significant happenings with the family.

(4) Responsibilities of the Licensed Out-of-Home Caregivers to the Regional Licensing Authority and Supervising Agency.

(a) When a child age 12 or older is believed to be missing, within four hours the licensed out-of-home caregiver shall notify law enforcement and request that a missing child report be opened and obtain the case number, inspect the child's belongings to determine what items are missing and assist the child's case manager in efforts to locate the child. Children age 11 or younger shall always be immediately reported to local law enforcement as missing.

(b) Licensed out-of-home caregivers shall notify the department and supervising agency if any child's case manager does not make a visit every thirty days. Notification of the department shall be made by calling 1-800 FLA-FIND.

(c) Licensed out-of-home caregivers shall be knowledgeable of the provisions of the federal Multiethnic Placement Act, which prohibits delay in the placement of a child on the basis of race, culture or ethnicity and the Americans with Disabilities Act.

(d) Licensed out-of-home caregivers shall never sign blank forms or falsify records. Falsification of any records or signatures on ~~of~~ blank forms shall result in a revocation or denial of the foster care license.

(e) Licensed out-of-home caregivers shall keep confidential all information about the child and the child's family. Discussing this information shall be limited to a Regional Licensing Authority or agency staff member, Guardian Ad Litem, or other authorized professional working with the child.

(5) Responsibilities of the Supervising Agency and the Regional Licensing Authority to the Licensed Out-of-Home Caregiver and Children in Care.

(a) The supervising agency will provide and coordinate training opportunities for licensed out-of-home caregivers. Licensed out-of-home caregivers shall be provided with information concerning the Multiethnic Placement Act and the Americans with Disabilities Act.

(b) The supervising agency must share all available information on each child placed with the licensed out-of-home caregiver.

(c) The supervising agency shall provide the child resource record, to the licensed out-of-home caregiver at the time of placement or within 72 hours of the placement.

(d) The supervising agency shall provide licensed out-of-home caregivers with the names and phone numbers of persons who should be contacted in emergencies.



Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended\_\_\_\_\_.

65C-13.030 Standards for Licensed Out-of-Home Caregivers.

(1) Requirements.

(a) There shall be no more than five children in a licensed home, including the licensed out-of-home caregiver's children unless an over capacity exception has been approved.

(b) There shall be no more than two children under the age of two years in a home, including the licensed out-of-home caregiver's children unless exception has been approved.

(c) There shall be no more than two children placed in a therapeutic family foster home unless an exception has been approved.

(d) Each licensed out-of-home caregiver shall sign a Partnership Plan for Children in Out-of Home Care, CF-FSP 5225, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications). The agreement shall be reviewed, and discussed with a licensing counselor prior to initial licensure and again at each re-licensure. The document must be signed by a representative from the supervising agency and the potential or licensed out-of-home caregiver.

~~(e)(4)~~ Placement of a child in a home licensed by the Agency for Persons with Disabilities shall be approved by the Agency for Persons with Disabilities prior to placement. A home licensed by the Agency for Persons with Disabilities may be utilized for placement of children eligible for both programs without obtaining a separate license if the child is receiving Supplemental Security Income (SSI).

~~(f)(e)~~ Licensed Out-of-Home Caregivers Providing Child Care.

1. Licensed out-of-home caregivers contracting with a lead agency are authorized by Section 409.1671, F.S., to provide child care as a Licensed Family Day Care Home, as defined in Section 402.302(7), F.S., may be dually licensed. A dually licensed family foster home cannot provide care for more than five children, including biological, foster, and adopted children. Therapeutic or Medical Family Foster Home shall not be dually licensed.

2. All licensing standards and requirements for family foster homes and family day care homes shall be met and maintained.

3. Licensed out-of-home caregivers shall limit their operation as a Family Day Care Home as follows:

a. Hours of operation shall only occur between 6:00 a.m. and 7:00 p.m.;

b. Based on the premise that the foster care maintenance assistance is for the care of a foster child for a twenty-four hour period and includes the provision of daily supervision for

the foster child, the out-of-home caregiver shall not be paid both the foster care board rate and child care subsidy for the same child;

c. A family foster home providing child care under this section shall be inspected a minimum of twice per year, once by daycare licensing staff and once by the supervising agency's licensing specialist. The inspection is to assess the impact of the child care operation on the fostering experience;

d. Where family foster homes are also licensed as a Family Day Care Home, the department shall make every effort to coordinate inspections with a licensing counselor from the child-care licensing program; and

e. Complaint investigations shall be conducted in conjunction with a representative from child care licensing.

(2) Personal Standards.

(a) A licensed out-of-home caregiver shall be a stable, responsible, and mature individual who is at least twenty-one years of age.

(b) At least one licensed out-of-home caregiver in the home shall be able to effectively communicate with any children placed in the home and with the supervising agency.

(c) A licensed out -of-home caregiver shall not operate the home as an adult boarding or rooming home or an adult daycare facility.

~~(d)(4)~~ Child care. Child care for children in licensed out-of-home care shall be chosen by the caregiver(s) according to the following order:

1. Gold Seal accredited child care providers or providers participating in a quality rating system;

2. Licensed child care providers;

3. Public school providers;

4. License exempt child care providers, including religious exempt, registered, and non-public schools. These providers must be participating in the school readiness program through the local early learning coalition ~~with a licensed or registered child care provider.~~

If there is no available Gold Seal accredited child care provider or space for the child at the Gold Seal provider, then the caregiver shall chose a licensed child care provider. If a licensed child care provider has no availability, the caregiver shall chose a public school provider. If there is no availability at a public school provider, the caregiver shall chose a license exempt child care provider per subparagraph 65C-13.030(2)(d)4., F.A.C. The Regional Managing Director is authorized to grant an exception to the requirement to adhere to the order of preference as documented by the lead agency on behalf of the caregiver. The cost of child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable.

(3) Physical Environment.

(a) The home shall be inspected by a licensing specialist who has been trained by the state or local health department to conduct such inspections. The home must ~~representative of the environmental health office of the local public health department and~~ receive a satisfactory inspection result for water supply, food holding temperature, plumbing, vermin and vector control, sewage, and garbage and rubbish disposal, prior to initial licensing and annually prior to re-licensing.

1. Water Supply. When water is accessible to those in care, the water temperature shall not exceed 120 degrees Fahrenheit to avoid scalding. Adequate hot water shall be provided at a minimum of 100 degrees Fahrenheit.

a. Routine Testing. Licensed out-of-home caregivers not served by a municipal water supply shall test the water and submit bacteriological water test results to the local county health department:

(I) Before license approval;

(II) At least every 12 months;

(III) Upon relocation;

(IV) Before having the well placed in service after construction, repair, or modification; or

(V) After an emergency situation, such as a flood, that may introduce contaminants to the system.

b. Test results must be negative for bacteriological contamination.

c. Positive test results require the facility to use potable water from a source approved by law for the purpose of drinking, cooking, and oral contact, until test results are negative. In addition, wells that test positive shall be disinfected, flushed, and tested for bacterial contamination.

d. Laboratory test results must be submitted to the local county health department, in writing, by the testing laboratory.

e. Testing can be obtained through the local county health department or a certified independent laboratory.

2. Food Holding Temperature. Food storage equipment shall be provided to keep all potentially hazardous foods at safe temperatures, 41 degrees Fahrenheit or below or 140 degrees Fahrenheit or above. Refrigeration units used for the storage of potentially hazardous foods shall be provided with a numerically scaled indicating thermometer accurate to plus or minus 3 degrees Fahrenheit. The thermometer shall be located in the warmest or coldest part of the units as may be applicable and of such type and so situated that the temperature can be easily and readily observed by the licensed out-of-home caregiver and any inspector.

3. Vector Control.

a. Effective control measures shall be utilized to minimize the presence of rodents, flies, cockroaches, and other vectors and vermin on the premises. Effective measures shall include any method or device or the application of any substance to

prevent, destroy, repel, mitigate, curb, control any pest in, on, or under the structure or lawn.

b. The creation, maintenance, or causing of any condition capable of causing vectors and vermin will not be permitted. The home shall be effectively maintained rodent-proof and rodent free. All outside openings shall be effectively sealed or screened with 16 mesh screening or equivalent, to prevent entry of insects, rodents, or other vectors and vermin.

4. Sewage. Any home not on a municipal sewage system and having an onsite sewage treatment and disposal system or septic tank, shall meet applicable standards in Chapter 64E-6, Florida Administrative Code.

