

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

**NONE**

## Section II Proposed Rules

### DEPARTMENT OF CORRECTIONS

<p><b>RULE NOS.:</b> 33-601.226  33-601.236</p>	<p><b>RULE TITLES:</b> Youthful Offender Program Participation  Basic Training Program – Operation</p>
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**PURPOSE AND EFFECT:** The purpose and effect of the proposed rule is to amend Forms DC6-188, Inmate Promotional Request; DC6-193, Order Modifying Sentence; and DC3-234, Order Modifying Sentence and Placing Defendant on Probation. Form DC6-188 is being amended to change some of the form’s formatting, to include a check box so the inmate can simply indicate whether they received a high school diploma or GED prior to their incarceration, to clarify that the Institutional Classification Team and Review Board of Extended Day Program will be reviewing information contained on the form, and to change the form to reflect that the inmate should send the form to the Extended Day Sergeant. Forms DC6-193 and DC3-234 are being amended to update language in order to be consistent with the current language used in the order of supervision conditions.

**SUMMARY:** Rulemaking was initiated to update three forms, DC6-188, Inmate Promotional Request; DC6-193, Order Modifying Sentence; and DC3-234, Order Modifying Sentence and Placing Defendant on Probation.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 20.315, 944.09, 958.04, 958.045, 958.11 FS.

**LAW IMPLEMENTED:** 20.315, 944.09, 958.11, 958.12, 958.045 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:** LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

**THE FULL TEXT OF THE PROPOSED RULE IS:**

33-601.226 Youthful Offender Program Participation.

(1) through (4) No change.

(5) Advancement to Phase III.

(a) A Phase II inmate wishing to participate in Phase III must apply for advancement using Form DC6-188, Inmate Promotional Request, and an evaluation by the ICT will be conducted to determine whether the inmate is eligible for advancement to Phase III. Form DC6-188 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. <http://www.flrules.org/Gateway/reference.asp?No=Ref-01179>.

The effective date of this form is July 30, 2008.

(b) No change.

(6) through (10) No change.

Rulemaking Authority 944.09, 958.04, 958.11 FS. Law Implemented 944.09, 958.11, 958.12 FS. History–New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended 3-13-01, Formerly 33-506.106, Amended 4-2-02, 2-19-03, 9-16-04, 5-28-12, \_\_\_\_\_.

33-601.236 Basic Training Program – Operation.

(1) through (4) No change.

(5) Request for Sentence Modification.

(a) through (e) No change.

(f) The sentence modification packet shall include the following:

1. No change.

2. A completed Order Modifying Sentence and Placing Defendant on Probation, Form DC3-234, hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is 10-10-04.

3. through 5. No change.

(g) through (l) No change.

(6) No change.

Rulemaking Authority 20.315, 944.09, 958.045 FS. Law Implemented 20.315, 944.09, 958.045 FS. History—New 2-26-89, Amended 1-25-96, Formerly 33-27.006, Amended 3-13-01, Formerly 33-506.206, Amended 1-17-02, 10-3-02, 10-10-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Upchurch, Deputy Assistant Secretary of Institutions  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2013  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 23, 2013

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Cost Management and Control**

RULE NO.: 59B-17.001  
 RULE TITLE: Diabetes Outpatient Self-Management Training and Educational Services Standards

PURPOSE, EFFECT AND SUMMARY: The Rule adopts standards for diabetes outpatient self-management educational services provided by health maintenance organizations and health insurers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this 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 been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 627.6408(3), 627.65745(3), 641.31(26)(c) FS.

LAW IMPLEMENTED: 627.6408(3), 627.65745(3), 641.31(26)(c) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: February 20, 2013, 2:00 p.m. – 3:00 p.m. EST

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Plans and Construction Conference Room, Tallahassee, Florida 32308

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: Diana Picolo at the Bureau of Managed Health Care, (850)412-4319. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diana Picolo, Bureau of Managed Health Care, (850)412-4319

THE FULL TEXT OF THE PROPOSED RULE IS:

59B-17.001 Requirements.

All health insurance policies, group health insurance policies and health maintenance contracts subject to the requirements of Sections 627.6408, 627.65745 and 641.31, F.S., shall provide, if the patient’s treating physician or a physician who specializes in the treatment of diabetes certifies that such services are necessary: Diabetes outpatient self-management training and education services based on the current standards endorsed by the American Diabetes Association as outlined in the “National Standards for Diabetes Self-Management Education and Support” published in Diabetes Care, September 20, 2012, and subsequent annual updates, which are incorporated by reference. Copies of these standards are available from the Agency for Health Care Administration, Bureau of Managed Health Care, 2727 Mahan Drive, Mail Stop 26, Tallahassee, FL 32308, or the American Diabetes Association at 1701 North Beauregard Street, Alexandria, VA 22311.

Rulemaking Authority 627.6408(3), 627.65745(3), 641.31(26) FS. Law Implemented 627.6408, 627.65745, 641.31 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diana Picolo, AHC Administrator  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 27, 2012  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-18.007  
 RULE TITLE: Endorsement of Cosmetologists

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to modify procedures for the endorsement of cosmetologists.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to modify procedures for the endorsement of cosmetologists.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 477.016, 477.019(6) FS.

LAW IMPLEMENTED: 477.019(6) 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-18.007 Endorsement of Cosmetologists.

The Department of Business and Professional Regulation shall issue a license to an applicant without examination who:

(1) Makes application and pays to the Department the fee specified in Rule 61G5-24.002, F.A.C.;

(2) Demonstrates the applicant has completed a board approved HIV/AIDS course;

~~(3)~~(2) Demonstrates ~~that~~ the applicant is currently licensed to practice cosmetology under the law of another state having; ~~Demonstrates that the applicant has~~ completed at least 1200 cosmetology school or program hours substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state; ~~Demonstrates that the applicant has~~ passed a written licensure examination to obtain a license substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state; and passage of a written examination.

