

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0573 Industry Certification Process

PURPOSE AND EFFECT: The purpose of this rule development is to update the rule to conform with statutory changes made in the 2014 legislative session. In addition, the most recent Industry Certification Funding List and Comprehensive Industry Certification List will be adopted by reference. The effect of the rule development is to ensure that appropriate certifications are included on the updated Industry Certification Funding List.

SUBJECT AREA TO BE ADDRESSED: Industry Certification.

RULEMAKING AUTHORITY: 1003.492(2), 1008.44 FS.

LAW IMPLEMENTED: 1003.491, 1003.492, 1003.493, 1008.44 FS.

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

DATE AND TIME: June 24, 2014, 10:00 a.m.

PLACE: Turlington Building, Room 724, 325 West Gaines Street, Tallahassee, FL 32399, Conference Call Line: 1(888)670-3525, Participant Passcode: 3128592060

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tara Goodman, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, Suite 744, Tallahassee, Florida 32399-0400, phone: (850)245-9001; Tara.Goodman@fldoe.org. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: Cathy.Schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Will be available prior to rule development workshop at <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0574 Postsecondary Industry Certification Funding List

PURPOSE AND EFFECT: The purpose of this rule development is to update the rule to conform with statutory changes made in the 2014 legislative session. The effect of this rule is to update the postsecondary funding list for the implementation of performance funding for districts and colleges as specified in Sections 1011.80 and 1011.81, Florida Statutes. From this approved list, the Chancellors of the Division of Career and Adult Education and the Florida College System will identify industry certifications eligible for funding the areas targeted in the General Appropriations Act.

SUBJECT AREA TO BE ADDRESSED: Postsecondary Industry Certification.

RULEMAKING AUTHORITY: 1008.44 FS.

LAW IMPLEMENTED: 1008.44 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tara Goodman, Bureau Chief, Division of Career and Adult Education, 325 West Gaines Street, suite 744, Tallahassee, Florida 32399-0400, phone: (850)245-9001, Tara.Goodman@fldoe.org. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: Cathy.Schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-10.002 Application and Licensure Fees

PURPOSE AND EFFECT: The proposed rule amendment is necessary to set forth a licensure fee for active duty military and veterans practicing in areas of critical need.

SUBJECT AREA TO BE ADDRESSED: To set forth a licensure fee in the amount of \$429.

RULEMAKING AUTHORITY: 456.013(2), 456.025(1), 459.0076, 459.00761, 459.0077, 459.0092 FS.

LAW IMPLEMENTED: 456.013(2), 459.0076, 459.00761, 459.0077, 459.0092 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
 64B15-12.011 Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need

PURPOSE AND EFFECT: The proposed rule new rule is intended to set forth the application for obtaining a temporary certificate for active duty military and veterans to practice in areas of critical need.

SUBJECT AREA TO BE ADDRESSED: To incorporate the application for a temporary certificate for active duty military and veterans to practice in areas of critical need.

RULEMAKING AUTHORITY: 459.005 FS.
 LAW IMPLEMENTED: 456.013, 456.0135, 459.0055, 459.00761, 459.0085 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
 64B15-13.001 Continuing Education for Biennial Renewal
 PURPOSE AND EFFECT: The Board intends to address continuing education for the five most misdiagnosed conditions.

SUBJECT AREA TO BE ADDRESSED: Continuing medical education (CME) requirements for the five most misdiagnosed conditions.

RULEMAKING AUTHORITY: 456.013(9), 459.005, 459.008(4) FS.

LAW IMPLEMENTED: 456.013, 456.031, 459.008 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
 61C-5.006 Elevator Fees; Permits; Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement

PURPOSE AND EFFECT: To capture compliance with ASME A17.7 with permit applications, clarify elevator cab changes requiring an alteration permit, and specify an inspection is required to close an alteration permit.

SUMMARY: The proposed rule adopts an updated Affidavit of Elevator Plans Code Compliance, specifies when elevator cab alterations require a permit, and requires inspections to close alteration permits.

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: the economic review conducted 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: 399.02, 399.03, 399.07(1), 399.10 FS.

LAW IMPLEMENTED: 399.03, 399.061, 399.07 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: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, dhr.rules@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.006 Elevator Fees; Permits; Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement.

(1)(a) A registered elevator company shall apply for a permit to install, alter or relocate an elevator by submitting DBPR HR-7015, APPLICATION FOR PERMIT TO INSTALL, ALTER OR RELOCATE AN ELEVATOR AND CERTIFICATE OF OPERATION, (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02245>) incorporated herein by reference and effective October 24, 2012; and DBPR HR-7023, AFFIDAVIT OF ELEVATOR PLANS CODE COMPLIANCE, (<https://www.flrules.org/Gateway/reference.asp?No=Ref-04185> ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-02246>~~) incorporated herein by reference and effective ~~2013 November 4~~ ~~October 24, 2012~~, completed and signed by a certificate of competency holder or certified elevator inspector authorized by the registered elevator company making application. Any remodel, change to or addition of fixtures or components in the elevator cab that requires a test under the safety standards adopted in Rule 61C-5.001, F.A.C., or meets the definition of an alteration, as defined in Section 399.01(1), F.S., requires an alteration permit. A replacement, as defined in Rule 61C-5.008, F.A.C., does not require an alteration permit.

1. Each application for a permit to install or relocate an elevator must be accompanied by a permit fee of \$250 and the certificate of operation fee specified in paragraph 61C-5.006(4)(a), F.A.C.

2. Each application for a permit to alter must be accompanied by a permit fee of \$200 and a list of the alterations to be performed under the permit.

(b) through (d) No change.

(e) The permit is satisfied and closed upon the completion of a satisfactory initial acceptance inspection or alteration acceptance inspection performed in compliance with Chapter 399, F.S., and this rule chapter.

(2) through (8) No change.

Rulemaking Authority 399.02, 399.03, 399.07(1), 399.10 FS. Law Implemented 399.03, 399.061, 399.07 FS. History—New 8-21-79, Amended 11-20-79, 10-8-81, 4-21-82, 8-1-82, 11-27-83, 9-19-84, 10-8-85, Formerly 7C-5.06, Amended 10-31-88, 7-1-92, 10-11-92, Formerly 7C-5.006, Amended 2-2-94, 1-1-98, 5-24-01, 9-17-07, 4-21-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diann Worzalla, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 22, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-3.003 Renewal Fees

PURPOSE AND EFFECT: The proposed rule amendment is intended to reduce the licensure renewal fee for one biennial period.

SUMMARY: The proposed rule amendment reduces the biennial renewal fee from \$360 to \$250 for those physicians renewing licenses during the calendar years 2015 and 2016.

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 determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature because the reduction of renewal fees clearly constitutes a reduction in regulatory costs and business. Furthermore, it will not in any way increase personnel costs, it will not result in decreased profit opportunities, and will not require any specialized

knowledge to comply. 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: 456.025, 458.309(1), 458.311, 458.3115, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS.

LAW IMPLEMENTED: 456.025(1), 456.036(3), 458.319(1), 458.345(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: Allison M. Dudley, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-3.003 Renewal Fees.

(1) No change.

