

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-1.0943 Statewide Assessment for Students with
 Disabilities

PURPOSE AND EFFECT: The purpose of this rule development is to conform to statutory changes enacted by the 2014 Florida Legislature. As a result of the addition of Section 1008.22(9), Florida Statutes (F.S.), Rule 6A-1.0943, F.A.C., is being revised to provide a definition of “medically complex” and to specify procedures to request an exemption based on the requirements in statute. In addition, unrelated to 2014 legislation, language regarding unique accommodations and eligibility criteria for the administration of the Florida Alternate Assessment is proposed for revision.

SUBJECT AREA TO BE ADDRESSED: Participation in standardized statewide assessments by students with disabilities.

RULEMAKING AUTHORITY: 1001.02, 1003.01, 1003.571, 1008.22, 1008.212 FS.

LAW IMPLEMENTED: 1003.01, 1003.571, 1008.22(9), 1008.212 FS.

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

DATE AND TIME: September 19, 2014, 2:30 p.m.
PLACE: Via telephone conference call: 1(888)339-2688; participant pass code: 71998236; participants may access a presentation by linking to <http://tlc-flmtss.adobeconnect.com/auditorium/>. For anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee, Florida at the time provided above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Monica Verra-Tirado, Ed.D., Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0475. To submit a comment on this rule development go to: <https://app1.fldoe.org/rules/default.aspx>
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.03028	Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities
6A-6.0331	General Education Intervention Procedures, Evaluation, Determination of Eligibility, Reevaluation and the Provision of Exceptional Student Education Services
6A-6.03411	Definitions, ESE Policies and Procedures, and ESE Administrators

PURPOSE AND EFFECT: The purpose of this rule development is to revise Form 313181 as referenced in paragraph (10)(b) of rule 6A-6.0331. Specifically Section 1003.4282, F.S., was amended during the 2014 legislative session to create new standard diploma options for students with disabilities beginning with the student cohort entering grade 9 in 2014-2015. Special diploma will no longer be an option for these students. Students instructed in access points curriculum and administered the Florida Alternate Assessment will be able to work toward a standard diploma given this legislation. Therefore, the form must be revised to align with this statutory change. In addition, unrelated to legislative changes during 2014, timelines related to the evaluation process for students with disabilities are proposed for revision.

Rule 6A-6.03028, F.A.C., is updated to reflect changes in Section 1003.4282, F.S., which was amended during the 2014 legislative session and Section 1003.5716, F.S., which was created during the 2014 legislative session. The changes require that students with disabilities declare an intent to pursue a standard diploma or a certificate of completion. Additionally, students with disabilities will also declare whether they intend to pursue a Merit or Scholar designation. Beginning in the 2015-2016 school year, the individual education plan (IEP) must reflect a statement of intent regarding the Career and Professional Education (CAPE) digital industry tool certificates and the CAPE industry certifications that the student seeks to attain before high school graduation. The Model Communication Plan for students who are deaf or hard-of-hearing is also proposed for revision. Lastly, a revision made during the 2013 legislative session with regard to reimbursement for charter schools is referenced. Rule 6A-6.03411, F.A.C., is in development to update a definition and make a statutory correction.

SUBJECT AREA TO BE ADDRESSED: Consent form related to participation in the Florida Alternate Assessment and access courses; evaluation timelines for students suspected of having a disability; IEP requirements related to secondary transition; and Model Communication Plan for students who are deaf or hard-of-hearing; and charter schools.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1003.01(3)(a), (b), 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1008.22 FS.

LAW IMPLEMENTED: 1001.42(4)(l), 1001.03(8), 1002.33, 1002.38, 1003.01(3)(a), (b), 1003.4203, 1003.4282, 1003.55, 1003.57, 1003.571, 1003.5715, 1003.5716, 1008.22, 1011.62(1)(c) FS.

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

DATE AND TIME: September 19, 2014, 2:30 p.m.

PLACE: Via telephone conference call: 1(888)339-2688; participant pass code: 71998236; participants may access a presentation by linking to <http://tlc-flmtss.adobeconnect.com/auditorium/>.

For anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 605, Tallahassee, Florida at the time provided above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Monica Verra-Tirado, Ed.D., Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0475. To submit a comment on this rule development go to: <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-3.004
 RULE TITLE: Issuance of Certification

PURPOSE AND EFFECT: The Board proposes the substantial rewrite of the rule to clarify the qualifications and procedures for issuance of certification.