5. Garbage and Rubbish Disposal. All garbage, trash, and rubbish from the kitchen area shall be collected daily and placed in garbage receptacles. Garbage or trash containing diapers or any odor-causing agent shall also be collected daily and placed in garbage receptacles. Garbage or trash consisting only of paper items must be collected weekly and placed in garbage receptacles. Garbage shall be removed from garbage receptacles frequently enough to prevent a sanitary nuisance, as defined in Chapter 386, F.S. Wet garbage shall be collected and stored in impermeable, leak proof, fly tight containers pending disposal. All containers, storage areas and, surrounding premises shall be kept clean.

(b) Family foster homes located in counties designated by the Department of Community Affairs Florida Radon Protection Map Categories as "intermediate" or "Elevated Radon Potential" areas shall be tested to determine the level of indoor radon as required in Section 404.056, F.S. Radon levels shall be at a level which does not affect the safety and well-being of children in the homes. Re-testing of licensed family foster homes for radon gas shall take place as required in Section 404.056, F.S.

~~(c)~~(b) Outdoor Area.

1. The exterior of the home and premises shall be free from objects, materials, and conditions which constitute a danger to children. All garbage and trash shall be covered and removed regularly. There shall not be large, potentially dangerous items stored in the safe outdoor play area such as old refrigerators, stacks of lumber and unregistered vehicles or boats.

2. The home shall have a safe outdoor play area on the property or within reasonable walking distance. All outdoor play equipment shall be kept in good repair. If the home is located on a busy street, there shall be a safety plan for supervision.

~~(d)~~(e) Water Safety and Supervision.

1. Children shall be supervised visually at all times when they are in close proximity to any body of water. Children shall never be left alone with access to swimming pools and bodies of water.

2. Children who are placed in licensed homes which are adjacent to any body of water or that have swimming pools shall be instructed in water safety as appropriate for their age.

3. Wading pools shall be set up and maintained according to the manufacturer's instructions. Wading pools shall be emptied and stored when not in use and shall be filled with clean water before each use.

4. All pools above or in ground shall be equipped with one of the following life saving devices: ring buoy; rescue tube; flotation device with a rope; or a shepherd's hook of sufficient length to cover the area.

~~(e)~~~~(d)~~ In Ground Swimming Pools.

1. Swimming pools shall have a barrier on all sides at least four feet high. The barrier may consist of the house plus a fence on the remaining sides or fence enclosing the pool. ~~If a wall of a dwelling serves as part of the barrier, it must not contain any door or window that opens to provide access to the swimming pool.~~

2. All access through the barrier shall have one of the following safety features: alarm, key lock, self-locking doors, bolt lock or another lock that is not accessible to children. Any exterior door leading from the house to the pool area shall have two of the safety features.

3. When the swimming pool is not in use all entry points shall be locked.

4. Swimming pools, in ground and above ground, shall be equipped with one of the following life saving devices: ring buoy; rescue tube; flotation device with a rope; or a shepherd's hook of sufficient length to cover the area.

~~(f)~~~~(e)~~ Above Ground Pools

1. If the sides of an above ground pool are four feet tall, they may be used as the barrier for that pool.

2. Above ground pools with steps or ladders shall have them secured, locked, or removed when the pool is not in use.

3. If the pool cannot be emptied after each use, the pool shall have a working pump and filtering system.

~~4.6.~~ Hot tubs and spas not adjoined to an in ground pool shall be required to have a safety cover that is locked when not in use.

~~(g)~~~~(f)~~ Other Bodies of Water.

1. Children shall be in line of sight supervision at all times when in the proximity of any body of water.

2. Children who are placed in a licensed home that is adjacent to any body of water shall be instructed in water safety regardless of age or swimming capability.

~~(h)~~~~(g)~~ Interior Environment.

1. The home shall have sufficient space and furnishings and be accessible to all members of the family.

2. Each child shall be provided with adequate storage space for personal belongings and a designated space for hanging clothes in or near the bedroom occupied by the child.

3. Bath and toilet facilities shall be clean and in good working order with a door for privacy.

4. The door of each bathroom shall have a lock ~~that may be opened from the outside in an emergency.~~

5. The home shall be clean and free of hazards to the health and physical well-being of the family.

6. Each family foster home shall have a working telephone in the home that is accessible at all times. Emergency telephone numbers shall be displayed prominently in the home. Licensed out-of-home caregivers shall immediately notify the supervising agency if their telephone number changes.

7. All toys and equipment shall be in safe condition and kept clean and sanitary.

8. All rooms used by children shall be at a comfortable temperature. Rooms shall be dry and well ventilated.

9. All doors and windows used for ventilation shall be screened.

10. Rooms used by children shall be clean and well lit.

11. Homes shall be free of tobacco smoke.

~~(i)~~~~(h)~~ Sleeping Arrangements.

1. All sleeping areas shall be in bedrooms separate from the public areas of the house. Children's bedrooms shall have adequate space for the number of children sleeping in the room. A minimum of forty square feet per child is required. Homes that are licensed prior to the promulgation of this rule shall be exempt from this requirement

2. An adult shall be within hearing distance and accessible to the rooms where children under six years of age are sleeping.

3. Each child shall be provided with a clean, comfortable, permanent bed and mattress of their own. The bed shall be of sufficient size to comfortably accommodate the child.

4. Infants shall have their own crib which shall be maintained in good and safe condition and have a clean and comfortable mattress that fits snugly in the crib frame. Cribs shall not have drop sides or be placed close to windows with curtains or cords in which the child might become entangled.

5. Bunk beds shall be safe and sturdy. Bunk beds shall be equipped with safety rails on the upper tier for a child under the age of ten or for any child whose physical, mental, or emotional condition indicates the need for such protection. Beds bunked higher than two tiers must have a manufacturer sticker of safety and must not be placed under or near ceiling fans. Children five years old and younger may not sleep on the third tier of a three tiered bunk bed. ~~Beds shall not be bunked higher than two tiers.~~

6. A licensed out-of-home caregiver shall provide each child with clean linens. A child shall not be required to sleep on linens soiled by urine or excrement. Waterproof mattress covers should be provided for all beds and cribs of children

experiencing enuresis or encopresis. Plastic garbage bags must not be used as mattress covers.

7. Children of any age shall not sleep on a living room sofa, cot or foldaway bed except in extenuating circumstances.

8. The entry to a child's bedroom shall not be located so as to require the child to pass through another bedroom or bathroom in order to enter their bedroom.

9. Children may never share a bed with an adult, regardless of age.

10. Children may not share a bed.

11. Children over thirty-six months of age shall not share a bedroom with a child of the opposite sex unless efforts are being made to maintain a sibling group. In instances where efforts are being made to maintain a sibling group or maintain a viable placement, the foster family, licensing agent and case manager shall work together in determining arrangements for the safety and best interests of the children involved. Rationale for any decision made for children over the age of thirty-six months to share a bedroom shall be documented in Florida Safe Families Network.

12. Children over the age of twelve months shall not share a bedroom with an adult. The only exception to this would be if one of the children sharing a bedroom reaches his or her eighteenth birthday and the out-of-home caregiver and the supervising agency approve this sleeping arrangement. This exception applies only to the circumstances described above and not to any new placements in the home.

13. Infants twelve months of age or younger may share a bedroom with an adult provided the infant sleeps in their crib.

14. Children over the age of twelve months may share a bedroom with an adult when it is deemed to be medically necessary. A doctor's note shall be placed in the licensing file of the supervising agency. For children transitioning past their first birthday exceptions may be approved in consultation with the child's case manager and the licensing agency.

~~(j)(4)~~ Family Foster Home Safety.

1. The licensed out-of-home caregiver shall make every effort to identify and immediately correct any hazard to the safety of children while in the home or while being transported.

2. All poisonous chemicals shall be in a locked location. Hooks, child safety latches and other baby proof devices do not qualify as locked storage for poisonous chemicals. Cleaning materials shall be made inaccessible to children.

3. Each licensed home shall have a first aid kit available and accessible to all caregivers.

4. All medications shall be stored in a location that is locked and inaccessible to children. Hooks, child safety latches and other baby proof devices do not qualify as locked storage for medications.

5. Alcoholic beverages shall be stored in a location out of reach of children.

6. Storage of guns shall comply with the requirements of CF-FSP 5343, Acknowledgement of Firearms Safety Requirements, effective February 2013 ~~2012~~, which is hereby incorporated by reference and available online at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). A copy of the form is also available upon request by contacting the Office of Family Safety at 1317 Winewood Boulevard, Tallahassee, Florida 32399. ~~If an agency receives a public records request after the promulgation of this rule, identifying information such as number of guns owned, or place of storage of guns, must be redacted.~~

7. Animals requiring vaccinations shall be current in all vaccinations. All animals shall be well cared for and maintained. The licensed home shall have a secure method to restrict children's access to potentially dangerous animals.