(2) The following renewal fees are prescribed by the Board:

(a) Biennial renewal fee for physicians licensed pursuant to Sections 458.311, 458.3115, 458.3124, and 458.313, F.S., for physicians holding a limited license; and for physicians holding a medical faculty certificate as a distinguished medical scholar, a temporary certificate for practice in areas of critical need, a public psychiatry certificate, or a public health certificate shall be \$360.00. However the following exceptions shall apply:

1. If a physician holding an area of critical need license or a limited license submits a notarized statement from the employing Agency or institution stating that the physician will not receive monetary compensation for any service involving the practice of medicine, said fee shall be waived.

2. If the licensee is converting a full, unrestricted license to a limited license, pursuant to Section 458.317(4), F.S., the licensure renewal fee shall be waived.

3. If the licensee is either a resident physician, assistant resident physician, fellow, or intern in an approved postgraduate training program, the biennial renewal fee shall be \$220.00.

4. If the licensee whose license is on inactive status chooses to renew the license in an inactive status, the biennial renewal fee shall be \$121.00.

5. Biennial renewal fee for physicians licensed pursuant to Sections 458.311, 458.3115, 458.3124, and 458.313, F.S., for physicians holding a limited license; and for physicians holding a medical faculty certificate as a distinguished medical scholar.

a temporary certificate for practice in areas of critical need, a public psychiatry certificate, or a public health certificate shall be \$250.00 for those who renew their licenses during calendar years 2015 and 2016.

(b) Biennial renewal fee for a person registered as a house physician pursuant to Section 458.345, F.S., shall be \$220.00. Rulemaking Authority 456.025, 458.309(1), 458.311, 458.3115, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317, 458.319, 458.345 FS. Law Implemented 456.025(1), 456.036(3), 458.319(1), 458.345(4) FS. History—New 12-5-79, Amended 10-24-85, Formerly 21M-19.03, Amended 12-4-86, 11-3-87, 5-24-88, 11-15-88, 11-12-89, 1-9-92, Formerly 21M-19.003, Amended 9-21-93, 4-14-94, Formerly 61F6-19.003, Amended 10-10-95, 6-24-96, 1-26-97, Formerly 59R-3.003, Amended 6-7-98, 8-11-98, 12-14-99, 10-30-01, 3-25-02, 10-19-03, 12-2-03, 7-2-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Finance and Process Accountability Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 15, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0141 **RULE TITLE:** Standards for Telemedicine Practice

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify subsection (4) with regard to controlled substances for hospitalized patients through telemedicine.

SUMMARY: The proposed rule amendment clarifies subsection (4) by making it clear that ordering controlled substances through telemedicine for hospitalized patients is not prohibited by the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. Subsection 64B8-9.0141(4), F.A.C., currently precludes the prescribing of

controlled substances through the use of telemedicine. While the current rule does not preclude the ordering of controlled substances to hospitalized patients, the current prescribing prohibition has created doubt amongst licensees and pharmacists because of the ambiguity created by the term “prescribing” as defined in Sections 465.003(14) and 893.02(22), Florida Statutes. The rule amendment in question does not prescribe the behavior or actions of any regulated entity or licensee but rather clarifies that physicians can indeed order controlled substances for hospitalized patients through the use of telemedicine. Furthermore, it will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will also ultimately decrease any direct or indirect regulatory costs. This rule amendment actually reduces perceived regulatory restrictions and allows for hospitals to continue saving money through the use of telemedicine care for hospitalized patients. No person or interested party submitted additional information regarding the economic impact at that time but multiple attorneys representing hospitals and hospital groups raised this issue of concern with the Board and the Board acted in response to those concerns.

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: 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(v) 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.0141 Standards for Telemedicine Practice.

(1) through (3) No change.

(4) Controlled substances shall not be prescribed through the use of telemedicine. This provision does not preclude physicians from ordering controlled substances through the use of telemedicine for patients hospitalized in a facility licensed pursuant to Chapter 395, F.S.

(5) through (7) No change.

Rulemaking Authority 458.331(1)(v) FS. Law Implemented 458.331(1)(v) FS. History—New 3-12-14, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 30, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 15, 2014

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-14.0081 Standards for Telemedicine Practice

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify subsection (4) with regard to controlled substances for hospitalized patients through telemedicine.

SUMMARY: The proposed rule amendment clarifies subsection (4) by making it clear that ordering controlled substances through telemedicine for hospitalized patients is not prohibited by the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. Subsection 64B15-14.0081(4), F.A.C., currently precludes the prescribing of controlled substances through the use of telemedicine. While the current rule does not preclude the ordering of controlled substances to hospitalized patients, the current prescribing prohibition has created doubt amongst licensees and pharmacists because of the ambiguity created by the term “prescribing” as defined in Sections 465.003(14) and 893.02(22), Florida Statutes. The rule amendment in question does not prescribe the behavior or actions of any regulated entity or licensee but rather clarifies that physicians can indeed order controlled substances for hospitalized patients through the use of telemedicine. Furthermore, it will not increase any fees,

business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will also ultimately decrease any direct or indirect regulatory costs. This rule amendment actually reduces perceived regulatory restrictions and allows for hospitals to continue saving money through the use of telemedicine care for hospitalized patients. No person or interested party submitted additional information regarding the economic impact at that time but multiple attorneys representing hospitals and hospital groups raised this issue of concern with the Board of Medicine and the Board of Medicine and Board of Osteopathic Medicine acted in response to those concerns.

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: 459.015(1)(z) FS.

LAW IMPLEMENTED: 459.015(1)(z) 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: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.0081 Standards for Telemedicine Practice.

(1) through (3) No change.

(4) Controlled substances shall not be prescribed through the use of telemedicine. This provision does not preclude physicians from ordering controlled substances through the use of telemedicine for patients hospitalized in a facility licensed pursuant to Chapter 395, F.S.

(5) through (7) No change.

Rulemaking Authority 459.015(1)(z) FS. Law Implemented 459.015(1)(z) FS. History--New 3-12-14, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 15, 2014

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NOS.: RULE TITLES:

69C-4.003

Definitions

69C-4.0045

Convenience Fees

69C-4.009

Annual Reporting to the Chief Financial Officer

PURPOSE AND EFFECT: Paragraph 215.322(3)(c), F.S. allows for service fees on credit card and other electronic transactions with the state to be paid by a means other than state warrant if approved by the CFO. This rule provides approval to offset convenience fees paid by a card holder against service fees charged by a bank processing a transaction.

SUMMARY: Convenience fees to offset service fees are authorized as a method for paying service fees for credit card transactions in which the State of Florida is the payee.

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: There is no impact of the payees because the convenience fee is already charged to the payee pursuant to Section 215.322, F.S. The proposed rule simply allows off setting so that state agencies don't have to receive the convenience fees from the processing bank and then issue a warrant to the bank to pay the fees back.

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: 215.322(3) FS.

LAW IMPLEMENTED: 215.322 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: Tuesday, June 24, 2014, 1:30 p.m.

PLACE: Suite 440-C, Hermitage Centre, Suite 400, 1801 Hermitage Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Melisa Hevey, (850)413-2760 or Melisa.Hevey@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melisa Hevey, Chief, Bureau of Funds Management, Division of Treasury, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0346, (850)413-2760 or Melisa.Hevey@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69C-4.003 Definitions.

As used in this rule chapter, the following terms are defined:

(1) through (7) No change.

(8) Service Fee. A service fee is a transaction processing fee charged by a financial institution, vendor service company, or payment card company, and paid by a state agency.