~~(3) Demonstrates that the applicant has completed at least 1200 cosmetology school or program hours substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state;~~

~~(4) Demonstrates that the applicant has passed a written licensure examination to obtain a license substantially similar to, equivalent to, or greater than the qualifications required of applicants from this state;~~

~~(5) Demonstrates that the applicant has completed a board approved HIV/AIDS course.~~

Rulemaking Specific Authority 477.016, 477.019(6) FS. Law Implemented 477.019(6) FS. History--New 11-3-80, Formerly 21F-18.07, Amended 6-22-87, 10-18-87, 12-17-90, Formerly 21F-18.007, Amended 7-1-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 7, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-20.0015  
 RULE TITLE: Performance of Cosmetology or Specialty Services Outside a Licensed Salon

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language in compliance with statutory changes

SUMMARY: The rule amendment will delete unnecessary language and to add new language to comply with statutory changes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 477.016, 477.025(2), 477.0263(2),(3), 477.0135(4) FS.

LAW IMPLEMENTED: 477.025(2), 477.0263(2),(3), 477.0135(4) 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-20.0015 Performance of Cosmetology or Specialty Services Outside a Licensed Salon.

(1) Cosmetology or specialty services may be performed by a licensed cosmetologist or specialist in a location other than a licensed salon, including a hospital, nursing home, residence, or similar facility, when a client for reasons of ill health is unable to go to a licensed salon. Such services are not to be performed upon employees or person who do not reside in the facility, or any other non-qualified persons. The following procedure shall be followed:

(a) Arrangements shall be made through a licensed salon.

(b) Information as to the name of the client and the address at which the services are to be performed shall be recorded in the appointment book.

(c) ~~The appointment book shall remain at the salon and be made available upon request to any investigator or inspector of the Department.~~

~~(2) When cosmetology or specialty services are performed in a location other than a licensed salon, such services may lawfully be performed only upon clients, residents, or patients, who for reasons of ill health are unable to visit a licensed salon. Such services are not to be performed upon employees or persons who do not reside in the facility, or any other non-qualified persons.~~

(2)(3) No change.

(3) “Special events” is defined as weddings, fashion shows, and other events as approved by the board.

(4) Information as to the name of the client and the address at which the services are to be performed shall be recorded in the appointment book.

(5) The appointment book shall remain at the salon and be made available upon request to any investigator or inspector of the Department.

Rulemaking Specific Authority 477.016, 477.025(2), 477.0263(2),(3), 477.0135(4) FS. Law Implemented 477.025(2), 477.0263(2),(3), 477.0135(4) FS. History—New 12-29-83, Amended 10-6-85, Formerly 21F-20.015, 21F-20.0015, Amended 11-25-98,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 7, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: RULE TITLE:

61G5-20.002 Salon Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify and update infection control language to more current standards.

SUMMARY: The rule amendment will clarify and update infection control language to more current standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 477.016, 477.025(2) FS.

LAW IMPLEMENTED: 477.025 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-20.002 Salon Requirements.

(1) Definitions: For the purposes of this rule, the following definitions apply:

(a) "Clean" means the removal of visible debris from a surface such as washing with soap/water.

(b) "Disinfect" means the use of a chemical to destroy potential pathogens.

(c) "Sterilize" means the complete destruction of all microbial life, commonly achieved through the use of heat and/or pressure.

(d) "Wet disinfection container" means a tub or jar with a lid, filled with disinfectant and large enough for all items to be completely immersed.

(e) "Infection control" means the process for reducing the risk of spreading disease causing pathogens.

(2)(1) Prior to opening a salon, the owner shall:

(a) through (b) No change.

(c) Meet the safety and sanitary requirements as listed below and these requirements shall continue in full force and effect for the life of the salon:

1. Ventilation and Cleanliness: Each salon shall be kept well ventilated. The walls, ceilings, furniture and equipment shall be kept clean and free from dust. Hair must not be allowed to accumulate on the floor of the salon. Hair must be deposited in a covered waste receptacle ~~closed container~~. Each salon which provides services for the extending or sculpturing of nails shall provide such services in a separate area which is adequately ventilated for the safe dispersion of all fumes resulting from the services.

2. through 3. No change.

4. Animals: No animals or pets shall be allowed in a salon, with the exception of service animals and fish kept in closed aquariums, ~~or trained animals to assist the hearing impaired, visually impaired, or the physically disabled.~~

5. No change.

(d) No change.

(3)(2) Each salon shall comply with the following:

(a) through (b) No change.

(c) ~~Sterilization and~~ Disinfection: The use of a brush, comb or other article on more than one patron without being disinfected is prohibited. Each salon is required to have

sufficient combs, brushes, and implements to allow for adequate disinfecting practices. Combs or other instruments shall not be carried in pockets.

(d) Disinfectants ~~Sanitizers~~: All salons shall be equipped with and utilize wet sanitizers with hospital level disinfectant or EPA approved disinfectant, sufficient to allow for disinfecting practices.

1. A wet disinfection container ~~sanitizer~~ is any receptacle containing a disinfectant solution and large enough to allow for a complete immersion of the articles. A cover shall be provided.

2. Disinfecting methods which are effective and approved for salons: First, clean articles with soap and water, completely immerse in a chemical solution that is hospital level or EPA approved disinfectant as follows:

a. through d. No change.

e. Shampoo bowls, facial beds, and neck rests, clean and disinfect between each use.

3. For purposes of this rule, a "hospital level disinfectant or EPA approved disinfectant" shall mean the following:

a. No change.

b. For all combs, brushes, metallic instruments with a cutting edge, and implements that have come into contact with blood or body fluids, a disinfectant that indicates on its label that it has been registered with the EPA as a ~~tuberculocidal~~ disinfectant, in accordance with 29 C.F.R. 1910.1030.

4. No change.

(e) through (f) No change.

(g) Pedicure Equipment ~~Sterilization and~~ Disinfection:

The following cleaning and disinfection procedures must be used for any pedicure equipment that holds water, including sinks, bowls, basins, pipe-less spas, and whirlpool spas:

1. No change.

2. At the end of each day of use, the following procedures shall be used:

a. All filter screens in whirlpool pedicure spas or basins for all types of foot spas must be disinfected ~~sanitized~~. All visible debris in the screen and the inlet must be removed and cleaned with a low-foaming soap or detergent and water. For pipe-free systems, the jet components or foot plate must be removed and cleaned and any debris removed. The screen, jet, or foot plate must be completely immersed in an EPA registered, hospital grade bactericidal, fungicidal, virucidal, and pseudomonocidal disinfectant that is used according to manufacturer's instructions. The screen, jet, or foot plate must be replaced after disinfection is completed and the system is flushed with warm water and low-foaming soap for 5 minutes, rinsed, and drained.

b. No change.