SUBJECT AREA TO BE ADDRESSED: Issuance of certification.

RULEMAKING AUTHORITY: 475.613, 475.614, 475.6171 FS.

LAW IMPLEMENTED: 475.6171 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: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.220
 RULE TITLE: Amount and Duration of Cash Payment

PURPOSE AND EFFECT: The revisions of this administrative rule are required by s. 2, 2014-119, Laws of Florida, signed into law June 13, 2014. The revisions explain how temporary absence from the state will be determined for Temporary Cash Assistance (TCA). The revisions also implement the requirement to designate a protective payee when the parent or caretaker has been disqualified from participation in TCA due to fraud.

SUBJECT AREA TO BE ADDRESSED: Temporary absence from the State by recipients of TCA and its effect on Temporary Cash Assistance eligibility and, circumstances or situations that will require the designation of a protective payee for children who receive Temporary Cash Assistance.

RULEMAKING AUTHORITY: 414.45, 414.095(18) FS.

LAW IMPLEMENTED: 414.095 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 30, 2014, 10:00 a.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bob Hoelzle, Economic Self-Sufficiency Program, (850)717-4066, 1317 Winewood Boulevard, Bldg. 3, Room 419, Tallahassee, Florida 32399-0700, bob_hoelzle@dcf.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65A-4.220 Amount and Duration of Cash Payment.

(1) through (6) No change.

(7) Residency is not affected during temporary absences.

(a) Temporary absence exists when an absence is 30 days or less. If the absence is greater than 30 days, the individual must provide the Department with:

1. The reason(s) the absence has been prolonged (eg., medical treatment),

2. Plans to return to the state, and

3. The date the individual intends to return to the state.

(b) Temporary absence may exist when the absence is greater than 30 days if there is an intent to return to Florida. In determining continuation of TCA for temporarily absent assistance groups, TCA will continue if:

1. The assistance group has maintained its residence in Florida during the temporary absence period, and

2. The assistance group plans to return to Florida when the reason for the temporary absence has ended.

(c) Temporary absence does not exist, and therefore residency is not established, if:

1. Another state has determined the individual is a resident of their state for TCA purposes, or

2. The individual leaves the U.S. with the intent to establish permanent residence outside the U.S., or

3. There is no intent to return to Florida.

(8) The department must designate a protective payee so an application can be approved or TCA can be continued for other assistance group members, when the payee of the TCA group is disqualified due to fraud. Protective payee rules for TCA are the same as those listed in Section 414.065(2), F.S. DCF Form 2635, Protective Payee Agreement, 7/2014, is incorporated herein by reference. Copies of forms and materials incorporated by reference in this rule may be obtained by the public from the ACCESS Florida Headquarter's Office at 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700. Forms are also available on the Department's web site at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

Rulemaking Authority 414.45, 414.095(18) FS. Law Implemented 414.065 FS. History—New 1-31-94, Amended 10-9-96, Formerly 10C-1.504, Amended 11-30-98, Formerly 65A-1.504, Amended 2-10-03, 3-10-09,_____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: RULE TITLE:

69B-215.090 Information to be Provided When Recommending the Surrender of an Annuity or Life Insurance Policy with a Cash Value

PURPOSE AND EFFECT: Section 627.4553, F.S., was created by Chapter 2014-123, Laws of Florida, and took effect on July 1, 2014. It requires an insurance agent or insurance company to provide certain information to the consumer prior to surrender of an annuity or life insurance policy. The Department is also directed to adopt by rule key pieces of information an agent or insurance company must provide on a form to the consumer before execution of the surrender check.

SUBJECT AREA TO BE ADDRESSED: Information to be provided when recommending the surrender of an annuity or life insurance policy and not recommending the proceeds from the surrender be used to fund or purchase another annuity or life insurance policy.

RULEMAKING AUTHORITY: 624.308, 627.4553 FS.

LAW IMPLEMENTED: 627.4553 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 26, 2014, 10:00 a.m.

PLACE: Room 143, Larson Building, 200 E. Gaines Street, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Wenger, (850)413-5605 or Ray.Wenger@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ray Wenger, Bureau of Investigation, 200 E. Gaines Street, Tallahassee, FL 32399-0320, (850)413-5654 or Ray.Wenger@myfloridacfo.com. The text of the proposed rule is also available on the Department's website: <http://www.MyFloridaCFO.com/Division/LegalServices/RuleWorkshopMeetings/default.asp>

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 LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: RULE TITLE:

2A-2.016 Human Trafficking Relocation Assistance

PURPOSE AND EFFECT: To add Human Trafficking Relocation Assistance to the program.