Rulemaking Authority 215.322(3) FS. Law Implemented 215.322 FS. History—New 12-22-83, Formerly 4C-4.03, Amended 12-26-88, 1-27-99, 9-9-01, Formerly 4C-4.003, Amended 9-11-11,_____.

69C-4.0045 Convenience Fees.

(1) through (3) No change.

(4) The use of convenience fees to offset service fees is an approved method as permitted by paragraph 215.322(3)(c), Florida Statutes, provided that fees do not exceed the total cost to the state agency and are not received by the state. An agency electing to use convenience fees to offset service fees specified in Section 215.322(3)(c), Florida Statutes, must comply with the annual reporting requirements in Rule 69C-4.009, F.A.C.

Rulemaking Authority 215.322(3) FS. Law Implemented 215.322 FS. History—New 1-27-99, Amended 9-9-01, Formerly 4C-4.0045, Amended 9-11-11,_____.

69C-4.009 Annual Reporting to the Chief Financial Officer.

State agencies shall submit the following information to the Chief Financial Officer: Within 30 days of the end of the state fiscal year, state agencies or the judicial branch with an established electronic payment operation shall file an annual report with the Chief Financial Officer containing the following information for each type of transaction related to the fiscal year just ended.

(1) through (5) No change.

(6) Total annual service fees paid. Provide total amount of fees remitted to the service provider, indicating the source of payment:

(a) Offset by sale of goods, services, or information; or convenience fees.

(b) through (d) No change.

(7) through (8) No change.

Rulemaking Authority 215.322(3) FS. Law Implemented 215.322 FS. History—New 12-26-88, Amended 1-27-99, 9-9-01, Formerly 4C-4.009, Amended 9-11-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melisa Hevey, Chief, Bureau of Funds Management, Division of Treasury, Department of Financial Services

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 28, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 21, 2014

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NOS.:	RULE TITLES:
5F-11.001	Definitions
5F-11.004	Bureau of Liquefied Petroleum Gas Inspection Forms
5F-11.012	Installer Licenses
5F-11.013	Minimum Storage as Relates to Liquefied Petroleum Gas
5F-11.022	Marking of Containers
5F-11.026	Unsafe Container or System
5F-11.029	Inspection of DOT Cylinders
5F-11.044	Out-of-gas, Leak Call, and Interrupted Service Procedure
5F-11.045	Dispensing Units
5F-11.047	Connecting or Disconnecting Cylinders, Tanks, or Systems; Notice to Owner; Transportation

- 5F-11.048 Cylinder Exchange Units
 - 5F-11.060 Documentation of Training, General
 - 5F-11.061 Master Qualifier Examinations; Applicant Qualifications
 - 5F-11.062 Approved Courses of Continuing Education
 - 5F-11.064 Renewal of Qualifier and Master Qualifier Certificates
 - 5F-11.065 Examination Procedures
 - 5F-11.066 Reporting of Qualifier and Master Qualifier Vacancies
 - 5F-11.078 Facility Inspection Report; Vehicle Inspection Report; Notice of Required Correction; and Failure to Correct
 - 5F-11.080 Enforcement Actions and Administrative Penalties
 - 5F-11.082 Resolution of Violations, Settlement, and Additional Enforcement Remedies
- 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. 40, No. 46, March 7, 2014 issue of the Florida Administrative Register.

5F-11.001 Definitions.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 8-7-80, Amended 7-18-85, Formerly 4B-1.21, 4B-1.021. Amended 3-15-94; 7-20-95, _____.

5F-11.004 Bureau of Liquefied Petroleum Gas Inspection Forms.

The following documents are hereby incorporated by reference and may be obtained from the Division of Consumer Services, Bureau of Liquefied Petroleum Gas Inspection, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500 or online as indicated.

(1) No change.

(2) FDACS-03504 (04/14) (02/14), Examination Scheduling Request, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(3) through (4) No change.

(5) FDACS-03507 (04/14) (02/14), Category III Liquefied Petroleum Gas Cylinder Exchange Operator (0404) License Application, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(6) through (10) No change.

(11) FDACS-03513 (04/14) (02/14), Dealer in Appliances and Equipment for Use of Liquefied Petroleum Gas (0602) License Application, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(12) through (14) No change.

(15) FDACS-03517 (04/14) (02/14), Pipeline System Operator (0804) License Application, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(16) through (17) No change.

(18) FDACS-03520 (04/14) (02/14), Liquefied Petroleum Gas Insurance Affidavit Category III LP Gas Cylinder Exchange Operator, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(19) through (25) No change.

(26) FDACS-03528 (04/14) (08/13), LP Gas Training Registration Form, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(27) through (29) No change.

(30) FDACS-03532 (04/14) (07/13), Dealer in Appliances and Equipment for Use of Liquefied Petroleum Gas (0602) License Renewal Application, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(31) FDACS-03533 (04/14) (02/14), Pipeline System Operator (0804) License Renewal Application, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(32) No change.

(33) FDACS-03536 (02/14) (07/13), Category III LP Gas Cylinder Exchange Operator (0404) License Renewal Coupon, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(34) through (35) No change.

(36) FDACS-03559 (04/14) (02/14), Site Plan With No Fee, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(37) through (39) No change.

(40) FDACS-03566 (04/14) (02/14), Category III LP Gas Cylinder Exchange Operator (0404) License Renewal Application, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(41) through (44) No change.

(45) FDACS-03571 (04/14) (07/13), Dealer in Appliances and Equipment for Use of Liquefied Petroleum Gas (0602) License Renewal Coupon, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(46) through (48) No change.

Rulemaking Authority 527.0201, 527.06 FS. Law Implemented 119.07(4)(c), 527.02, 527.0201, 527.021, 527.03, 527.04, 527.055, 527.06, 527.0605, 527.061, 527.11 FS. History—New 6-8-88, Amended 2-5-91, 3-18-92, Formerly 4B-1.034, Amended 7-20-95, 6-8-99, _____.

5F-11.012 Installer Licenses.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.01(11), 527.02(2), 527.0201, 527.04 FS. History—New 8-31-93, Formerly 4B-1.036, Amended 9-2-02, _____.

5F-11.013 Minimum Storage as Relates to Liquefied Petroleum Gas.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.11 FS. History—New 8-7-80, Formerly 4A-1.13, Amended 7-18-85, Formerly 4B-1.10, Amended 10-8-86, 2-6-90, Formerly 4B-1.010, Amended 7-20-95, 9-5-01,_____.

5F-11.022 Marking of Containers; Posting of Owner Contact Information at Dealer Locations.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 8-7-80, Formerly 4A-1.16, Formerly 4B-1.12, 4B-1.012, Amended 3-15-94,_____.

5F-11.026 Unsafe Container or System.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06, 527.10 FS. History—New 3-15-94, Formerly 4B-1.037, Amended 7-20-95,_____.

5F-11.029 Inspection of DOT Cylinders.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 5-9-04, Amended 1-29-06,_____.

5F-11.044 Out-of-gas, Leak Call, and Interrupted Service Procedure.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 7-23-86, Amended 6-8-88, 2-6-90, 12-31-91, Formerly 4B-1.030, Amended 1-29-06,_____.

5F-11.045 Dispensing Units.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 6-8-88, Formerly 4B-1.032, Amended 3-15-94, 7-20-95, 6-5-97, 9-2-02, 1-29-06,_____.