~~(k)(4)~~ Fire Safety.

1. The home shall be safe from fire hazards. All combustible items shall be stored away from sources of heat. Exits, stairways and hallways shall be free of obstacles that would hamper an emergency evacuation. The home shall have at least two exits. All doors with locks shall be capable of being opened from the inside.

2. All equipment such as heating and cooling units, washers, dryers, refrigeration systems, stoves and hoods shall be properly installed, vented and maintained.

3. Each bedroom shall have two means of exit in case of emergency. Bedrooms above ground level must have a means of escape that will allow for safe exit. If the child's bedroom is equipped with burglar bars, the caregiver shall demonstrate that the burglar bars can be released to allow exit. A key placed near a window does not qualify as an approved emergency release method. Age appropriate training on opening of the burglar bars shall be provided to each child upon placement.

4. The licensed out-of-home caregiver shall have an evacuation plan posted in a conspicuous place in the home. The plan shall specifically provide for the safe exit of children who are incapable of understanding the plan or participating in drills. This plan should be shared with all children as appropriate to their age and level of understanding upon placement in the home.

5. Fire drills shall be conducted a minimum of two times a year. The licensed out-of-home caregiver shall maintain a log of fire drills conducted, including the date, beginning and ending time, specific location and participants' names.

6. Each floor in the home shall have a fully charged, unexpired 2A10BC fire extinguisher. One of the fire extinguishers shall be adjacent to the kitchen. There shall also

be at least one operating smoke alarm on each floor. There shall be a smoke alarm in each bedroom area.

7. The home shall not be heated by un-vented gas fired space heaters or oil heaters unless they are equipped with an oxygen depletion sensor and the home has a carbon monoxide alarm. All gas-fired devices shall be equipped with an automatic pilot gas shut-off control. All electrical wiring shall meet required building codes.

8. All fireplaces, space heaters, steam radiators, and hot surfaces shall be shielded against accidental contact. Access by children under six years of age shall be restricted by a barrier.

9. Extension cords shall not extend from one room to another with the exception of situations involving emergency loss of power due to a natural or manmade disaster. Multiple electric outlet adapters shall not be used for more than two extensions at one time.

10. Volatile materials shall not be stored where water heaters are located or near other sources of heat. Attic space shall not be used for the storage of volatile materials.

~~(l)(k)~~ Transportation Safety.

1. The licensed out-of-home caregiver shall have transportation available twenty-four hours a day. All vehicles used to transport children shall be in safe condition, in compliance with applicable motor vehicle laws of the state, and equipped with seat belts and approved car seats for children as required under Section 316.613, F.S. Vehicles shall be smoke-free when children are being transported. The licensed out-of-home caregiver shall have the ability to safely transport the number of children in his or her care.

2. The licensed out-of-home caregiver shall have all vehicles insured. The licensed out-of-home caregiver shall not allow children to be transported by any person not possessing a valid driver's license or auto insurance.

3. The licensed out-of-home caregiver shall not have driving violations less than five years old which relate to driving under the influence of alcohol, or drugs on file with the Department of Highway Safety and Motor Vehicles. A copy of the licensed out-of-home caregiver's driving record shall be provided to the Regional Licensing Authority at the time of initial licensure and at each re-licensure.

4. The licensed out-of-home caregiver shall not transport children in vehicles such as truck beds, motorcycles, or any other high-risk method of transportation. The licensed out-of-home caregiver shall follow C. 322, Florida Statutes, related to transportation of children.

~~(m)(4)~~ Disaster Plans.

1. Each licensed out-of-home caregiver shall have a current written plan for evacuation in the event of a natural or man made disaster.

2. The plan shall include where the family intends to go and information as to how the family may be reached and must be shared with the supervising agency.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended 7-21-10,\_\_\_\_\_.

65C-13.031 Terms of a License.

(1) It is unlawful for any person to make a willful or intentional misstatement on any license application or other document filed in connection with an application for a license. An applicant who makes such willful or intentional misstatements shall have his or her license denied or revoked.

(2) The Regional Licensing Authority shall request in writing any additional information legally required for the purposes of making a licensing determination; within ten working days of receipt of an application packet. The Regional Licensing Authority shall grant or deny an initial license application within ten working days of receipt of a complete application packet.

(3) Initial licenses shall only be issued to persons who have met all licensing requirements.

(4) A license is issued to specific caregivers for a specific location and is not transferable to any other person or location. Offices, conference rooms and other non home-like settings are not appropriate for licensing or placement of children in care.

(5) The license shall reflect the name of the licensee, the licensee's physical address, city and county, the name of the supervising agency and the license number along with its beginning and expiration dates. An initial license is valid for one year from the date of issuance unless the license is revoked or voluntarily relinquished.

(6) A license for renewal may be issued for longer than one year but no longer than three years providing that the applicant:

(a) Has maintained a license with the Regional Licensing Authority for three consecutive years;

(b) Is in good standing with the supervising agency and the Regional Licensing Authority;

(c) Has not been the subject of a report of child abuse or neglect with any findings of maltreatment.

(7) The Regional Licensing Authority reserves the right to reduce a licensure period at any time. When the Regional Licensing Authority determines that a reduction in the licensure period is warranted, it shall promptly notify the supervising agency and the applicant in writing, identifying the reasons for the reduction in the licensure period, the statutory authority for this action and the applicant's right of appeal pursuant to Chapter 120, F.S.

(8) Authorized licensing staff of the Regional Licensing Authority or supervising agency may make unannounced

inspections of a licensed family foster home. The inspection may include examination of all rooms and areas on the property and interviews of all household members.

(9) All licenses shall be signed by the regional administrator or designee in upper level management.

(10) Provisional License.

(a) Provisional licenses are non-renewable and the duration shall not exceed twelve months. Provisional licenses shall not be issued without the submission of a corrective action plan to the Regional Licensing Authority identifying the deficiencies and time frames for correcting the deficiencies prior to the expiration of the provisional license.

(b) No license shall be issued if there is a failure to comply with background screening requirements.

(c) Under no circumstances shall new or additional children be placed in a family foster home which has been issued a provisional license.

(d) A provisional license may be suspended if periodic inspection made by the supervising agency indicates insufficient progress has been made toward corrective action plan compliance.

(11) License Modifications.

(a) Modifications shall be made to a license at the request of the licensed out-of-home caregiver or as a result of corrective measures.

(b) Modifications which alter information set forth on the existing license shall result in the issuance of a new license. This new license shall expire on the same date as on the existing license.

(c) If a request for modification occurs within ninety days of the expiration of the license, the supervising agency may choose to conduct all activities consistent with re-licensure. The new license shall be valid for one year from the new date of issuance.

(12) Record Confidentiality. Any information made confidential by Section 409.175, F.S., shall be exempt from release unless otherwise ordered by the court. This confidentiality and exemption also applies to records maintained by community-based care providers acting as contractors for the department pursuant to Section 119.011, F.S.

(13) File Retention.

(a) The Regional Licensing Authority and supervising agency shall maintain a central file in the region for every family foster home licensed. The file shall include, at a minimum:

1. All initial and subsequent licensing documentation;
2. Complaint investigation information;
3. Waivers and exceptions; and
4. Other additional documentation obtained regarding the licensed home.

(b) Supervising agencies shall maintain a file on every actively licensed home. The file shall include, at a minimum, all initial and subsequent licensing documentation as well as all other licensing related activities, including documentation of background screening requirements. These files must be maintained in a secure location and when requested, be made available for monitoring or auditing purposes.

(c) An electronic version of the licensing file shall be maintained by the supervising agency in the electronic filing cabinet located in Florida Safe Families Network. The supervising agency in partnership with the lead agency shall develop a policy that addresses the destruction of paper files; this policy must be reviewed and approved by the regional licensing administrator.

(d) Files of prospective licensed out-of-home caregivers who do not become licensed shall be retained by the supervising agency for a period of five years.

(e) Files of licensed out-of-home caregivers shall be maintained for twenty years after closure.

(f) Files of applicants who are denied licensure shall be maintained for a period of twenty years after the issuance of the denial or final denial order date, whichever is later.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 4-6-08, Amended\_\_\_\_\_.