SUMMARY: This rule provides the definitions, eligibility, application and documentation requirements and processes for victims of crime, as well as the role of the program assistants assisting the victims in the process.

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 the Department, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1 million within five years as established in Sections 120.541(2)(a)1., 2., and 3., F.S.

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

RULEMAKING AUTHORITY: 960.045(1)(b) FS.

LAW IMPLEMENTED: 960.199 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 Crum, Chief, Bureau of Victim Compensation, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300

THE FULL TEXT OF THE PROPOSED RULE IS:

2A-2.016 Human Trafficking Relocation Assistance.

(1) To be eligible for human trafficking relocation assistance, the victim's need for assistance must be certified by a certified rape crisis center or domestic violence center representative, or by the state attorney or statewide prosecutor who has jurisdiction over the crime. The certification must accompany the application.

(2) The application and certification shall be mailed to the Office of the Attorney General, Bureau of Victim Compensation, PL-01, The Capitol, Tallahassee, FL 32399-1050; faxed to (850)414-6197, or (850)414-5779; or emailed to VCIntake@myfloridalegal.com.

(3) A certified rape crisis center or domestic violence center representative's certification must include additional approval by a state attorney or statewide prosecutor attesting to the victim's cooperation with the proper authorities.

(4) A certified rape crisis or domestic violence center representative is one who has completed specialized training provided by the Office of the Attorney General and is authorized to assist the victim in filing a claim for human trafficking relocation assistance. Center representatives are qualified to certify applications for up to two years after completion of specialized training. Training certification is withdrawn when the center representative resigns or is terminated from their existing position.

(5) The certification worksheet shall include the victim's name and date of birth; the applicant's name and date of birth, if applicable; the last four digits of the victim/applicant's social security number for authentication purposes; a statement describing how funding will be used to execute the safety measures outlined in the victim's safety plan; identification of each relocation expense; and the following victim/applicant acknowledgements:

(a) The victim/applicant will comply with Section 960.199, F.S., and understands that criminal prosecution for fraud shall be pursued if they make false representations to receive money pursuant to Section 960.18, F.S.;

(b) The victim/applicant does not currently live with and will not in the future live with the abuser/offender if the abuser/offender is known;

(c) The victim/applicant attests to the fact that there are no other collateral resources to assist with relocation expenses;

(d) The victim/applicant agrees to provide the department with itemized receipts within 45 days of payment issuance;

(e) The victim acknowledges understanding that receipts must be emailed to VCIntake@myfloridalegal.com, or faxed to (850)414-6197 or (850)414-5779 to be considered for any additional awards.

(f) The victim/applicant understands that the department shall deny, reduce, or withdraw any award for compensation if receipts are not submitted, or if receipts submitted do not reflect expenditures necessary for relocation;

(g) The victim/applicant attests to the fact that the crime was committed at their place of residence or in a location that led them to reasonably fear for their continued safety in their place of residence;

(h) The victim/applicant must duly swear to cooperate with the proper authorities, including but not limited to the state attorney, statewide prosecutor, all law enforcement agencies, and the department;

(i) The victim/applicant assures the department that the application is being made within one year from the date of crime. If not, the victim/applicant must provide a good cause explanation; and

(j) The victim/applicant assures the department that the crime was reported to the proper authorities within 72 hours. If not, the victim/applicant must provide a good cause explanation.

(6) When an application for relocation is received later than one year after the crime and less than two years after the incident, the victim/applicant must provide an explanation for the late filing.

(a) Good cause for late filing is demonstrated when the record shows the victim was pursuing other means of recourse, did not know about the program, or when the victim was not emotionally, mentally, or physically able to file the claim within one year after the date of the crime.

(b) No explanation is acceptable for an adult filing a claim more than two years after the occurrence of the crime under this section.

(7) The incident must be reported to the proper authorities within 72 hours after the occurrence. Exceptions for good cause include:

(a) The victim was not emotionally, mentally, or physically able to report the crime within 72 hours;

(b) The victim was in fear of the offender and this fear was communicated to the proper authorities;

(c) The victim is a child under the age of 18; or

(d) There was no knowledge that a crime was committed prior to reporting the incident to the proper authorities.