5F-11.047 Connecting or Disconnecting Containers or Systems; Notice to Owner; Transportation.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06, 527.07 FS. History—New 8-7-80, Formerly 4A-1.11, Amended 7-18-85, Formerly 4B-1.08, Amended 2-6-90, 2-5-91, Formerly 4B-1.008, Amended_____.

5F-11.048 Storage of Cylinders Awaiting Use, Resale, or Exchange.

(1) through (2) No change.

(3) Unless otherwise permitted by NFPA 58, storage units shall not be located within buildings frequented by the public. Units must be located a minimum of five feet from any of the

following: vent, window that can be opened, crawlspace, hole, or other opening into or underneath a building; and any source of ignition. Units shall not be located less than ten feet from a doorway or other opening used for egress; however, if the building has more than one doorway or other opening used for egress that is readily available to the public (e.g., two separated front doors; a front door and any other exit door, including a back door), the distance between the unit and the doorway or opening is permitted to be reduced to five feet. Site plans outlining the location and set-up of units storing cylinders for resale or exchange shall be submitted prior to operation utilizing FDACS-03559 (04/14) (~~02/14~~), Site Plan With No Fee, as incorporated by reference in Rule 5F-11.004, F.A.C. A site plan is not required for units storing cylinders for self-use only.

(4) through (6) No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06(2) FS. History—New 2-5-91, Formerly 4B-1.035, Amended 7-20-95,_____.

5F-11.060 Documentation of Training, General.

No change.

Rulemaking Authority 527.02(4), 527.06 FS. Law Implemented 527.02(4), 527.055, 527.06 FS. History—New 1-15-02, Amended_____.

5F-11.061 Qualifier and Master Qualifier Examinations; Applicant Qualifications.

No change.

Rulemaking Authority 527.0201, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended_____.

5F-11.062 Approved Courses of Continuing Education.

No change.

Rulemaking Authority 527.0201, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended_____.

5F-11.064 Renewal of Qualifier and Master Qualifier Certificates.

(1) In order to renew their qualification, all Category I Liquefied Petroleum Gas Dealer qualifiers, LP Gas Installer qualifiers and Master Qualifiers shall submit a renewal fee, renewal application and documentation of a minimum of 16 continuing education hours using one of the following department forms as appropriate: FDACS-03569 (02/14), Qualifier/Master Qualifier LP Gas Dealer (0601) Renewal Application, as incorporated by reference in Rule 5F-11.004, F.A.C.; FDACS-03572 (02/14), Qualifier/Master Qualifier LP Gas Installer (0803) Renewal Application, as incorporated by reference in Rule 5F-11.004, F.A.C.; FDACS-03573 (02/14),

Qualifier LP Gas Dealer (0601) Renewal Application, as incorporated by reference in Rule 5F-11.004, F.A.C.; or FDACS-03570 (02/14), Qualifier LP Gas Installer (0803) Renewal Application, as incorporated by reference in Rule 5F-11.004, F.A.C. The renewal fee, as prescribed in Section ~~527.0201~~ ~~527.02~~, F.S., is \$20 for each Category I Liquefied Petroleum Gas Dealer qualifier and LP Gas Installer qualifier, and \$30 for each Master Qualifier. Additionally, each person designated as Master Qualifier for a license holder must submit documentation of eligibility by submitting FDACS-03527 (02/14), Master Qualifier Declaration of Eligibility, as incorporated by reference in Rule 5F-11.004, F.A.C., as a manager, owner, or person otherwise primarily responsible for overseeing the operations of the licensed location.

(2) No change.

Rulemaking Authority 527.0201, 527.055, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended _____.

5F-11.065 Re-examination Procedures.

No change.

Rulemaking Authority 527.055, 527.06 FS. Law Implemented 527.02(2), (4)(a), 527.055, 527.06 FS. History—New 1-15-02, Amended _____.

5F-11.066 Reporting of Qualifier and Master Qualifier Vacancies.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.0201(6), 527.055, 527.06 FS. History—New _____.

5F-11.078 Facility Inspection Report; Vehicle Inspection Report; Notice of Required Correction; Failure to Correct.

No change.

Rulemaking Authority 527.06 FS. Law Implemented 527.06, 527.061, 527.12, 527.13, 527.14 FS. History—New _____.

5F-11.080 Enforcement Actions and Administrative Penalties.

(1) through (4) No change.

(5) Aggravating and Mitigating Factors. The department will consider aggravating and mitigating factors in determining penalties for violations of Chapter 527, F.S., and this rule chapter. Aggravating factors shall warrant the adjustment of any fine imposed upward by an additional amount equal to 50% of the fine amount and mitigating factors shall warrant the adjustment of the fine downward by reducing the fine by 50%. In no event shall a fine exceed the statutory maximum as outlined in s. 527.13, F.S. If a warning letter is imposed for an initial violation, a second violation within a three-year period shall result in a \$250 fine. Both aggravating and mitigating factors, if present, shall be applied against each single count of

the listed violation regardless of whether the violation is a minor violation or a major violation as described in Rule 5F-11.080 ~~(10) (a) and (b)~~ ~~(9)(a) and (b)~~, F.A.C.

(a) through (b) No change.

1. No change.

2. Whether intentional actions of another party prevented the violator from complying with the applicable laws, ~~or rules,~~ ~~or regulations.~~

3. through 9. No change.

(6) through (9) No change.

(10) Violations. For the purposes of imposing the penalties and enforcement actions provided for in Sections 527.13 and 527.14, F.S., violations shall be designated as either "minor" or "major".

(a) Minor Violations. A violation of Chapter 527, F.S., or this rule chapter is a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Minor violations shall result in imposition of a fine of up to \$1,000 ~~depending upon the violation committed.~~ The following violations shall be considered minor violations:

1. through 16. No change.

17. Continuing a cylinder in service with an expired requalification date that is not in accordance with DOT regulations or that fails to meet any one or more of the visual inspection criterion or any other provision regarding in-service use, including provisions governing transporting of cylinders, contained in NFPA 58, as incorporated by reference in Rule 5F-11.002, F.A.C., ~~including a cylinder with an expired requalification date.~~

18. Conducting metered sales of LP gas without an active temperature compensating device as required by NIST Handbook 130, as adopted by Rule 5F-7.005, F.A.C. ~~Failure to document any procedure or activity required to be documented by Chapter 527, F.S., or this rule chapter, or any code adopted pursuant to either Chapter 527, F.S., or this rule chapter.~~

19. ~~Failure to document any procedure or activity required to be documented by NFPA 58, as incorporated by reference in Rule 5F-11.002, F.A.C. or this rule chapter Chapter 527, F.S., or any code adopted pursuant to either Chapter 527, F.S., or this rule chapter.~~

~~20.~~ 19. Unauthorized removal of a red tag, where the system or equipment was not utilized or operated after the red tag was initially applied.

(b) Major Violations. A violation of Chapter 527, F.S., or this rule chapter is a major violation if it results in economic or physical harm to a person or adversely affects the public health, safety, or welfare, or creates a significant threat of such harm. ~~Depending upon the violation committed, M~~major violations shall result in the imposition of an administrative fine of from \$1,000 up to \$3,000, suspension or revocation of the license as

prescribed in Section 527.14, F.S., or any of the foregoing, as prescribed in Section 527.13, F.S. The following violations shall be considered major violations:

1. through 15. No change.

Rulemaking Authority 120.569, 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New _____.

5F-11.082 Resolution of Violations, Settlement, and Additional Enforcement Remedies.