65C-13.032 Over-Capacity Assessments and Exceptions  
Waivers.

(1) Capacity.

(a) A recommendation shall be made by the supervising agency for the licensed capacity in each family foster home based on:

1. An evaluation of the skills, experience and support network of the prospective licensed out-of-home caregiver;
2. The physical space in the home; and
3. The needs of the children served.

(b) The total number of children in the home shall not exceed five children, including the out-of-home caregiver's own children, unless the home is being licensed as a child specific license for a sibling group larger than five. There shall be no more than two infants under twenty-four months in a licensed home, including the out-of-home caregiver's own children.

(2) Placement. The total number of children placed in each family foster home shall be based on the recommendation of the supervising agency, using the following criteria:

- (a) The needs of each child in care;
- (b) The ability of the licensed out-of-home caregiver to meet the individual needs of each child, including any of the out-of-home caregiver's own children living in the home;
- (c) The amount of safe space;

(d) The ratio of active and appropriate adult supervision to the number of children; and

(e) The background, experience, and skill of the licensed out-of-home caregivers.

(3) Approval of Over-Capacity Assessments for Over Five Children or More than Two Infants.

(a) Assessment approvals for more than five children or ~~no~~ more than two infants under twenty-four months shall be given prior to placement by the supervisor in writing or via electronic method for the following situations and shall be approved personally and in writing the next business day by the Regional Administrator or the Chief Executive Officer for the Community-Based Care Lead Agency or their designee. The following circumstances require an assessment:

1. To accommodate a sibling group. This may be a sibling group with some of the children already in the home as well as a sibling group being placed for the first time;
2. To accommodate a child or sibling group needing placement who has previously lived in the home;
3. To allow a teen parent in care to have his or her child or children placed in the same home.
4. If denial of the placement would be contrary to the child's best interest.

(b) The assessment of each child in the home and of the child being placed in the home shall be completed by the placement staff.

1. The assessment shall include:
  - a. The medical, mental, physical and behavioral needs of each child;
  - b. A clear, concise explanation of why the over-capacity waiver should be approved including the reason it has been determined that this is the most appropriate available placement;
  - c. A description of any special services or support systems which may be necessary to assure the well-being of the child being placed;
  - d. A description of how this home can physically accommodate the additional child. Accommodations shall include a bed, adequate closet space and room for personal possessions and adequate privacy;
  - e. Information concerning how the needs of any particularly vulnerable child currently in placement can be adequately protected;
  - f. Placement needs and risk factors for children who have been sexually victimized or who are sexually aggressive;
  - g. Verification that there are no active complaints, licensing standards in violation, active abuse reports or foster care referrals for the proposed placement; and
  - h. The duration of the waiver; Initial assessment approval shall not exceed 30 days. Subsequent approvals for the same child or children may be approved for (90) day extensions

personally and in writing by the Regional Administrator or by the Community-Based Care Lead Agency Chief Executive Officer or their designees.

2. Requirements for the Assessment.

a. The placement staff shall provide to the case manager a copy of the completed assessment within five working days of the child's placement.

b. The written and approved assessment shall be placed in the licensing file of the out-of-home caregiver.

c. The licensing counselor shall conduct a home visit with the licensed out-of-home caregiver within seven calendar days of a child's placement to ensure that all appropriate services identified by the case manager are in place to support the out-of-home caregiver.

(4) Over-Capacity Exception Waiver and Age Differential Approvals.

(a) Written approval of the exception waiver shall be obtained prior to placement when the licensed capacity and recommended ages of children are exceeded. The exception waiver shall be approved by the supervisor in writing or via electronic method and shall be approved personally and in writing the next business day by the Regional Managing Director Administrator or the Chief Executive Officer for the Community-Based Care Lead Agency or their designee.

(b) An initial approval shall not exceed thirty calendar days except when the approval is used to accommodate a sibling group larger than five or with more than two infants under 24 months of age.

(c) The approval for the over-capacity exception waiver shall automatically expire when the total number of children in the home is at or below the licensed capacity.

(d) An approval may be issued for one hundred eighty calendar days if it is issued to accommodate a sibling group larger than five or more than two infants under 24 months of age. Subsequent approvals may be approved for a one hundred eighty-day extension.

(e) All child placements shall be recorded in the Florida Safe Families Network by the supervising agency within forty-eight hours of placement. When such a placement causes a home to exceed a total of five children, the approval shall be recorded on the provider licensing screen.

Rulemaking Authority 409.175 FS. Law Implemented 409.175(3)(a), 409.175(3)(b)-(c), 409.175(5)(a)4., ~~409.175(5)(b)~~ FS. History—New 4-6-08, Amended\_\_\_\_\_.

65C-13.033 Babysitting, Overnight Care, Extended Overnight Care and Other Supervision Arrangements.

(1) All persons who provide respite care in their own homes shall be licensed and attend pre-service training pursuant to Section 409.175, F.S. Respite providers already licensed without having been through pre-service training

shall be excluded from the requirement for training under this rule.

~~(2) All respite care providers shall be furnished with written information on the children in their care including:~~

~~(a) Telephone numbers for the case manager services worker in case of an emergency;~~

~~(b) Medical authorization and instructions on seeking medical care;~~

~~(c) Medications, instructions for administering, and the log for recording proper administration of the medications;~~

~~(d) Physician's name and telephone number;~~

~~(e) School;~~

~~(f) Medicaid number; and~~

~~(g) Medical, physical or behavioral concerns~~

~~(2)(3)~~ A licensed out-of-home caregiver is entitled to paid respite. Six hours or more shall constitute a paid respite day. Each licensed out-of-home caregiver may receive up to is entitled to a minimum of twelve paid respite days per year.

~~(3)(4)~~ Supervising agency approval shall be obtained prior to the respite period if reimbursement is sought.

~~(4)(5)~~ Babysitting and Other Short Term Home Based Care.

(a) Babysitters shall be at least sixteen years of age or older except for youth age 14-15 who have completed a recognized babysitting course. The local Community-Based Care (CBC) lead agency has the authority to approve the educational course on babysitting.

(b) The licensed out-of-home caregiver is responsible for ensuring that individuals providing babysitting are suitable and appropriate for the age, developmental level and behaviors of the children.

(c) The licensed out-of-home caregiver is responsible for ensuring babysitters receive an orientation that covers protocol for handling emergencies, including telephone numbers for the licensed out-of-home caregiver, case manager and physician. The discipline policy and confidentiality policy shall be clearly explained.

(d) Babysitting does not have to occur in a licensed setting.

~~(5)(7)~~ Extended ~~Other~~ overnight care.

(a) Families shall ~~should be expected to~~ take children in their care on family vacations and trips whenever possible.

(b) The following procedures apply when the parent must be absent for more than 48 hours overnight and the child cannot reasonably accompany them:-

1. Foster parents will be allowed to select families or individuals who are well known to them to care for the children in their absence.

2. Except in emergency circumstances, the adults in these families must have criminal and child abuse background checks, including finger printing. In emergency circumstances,

the CBC or designee will perform a local criminal abuse background check and a child abuse background check within 24 hours of the family or individual taking responsibility for the child(ren). A full background screening will be initiated the next business day. Foster parents are strongly encouraged to identify and screen multiple persons to provide care in emergency situations. Such persons shall be recorded in the Unified Home Study module in Florida Safe Families Network.

3. The foster parent will certify to the CBC or CBC designee that the home is safe and free from hazards considering the age, maturity and developmental level ~~unique~~ unique circumstances of the child.

4. The CBC shall develop a process for approving these supervision arrangements and the case manager will be informed of the arrangements.

~~(6)(8)~~ General Provisions. All care providers shall be furnished with written information on the children in their care including:

(a) Telephone numbers for the case manager in case of an emergency;

(b) Medical authorization and instructions on seeking medical care;

(c) Medications, instructions for administering, and the log for recording proper administration of the medications;

(d) Physicians' name and telephone number(s);

(e) School;

(f) Medicaid number; and

(g) Medical, physical or behavioral concerns.

Rulemaking\_Authority 409.175 FS. Law Implemented 409.175 FS. History-New 4-6-08, Amended\_\_\_\_\_.

65C-13.034 Foster Care Referrals and Investigations.

(1) The Regional Licensing Authority maintains responsibility for ensuring appropriate follow-up actions are taken on all foster care referrals and investigations. The supervising agency shall ensure that all licensed out-of-home caregivers are notified of foster care referrals. Licensed out-of-home caregivers shall be notified of investigations by the child protective investigator.