(8) By certifying the worksheet, the certified rape crisis center representative, certified domestic violence center representative, state attorney, or statewide prosecutor affirms the following:

(a) The crime incident was identified by the proper authorities as human trafficking defined by Section 787.06(3)(b), (d), (f), or (g), F.S.;

(b) The victim/applicant is in need of relocation assistance based on a reasonable fear for their continued safety at their current place of residence;

(c) The victim/applicant has provided personal identification which was reviewed prior to certifying the application;

(d) The victim has developed a safety plan;

(e) A representative must witness the victim's acceptance of payment and forward a signed Notification of Possible Recoupment and/or Prosecution for Fraud Form to the department;

(f) The victim/applicant was notified that if funds are awarded, he/she must accept the funds at the center/office within 30 days of issuance or have the certification rescinded.

(9) By approving the victim's cooperation, the state attorney or the statewide prosecutor affirms the following:

(a) The office they represent has jurisdiction for prosecuting the human trafficking crime; and

(b) The victim has cooperated with law enforcement officials in investigating and prosecuting known offenders.

(10) Proof of a human trafficking crime which meets the definition of Section 787.06(3)(b), (d), (f), or (g), F.S., must come from a proper authority. A BVC430 Law Enforcement Information Reporting Form may be used instead of a complete law enforcement report to prove a crime occurred. The BVC430 Law Enforcement Information Reporting Form contains a checklist of the eligibility criteria and shortened narrative detailing the incident, and is available only from the Office of the Attorney General, Bureau of Victim Compensation.

(11) It is the responsibility of the certified rape crisis center, certified domestic violence center, state attorney, or statewide prosecutor to obtain and review personal identification documentation before certifying a victim's need for assistance.

(12) If approved, the award will be made payable to the victim/applicant as a reimbursement or advance based on the written specified dollar amount recorded by the victim/applicant on the certification worksheet. Payments will be forwarded to the respective certified rape crisis center, certified domestic violence center, state attorney's office, or statewide prosecutor's office. Awards will be administered based on the availability of funds. The department shall determine how those funds are disbursed. Monies paid may be made in the form of a bank card, voucher, check, electronic transmittal, state warrant, or any other method approved by the Office of the Attorney General, Bureau of Victim Compensation.

(13) A certified rape crisis or domestic violence center representative, state attorney, or statewide prosecutor must witness the victim/applicant's acceptance of payment. The representative will be responsible for having the victim/applicant acknowledge and sign a Notification of Possible Recoupment and /or Prosecution for Fraud Form before providing the award to the victim/applicant. The distributing representative will also be responsible for forwarding the Notification of Possible Recoupment and /or Prosecution for Fraud to the Office of the Attorney General, Bureau of Victim Compensation.

(14) The certified rape crisis or domestic violence center representative, state attorney, or statewide prosecutor who is distributing the payment must verify that they have counseled the recipient in regards to all aspects of the program and the obligations and responsibilities for receiving the funds, and verify the certification information as it was originally submitted.

(15) The Notification of Possible Recoupment and /or Prosecution for Fraud Form reiterates the importance of utilizing funds for approved expenditures in accordance with the obligations acknowledged on the certification worksheet. The following must be signed by the victim/applicant:

(a) The victim/applicant attests to the fact that they will fully comply with the requests of the proper authorities, and in prosecuting known offenders;

(b) The victim/applicant agrees to spend the award and submit receipts for approved expenditures listed on the certification worksheet within 45 days from payment issuance;

(c) The victim/applicant is aware that efforts to recoup monies will be initiated if receipts are not submitted;

(d) The victim/applicant is aware that they will face possible criminal prosecution for fraud if false representations to receive the money or use the funds for purposes other than relocating as identified on their safety plan are proven; and

(e) The victim/applicant acknowledges receipt of the funds in the amount of the payment as approved by the Office of the Attorney General, Bureau of Victim Compensation.

(16) If the victim/applicant has not accepted the funds at the center or office within 30 days of issuance, the certified rape crisis or domestic violence center, state attorney, or statewide prosecutor shall return the funds to the department and withdraw the certification. Upon receipt of the returned funds by the department, eligibility will be rescinded. This action does not in any way create further appeal rights.

(17) Any attempt to spend funds for unauthorized goods or services will result in withdrawal of the award. Any expense not directly related to relocation is an unauthorized expenditure. If a recoupment notice is issued because receipts were not acceptable or were not submitted, then additional benefits on

any claim will be suspended for that individual by this department until the recouped amount has been satisfied.