(1) through (2) No change.

(3) A failure to comply with either a Final Order or a Default Final Order of the department shall result in license revocation and additional enforcement of ~~additional penalties~~ as prescribed in Sections 527.09, 527.12 and 527.13 ~~Chapter 527, F.S.~~

Rulemaking Authority 527.06, 570.07(23) FS. Law Implemented 527.06, 527.08, 527.09, 527.12, 527.13, 527.14 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-13.070 Developmental Disabilities Individual
Budgeting Waiver Services
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 77, April 21, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-3.001 General Requirements of Clinical
Laboratory Personnel Training Programs
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. 40, No. 16, January 24, 2014 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (1) of the rule shall now read as follows:

(1) Each clinical laboratory personnel training program, hereinafter referred to as program, shall apply to the board on Form #DH-MQA 3007 (05/2014) “Application for Clinical Laboratory Training Program” http://www.flrules.org/Gateway/reference.asp?No=Ref_____, which is incorporated by reference herein, and pay the fee set forth in subsection 64B3-9.001(3), F.A.C.

2. For incorporated Form #DH-MQA 3007 (05/2014), on page 1, under the heading Initial Application and Licensure Fees, the Unlicensed Activity Fee will be removed. Therefore, the Total will be changed to \$400.00.

3. For incorporated Form #DH-MQA 3007 (05/2014), on page 1, under the heading Renewal Application and Licensure Fees, the Unlicensed Activity Fee will be removed. Therefore, the Total will be changed to \$300.00.

4. For incorporated Form #DH-MQA 3007 (05/2014), on page 2, number 1, the Initial Fees will be changed to \$400.00. The Renewal Fees will be changed to \$300.00.

5. For incorporated Form #DH-MQA 3007 (05/2014), on page 2, number 6, subsection (4) will be removed from the citation to Rule 64B3-5.007, F.A.C.

6. For incorporated Form #DH-MQA 3007 (05/2014), on page 3, number 1, the Initial Fees will be changed to \$400.00. The Renewal Fees will be changed to \$300.00.

7. For incorporated Form #DH-MQA 3007 (05/2014), on page 3, number 6, subsection (4) will be removed from the citation to Rule 64B3-5.007, F.A.C.

8. For incorporated Form #DH-MQA 3007 (05/2014), on page 4, under the heading Application Category, the Unlicensed Activity Fee located under Application Fee and Initial License Fee, will be removed. Therefore, the Total will be changed to \$400.00.

9. For incorporated Form #DH-MQA 3007 (05/2014), on page 4, under the heading Application Category, the Unlicensed Activity Fee located under Renewal Fee, will be removed. Therefore, the Total will be changed to \$300.00.

10. For incorporated Form #DH-MQA 3007 (05/2014), on page 6, the questions (1.-5.) asked pursuant to section 456.0635, Florida Statutes, will be removed.

11. 483.800, F.S. will be removed as a law implemented.

12. 483.807, F.S. will be added as a law implemented.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

**Section IV
Emergency Rules**

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On May 8, 2014 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Courtside Deli located in Orange Lake. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the three-compartment sink located within an adjacent business under the same ownership. The Petition for this variance was published in Vol. 40, No. 92 of the Florida Administrative Register on May 12, 2014. The Order for this Petition was signed and approved on May 27, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that the dishwashing area within Horseman's Lounge (SEA5200665) is maintained in a clean and sanitary manner, provided with hot and cold running water under pressure and is available during all hours of operation. If the ownership of Horseman's Lounge (Second Chance Jai-Alai LLC) changes, an updated written agreement must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 29, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida

Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code, from Dippin Dots located in Panama City Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On May 18, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code, from 60 North Main located in High Springs. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink at the cookline.

The Petition for this variance was published in Vol. 40, No. 99 of the Florida Administrative Register on May 21, 2014. The Order for this Petition was signed and approved on May 27, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

Section VI

Notice of Meetings, Workshops and Public Hearings

EXECUTIVE OFFICE OF THE GOVERNOR

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
 - Division of Bond Finance
 - Financial Services Commission
 - Office of Insurance Regulation
 - Office of Financial Regulation
 - Agency for Enterprise Information Technology
 - Department of Veterans' Affairs
 - Department of Highway Safety and Motor Vehicles
 - Department of Law Enforcement
 - Department of Revenue
 - Administration Commission
 - Florida Land and Water Adjudicatory Commission
 - Board of Trustees of the Internal Improvement Trust Fund
 - Department of Environmental Protection
- DATE AND TIME: June 17, 2014, 9:00 a.m.
PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item. The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2014, 5:00 p.m.

PLACE: Ocala/Marion County Chamber & Economic Partnership Building, 310 SE Third Street, Ocala, Florida 34471

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the board to discuss general board business.

A copy of the agenda may be obtained by contacting: Shawn Doherty, Executive Director, (352)307-6699 or email at execdir@FLHorsePark.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Shawn Doherty, Executive Director, (352)307-6699 or email at execdir@FLHorsePark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF REVENUE

Property Tax Oversight Program

The Department of Revenue Property Tax Oversight Program announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2014, 1:00 p.m.

PLACE: Capital Circle Office Complex, 2450 Shumard Oak Boulevard, Building 2, Room 1220, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Present the Department's recommended list of applicants for the Certified Florida Evaluator designation. Interested parties can attend in person or by telephone. Instructions to attend by telephone are included on the agenda. Please refer to the Certified Florida Appraiser Admissions and Certifications Committee Agenda posted to the Department's internet site at <http://dor.myflorida.com/dor/property/training/> before attending the meeting.

A copy of the agenda may be obtained by contacting: Jennifer Kawakami, Research & Training Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3294, Tallahassee, Florida 32315-3294, (850)617-8938, kawakamj@dor.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jennifer Kawakami at (850)617-8938 or kawakamj@dor.state.fl.us. If you are hearing or speech

impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Jennifer Kawakami at (850)617-8938 or kawakamj@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF REVENUE

Property Tax Oversight Program

The Department of Revenue Property Tax Oversight Program announces a public meeting to which all persons are invited.

DATE AND TIME: June 10, 2014, 3:00 p.m.

PLACE: Capital Circle Office Complex, 2450 Shumard Oak Boulevard, Building 2, Room 1220, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Present the Department’s recommended list of applicants for the Certified Florida Collector Assistant designation. Interested parties can attend in person or by telephone. Instructions to attend by telephone are included on the agenda. Please refer to the Certified Florida Collector Admissions and Certifications Committee Agenda posted to the Department’s Internet site at <http://dor.myflorida.com/dor/property/training/> before attending the meeting.

A copy of the agenda may be obtained by contacting: Jennifer Kawakami, Research & Training Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3294, Tallahassee, Florida 32315-3294, (850)617-8938, kawakamj@dor.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jennifer Kawakami at (850)617-8938 or kawakamj@dor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jennifer Kawakami at (850)617-8938 or kawakamj@dor.state.fl.us.