3. through 4. No change.

(3) through (6) renumbered (4) through (7) No change.

Rulemaking Specific Authority 477.016, 477.025(2) FS. Law Implemented 477.025 FS. History—New 4-22-81, Amended 9-11-81, 1-17-83, 8-10-83, 6-28-84, 10-6-85, Formerly 21F-20.02, Amended 6-18-86, 10-18-87, 8-20-90, 5-19-91, 1-30-92, 5-11-92, 4-15-93, 5-31-93, Formerly 21F-20.002, Amended 1-9-95, 4-5-95, 8-8-95, 2-28-96, 6-16-97, 8-27-98, 4-13-99, 8-1-05, 9-6-06, 2-25-07, 3-10-08,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 21, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-30.001  
 RULE TITLE: Disciplinary Guidelines  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to modify and bring up to date the disciplinary guidelines.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to modify and bring up to date the disciplinary guidelines.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.2273, 477.016, 477.017, 477.029(2) FS.

LAW IMPLEMENTED: 455.2273, 477.029(2) 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

**THE FULL TEXT OF THE PROPOSED RULE IS:**

- 61G5-30.001 Disciplinary Guidelines.
- (1) No change.

(2) VIOLATION	PENALTY RANGE
(a) through (d) No change	
<del>(e) Engage in willful or repeated violations of Chapter 477, F.S., or any rule adopted by the Board.</del> (477.0265(1)(e), F.S.)	<del>For a first offense, a fine of \$500. For a subsequent offense, a fine of \$500 and suspension or revocation of any license or registration issued pursuant to Chapter 477, F.S.</del>
<del>(e)(f) Obtain or attempt to obtain a license or registration for money, other than the required fee, or any other thing of value or by fraudulent misrepresentations.</del> (477.0265(1)(d)(e), F.S.)	A fine of \$500 and denial or revocation of the license or registration.
<del>(f)(g) Using or attempting to use a suspended or revoked cosmetology license or specialty registration to practice cosmetology or a specialty.</del> (477.0265(1)(c)(f) or 477.029(1)(g), F.S.)	A fine of \$500 and suspension for one year of any license or registration issued pursuant to Chapter 477, F.S., or denial or revocation of license or registration.
<del>(g)(h) Advertising or implying that skin care services or body wrapping are related to massage therapy, except as allowed by statute.</del> 477.0265(1)(f)(g), F.S.)	A fine of \$100 to \$200 for the first offense; a fine of \$500 for subsequent offenses.

(h)(+) Use or possess a product containing a liquid nail monomer containing any trace of methyl methacrylate (MMA). 477.0265(1)(g)(h), F.S.)	A fine of \$500 for the first offense; a fine of \$500 and suspension <u>with a reinspection of the premises prior to reinstatement of the license</u> , or revocation for a subsequent offense.
(i)(+) No change.	
(j)(+) No change.	
(k)(+) No change.	
(l)(+) No change.	
(m)(+) No change.	
(n)(+) Violate or refuse to comply with: 1. through 2. No change . 3. Salon requirements subsections 61G5-20.002(2)-(6), F.A.C., relating to sanitation and safety; or	A fine of \$50 per violation for less than three violations. A fine of \$250 for three to four violations. A fine of \$500 for five or more violations, <u>and suspension of the license with a reinspection prior to reinstatement of the license</u> . A fine of \$250 for a salon operating without <u>proper disinfection practices sterilization equipment</u> .
4. No change.	

(3) through (7) No change.

Rulemaking Specific Authority 455.2273, 477.016, 477.017, 477.029(2) FS. Law Implemented 455.2273, 477.029(2) FS. History—New 10-20-86, Amended 10-18-87, 1-10-90, 1-30-92, 4-15-93, Formerly 21F-30.001, Amended 4-23-02, 5-29-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Cosmetology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 7, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-31.004  
RULE TITLE: Hair Braiding, Hair Wrapping and Body Wrapping Course Requirements, Source Reference Dates, Ability to Offer on the Internet or by Home Study

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the rule title and to modify language to clarify and to bring into current usage and practice provisions of the rule relating to the education of the individual on matters addressed by the rule.

SUMMARY: The rule amendment will update the rule title and to modify language to clarify and to bring into current usage and practice provisions of the rule relating to the education of the individual on matters addressed by the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 477.0132, 477.016 FS., Chapter 99-251, Law of Florida

LAW IMPLEMENTED: 477.0135 FS., Chapter 99-251, Law of Florida

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-31.004 Hair Braiding, Hair Wrapping and Body Wrapping Course Requirements, Source Reference Dates, Ability to Offer on the Internet or by Home Study.

(1) All hair braiding courses taught for purposes of qualifying an individual for initial registration as a hair braider shall be a ~~two-day~~, 16-hour course; and, shall be approved by the Board prior to the course being taught for registration qualification purposes. To be considered for approval by the Board, the course shall consist of the following:

(a) through (d) No change.

(2) All hair wrapping courses taught for purposes of qualifying an individual for initial registration as a hair wrapper shall be a ~~one-day~~, 6-hour course; and, shall be approved by the Board prior to the course being taught for registration qualification purposes. To be considered for approval by the Board, the course shall consist of the following:

(a) through (d) No change.

(3) All body wrapping courses taught for purposes of qualifying an individual for initial registration as a body wrapper shall be a ~~two-day~~, 12-hour course; and, shall be approved by the Board prior to the course being taught for registration qualification purposes. To be considered for approval by the Board, the course shall consist of the following:

(a) through (d) No change.

(4) All proposed hair braiding, hair wrapping, or body wrapping courses, including source materials and the publication date(s) of the materials, must be submitted for presentation to the Board no later than 30 days prior to the next regularly scheduled meeting of the Board at which the proposed course is to be considered for approval. No hair braiding, hair wrapping, or body wrapping course may be taught for credit towards the initial hair braiding, hair wrapping, or body wrapping registration requirements until it has been reviewed and approved by the Board.

(5) At least one (1) complete copy of the course in its final form, as it will be provided to the licensee if approved, shall be submitted with the course application for presentation to the board for all proposed hair braiding, hair wrapping, or body wrapping courses.