(18) By delegation or appointment by a state attorney, an assistant state attorney is qualified to complete the certification worksheet, certify the victim's cooperation, and witness payment acceptance.

Rulemaking Authority 960.045(1)(b) FS. Law Implemented 960.199 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Crum, Chief, Bureau of Victim Compensation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Attorney General Pam Bondi

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 27, 2014

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

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:

64B6-1.004 Public Comment

PURPOSE AND EFFECT: To notify members of the public of their rights to comment at Board meetings.

SUMMARY: Clarify procedures for commenting at Board meetings.

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: The rule codifies what is already in practice. No person or interested party submitted additional information regarding the economic impact.

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: 484.044 FS.
LAW IMPLEMENTED: 286.0114 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3257, (850)245-4474

THE TEXT OF THE PROPOSED RULE IS:

64B6-1.004 Public Comment.

The Board of Hearing Aid Specialists invites and encourages all members of the public to provide comment on matters or propositions before the Board or a committee of the Board. The opportunity to provide comment shall be subject to the following:

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Board after an agenda item is introduced at a properly noticed board meeting.

(2) Members of the public shall be limited to three minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Board members, staff or board counsel. The chair of the Board may extend the time to provide comment if time permits.

(3) Members of the public shall notify board staff in writing of their interest to be heard on a proposition or matter before the Board. The notification shall identify the person or entity, indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons consisting of five or more persons. Any person or entity appearing before the Board may use a pseudonym if he or she does not wish to be identified.

Rulemaking Authority 484.044 FS. Law Implemented 286.0114 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 12, 2014

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NOS.: RULE TITLES:

64B6-4.003 Initial Licensure Fee

64B6-4.004 Biennial Renewal Fee for Active License

PURPOSE AND EFFECT: To change the initial licensure fee and the biennial renewal licensure fee.

SUMMARY: Decrease the licensure fees.

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: The licensure fees are being reduced by \$100.00. 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: 456.013(2), 456.017, 456.025(1), 484.044, 484.0447(4), (6) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 484.0447(4), (6), 484.047(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3257, (850)245-4474

THE TEXT OF THE PROPOSED RULE IS:

64B6-4.003 Initial Licensure Fee.

(1) The licensure fee for each applicant certified for licensure in the first year of a biennium shall be \$500.00 ~~\$600.00~~.

(2) No change.

Rulemaking Specific Authority 456.013(2), 456.017, 456.025(1), 484.044, 484.0447(4) FS. Law Implemented 456.013(2), 456.017, 484.0447(4) FS. History—New 1-10-84, Amended 1-20-85, Formerly 21JJ-5.02, 21JJ-5.002, Amended 1-4-87, 12-25-88, 8-19-91, Formerly 21JJ-4.006, 61G9-4.006, Amended 4-11-04, _____.

64B6-4.004 Biennial Renewal Fee for Active License.

The licensure fee for renewal of an active license shall be \$500.00 ~~\$600.00~~.

Rulemaking Specific Authority ~~455.0367(3)~~, 456.025(1), 484.044, 484.0447(4), (6) FS. Law Implemented 484.0447(4), (6), 484.047(2) FS. History—New 1-10-84, Formerly 21JJ-5.03, 21JJ-5.003, Amended 1-4-87, 12-25-88, Formerly 21JJ-4.007, 61G9-4.007, Amended 6-6-02, 4-11-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Hearing Aid Specialists
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 11, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: August 7, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.014
RULE TITLE: Standards for Telemedicine Prescribing Practice

PURPOSE AND EFFECT: The proposed rule repeal is intended to delete language which is no longer necessary. Some of the language which is still appropriate is being put into Rule 64B8-9.0141, F.A.C.

SUMMARY: This rule addresses the standards for telemedicine prescribing. The Board has determined that the rule should be repealed and the language which remains appropriate shall be merged into the telemedicine practice Rule 64B8-9.0141, F.A.C.

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 these rules at its Board meeting, the Board concluded that because the rule is being repealed and some of the language is being merged into the telemedicine practice Rule 64B8-9.0141, F.A.C., this will not have any additional impact on licensees and their businesses or the businesses that employ them. The rule repeal will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. The repeal will not increase any direct or indirect regulatory costs. Hence, 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. 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: 458.309, 458.331(1)(v) FS.
LAW IMPLEMENTED: 458.331(1)(q), (t), (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:

64B8-9.014 Standards for Telemedicine Prescribing Practice.