STATE BOARD OF ADMINISTRATION

The Investment Advisory Council (IAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 16, 2014, 10:45 a.m. until completion of agenda

PLACE: Hermitage Conference Room, The Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State

Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444 of the Florida Statutes. A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850)413-1253 or diane.bruce@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn, (850)413-1166 or james.linn@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

The Participant Local Government Advisory Council (PLGAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 16, 2014, 9:30 a.m. until completion of agenda

PLACE: The Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regularly scheduled meeting of the Participant Local Government Advisory Council. The PLGAC is a six-member advisory council, which reviews the administration of the Local Government Investment Pool Trust Fund (aka Florida PRIME) and makes recommendations regarding such administration to the Trustees. The Council operates under Section 218.409 (10)(a) of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, (850)413-1253 or diane.bruce@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: James Linn, (850)413-1166 or james.linn@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CITRUS

The Florida Department of Citrus announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2014, 9:00 a.m.

PLACE: Hyatt Regency Coconut Point Resort & Spa, 5001 Coconut Road, Bonita Springs, Florida 34134

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Commission will convene for the purpose of standing committee meetings and the regularly scheduled meeting of the

Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, issues pertaining to Chapter 601, F.S., rulemaking; and any other matter addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Heather Facey, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831 or hfacey@citrus.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at dscrews@citrus.myflorida.com or (863)537-3984. 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.

EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's Commission on Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 16, 2014, 3:00 p.m. EDT until all business is complete.

PLACE: 1(888)670-3525; passcode 3822432866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and approval of AmeriCorps formula funding recommendation.

A copy of the agenda may be obtained by contacting: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.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).

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: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2014, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, wren@tbrpc.org or (727)570-5151, ext. 22. 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: Maya Burke, (727)570-5151, ext. 40 or maya@tbrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces public meetings to which all persons are invited.

DATE AND TIME: June 11, 2014, 11:00 a.m.; Governing Board Workshop and Tour

PLACE: Starting location: Istokpoga Boat Ramp, 8140 U.S. 98, Lorida, FL 33857. Members of the public interested in attending the workshop/tour should contact Marcia Kivett at (561)682-6262 (mkivett@sfwmd.gov) or Jacki McGorty at (561)682-2087 (jmcgorty@sfwmd.gov) for additional information. The location of the tour may be changed due to inclement weather or other unforeseen circumstances to the Riverwoods Field Lab, 100 Riverwoods Circle, Lorida, FL 33857. Notice of such change will be available by contacting Marcia Kivett at (561)682-6262 or (561)723-8258.

DATE AND TIME: June 12, 2014, 9:00 a.m.; Governing Board Regular Business Meeting

PLACE: Osceola County Administrative Building, County Commission Chambers, 4th Floor, 1 Courthouse Square, Kissimmee, FL 34741

All or part of the meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meetings on any item appearing on the agenda and on any item that is added to the agenda as a result

of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and issues of interest related to water management, water supply and flood protection in the south Florida region.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jacki McGorty, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jacki McGorty at (561)682-2087 or jmcgorty@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: June 12, 2014, Immediately following the conclusion of the meeting of the Governing Board of the South Florida Water Management District Leasing Corporation.

PLACE: Osceola County Commission Chambers, 1 Courthouse Square, Suite 4100, Kissimmee, Florida 34741

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Board members. The Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the South Florida Water Management District Leasing Corporation to discuss leasing corporation business.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or jmcgorty@sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jacki McGorty, (561)682-2087. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jacki McGorty, (561)682-2087 or District Clerk, South Florida Water Management District, MS 3210, 3301 Gun Club Road, West Palm Beach, FL 33406.

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority

The Withlacoochee Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2014 has been cancelled

PLACE: 3600 W. Sovereign Path, Room 166, Lecanto, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The WRWSA announces cancellation of the meeting scheduled for Wednesday, June 18, 2014. The next regularly scheduled meeting will be held Wednesday, July 16, 2014, 3:30 p.m. at the Lecanto Government building, Room 166, 3600 W. Sovereign Path, Room 166, Lecanto, Florida.

A copy of the agenda may be obtained by contacting: Nancy H. Smith, (352)527-5795 or nsmith@wrwsa.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Nancy H. Smith, (352)527-5795 or nsmith@wrwsa.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).

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: Nancy H. Smith, (352)527-5795 or nsmith@wrwsa.org.

DEPARTMENT OF MANAGEMENT SERVICES

State Retirement Commission

The State Retirement Commission announces a hearing to which all persons are invited.

DATE AND TIME: June 16, 2014, 8:30 a.m.

PLACE: Department of Management Services, 4050 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephone: (850)487-2410.

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 15 days before the workshop/meeting by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950 or by telephone: (850)487-2410. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Probable Cause Panel of the Construction Industry Licensing Board announces public meetings to which all persons are invited.

DATE AND TIMES: June 24, 2014, 9:00 a.m. and 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Kyle Christopher, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

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: Kyle Christopher, Chief Construction Attorney,

Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kyle Christopher, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Substance Abuse Program**

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

DATE AND TIME: June 11, 2014, 1:30 p.m. – 3:00 p.m.

PLACE: 1317 Winewood Blvd., Tallahassee, FL, Bldg. 6, Conference Rm 350 (3rd Floor)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention Coordinating Council Mtg. Rescheduled - 6/11.

Conference call info: call # 1(888)670-3525, code: 8007400450

A copy of the agenda may be obtained by contacting: Laurie_Blades@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Laurie_Blades@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Laurie_Blades@dcf.state.fl.us.

ENTERPRISE FLORIDA, INC.

The Florida Development Finance Corporation (“FDFC”) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 5, 2014, 9:00 a.m. – 9:30 a.m.

PLACE: Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regular scheduled meeting for the consideration of matters properly brought before the board of the Florida Development Finance Corporation.

A copy of the agenda may be obtained by contacting: Bill Spivey at (407)956-5695.

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 1 day before the workshop/meeting by contacting: Bill Spivey at (407)956-5695. 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: Bill Spivey at (407)956-5695.

ENTERPRISE FLORIDA, INC.

The Florida Development Finance Corporation (“FDFC”) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 17, 2014, 9:00 a.m. – 10:00 a.m.

PLACE: Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regular scheduled meeting for the consideration of matters properly brought before the board of the Florida Development Finance Corporation.

A copy of the agenda may be obtained by contacting: Bill Spivey at (407)956-5695.

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 1 day before the workshop/meeting by contacting: Bill Spivey at (407)956-5695. 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: Bill Spivey at (407)956-5695.

ATKINS – Bartow

The Florida Department of Transportation (FDOT), District One, announces a public meeting to which all people are invited.

DATE AND TIME: Tuesday, June 10, 2014, 6:00 p.m. – 7:30 p.m.

PLACE: Holiday Inn Lakewood Ranch, 6231 Lake Osprey Drive, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting is held to afford affected property owners, residents

and interested people the opportunity to express their views concerning the potential design and construction of a traffic noise barrier along I-75 for the Gateway Lakes Apartments, San Palermo Townhomes and residences to the north of the San Palermo Townhomes, associated with Financial Project IDs: 201032-4-32-01 and 201277-2-32-01, otherwise known as I-75 at University Parkway Interchange Design in Sarasota and Manatee Counties, Florida.

For more information about the meeting or to request a copy of the meeting agenda, please contact Mr. Douglas K. Zang, Environmental Project Manager, Florida Department of Transportation, District One, P. O. Box 1249, Bartow, FL 33831, phone: (863)519-2515, email: Douglas.Zang@dot.state.fl.us.

This meeting is held in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status. People who require special accommodations at the meeting under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Jamie Schley, District One Title VI Coordinator, at (863)519-2573 or by email at jamie.schley@dot.state.fl.us at least seven (7) days before the meeting.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or (800)955-8770 (Voice).