~~(6)(5)~~ No change.

Rulemaking Specifieg Authority 477.0132, 477.016 FS., Chapter 99-251, Laws of Florida. Law Implemented 477.0132 FS., Chapter 99-251, Laws of Florida. History--New 2-1-95, Amended 4-8-96, 11-25-98, 12-20-99,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Cosmetology  
NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

RULE NO.: 61G5-32.001  
RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language clarifying the requirements for reactivating an inactive license and to incorporate form #DBPR Cosmo 10, Application for Continuing Education Provider Approval into the rule.

SUMMARY: The rule amendment will add language clarifying the requirements for reactivating an inactive license and to incorporate form #DBPR Cosmo 10, Application for Continuing Education Provider Approval into the rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS.

LAW IMPLEMENTED: 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:



61G5-32.001 Continuing Education.

(1) Prior to the expiration of each biennial licensure period, and as a condition for renewal of their cosmetology license or specialty registration, all licensed cosmetologists and registered specialists shall complete a minimum of sixteen (16) hours of continuing education which shall include, at a minimum, all of the following subjects as they relate to the practice of cosmetology:

(a) No change.

(b) A minimum of three (3) hours of instruction regarding sanitation and sterilization which shall consist of instruction regarding:

1. ~~Standard cleaning and disinfecting Universal sanitation and sterilization precautions, including, but not limited to:~~

2. How to distinguish between disinfectants and antiseptics, ~~and~~

3. How to sanitize hands and disinfect tools used in the practice of cosmetology; ~~and~~

4. Bacterial, viral, and fungal, bloodborne pathogens and parasites, and infection and infestation control.

(c) through (h) No change.

(2) through (5) No change.

(6) PROVIDER APPROVAL AND REQUIREMENTS.

(a) All providers of continuing education courses must be approved by the Board prior to offering continuing education courses. All individuals or organizations seeking to be approved as a continuing education provider shall submit to the Department, or if the Department shall contract with a private entity to administer the continuing education program then to such private entity, no later than 60 days prior to the next scheduled Board meeting at which the application is to be considered for approval. A complete application for continuing education provider status shall consist of the following items and information:

1. A completed application on Form ~~#DBPR COSMO 10, Application for Continuing Education Provider Approval DBPR 3001 32PA, Cosmetology Continuing Education Provider Approval/Renewal Application~~, which is hereby incorporated by reference, effective ~~May 29, 2012 3-25-99~~, copies of which may be obtained from the Board office, or if the Department shall contract with a private entity to administer the continuing education program then from such private entity;

2. through 3. No change.

(b) through (f) No change.

(g) ~~Approval as a continuing education provider shall be valid through May 31, 2003 for any providers approved prior to March 1, 2003. Thereafter, approval as a continuing education provider shall be valid through May 31 of odd numbered years for all providers. After the expiration of a continuing education provider's approval, the provider shall not offer or teach any continuing education courses for credit~~

toward the required hours of continuing education until the provider has renewed its approval as a continuing education provider.

(h) No change.

(i) At any time, the Board shall recommend to the Department to revoke its approval of a continuing education provider if it finds that such approval is sought or was received by fraud or misrepresentation by the provider, the provider has failed to adhere to the standards and other requirements as set forth in this rule or Section 455.2178, Florida Statutes ~~Rule 61-6.015, F.A.C.~~, or that the provider has engaged in fraudulent behavior relating to the provision of continuing education. Before requesting that the Department revoke a provider's continuing education approval, the Board shall give the provider notice and an opportunity to be heard. If the approval of a provider is revoked, the continuing education provider shall thereafter be barred from presenting any continuing education courses to licensees or registrants for credit unless the provider demonstrates to the Board that the provider has been sufficiently rehabilitated to be trusted to provide such courses to licensees or registrants in the future. Revocation of a continuing education provider's approval shall also operate as a revocation of all previously approved continuing education courses for all future offerings by the provider.

(j) No change.

(7) COURSE APPROVAL AND REQUIREMENTS.

(a) through (b) No change.

(c) Continuing education providers seeking approval of a continuing education course shall submit a complete application for continuing education course approval to the Department, or if the Department shall contract with a private entity to administer the continuing education program then to such private entity, no later than 60 days prior to the next scheduled Board meeting at which the course is to be considered for approval. A complete application for continuing education course approval shall consist of the following:

1. A completed application on Form ~~#DBPR COSMO 9, Application for Continuing Education Course Approval or Renewal DBPR 3001 32CA, Cosmetology Continuing Education Course Approval Application~~, which is hereby incorporated by reference, effective ~~May 29, 2012 3-25-99~~, copies of which may be obtained from the Board office, or if the Department shall contract with a private entity to administer the continuing education program then from such private entity;

2. No change.

3. A complete copy of the course as it will be provided to licensee course outline which includes the subjects, topics, and subtopics to be presented in the course and a narrative summary of all areas to be covered in each subject, topic and subtopic, and a list of all reference and source materials including the publication date for each;

4. through 6. No change.  
(d) through (k) No change.

~~(8) EFFECTIVE DATE — This rule shall apply to all licensed cosmetologists and registered specialists under Chapter 477, F.S.; and, shall not apply to any registered hair braiders or registered hair wrappers. Those licensees and registrants who are currently licensed or registered and whose license or registration is scheduled to expire on October 31, 1999, shall not be required to complete the continuing education requirement as set forth in this rule for the renewal of their current license or registration; but, shall be required to complete all continuing education requirements set forth in this rule as a condition of all renewals of their license or registration after November 1, 1999. Those licensees and registrants whose current license or registration is scheduled to expire on October 31, 2000, shall only be required to complete the HIV/AIDS continuing education requirement and six (6) hours of additional continuing education as a condition of renewing their current license or registration. The six (6) hours of additional continuing education shall be composed of such subject or subjects excluding HIV/AIDS as the licensee or registrant may choose provided they comply with all requirements as set forth by this rule. Those licensees and registrants whose license or registration shall expire after October 31, 2000, shall be required to complete and comply with all continuing education requirements as set forth in this rule as a condition for the renewal of their license or certificate.~~

Rulemaking Authority 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS. Law Implemented 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) FS. History—New 3-25-99, Amended 2-28-00, 7-27-00, 7-29-01, 7-1-02, 12-6-06, 3-10-08, 3-2-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Cosmetology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 10, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

RULE NO.: 61G6-9.004  
RULE TITLE: Continuing Education Requirements for Renewal for Certificateholders and Registrants

PURPOSE AND EFFECT: The Board proposes the rule amendment to add the requirement that one (1) of the 14 required classroom hours of continuing education shall be in the area of the laws and rules related to electrical and alarm contracting in the State of Florida.