(2) The Regional Licensing Authority, lead agency and supervising agency have the right to inspect the entire premises of the licensed out-of-home caregiver at any time.

(3) Foster Care Referrals. Upon receipt of a foster care referral by the child protection investigation unit, the foster care referral shall be immediately forwarded to the appropriate licensing staff. If the foster care referral is regarding a family foster home, the referral shall be immediately forwarded by the child protection investigator to the supervising agency. ~~If the foster care referral is regarding a residential group home, the foster care referral shall be immediately forwarded by the~~



~~child protection investigator to the regional licensing authority.~~ The licensing staff receiving the foster care referral shall:

(a) Respond to the foster care referral and document any needed actions within ~~forty-eight~~ twenty-four hours.

(b) ~~The supervising agency shall prepare a written corrective action plan to correct the deficiencies that are a result of a foster care referral. If licensing violations are found which do not pose an immediate threat to the health, safety or well-being of the child, the supervising agency shall prepare a written corrective action plan to correct the deficiencies.~~ The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

(c) If there are concerns regarding abuse or neglect, a call shall be made to the Abuse Hotline. The Abuse Hotline staff shall immediately notify the placement unit, or on-call placement unit if after hours.

(4) Investigations. When the supervising agency is notified of an investigation, a staffing shall be coordinated according to local protocol. If licensing violations are found which do not pose an immediate threat to the health, safety or well-being of the child, the supervising agency ~~or regional licensing authority~~ shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency ~~or regional licensing authority~~ in conjunction with the licensed licenses out-of-home caregivers or residential group home managers and shall be approved by the Regional Licensing Authority.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS., History—New 4-6-08, Amended\_\_\_\_\_.

65C-13.035 Administrative Actions, Appeals and Closures.

(1) General Information. All licensing action negatively impacting an out-of-home caregiver, including a denial, suspension or revocation, is subject to the procedures set forth in Section 120.60, F.S. The department is the Regional Licensing Authority for all family foster homes and has final authority for approval, denial or suspension of any license.

(a) The denial, revocation, or suspension of a license shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

(b) The Regional Licensing Authority shall notify the lead agency and supervising agency immediately of negative action taken regarding a license.

(2) Documentation Requirements Prior to Administrative Action.

(a) Before making a determination that a license shall be denied, suspended or revoked, the following shall be documented in the licensing file:

1. All qualifying abuse reports and all reports of licensing violations and the outcome of the investigation;
2. List of all deficiencies or conditions, other than abuse or neglect of the children, which compromise the safety or well-being of the children;
3. The length of time and frequency of the noncompliance with the licensing requirements or deficiencies in caring for children;
4. The date of written notification to the licensee as to the deficiency and time given to the licensee to correct the deficiency;
5. The licensing staff's efforts to help the licensee come into compliance;
6. Barriers, if any, which prohibit the licensee from correcting the deficiencies;
7. All license revocations and denials shall comply with requirements of Chapter 120, F.S.; and
8. All documentation shall be reviewed with the department's legal counsel. The notice of revocation or denial shall not be sent to the out-of-home caregiver without approval of both the department's legal counsel and the Regional Licensing Authority.

(3) Denial of Initial Licensure.

(a) The Regional Licensing Authority shall have ninety days following receipt of a complete application packet to grant or deny the application in accordance with Section 120.60, F.S.

(b) If the supervising agency determines that the applicant should not be licensed, the applicant shall be notified in writing within ten working days of the determination, identifying the reasons for the denial, the statutory authority for the denial and the applicant's right of appeal pursuant to Chapter 120, F.S. The applicant shall be afforded the opportunity to withdraw the application. If the applicant elects to withdraw the application, this must be documented in writing in the licensing file.

(c) If the applicant does not withdraw the application, the supervising agency shall provide to the Regional Licensing Authority sufficient information to support the recommendation of the denial. When the Regional Licensing Authority determines that the license should be denied, they shall notify the applicant in writing within ten working days of the decision, identifying the reasons for the denial, the statutory authority for the denial and the applicant's right of appeal pursuant to Chapter 120, F.S.

(4) Administrative Action for Existing Family Foster Homes.

(a) If licensing violations are found such that the child's physical, mental, or emotional health is significantly impaired or is in danger of being significantly impaired, the licensing counselor shall consult with his or her supervisor and the

child’s case manager for an immediate review of the safety of any children in the home and a call shall be made to the Abuse Hotline.

(b) If licensing violations are found which do not pose an immediate threat to the health, safety or welfare of the children, the supervising agency shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

(c) Written notification shall be sent to the licensed out-of-home caregiver that specifies the deficiency, expected corrective action, time frame for completion, and that failure to comply within the time frame specified shall result in the license being suspended, denied, or revoked. The approved corrective action plan shall be put in writing by the supervising agency and signed by the licensed out-of-home caregiver.

(d) Corrective action plans are created for licensed out-of-home caregivers who have the ability to understand and correct the infraction. Corrective action plans are not created for licensed out-of-home caregivers who have previously committed licensing violations and were unable to benefit from remedial efforts developed a pattern of deficiencies that has not been rectified by prior attempts at corrective action. In these cases, the supervising agency shall work with the licensing authority, the department’s legal counsel and lead agency to determine whether action should be taken to suspend, deny or revoke the license.

(e) Failure of the licensed out-of-home caregiver to timely comply with the corrective action plan may result in suspension, denial of re-licensure, or revocation of the license.

(f) The licensed out-of-home caregiver shall be given notice if the supervising agency determines that it cannot recommend re-licensure.

(g) If the licensed out-of-home caregiver disagrees with the supervising agency’s recommendation, he or she may still request renewal of the license. The supervising agency shall accept the application and refer the licensed out-of-home caregiver’s file to the Regional Licensing Authority with a recommendation for denial.

(h) A decision to revoke, suspend, or deny further licensure is made after a review is done in conjunction with the department’s legal counsel, supervising and lead agencies. Written notification by certified mail shall be provided to the licensee. The notice shall include the statutory and rule violations that were found, shall advise of the action to be taken, and the right to challenge the action through an administrative proceeding as provided in Chapter 120, F.S.

(5) Voluntary Closures.

(a) The supervising agency shall conduct an exit interview with licensed out-of-home caregivers who are closing. This interview is an opportunity to explore any recommendations for improvement that the licensed out-of-home caregiver may be willing to share.

(b) The supervising agency shall document the reason for closure and whether re-licensing would be recommended.

(c) If re-licensing would not be recommended, the licensing file shall clearly document the reasons re-licensing is not appropriate.

(d) If the closure is voluntary and in lieu of revocation or denial of a license, the supervising agency shall document the reason for the denial.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 4-6-08, Amended\_\_\_\_\_.

**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 June 28, 2013, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner’s Name: Mark A. Wolfman

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. 13-4172.

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.

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

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures  
The Southwest Florida Water Management District hereby gives notice: it has issued an order granting a variance.

Petitioner's Name: Quail Run HOA of Citrus County  
 Date Petition Filed: May 2, 2013  
 Rule No.: 40D-22.201, F.A.C.  
 Nature of the rule for which variance or waiver was sought:  
 lawn and landscape irrigation.  
 Date Petition Published in the Florida Administrative Register:  
 May 7, 2013.  
 General Basis for Agency Decision: Petitioner demonstrated  
 substantial hardship and proposed an alternative means of  
 achieving the purpose of the statute implemented by the rule.  
 A copy of the Order or additional information may be  
 obtained by contacting: Lois Sorensen, 7601 US Highway  
 301, Tampa, Florida 33637, (813)985-7481, ext. 2298,  
 water.variances@watermatters.org.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE  
 Division of Historical Resources  
 The Bureau of Historic Preservation, Florida Folklife Council  
 announces a telephone conference call to which all persons are  
 invited.  
 DATE AND TIME: July 16, 2013, 10:00 a.m. until conclusion  
 PLACE: R.A. Gray Building, Room 404, 500 South Bronough  
 Street, Tallahassee, Florida 32399-0250  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To  
 conduct council business and to review the applications for the  
 2013-2014 Florida Folklife Apprenticeship Program.  
 A copy of the agenda may be obtained by contacting: Ross  
 Brand at 1(800)847-7278 or via email:  
 Ross.Brand@dos.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: Ross Brand at 1(800)847-7278 or via email:  
 Ross.Brand@dos.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).  
 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: Ross Brand at  
 1(800)847-7278 or via email:  
 Ross.Brand@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS  
 The Florida Commission on the Status of Women announces  
 telephone conference calls to which all persons are invited.  
 DATE AND TIME: July 11, 2013, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on  
 participation.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Executive Committee  
 DATE AND TIME: July 16, 2013, 11:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on  
 participation.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Awards and Recognition Task Force  
 DATE AND TIME: July 16, 2013, 1:30 p.m.  
 PLACE: Please call (850)414-3300 for instructions on  
 participation.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Public Outreach Task Force  
 DATE AND TIME: July 17, 2013, 10:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on  
 participation.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Women's Hall of Fame Committee  
 DATE AND TIME: July 25, 2013, 11:00 a.m.  
 PLACE: Please call (850)414-3300 for instructions on  
 participation.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Full Commission  
 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 at the Office of the  
 Attorney General, The Capitol, Tallahassee, FL 32399-1050,  
 phone: (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 at  
 the Office of the Attorney General, The Capitol, Tallahassee,  
 FL 32399-1050; phone: (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, Phone: (850)414-3300, fax: (850)921-4131.