Section VII

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that The Department of Business and Professional Regulation, Division of Drugs, Devices and Cosmetics has issued an order disposing of the petition for declaratory statement filed by Martin R. Dix, of Akerman LLP on behalf of Publix Super Markets, Inc. on January 14, 2014. The following is a summary of the agency's disposition of the petition:

The petitioner is seeking a declaratory statement regarding the applicability of Sections 499.003(54), 499.003(17), 499.005(14), and 499.01, Florida Statutes, and Rule 61N-1.012, Florida Administrative Code, to the Petitioner’s facts. Petitioner also seeks a statement as to the Department’s enforcement authority as set forth in Sections 499.002, 499.051, 499.06, 499.061, 499.066 and 499.067, F.S., as applied to Petitioner’s facts. The following is a summary of the agency’s disposition

of the petition: Publix owns and operates 596 community pharmacies within the state of Florida. The pharmacies are licensed by the Florida Department of Health. These pharmacies do not possess Florida prescription drug wholesale distributor permits. Publix also owns and operates a chain pharmacy warehouse that is licensed by the Department as a wholesale distributor, holding permit number 22-1471. This Publix chain pharmacy warehouse purchases prescription drugs from authorized suppliers and distributes these drugs to Publix pharmacies. Publix controls all of its pharmacies and controls its chain pharmacy warehouse. Publix asserts that its pharmacies need to be able to do the following: Publix requests a statement from the Department declaring the following: Accordingly, applying the foregoing to Petitioner’s facts, Petitioner’s requests for declarations are answered as follows: A. Publix pharmacies’ sale of prescription drugs from one Publix pharmacy to other Publix Pharmacies is not the wholesale distribution of prescription drugs. B. Publix pharmacies’ transfers of prescription drugs from one Publix pharmacy to other Publix pharmacies are not the wholesale distribution of prescription drugs, so long as such transfers are intracompany sales. C. Publix pharmacies’ sale of prescription drugs from one Publix pharmacy to other Publix pharmacies does not require any type of Florida prescription drug wholesale distributor’s permit. D. Publix pharmacies’ transfers of prescription drugs from one Publix pharmacy to other Publix pharmacies do not require a prescription drug pedigree to be provided at this time, so long as such transfers are intracompany sales. In the future, federal tracking and tracing requirements may apply. E. Publix pharmacies’ sales of prescription drugs to the Publix chain pharmacy warehouse are not the “wholesale distribution” of prescription drugs. F. Publix pharmacies’ transfer of prescription drugs to the Publix chain pharmacy warehouse is not the “wholesale distribution” of prescription drugs, so long as transfers are intracompany sales. G. Publix pharmacies’ sales of prescription drugs to the Publix chain pharmacy warehouse do not require a Florida prescription drug wholesale distributor permit and does not require Publix to provide pedigree papers for these returns. H. Publix pharmacies’ transfers of prescription drugs to the Publix chain pharmacy warehouse do not require a Florida prescription drug wholesale distributor’s permit, so long as such transfers are intracompany sales, and does not require Publix to provide pedigree papers for these returns.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Dinah Greene, Division of Drugs, Devices and Cosmetics 1940 N.Monroe Street, Suite 26A, Tallahassee, FL 32399, (850)717-1802 or via email at dinah.greene@myfloridalicense.com.

Please refer all comments to: Reginald Dixon, Division Director Division of Drugs, Devices and Cosmetics 1940 N. Monroe Street, Suite 26 Tallahassee, FL 32399.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

School Districts

DCPS Asbestos Abatement and Environmental Services on a Continuing Contract Basis/

DCSB Project No. M-83700/OFDC-RFP-001-14

NOTICE TO ASBESTOS ABATEMENT CONTRACTORS-REQUEST FOR PROPOSAL (RFP) OFDC-RFP-001-14. DUVAL COUNTY PUBLIC SCHOOLS OFFICE OF FACILITIES DESIGN AND CONSTRUCTION FOR ASBESTOS ABATEMENT AND ENVIRONMENTAL SERVICES ON A CONTINUING CONTRACT BASIS. DCSB Project No. M-83700/OFDC-RFP-001-14/Publish Date – June 2, 2014. The Office of Facilities Design and

Construction (OFDC) announces that construction services are required for asbestos abatement and environmental services on a continuing contract basis for Duval County Public Schools. Estimated annual construction cost for this project is \$75,000. The Owner reserves the right to select one or more contractors to perform the work. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods. The selected contractor(s) shall be required to execute the Duval County School Board standard form of agreement. Instructions for completion of Proposals and Bids and the selection process will be in accordance with the Selection Booklet as outlined in "OFDC RFP-001-14 Selection of the Asbestos Abatement and Environmental Services Continuing Services Contract" found at www.duvalschools.org. Follow website to Departments/Facilities/Selection Booklets. The RFP documents will be reviewed in detail at a mandatory pre-proposal information conference held on June 17, 2014 from 2:00 p.m. – 3:00 p.m. in Conference Room 538, 1701 Prudential Drive, Jacksonville, Florida 32207. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the RFP Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org. Follow website to Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Application. DCPS Project Manager: Bruce Ackerman, phone: (904)390-2363. Applications are to be sent to: Facilities Design and Construction, 1701 Prudential Drive, Room 535, Jacksonville, FL 32207. Response due date: RFP responses are due on or before July 2, 2014 and will be accepted until 2:00 p.m. MBE participation goals: encouragement.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BDC16-13/14 Myakka River State Park-Refurbishment CCC of Cabins 1-5

NOTICE OF INVITATION TO BID
STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BID NO. BDC16-13/14

The Department of Environmental Protection, Office of Operations, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from Contractors licensed to work in the jurisdiction for the project listed below.

PROJECT NAME: Myakka River State Park – Refurbishment of CCC Cabins 1-5, Latrine and Pavilion

SCOPE OF WORK: The Contractor shall provide the necessary labor, materials, equipment, supervision and permits required to elevate CCC cabins 1 through 5, with structural and exterior building repairs, and reconnect all utilities.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S., the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PARK LOCATION: Myakka River State Park, 13208 State Road 72, Sarasota, Florida 34241, Sarasota County.

PROJECT MANAGER: Mark Chatlos, 3800 Commonwealth Blvd., MS 520, Tallahassee, Florida 32399, telephone number: (941)486-2154.

INSTRUCTIONS: Documents for this bid will be available for download on Friday May 30, 2014. Any firm desiring a Project Manual for this project may obtain directions by emailing katie.parrish@dep.state.fl.us / david.matson@dep.state.fl.us. If preferred, a compact disc (CD) containing the plans and specifications can be obtained by calling the Contracts Section at (850)245-2630, (850)245-2620 or emailing the addresses above.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Katie Parrish with the Bureau of Design and Construction at (850)245-2630 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section XII
Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

Proposed Amendment to Florida's 1115 Managed Medical Assistance Waiver

The Agency for Health Care Administration (Agency) is seeking public input on a proposed amendment to Florida's 1115 Managed Medical Assistance (MMA) Waiver.

SUMMARY DESCRIPTION OF PROPOSED AMENDMENT:

The Agency plans to submit an amendment to Florida's 1115 MMA Waiver to the Centers for Medicare and Medicaid

Services (Federal CMS). The proposed amendment will allow for Medicaid-eligible children receiving Prescribed Pediatric Extended Care (PPEC) services to become eligible to voluntarily enroll in Florida's MMA program, a component of the Statewide Medicaid Managed Care (SMMC) program. During Florida's 2014 legislative session, HB 5201 was passed. This bill allows children receiving PPEC services to voluntarily enroll in Florida's MMA program upon federal approval. This bill is subject to signature by Florida's Governor, and this notice is subject to withdrawal if the bill does not become law.