SUMMARY: Requirement will be added that one of the fourteen required classroom hours of continuing education shall be in the area of the laws and rules related to electrical and alarm contracting in the State of Florida.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 120.52(15), 120.54(1), 455.2124, 489.507(3) FS.

LAW IMPLEMENTED: 455.2124, 489.513(3), 489.517(3) 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: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G6-9.004 Continuing Education Requirements for Renewal for Certificateholders and Registrants.

(1) through (5) No change.

(6)(a) A minimum of one of the 14 required classroom hours of continuing education must be obtained by completing an approved provider's specialized or advanced module course, approved by the Florida Building Commission, on any portion of the Florida Building Code, relating to the contractor's respective discipline.

(b) Beginning on September 1, 2014, no less than one (1) of the 14 required classroom hours of continuing education shall be in the area of the laws and rules related to electrical and alarm contracting in the State of Florida. For the purposes of

this rule, the laws and rules governing the practice of electrical and alarm contracting are Chapters 455 and 489, Part II, F.S. and Rule Title 61G6, F.A.C.

(7) No change.

Rulemaking Specific Authority 120.52(15), 120.54(1), 455.2124, 489.507(3) FS. Law Implemented 455.2124, 489.513(3), 489.517(3) FS. History--New 11-30-94, Amended 4-22-01, 8-15-04, 1-30-05, 8-10-05, 8-15-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Electrical Contractors' Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Electrical Contractors' Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 19, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-27.001                      RULE TITLE: College or University Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to correct the name of one of the regional accrediting agencies.

SUMMARY: The name of one of the regional accrediting agencies will be corrected.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 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: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-27.001 College or University Requirements.

(1) An accredited college or university within the meaning of Section 473.306, F.S., is a four-year degree granting college or university in the State University System or other four-year degree granting educational institution accredited at the time applicant's degree was received by virtue of membership in one of the following regional accrediting agencies so listed:

(a) through (c) No change.

(d) Northwest Commission on Colleges and Universities  
~~Northwest Association of Schools and Colleges;~~

(e) through (h) No change.

(2) through (5) No change.

Rulemaking Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History--New 12-4-79, Amended 2-3-81, 3-21-84, 10-28-85, Formerly 21A-27.01, Amended 4-8-86, 9-1-87, 8-25-88, 12-28-89, 3-29-90, Formerly 21A-27.001, Amended 1-11-95, 5-11-03, 3-21-05, 4-9-06, 8-13-06, 12-27-09, 2-6-12,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 18, 2013

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-4.003                      RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes to the rule amendment to delete reference to when course examinations will be administered.

SUMMARY: The rule amendment will delete reference to when course examinations will be administered.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this 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: : During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 475.614 FS FS.  
 LAW IMPLEMENTED: 475.613, 475.618, 475.628 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

**61J1-4.003 Continuing Education.**

(1) through (3) No change.

(4)(a) No change.

(b) A copy of the distance education course materials and a copy of each form of the course examination that will be administered to students shall be submitted to the Board for evaluation and approval at least 90 days prior to use. A minimum of 2 course examinations for each course shall be submitted for approval. ~~The examination must be administered at the end of the course.~~ The Board will issue a status report to the course provider within 60 days after submission of the course and examinations. Approval must be granted before the course and examinations may be offered. Thereafter, the course and examinations shall be maintained by each institution, school, or entity offering the distance education course(s) in accordance with the Board approved standard as subsequently modified by changing times, standards and laws. It is the responsibility of the institution, school or entity offering the Board approved distance education courses to keep the course

material current and accurate, and notify the Board at least 90 days before implementing any significant changes to the course during its approval period.

(c) through (f) No change.

(5) through (8) No change.

Rulemaking Authority 475.614 FS. Law Implemented 475.613, 475.618, 475.628 FS. History—New 10-15-91, Amended 4-21-92, 6-7-92, Formerly 21VV-4.003, Amended 11-3-94, 9-5-96, 4-6-98, 9-6-98, 9-14-00, 10-22-01, 3-31-02, 5-25-04, 5-15-05, 1-8-06, 12-4-06, 12-6-07, 6-7-10, 7-17-11, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Florida Real Estate Appraisal Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 1, 2012  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 7, 2012

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-14.092  
 RULE TITLE: Textbook Affordability  
 NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 9, January 14, 2013 Florida Administrative Register has been continued from February 18, 2013 to March 19, 2013.

**DEPARTMENT OF REVENUE**

RULE NO.: 12-22.005  
 RULE TITLE: Disclosure Procedures  
 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. 4, January 7, 2013 issue of the Florida Administrative Register.

In response to written public comment, subsection (4) of Rule 12-22.005, F.A.C., has been changed so that, when adopted, that subsection will read:

(4) Written Requests for Tax Information by Government Agencies and Officials. Requests for Statistical Information. ~~Statistical reports, compiled from tax return information, shall be released by the Department if such tabulations are so classified to prevent the identification of particular accounts, reports, declarations, or returns. All requests seeking statistical information compiled from tax return information should be addressed to the Program Director, Information Services~~

~~Program, 5050 West Tennessee Street, Tallahassee, Florida 32399-0112. Requests which require special programming will be subject to a fee based on the cost of preparation.~~

(a) The Department may provide tax information to any federal, state, or local agency or official specifically authorized by Section 213.053, F.S. Tax information provided under subsection 213.053(8), F.S., will be disclosed under the terms of a written agreement executed between the Department and the requesting agency or official. All other requests for information must be in writing and directed to the Confidential Incident Response and Disclosure Officer, Florida Department of Revenue, P. O. Box 6668, Tallahassee, Florida 32314-6668, for review and clearance prior to disclosure.