Rulemaking Specific Authority 458.309, 458.331(1)(v) FS. Law Implemented 458.331(1)(q), (t), (v) FS. History–New 9-14-03, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 1, 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 merge some of the language which is currently contained in Rule 64B8-9.014, F.A.C., into the telemedicine practice rule.

SUMMARY: The proposed rule amendment merges some of the language which is currently contained in Rule 64B8-9.014, F.A.C., into the telemedicine practice 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. The rule imposes no additional regulation or costs on licensees. Some of the language which currently exists in Rule 64B8-9.014, F.A.C., is simply being placed into this rule. This rule amendment will not have any additional impact on licensees and their businesses or the businesses that employ them. The rule amendment will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. 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: 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 (4) No change.

(5) Prescribing medications based solely on an electronic medical questionnaire constitutes the failure to practice medicine with that level of care, skill, and treatment which is recognized by reasonably prudent physicians as being acceptable under similar conditions and circumstances, as well as prescribing legend drugs other than in the course of a physician's professional practice.

(6) Physicians and physician assistants shall not provide treatment recommendations, including issuing a prescription, via electronic or other means, unless the following elements have been met:

(a) A documented patient evaluation, including history and physical examination to establish the diagnosis for which any legend drug is prescribed.

(b) Discussion between the physician or the physician assistant and the patient regarding treatment options and the risks and benefits of treatment.

(c) Maintenance of contemporaneous medical records meeting the requirements of Rule 64B8-9.003, F.A.C.

(5) through (7) renumbered (7) through (9) No change.

(a) No change.

(b) through (c) No change.

(d) The provisions of this rule shall not be construed to prohibit patient care in consultation with another physician who has an ongoing relationship with the patient, and who has agreed to supervise the patient's treatment, including the use of any prescribed medications, nor on-call or cross-coverage situations in which the physician has access to patient records.
 Rulemaking Authority 458.331(1)(v) FS. Law Implemented 458.331(1)(v) FS. History--New 3-12-14, Amended 7-22-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 20, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-13.005 Continuing Education for Biennial Renewal

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the number of hours of continuing medical education (CME) credit a physician may receive for the supervision or monitoring of physicians who are under direct or indirect supervision.

SUMMARY: The proposed rule amendment permits a supervising physician to receive CME credit for each physician he or she supervises or monitors. Additionally, the amendment clarifies that only 5 hours may be utilized to satisfy the risk management requirement but that any additional hours can satisfy the general CME requirement.

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. The rule

amendment will not have any additional impact on licensees and their businesses or the businesses that employ them. The rule imposes no additional regulation or costs on licensees. In fact, the rule permits supervising and monitoring physicians to receive credit for each physician supervised. The rule amendment will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. 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: 456.013(6), (7), 456.031(4), 456.033, 458.309, 458.319 FS.

LAW IMPLEMENTED: 456.013(6), (7), 456.031(1)(a), (3), 456.033, 458.319(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, 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:

64B8-13.005 Continuing Education for Biennial Renewal.
(1) through (7) No change.

(8) In addition to the continuing medical education credits authorized above, a physician who serves as a supervising physician for a licensed physician who is under direct supervision for a period of at least one year, shall be entitled to receive 6 hours of continuing medical education credit in risk management for each physician being supervised. Any physician who serves as a monitoring physician for a licensed physician who is under indirect supervision for a period of at least one year, shall be entitled to receive 3 hours of continuing medical education credit in risk management for each physician being monitored. Only the first 5 hours of the continuing medical education set forth in this subsection can be utilized toward the risk management continuing medical education requirement. All subsequent hours may be utilized to satisfy the general continuing medical education requirement.

(9) through (10) No change.