The purpose of the Florida Medicaid PPEC services is to enable recipients under the age of 21 years with medically-complex conditions to receive medical and therapeutic care at a non-residential pediatric center. Currently under Florida law, children receiving PPEC services are excluded from participating in the MMA program and, therefore, would be unable to receive services from an MMA plan such as the Children's Medical Services Network. The proposed amendment to the 1115 MMA Waiver will allow for those children receiving PPEC services and currently enrolled in the Children's Medical Services Network or another MMA plan to remain in that plan without disruption of services, ensuring their continuity of care and participation in the MMA program. It would also allow children not currently enrolled in a Medicaid managed care plan to select an MMA plan to take advantage of the higher standards required of the plans and the expanded benefits offered by the plans.

**PUBLIC NOTICE AND PUBLIC COMMENT PERIOD:
JUNE 1, 2014 – JUNE 30, 2014**

The Agency will conduct a 30-day public notice and comment period prior to the submission of the proposed amendment request to Federal CMS. The Agency will consider all public comments received regarding the proposed amendment request. The 30-day public notice and public comment period begins June 1, 2014 and ends June 30, 2014. This public notice and public comment period is being held to solicit public input from recipients, providers and all stakeholders and interested parties on the development of the proposed amendment request to Florida's 1115 MMA Waiver.

To submit comments by postal service or internet email, please follow the directions outlined below. When providing comments regarding the proposed amendment to the 1115 MMA Waiver, please have 'Proposed Amendment to 1115 MMA Waiver' referenced in the subject line. Mail comments and suggestions to:

Proposed Amendment to 1115 MMA Waiver
Office of the Deputy Secretary for Medicaid
Agency for Health Care Administration
2727 Mahan Drive, MS #8
Tallahassee, Florida 32308

Email your comments and suggestions to: FLMedicaidWaivers@ahca.myflorida.com.

More information is available on the Agency's website at the following link: http://ahca.myflorida.com/medicaid/statewide_mc/mma_fed_auth.shtml.

SUMMARY DESCRIPTION OF THE 1115 MMA WAIVER: Florida's 1115 Research and Demonstration Waiver was initially approved by Federal CMS October 19, 2005 to operate for the period from July 1, 2006 to June 30, 2010. Implementation of the waiver occurred in Broward and Duval Counties on July 1, 2006 with expansion to Baker, Clay and Nassau Counties occurring July 1, 2007. Federal CMS granted temporary extensions of the waiver until December 15, 2011, when final approval of the extension request was granted, for the period from December 16, 2011 to June 30, 2014.

On June 14, 2013, Federal CMS approved an amendment to the waiver that allows for implementation of an improved statewide model of managed care in 2014 and the continuation of the Low Income Pool program. The amendment also changed the name of the waiver to the Florida Managed Medical Assistance Waiver.

On November 27, 2013, the Agency submitted another three-year waiver extension request to Federal CMS to extend Florida's 1115 MMA Waiver for the period July 1, 2014 to June 30, 2017. With the submission of the three-year waiver extension request, the state is seeking federal authority to extend Florida's MMA Waiver for the period July 1, 2014 to June 30, 2017. The waiver is designed to implement a new statewide managed care delivery system without increasing costs and to continue the Low Income Pool program. The program is guided by principles designed to improve coordination and patient care while fostering fiscal responsibility.

The MMA program will provide primary and acute medical care for the majority of Medicaid recipients through high quality, competitively selected managed care organizations. Moving from a fee-for-service system to the MMA program, the program increases consumer protections as well as quality of care and access for Floridians in many ways including:

- Increases recipient participation on Florida's Medical Care Advisory Committee and convenes smaller advisory committees to focus on key special needs populations;
- Ensures the continuation of services until the primary care or behavioral health provider reviews the enrollee's treatment plan (no more than sixty calendar days after the effective date of enrollment);
- Ensures recipient complaints, grievances and appeals are reviewed immediately for resolution as part of the rapid cycle response system;

- Establishes Healthy Behaviors programs to encourage and reward healthy behaviors and, at a minimum, requires plans offer a medically approved smoking cessation program, a medically directed weight loss program and a substance abuse treatment plan;
- Requires Florida’s External Quality Review Organization to validate each plan’s encounter data every three years;
- Enhances consumer report cards to ensure recipients have access to an understandable summary of quality, access, and timeliness regarding the performance of each participating managed care plan;
- Enhances the plan’s performance improvement projects by focusing on six key areas with the goal of achieving improved patient care, population health and reducing per capita Medicaid expenditures;
- Enhances metrics on plan quality and access to care to improve plan accountability; and
- Enhances the state’s comprehensive continuous quality improvement strategy, focusing it on all aspects of quality improvement in Medicaid.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Notice of Receipt of Applications for Permit Coverage under the State’s Generic Permit for MS4’s

The Department announces receipt of the applications listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems for the City of Mascotte, City of Inverness and City of Palm Coast. The application is being processed and is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Mr. Kenneth Kuhl, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, MS 3585, Tallahassee, FL 32399-2400.

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order, DEO-14-057
 In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY MONROE COUNTY, FLORIDA
 ORDINANCE NO. 002-2014

FINAL ORDER
APPROVING MONROE COUNTY ORDINANCE
NO. 002-2014

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Fla. Stat., approving land development regulations adopted by Monroe County, Florida, Ordinance No. 002-2014 (the “Ordinance”).

FINDINGS OF FACT

The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Monroe County, is a local government within the Florida Keys Area.

The Ordinance was adopted by Monroe County on March 19, 2014.

The Ordinance amends Chapter 118 “Environmental Protection,” within the Monroe County Land Development Code. More specifically, it creates Section 118-13 “Endangered Species,” to provide for coordination with the United States Fish and Wildlife Service (“USFWS”) for permit applications on parcels located in a Critical Habitat or designated as a potentially suitable habitat for federally listed threatened and endangered species. This coordination includes direct consultation with, and authorization from, USFWS before commencement of development for such parcels.

CONCLUSIONS OF LAW

The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and (11) and § 380.0552(9), Fla. Stat.

“Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Fla. Stat.

The Ordinance is consistent with Future Land Use Objective 103.2 and Future Land Use Element Policy 103.2.13 of the Monroe County Comprehensive Plan.

The Ordinance is consistent with the Principles for Guiding Development in section 380.0552(7), Fla. Stat., as a whole, and is specifically consistent the following Principles:

Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 002-2014 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____

William B. Killingsworth, Director
 Division of Community Development
 Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
 DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON STREET, MSC 110
 TALLAHASSEE, FLORIDA 32399-4128
 TELEPHONE: (850)245-7160
 FAX (850)921-3230

Email: James.Bellflower@deo.myflorida.com

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 30 day of MAY, 2014.

/s/
James W. Bellflower, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Sylvia Murphy
Mayor, Monroe County
500 Whitehead Street
Key West, FL 33040

Amy Heavilin, Clerk
Monroe County Board of County Commissioners
500 Whitehead Street
Key West, FL 33040

Christine Hurley, Director
Monroe County Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, FL 33050

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.