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida State Fair Authority, Long Range Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2013, 11:00 a.m.

PLACE: Florida State Fairground, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

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: Sonia Velez, (813)627-4221. 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: Sonia Velez, (813)627-4221.

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#### DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces public meetings to which all persons are invited.

DATES AND TIMES: - Florida Criminal Justice Educators Association Meeting, Tuesday, August 6, 2013, 8:30 a.m.

- Training Center Director Board Meeting, Tuesday, August 6, 2013, 1:00 p.m.
- Training Center Director Basic Recruit Committee Meeting, Tuesday, August 6, 2013, 2:00 p.m.
- Training Center Director Officer Wellness Committee Meeting, Tuesday, August 6, 2013, 2:00 p.m.
- Training Center Director Advanced Training Committee Meeting, Tuesday, August 6, 2013, 3:00 p.m.
- Training Center Director Rules Committee Meeting, Tuesday, August 6, 2013, 3:00 p.m.
- Training Center Director Technology Committee Meeting, Tuesday, August 6, 2013, 3:00 p.m.
- Training Center Director Open Forum, Tuesday, August 6, 2013, 4:00 p.m.

- Training Center Directors Association Business Meeting, Wednesday, August 7, 2013, 8:30 a.m.
- Probable Cause Determination Hearings, Wednesday, August 7, 2013, 10:00 a.m.
- Workshop: Introduction of the 2014 Law Enforcement Basic Recruit Training Program, Wednesday, August 7, 2013, 10:00 a.m.
- Regional Criminal Justice Selection Center Directors Association, Wednesday, August 7, 2013, 1:00 p.m.
- Commission Workshop: Review of Trust Fund Revenue Initiatives, Wednesday, August 7, 2013, 2:30 p.m.
- Criminal Justice Standards and Training Commission Business Meeting, Thursday, August 8, 2013, 8:00 a.m.
- Criminal Justice Standards and Training Commission Officer Discipline Hearings, Thursday, August 8, 2013, 9:30 a.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Ponte Vedra Beach, Florida 32082.

Reservation Number: (800)457-4653; hotel telephone number: (904)285-7777.

\$95.00 each night for single/double from Sunday, August 4, 2013 through Friday, August 9, 2013.

Check-in: 4:00 p.m., check-out: 11:00 a.m.

CJST Commission Meeting Group; Group Code: CJSCJSA

Reservation Deadline: July 19, 2013. You may cancel your reservations 48 hours prior to your arrival date.

On-site complimentary self-parking. Valet Parking is available for a fee.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The above meetings are held to discuss issues relating to standards, training, examinations, certification, de-certification, record management for law enforcement, correctional, and correctional probation officers, Commission rules, officer discipline penalty guidelines, and certification and recertification of criminal justice training schools. The Commission packet will be posted to the FDLE website by July 23, 2013.

A copy of the agenda may be obtained by contacting: Donna Hunt at (850)410-8615 or email at [donnahunt@fdle.state.fl.us](mailto:donnahunt@fdle.state.fl.us) if you have questions about the above meetings. If you have questions about the Officer Discipline Agenda, please contact Lori Morea at (850)410-8625 or e-mail at [lorimorea@fdle.state.fl.us](mailto:lorimorea@fdle.state.fl.us). If you have questions about hotel accommodations, please contact Cheryl Taylor at (850)410-8657 or email at [cheryltaylor@fdle.state.fl.us](mailto:cheryltaylor@fdle.state.fl.us). The Commission packet can be viewed or downloaded after July 23, 2013, at: <http://www.fdle.state.fl.us/Content/getdoc/91a75023-5a74-40ef-814d-8e7e5b622d4d/CJSTC-Home-Page.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 14 days before the workshop/meeting by contacting: Donna Hunt at (850)410-8615 or e-mail at donnahunt@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Donna Hunt at (850)410-8615 or e-mail at donnahunt@fdle.state.fl.us.

**DEPARTMENT OF LAW ENFORCEMENT**

Criminal Justice Standards and Training Commission  
The Criminal Justice Standards and Training Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, July 11, 2013, 3:00 p.m.

PLACE: The Conference Call Number is: 1(888)670-3525, and the Conference Pass Code is: 8753391569, followed by the # sign

Please call 5 minutes prior to the designated time of the conference call.

The location of the conference call is: FDLE/Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308, Conference Room number B1055.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To take Commission action on a request for rule waiver.

A copy of the agenda may be obtained by contacting: Donna Hunt, Phone Number (850)410-8615, or email address: donnahunt@fdle.state.fl.us or write to FDLE, Criminal Justice Professionalism, Post Office Box 1489, Tallahassee, FL 32302.

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: Donna Hunt, Phone Number (850)410-8615, or email address: donnahunt@fdle.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: Donna Hunt, Phone Number (850)410-8615 or email address: donnahunt@fdle.state.fl.us.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District  
The Governing Board of the South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2013, 9:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of the meeting 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 meetings 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.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or at <https://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: Jacki McGorty, (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: Jacki McGorty, (561)682-2087 or [jmcgorty@sfwmd.gov](mailto:jmcgorty@sfwmd.gov).

**SPACE FLORIDA**

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

DATE AND TIME: Friday, July 26, 2013, 10:00 a.m. – 12:00 Noon

PLACE: Conference call

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Audit & Accountability Committee Meeting.

A copy of the agenda may be obtained by contacting: Rhonda Rosa at [rrosa@spaceflorida.gov](mailto:rrosa@spaceflorida.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 3 days before the workshop/meeting by contacting: Rhonda Rosa at [rrosa@spaceflorida.gov](mailto:rrosa@spaceflorida.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).

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: Rhonda Rosa at rrosa@spaceflorida.gov.

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**DEPARTMENT OF ELDER AFFAIRS**

**Long-Term Care Ombudsman Program**

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

**DATE AND TIME:** July 12, 2013, 10:00 a.m. – 11:30 a.m. – **CANCELLED.**

**PLACE:** CANCELLED

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Executive Committee – **CANCELLED.**

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**RULE NO.: RULE TITLE:**

61-35.008 Building Code Administrators and Inspectors Departmental Forms

The Department of Business and Professional Regulation announces a hearing to which all persons are invited.

**DATE AND TIME:** July 17, 2013, 2:00 p.m.

**PLACE:** Professions' Conference Room, Department of Business and Professional Regulation, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The subject area to be addressed in this rule is Building Code Administrators and Inspectors application forms. Department research has determined that there are issues within the recently updated application forms that applicants are struggling with causing application deficiencies. Based on these findings, additional changes have been made to the applications.

A copy of the agenda may be obtained by contacting: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.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: Sheri Snyder, Division of Professions, 1940 North Monroe St., Tallahassee, FL 32399-0783, (850)717-1496, Sheri.Snyder@dbpr.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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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

The Board of Accountancy announces public meetings to which all persons are invited.

**DATES AND TIMES:** Thursday, August 15, 2013, Probable Cause, 3:00 p.m.; Friday, August 16, 2013, Board meeting, 9:00 a.m.

**PLACE:** Tampa Airport Marriott, 4200 George J. Bean Parkway, Tampa, FL 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Government Analyst II, Board of Accountancy, 240 NW 76<sup>th</sup> Drive, Suite A, Gainesville, FL 32607.

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: June Carroll. 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: June Carroll.

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**DEPARTMENT OF HEALTH**

**Board of Psychology**

The Board of Psychology announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 25, 2013, 8:00 a.m. or soon thereafter

**PLACE:** Renaissance Tampa International Plaza Hotel, 4200 Jim Walter Blvd., Tampa, FL 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373, ext. 3467 or by visiting our website at [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa).