(b) The Confidential Incident Response and Disclosure Officer maintains all written agreements between the Executive Director and agencies authorized to receive information and periodically reviews the procedures and the disclosure activity of the Department to ensure compliance with statutes governing the confidentiality of tax information. Any questions or requests not covered by existing procedures or agreements must be directed to the Confidential Incident Response and Disclosure Officer.

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

RULE NO.:                      RULE TITLE:  
12B-7.004                      Rate of Tax; Oil, Gas and Sulfur  
  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. 4, January 7, 2013 issue of the Florida Administrative Register.

In response to written comments received from the Joint Administrative Procedures Committee, subparagraph 4. of paragraph (c) of subsection (1) of Rule 12B-7.004, F.A.C., has been changed so that, when adopted, that subparagraph will read:

(1) Oil.

(c) Oil produced by tertiary methods and mature field recovery oil is ~~shall be~~ taxed at the following tiered rates on the gross value at the point of production:

1. 1 percent of the gross value of oil \$60 and below;
2. 7 percent of the gross value of oil above \$60 and below \$80;
3. 9 percent of the gross value of oil \$80 and above.
4. Example: 200 barrels of oil were produced that had a value of \$90 per barrel at the time of production. Tax is calculated as follows:

First Tier:   200 barrels x \$60 x 1% = \$120  
Second Tier: + 200 barrels x ~~\$19.99~~ ~~\$20~~ x 7% = ~~\$279.86~~ ~~\$280~~  
Third Tier:   + 200 barrels x \$10.01 ~~\$10~~ x 9% = \$180.18 ~~\$180~~  
Total Tax Due:    \$580.04 ~~\$580~~

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Refugee Services Program**

**Unaccompanied Refugee Minors**

RULE NO.:                      RULE TITLE:  
65F-1.002                      Child Welfare Services  
  Qualifications

**CORRECTED 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. 68, November 8, 2012 issue of the Florida Administrative Register.

Rule 65F-1.002 is changed as indicated by the underlined text.

65F-1.002 Provision of Child Welfare Services Qualifications.

~~Child welfare services available to an Unaccompanied refugee minors are eligible for the same child welfare services and benefits to the same extent and according to the same standards as are provided to other children of the same age in Florida. Allowable benefits and services may include foster care maintenance payments, medical assistance, support services, services identified in the State's plans under titles IV-B and IV-E of the Social Security Act; services permissible under title XX of the Social Security Act; and expenditures incurred in establishing legal responsibility shall be equivalent, within the meaning of 45 C.F.R. 400.116(a), to other children in Florida's foster care. The eligibility requirements for specific child welfare services provided in the applicable Florida Statutes and corresponding rules shall apply to an unaccompanied refugee minor seeking those services through the URMP, to the extent the applicable Florida Statutes or rule does not conflict with 45 C.F.R. Parts 400 and 401, which shall control. For purposes of Section 409.1451(2)(b), F.S., time an unaccompanied refugee minor spends in foster care shall include time in the custody of the U.S. Department of Health and Human Services' Office of Refugee Resettlement shall be considered time spent in foster care for purposes of receiving Independent Living services.~~

Rulemaking Authority 402.86(2) FS. Law Implemented 402.86(1) FS.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NO.:                      RULE TITLE:  
69A-37.084                      Definitions

**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. 13, January 18, 2013 issue of the Florida Administrative Register.

69A-37.084 Definitions.

(1) "Degree applicable to fire department duties" means an associate degree or a bachelor's degree in Fire Science, Emergency Management, Emergency Medical Services, Public Safety, Business Administration, Public Administration or other field of study that relates in a meaningful way to fire department duties included in the firefighter's job description or another fire department position description that a firefighter is attempting to obtain. The determination of whether the degree relates in a meaningful way to fire department duties ~~or position succession~~ shall depend on the content of the individual courses and not solely on the title of the degree conferred. For degrees not included in the fields of study listed herein, the Fire Chief who approves an application for supplemental compensation must provide specific justification for concluding that the degree has specific value to their organization.

(3)(b)3. The school has an articulation agreement with at least one regionally accredited college or university that outlines transferable coursework into ~~provides for the transfer of a reasonable number of the courses completed and applicable credits earned in~~ degree programs that are applicable to fire department duties offered at the regionally accredited college or university.

Rulemaking Authority 633.45(2)(a) FS. Law Implemented 633.382(2) FS. History—New 1-3-90, Amended 3-20-95, 7-17-00, Formerly 4A-37.084, Amended 3-14-11, \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES  
Division of Insurance Agents and Agency Services**

RULE NO.: 69B-221.051  
RULE TITLE: Actively Engaged in Business; Place Suitably Designated; Accessible to Public

**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. 73, November 16, 2012 issue of the Florida Administrative Register.

As a result of public comments expressed at and following a hearing that was held on December 17, 2012, paragraph (2)(a) is deleted from proposed Rule 69B-221.051, F.A.C. Non-substantive, technical changes have also been made to a related form in response to written comments received from the Joint Administrative Procedures Committee. The rule is renumbered accordingly.

The remainder of the rule reads as previously published.

**Section IV  
Emergency Rules**

**NONE**

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

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-35.001: General Training Programs; Requirements and Specifications

The Criminal Justice Standards and Training Commission hereby gives notice:

That on December 10, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-35.001(13), F.A.C., from Florida Public Safety Institute, on behalf of Joshua Bridges. Subsection 11B-35.001(13), F.A.C., requires recruits to pass end-of-course examinations with retakes permitted only in a narrowly defined set of circumstances.

The petition supported the requested waiver by stating that the recruit was permitted to retake an end-of-course examination after two previous failures to complete the course.

Petitioner stated that the recruit should not be penalized because the Instructor believed that recruits were allowed more than one chance to pass the end-of-course examination. Petitioner stated that the recruit at issue will suffer a substantial hardship if his score is not recognized because he will not be considered to have passed the course. This will result in impairment of his employment. The recruit would have to retake basic recruit training and pass the SOCE again. Any professional activities the recruit has done since he passed the course would also be in question. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the recruit and the Petitioner believed that the recruit passed the end-of-course examinations.

Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 38, No. 94, December 19, 2012.