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 at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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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#### FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 11, 2013, 10:00 a.m.

PLACE: Rick Seltzer Conference Room, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida, 32301-1329

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is the Review Committee meeting to discuss the proposals submitted in response to the Request for Qualifications 2013-01 regarding Housing Counseling Agencies. The purpose of the meeting is to answer any questions that members of the review committee may have, or discuss any other matters that the review committee deems relevant to the selection process and to give scores and submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Della Harrell, (850)488-4197 or [della.harrell@floridahousing.org](mailto:della.harrell@floridahousing.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 5 days before the workshop/meeting by contacting: Della Harrell, (850)488-4197 at Florida Housing Finance Corporation or [della.harrell@floridahousing.org](mailto:della.harrell@floridahousing.org) If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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 FINANCIAL SERVICES

The Department of Financial Services Office of the Insurance Consumer Advocate announces workshops to which all persons are invited.

DATES AND TIMES: July 17, 2013, 10:00 a.m. – 5:00 p.m. and July 18, 2013, 9:00 a.m. – 5:00 p.m.

The conference call-in number is: (850)413-1558, conference ID: 6125894 (listen only). Televised on The Florida Channel at: <http://thefloridachannel.org/>.

PLACE: Florida House of Representatives, Capitol Complex, House Office Building, Committee Room 404, 402 S. Monroe Street, Tallahassee, FL 32399-1300.

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

Florida's Insurance Consumer Advocate is hosting the Homeowners' Policy & Claims Bill of Rights Working Group which will review and make recommendations to improve the claims handling process for Florida's policyholders.

A copy of the agenda may be obtained by contacting: Vicki Twogood, Senior Management Analyst II at (850)413-2970 or email: [vicki.twogood@myfloridacfo.com](mailto:vicki.twogood@myfloridacfo.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: Vicki Twogood, Senior Management Analyst II at (850)413-2970 or email: [vicki.twogood@myfloridacfo.com](mailto:vicki.twogood@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).

For more information, you may contact: Vicki Twogood, Senior Management Analyst II at (850)413-2970 or email: [vicki.twogood@myfloridacfo.com](mailto:vicki.twogood@myfloridacfo.com).

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#### TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY

The Treasure Coast Education, Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 18, 2013, 2:00 p.m.

PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Any business as the Authority may deem appropriate or as may come before the Authority; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) office at (772)467-3107.

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: Treasure Coast Research Park (TCRP) office at 467-3107. 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: Treasure Coast Research Park (TCRP) office at (772)467-3107.

#### GLOBAL 5 COMMUNICATIONS

The Florida Department of Transportation (FDOT) announces a hearing to which all persons are invited.

**DATE AND TIME:** Tuesday, July 9, 2013, Open House: 5:00 p.m.; Brief Presentation: 6:00 p.m.

**PLACE:** Clarion Hotel Meeting Room, 260 East Merritt Island Causeway (SR 520), Merritt Island, Florida 32952

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No 431139-3

**Project Description:** East Merritt Island Causeway (SR 520) Near Imperial Street

Public Hearing

Brevard County

The FDOT is conducting a public hearing regarding plans to improve traffic operations along the East Merritt Island Causeway (SR 520) near the Imperial Street intersection in Brevard County. Improvements include removing the traffic signal and closing the median opening at the Appliance Direct driveway, and adding a new traffic signal and full median opening approximately 250 feet to the west of the Appliance Direct driveway. The proposed access management changes improve access to the rearage road just north of the East Merritt Island Causeway. The purpose of this public hearing is to present information and receive public input regarding the access management changes.

This project is being constructed as part of the East Merritt Island Causeway roadway resurfacing project from Eric Court

to east of Banana River Drive. The construction also includes replacing the existing mast arm traffic signals with new mast arm traffic signals throughout the length of the resurfacing project, as well as replacing the existing span wire traffic signal with a special diagonal truss traffic signal at the intersection of Sykes Creek Boulevard. In addition, landscape improvements are being constructed along both sides of the East Merritt Island Causeway from Eric Court to east of Banana River Drive. These projects are funded for construction in 2014. A landscape improvement project is currently under construction through the project limits by the Merritt Island Redevelopment Agency (MIRA). Some areas will not be landscaped as part of the current landscaping project, but will be completed as part of FDOT's roadway pavement resurfacing project. Although this public hearing is related to the proposed access management changes along the East Merritt Island Causeway near Imperial Street, information regarding all of the above mentioned projects will be available at the public hearing.

The hearing begins with an open house at 5:00 p.m., where participants may review project documents and discuss the project with staff. There will be a brief presentation at 6:00 p.m., after which participants may provide comments to all present. The hearing ends at 7:00 p.m. Participants may also provide public comments directly to a court reporter at any time during the hearing. Written comments can be submitted at this hearing or by mail to Mr. David Dangel, P.E., Public Involvement Coordinator, Inwood Consulting Engineers, 3000 Dovera Drive, Suite 200, Oviedo, Florida 32765 or by email to ddangel@inwoodinc.com, no later than July 19, 2013. All comments, written and oral, will become part of the project's public record.

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. David Dangel at (407)971-8850.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Persons who require translation services (free of charge) should contact Mr. David Dangel at (407)971-8850. 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: Mr. Gene Varano, FDOT District 5 Project Manager at (386)943-5145 or by email at gene.varano@dot.state.fl.us.

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

NONE

**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:

United Faculty of Florida vs. Florida State Board of Education; Case No.: 13-2373RX; Rule No.: 6A-14.0411

FDC Holdings, Inc., and Pensacola Shipyard, Inc. vs. Board of Trustees of the Internal Improvement Trust Fund and Department of Environmental Protection; Case No.: 13-2374RX; Rule Nos.: 18-21.005(d)(5), 18-21.003(45), 18-21.003(57)

R. Z. vs. Agency for Persons with Disabilities; Case No.: 13-2171RU

C. Y. vs. Agency for Persons with Disabilities; Case No.: 13-2172RU

K. W. vs. Agency for Persons with Disabilities; Case No.: 13-2173RU

J. W. vs. Agency for Persons with Disabilities; Case No.: 13-2174RU

D. W. vs. Agency for Persons with Disabilities; Case No.: 13-2175RU

R. T. vs. Agency for Persons with Disabilities; Case No.: 13-2176RU

A. S. vs. Agency for Persons with Disabilities; Case No.: 13-2177RU

A. S. vs. Agency for Persons with Disabilities; Case No.: 13-2178RU

P. S. vs. Agency for Persons with Disabilities; Case No.: 13-2179RU

R. S. vs. Agency for Persons with Disabilities; Case No.: 13-2180RU

M. S. vs. Agency for Persons with Disabilities; Case No.: 13-2181RU

A. S. vs. Agency for Persons with Disabilities; Case No.: 13-2182RU

S. R. vs. Agency for Persons with Disabilities; Case No.: 13-2183RU

Q. R. vs. Agency for Persons with Disabilities; Case No.: 13-2184RU

M. R. vs. Agency for Persons with Disabilities; Case No.: 13-2185RU

N. C. vs. Agency for Persons with Disabilities; Case No.: 13-2186RU

B. C. vs. Agency for Persons with Disabilities; Case No.: 13-2187RU

F. C. vs. Agency for Persons with Disabilities; Case No.: 13-2188RU

D. C. vs. Agency for Persons with Disabilities; Case No.: 13-2189RU

S. B. vs. Agency for Persons with Disabilities; Case No.: 13-2190RU

S. B. vs. Agency for Persons with Disabilities; Case No.: 13-2191RU

M. B. vs. Agency for Persons with Disabilities; Case No.: 13-2192RU

G. B. vs. Agency for Persons with Disabilities; Case No.: 13-2193RU

P. B. vs. Agency for Persons with Disabilities; Case No.: 13-2194RU

M. B. vs. Agency for Persons with Disabilities; Case No.: 13-2195RU

E. B. vs. Agency for Persons with Disabilities; Case No.: 13-2196RU

L. E. B. vs. Agency for Persons with Disabilities; Case No.: 13-2197RU

T. C. B. vs. Agency for Persons with Disabilities; Case No.: 13-2198RU

A. B. vs. Agency for Persons with Disabilities; Case No.: 13-2199RU

M. E. B. vs. Agency for Persons with Disabilities; Case No.: 13-2200RU

E. A. vs. Agency for Persons with Disabilities; Case No.: 13-2201RU

C. A. vs. Agency for Persons with Disabilities; Case No.: 13-2202RU

C. A. vs. Agency for Persons with Disabilities; Case No.: 13-2203RU

M. J. M. vs. Agency for Persons with Disabilities; Case No.: 13-2204RU

A. M. vs. Agency for Persons with Disabilities; Case No.: 13-2205RU

O. L. vs. Agency for Persons with Disabilities; Case No.: 13-2206RU

K. L. vs. Agency for Persons with Disabilities; Case No.: 13-2207RU

C. J. J. vs. Agency for Persons with Disabilities; Case No.: 13-2208RU

R. H. vs. Agency for Persons with Disabilities; Case No.: 13-2209RU

J. H. vs. Agency for Persons with Disabilities; Case No.: 13-2210RU

Z. H. vs. Agency for Persons with Disabilities; Case No.: 13-2211RU

C. H. vs. Agency for Persons with Disabilities; Case No.: 13-2212RU

D. H. vs. Agency for Persons with Disabilities; Case No.: 13-2213RU

R. G. vs. Agency for Persons with Disabilities; Case No.: 13-2214RU

R. G. vs. Agency for Persons with Disabilities; Case No.: 13-2215RU

M. E. G. vs. Agency for Persons with Disabilities; Case No.: 13-2216RU

D. F. vs. Agency for Persons with Disabilities; Case No.: 13-2217RU

S. F. vs. Agency for Persons with Disabilities; Case No.: 13-2218RU

S. E. vs. Agency for Persons with Disabilities; Case No.: 13-2219RU

A. L. E. vs. Agency for Persons with Disabilities; Case No.: 13-2220RU

J. D. vs. Agency for Persons with Disabilities; Case No.: 13-2221RU

J. S. D. vs. Agency for Persons with Disabilities; Case No.: 13-2222RU

J. G. D. vs. Agency for Persons with Disabilities; Case No.: 13-2223RU

J. C. vs. Agency for Persons with Disabilities; Case No.: 13-2224RU

S. P. vs. Agency for Persons with Disabilities; Case No.: 13-2225RU

J. R. P. vs. Agency for Persons with Disabilities; Case No.: 13-2226RU

D. P. vs. Agency for Persons with Disabilities; Case No.: 13-2227RU

J. P. vs. Agency for Persons with Disabilities; Case No.: 13-2228RU

A. P. vs. Agency for Persons with Disabilities; Case No.: 13-2229RU

C. P. vs. Agency for Persons with Disabilities; Case No.: 13-2230RU

S. O. vs. Agency for Persons with Disabilities; Case No.: 13-2231RU

M. O. vs. Agency for Persons with Disabilities; Case No.: 13-2232RU

A. M. vs. Agency for Persons with Disabilities; Case No.: 13-2233RU

M. M. vs. Agency for Persons with Disabilities; Case No.: 13-2234RU

M. M. vs. Agency for Persons with Disabilities; Case No.: 13-2235RU

M. M. vs. Agency for Persons with Disabilities; Case No.: 13-2236RU

D. C. W. vs. Agency for Persons with Disabilities; Case No.: 13-2272RU

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

Robert R. Berry and Jill Humphrey vs. Department of Law Enforcement; Case No.: 13-1037RU; Dismissed

**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**

**DEPARTMENT OF HEALTH**

**Board of Nursing**

**Emergency Action**

On June 28, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Amy Lynette Sims-McKoy, R.N., License # RN3199442. 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.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On June 28, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license Karen Wilson Lepore, R.N., License # RN 1580042. 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.

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DEPARTMENT OF HEALTH

Board of Pharmacy

Emergency Action

On June 28, 2013, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Francisca Mercedes Paez, R.P.T. License # RPT 451. 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.

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CLERK OF COURT OPERATIONS CORPORATION

Florida Clerks of Court Operations Corporation

Pursuant to Section 121.055 Florida Statutes (as amended by the 1993 Florida Legislature), the Florida Clerks of Court Operations Corporation provides public notice of the intent to include the Executive Director position in the Florida Retirement System's Senior Management Service Class effective August 1, 2013.

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**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

RULES FILED BETWEEN June 24, 2013  
through June 28, 2013

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**FLORIDA PAROLE COMMISSION**

23-24.025	6/26/13	7/16/13	39/102	
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**EXECUTIVE OFFICE OF THE GOVERNOR**

**Division of Emergency Management**

27P-2.002	6/28/13	7/18/13	39/64	
27P-6.002	6/28/13	7/18/13	39/64	
27P-6.0023	6/28/13	7/18/13	39/64	
27P-6.006	6/28/13	7/18/13	39/64	
27P-11.004	6/28/13	7/18/13	39/64	
27P-11.0061	6/28/13	7/18/13	39/64	
27P-19.002	6/28/13	7/18/13	39/64	
27P-19.004	6/28/13	7/18/13	39/64	
27P-19.006	6/28/13	7/18/13	39/64	
27P-19.010	6/28/13	7/18/13	39/64	
27P-22.002	6/28/13	7/18/13	39/64	
27P-22.004	6/28/13	7/18/13	39/64	
27P-22.007	6/28/13	7/18/13	39/64	

**DEPARTMENT OF CORRECTIONS**

33-203.601	6/27/13	7/17/13	39/104	
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**LAND AND WATER ADJUDICATORY COMMISSION**

**Tolomato Community Development District**

42SS-1.002	6/27/13	7/17/13	39/106	
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**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

59G-4.002	6/26/13	7/16/13	38/22	38/36
				39/33
				39/96

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

61G5-30.001	6/28/13	7/18/13	39/25	39/94
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-302.300	6/27/13	7/17/13	39/54	39/103
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**DEPARTMENT OF HEALTH**

**Board of Psychology**

64B19-12.002	6/25/13	7/15/13	39/77	
64B19-12.004	6/25/13	7/15/13	39/77	
64B19-12.0041	6/25/13	7/15/13	39/77	
64B19-12.012	6/25/13	7/15/13	39/77	
64B19-13.004	6/28/13	7/18/13	39/104	

**Division of Environmental Health**

64E-6.001	6/26/13	7/16/13	39/38	39/95
64E-6.002	6/26/13	7/16/13	39/38	39/95
64E-6.003	6/26/13	7/16/13	39/38	39/95
64E-6.008	6/26/13	7/16/13	39/38	39/95
64E-6.010	6/26/13	7/16/13	39/38	39/95
64E-6.011	6/26/13	7/16/13	39/38	39/95
64E-6.014	6/26/13	7/16/13	39/38	39/95
64E-6.0181	6/26/13	7/16/13	39/38	39/95
64E-6.028	6/26/13	7/16/13	39/38	39/95

**FLORIDA HOUSING FINANCE CORPORATION**

67-21.001	6/26/13	7/16/13	39/84	
67-21.002	6/26/13	7/16/13	39/84	39/108
67-21.0025	6/26/13	7/16/13	39/84	
67-21.003	6/26/13	7/16/13	39/84	39/108
67-21.0035	6/26/13	7/16/13	39/84	
67-21.004	6/26/13	7/16/13	39/84	
67-21.0045	6/26/13	7/16/13	39/84	
67-21.006	6/26/13	7/16/13	39/84	39/108
67-21.007	6/26/13	7/16/13	39/84	39/108
67-21.008	6/26/13	7/16/13	39/84	39/108
67-21.009	6/26/13	7/16/13	39/84	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
67-21.010	6/26/13	7/16/13	39/84	
67-21.013	6/26/13	7/16/13	39/84	
67-21.014	6/26/13	7/16/13	39/84	39/108
67-21.015	6/26/13	7/16/13	39/84	
67-21.017	6/26/13	7/16/13	39/84	
67-21.018	6/26/13	7/16/13	39/84	39/108
67-21.019	6/26/13	7/16/13	39/84	
67-21.025	6/26/13	7/16/13	39/84	
67-21.026	6/26/13	7/16/13	39/84	39/108
67-21.027	6/26/13	7/16/13	39/84	
67-21.028	6/26/13	7/16/13	39/84	
67-21.029	6/26/13	7/16/13	39/84	
67-21.030	6/26/13	7/16/13	39/84	
67-21.031	6/26/13	7/16/13	39/84	39/108

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO CHAPTER 2010-279, LAWS OF FLORIDA**  
**DEPARTMENT OF FINANCIAL SERVICES**  
**Division of Worker's Compensation**  
 69L-7.020 10/24/11 \*\*\*\*\* 37/24 37/3