On January 31, 2013, pursuant to notice, at a meeting held in St. Augustine, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. This recruit took his end-of-course examinations for the Basic Recruit Training Course-LEO. Both he and the Petitioner understood that he could have more than one retake in order to achieve a passing score. The recruit was then permitted to graduate prior to the discovery that the recruit took the end-of-course examination

more than once. After careful consideration of the facts in this matter, the Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-35.007: Specialized Training Program

The Criminal Justice Standards and Training Commission hereby gives notice:

That on December 7, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-35.007(3), F.A.C., from Florida Public Safety Institute on behalf of Delwyn Hall. However, a review of the request proved that the waiver should have been filed for paragraph 11B-35.001(9)(b), F.A.C. Paragraph 11B-35.001(9)(b), F.A.C., requires officers to achieve a passing score of 85% or higher on the end-of-course examinations for Specialized Instructor Training Courses.

The petition supported the requested waiver by stating that the officer at issue achieved what he and the Petitioner understood to be a passing score of 82% on an end-of-course examination during Florida General Instructor Techniques Course taught from January 10-19, 2011.

Petitioner stated that the officer should not be penalized because both he and the Petitioner believed that the officer had passed the end-of-course examination with his class. Petitioner stated that the officer at issue will suffer a substantial hardship if his score is not recognized because he will not be considered to have passed the course. This will result in impairment of his employment. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer and the Petitioner believed that the officers passed the end-of-course examinations.

Notice of receipt of the petition was published in the Florida Administrative Register Vol. 38, No. 94, December 19, 2012.

On January 31, 2013, pursuant to notice, at a meeting held in St. Augustine, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The officer took the end-of-course examination for the Specialized Florida General Instructor Techniques Course. Both he and the Petitioner understood that he had achieved a passing score. The officer was then permitted to graduate and instruct at his agency prior to the discovery that the officer did not, in fact, pass the examination. After careful consideration of the facts in this matter, the Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, or by telephoning (850) 410-7676.

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AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-1.005: Standards for OPOs, Tissue Banks and Eye Banks  
 NOTICE IS HEREBY GIVEN that on November 30, 2012, the Agency for Health Care Administration received a petition for Variance or Waiver from subsection 59A-1.005(34), F.A.C., from Community Tissue Services. The petition requests a permanent waiver of rule provisions precluding donors with a history of tuberculosis as eligible donors. The specific provision on which the waiver is sought is sub-subparagraph 59A-1.005(34)(c)(1)e., F.A.C. The face of the petition is unclear whether the request is sought for substantial hardship or a violation of principles of fairness.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, Jamie.Jackson@ahca.myflorida.com.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-13.030: Standards for Licensed Out-of-Home Caregivers  
 NOTICE IS HEREBY GIVEN that on January 25, 2013, the Department of Children and Families received a petition for waiver of paragraph 65C-13.030(1)(b), Florida Administrative Code, from Children's Home Society of Florida and LeTerence & Charlotte Emanuel, assigned Case No. 13-004W. Paragraph 65C-13.030(1)(b), F.A.C. states Licensed Out-of-Home Caregivers Wishing to Offer Child Care that have contracted with a lead agency are authorized by Section 409.1671(5)(b), F.S. to provide child care as a Licensed Family Day Care Home. A dually licensed foster home cannot provide care for more than five children, including biological, foster, and adopted children. Therapeutic or Medical Foster Homes cannot be dually licensed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., bldg. 2, Room 204, Tallahassee, FL 32399-0700.

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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.055: Job Functions and Staff Qualifications

NOTICE IS HEREBY GIVEN that on January 30, 2013, the Department of Children and Families, received a petition for waiver of rule 65C-14.055, Florida Administrative Code, from Children's Home Society of Florida and Janice Riggins, assigned Case No. 13-005W. Rule 65C-14.055, F.A.C., requires staff responsible for the supervision; evaluation and monitoring of the direct child care staff shall have a bachelor's degree in social work, or related area of study from a college or university and at least 2 years of experience in working with children or 2 years of college and 4 years of experience working with children.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-13.030: Standards for Licensed Out-of-Home Caregivers  
NOTICE IS HEREBY GIVEN that on December 21, 2012, the Department of Children and Families, received a petition for waiver of paragraph 65C-13.030(4)(f), Florida Administrative Code, from Eckerd Community Alternatives and Rachel Beaton, assigned Case No. 13-006W. Paragraph 65C-13.030(4)(f), F.A.C., requires child care for children in the custody of the department shall be with a licensed or registered child care provider. The cost of the child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES  
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-13.030: Standards for Licensed Out-of-Home Caregivers  
NOTICE IS HEREBY GIVEN that on January 28, 2013, the Department of Children and Families received a petition for waiver of paragraph 65C-13.030(4)(e), Florida Administrative Code, from Ann Legier, assigned Case No. 13-003W. Paragraph 65C-13.030(4)(e), F.A.C., states a licensed out-of-home caregiver shall have a stable income sufficient to make timely payment for current shelter, food, utility costs, and other debts without relying on board payments unless the licensed out-of-home caregiver enters into an agreement with a lead agency to provide specialized care. Applicants shall have a source of income independent of child support or alimony.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

## Section VI Notices of Meetings, Workshops and Public Hearings

### REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The District 1 Local Emergency Planning Committee (LEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 20, 2013, 10:00 a.m. CST

PLACE: Please note: Meeting location has changed to: DeFuniak Springs Community Center, 361 N. 10th Street, DeFuniak Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Local Emergency Planning Committee.

Preceding the meeting, the Education and Public Awareness Subcommittee will hold meetings at 9:00 a.m. Additional subcommittee meetings will be held via teleconference on February 14-15, 2013.

A copy of the agenda may be obtained by contacting: West Florida Regional Planning Council, 1(800)226-8914 or by visiting our website: [www.wfrpc.org/lepc](http://www.wfrpc.org/lepc).

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: Kathy Ahlen, West Florida Regional Planning Council, 1(800)226-8914, ext. 210 or [kathy.ahlen@wfrpc.org](mailto:kathy.ahlen@wfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kathy Ahlen, 1(800)226-8914, ext. 210 or [kathy.ahlen@wfrpc.org](mailto:kathy.ahlen@wfrpc.org).

### REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 4, 2013, 10:30 a.m.

PLACE: Beacon Council Board Room, 80 S.W. 8th Street, Suite 2400, Miami, FL 33130

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Generally Consistent



Comprehensive Plan Amendment reviews for Southwest Ranches (proposed) and (adopted); Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business; Executive Committee Conference Call is scheduled on Wednesday at 2:00 p.m., one week prior to the Council Meeting to which all persons are invited. Call in number (888)808-6959, Conference Code 1015565. Council Executive Committee and subcommittees may meet periodically before and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of such committee meetings should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954) 985-4416. 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. For more information, you may contact: (954)985-4416.

#### REGIONAL PLANNING COUNCILS

##### South Florida Regional Planning Council

The Institute for Community Collaboration, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 4, 2013, 10:30 a.m.

PLACE: Beacon Council Board Room, 80 S.W. 8th Street, Suite 2400, Miami, FL 33130

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting of the Institute for Community Collaboration, Inc.

A copy of the agenda may be obtained by contacting: (954)985-4416.

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: (954)985-4416. 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. For more information, you may contact: (954)985-4416.

#### WATER MANAGEMENT DISTRICTS

##### Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 26, 2013, 9:00 a.m.

PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; (800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at (800)423-1476 (FL only) or (352)796-7211, x4702; TDD (FL only) (800)231-6103; or email to ADACoordinator@swfwmd.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).

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: Luanne.Stout@watermatters.org, (800)423-1476 (FL only) or (352)796-7211, x4605. (Ad Order EXE0248).

#### DEPARTMENT OF HEALTH

##### Board of Nursing

The Florida Board of Nursing South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 22, 2013, 10:00 a.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (888) 670-3525 code 1135981458

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850) 245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

The Florida Board of Nursing Central Probable Cause Panel announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** February 28, 2013, 2:30 p.m.

**PLACE:** Department of Health, Tallahassee at Meet Me Number (888) 670-3525 code 9638257208

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

The Florida Council of Licensed Midwifery announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** February 8, 2013, 9:00 a.m. EST.

**PLACE:** Conference call number (888)670-3525, participant passcode 1413486382

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This telephonic meeting has been cancelled. This notice shall replace notice ID 12481007.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256, (850)245-4161.

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: Paula Mask at (850)245-4161. 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.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

The Orange County Children's Leadership Alliance announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 25, 2013, 3:00 p.m.

**PLACE:** Heart of United Way, 1940 Traylor Blvd., Orlando, FL 32804

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled Alliance meeting to discuss issues related to the Child Services Continuum of Care in Orange County.

A copy of the agenda may be obtained by contacting: Donna Moskowitz, Donna.moskowitz@hfuw.org, ph: (407)849-2374.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Donna Moskowitz, Donna.moskowitz@hfuw.org, ph: (407)849-2374. 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 Moskowitz, Donna.moskowitz@hfuw.org, ph: (407)849-2374.

**FLORIDA INSURANCE GUARANTY ASSOC., INC.**

The Florida Insurance Guaranty Association, Claims Audit Selection Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 21, 2013, 2:00 p.m.

**PLACE:** Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will meet relating to the selection of Claims Auditing Services for FWCIGA and FIGA.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

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: Cathy Irvin at (850)386-9200. 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).

**FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.**

The Florida Workers' Compensation Insurance Guaranty Assoc, Claims Audit Selection Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 21, 2013, 2:00 p.m.

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet relating to the selection of Claims Auditing Services for FWCIGA and FIGA.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

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 hours before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. 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).

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**NONE**

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

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

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF EDUCATION

University of Central Florida

Landscape Due Date Extension

NOTICE OF EXTENSION

The University of Central Florida announces that it has extended the due date for the continuing contracting services in the following discipline: Landscape Construction and Maintenance.

Projects included in the scope of this agreement will be specific projects for the University of Central Florida main and associated campuses. These services will include working with the University's Facilities Planning & Construction and Landscape & Natural Resources Departments on various projects.

Notice is hereby given that the submittal due date has been extended as follows:

Submittals must be received in the Facilities & Safety Building, University of Central Florida, Office of Facilities Planning & Construction, 4000 Central Florida Boulevard, P.O. Box 163020, Orlando, FL 32816-3020, by 5 P.M. local time, on February 27th, 2013. Facsimile (FAX) submittals are not acceptable and will not be considered.

The advertisement may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, and Fax (407)823-5141, Email: gina.seabrook@ucf.edu, or the Facilities Planning Web site: www.fp.ucf.edu under the heading "Advertisements".

**EARLY LEARNING COALITION OF BROWARD COUNTY, INC.**

ELC of Broward County is seeking Competitive Sealed Replies to an ITN for delivery of Early Care and Education Services. Services to procure include coordinated system of Early Care and Education services and supports for children and may include services for Child Screening System Coordination; Child Outcome Development; and Scholarship Administration. Expected release: January 28, 2013, 2:00 p.m. EST at www.elcbroward.org. All requirements for response will be posted on the website.

**Section XII  
Miscellaneous**

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Zip Around, Inc. for the establishment of TAOI line-make

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Taotao USA, Inc., intends to allow the establishment of Zip Around, Inc., as a dealership for the sale of motorcycles manufactured by Taotao Group Co. Ltd. for WMI L9N (line-make TAOI) at 5043 South Tamiami Trail, Sarasota, (Sarasota County), Florida 34231, on or after March 8, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Zip Around, Inc., are dealer operator(s): Demetrios Anthony, 5043 South Tamiami Trail, Sarasota, Florida 34231; principal investor(s): Demetrios Anthony, 5043 South Tamiami Trail, Sarasota, Florida 34231.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jennifer Wallace, Taotao USA, Inc., 2425 Camp Street, Suite 100, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Victory Lane, LLC, for the CLUB line-make

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Club Car, LLC, intends to allow the establishment of Victory Lane, LLC, d/b/a Gator Sports as a dealership for the sale of low-speed vehicles manufactured by Club Car, LLC (line-make CLUB) at 10491 Corkscrew Commons Drive, Estero, (Lee County), Florida 33928, on or after March 6, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Victory Lane, LLC, d/b/a Gator Sports are dealer operator(s): Dave Parker, 21727 Helmsdale Run, Estero, Florida 33928; principal investor(s): Dave Parker, 21727 Helmsdale Run, Estero, Florida 33928.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael Packer, Club Car LLC, 4125 Washington Road, Evans, Georgia 30809.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Section XIII

Index to Rules Filed During Preceding Week

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

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