Rulemaking Authority 456.013(6),(7), 456.031(4), 456.033, 458.309, 458.319 FS. Law Implemented 456.013(6),(7), 456.031(1)(a),(3), 456.033, 458.319(4) FS. History—New 9-7-86, Amended 11-17-87, 11-15-88, 1-31-90, 9-15-92, Formerly 21M-28.002, Amended 12-5-93, Formerly 61F6-28.002, Amended 3-1-95, 1-3-96, 1-26-97, Formerly 59R-13.005, Amended 5-18-99, 2-7-01, 6-4-02, 10-8-03, 5-4-04, 5-20-04, 4-5-05, 4-25-06, 12-26-06, 1-16-08, 5-6-08, 11-25-08, 7-6-09, 2-23-10, 4-3-12, 3-12-14, 5-15-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 20, 2014

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-29.002 Qualification

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 150, August 4, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-29.007 Colonic Training through Apprenticeship

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 150, August 4, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-3.001 Licensure as a Physical Therapist by Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 120, June 20, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
 64B17-3.003 Licensure by Endorsement
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 120, June 20, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
 64B17-4.001 Licensure as a Physical Therapist Assistant
 by Examination
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 120, June 20, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
 64B17-4.003 Licensure by Endorsement
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 120, June 20, 2014 issue of the Florida Administrative Register has been withdrawn.

**Section IV
 Emergency Rules**

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.: RULE TITLES:
 65GER14-2 Definitions
 65GER14-3 Allocations algorithm
 65GER14-4 General Provisions
 65GER14-5 Establishment of the iBudget Amount
 65GER14-6 iBudget Cost Pan

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: 1. The Agency for Persons with Disabilities (Agency) serves approximately 30,000 individuals with developmental disabilities through the Home and Community-Based Services (HCBS) Waiver program with approximately 21,000 individuals on a waitlist for services. All of the individuals the Agency serves, as well as those on the waitlist for services, through its HCBS waiver program meet the level of care for institutionalization. This includes some of the most vulnerable Floridians. Many of these individuals require extensive supervision, or have medical and behavioral needs

that are likely to place the individual or others in immediate serious jeopardy or danger without waiver services.

2. The HCBS waiver program is implemented by the iBudget system as set forth in Section 393.0662, F.S., which requires the use of an algorithm to set an iBudget amount for each individual. Each individual served must have a properly established iBudget amount based on a properly established algorithm amount. The algorithm the Agency utilized to operate the iBudget system was promulgated in the iBudget rules.

3. The Agency’s iBudget rules were invalidated by the First District Court of Appeal (DCA) in *G.B. v. Agency for Persons with Disabilities*, 2014 WL 3565435 (Fla. 1st DCA, July 21, 2014). A substantial number of individuals relying on assistance from the Agency were receiving less than their algorithm amount. These emergency rules will immediately address this issue.

4. The Agency regularly receives requests for increases to individual iBudget amounts based on Significant Additional Needs. These rules create an algorithm amount, without which no additional funding can be calculated and this vulnerable population faces immediate danger to their health, safety, and welfare. Any increase of the iBudget amount begins with a calculation of the algorithm amount.

5. The Agency also regularly receives applications for eligibility for services from new individuals in crisis and in the absence of properly enrolling these individuals on the waiver, this vulnerable population faces immediate serious danger to their health, safety, and welfare as well as the risk of unnecessary institutionalization.

6. Furthermore, there is a constant need for individuals in crisis to be transitioned from the waitlist to the waiver. The 2014-15 General Appropriations Act specifically provided funds and instructions for these individuals to be taken off of the waitlist and placed into the HCBS Waiver iBudget program. See Ch. 2014-51, item 268, at 66 Laws of Fla.; Ch. 2014-53, § 9, at 8-9, Laws of Fla. These are individuals such as children in the child welfare system at the time of adoption, reunification or permanent placement with a relative in a family home; individuals with intensive behavioral or medical needs; individuals with caregivers over age 70; and individuals transitioning out of Intermediate Care Facilities for the Developmentally Disabled. The 2014-2015 General Appropriations Act went further and specifically provided funds and instructions for additional individuals to be enrolled into the HCBS Waiver iBudget program. See Ch. 2014-51, items 239-241, at 61-63, Laws of Fla. These individuals include people transitioning out of Intermediate Care Facilities for the Mentally Retarded, Intermediate Care Facilities for the Developmentally Disabled and out of nursing home care into the community. The iBudget rules are necessary to properly

enroll these individuals into the waiver as directed by the General Appropriations Act.

7. An immediate need for these rules exists in order to continue to protect the health and safety of the individuals with the needs and requests listed above. In order to properly address individual needs and requests and those with an iBudget amount below the algorithm amount, the Agency has set its processes in motion to notify the individuals affected and their waiver support coordinators of the increases to their respective iBudget amounts. The Agency anticipates distributing the additional funds in the iBudget accounts of the affected individuals by September 5, 2014. The increased amounts will be effective as of August 1, 2014.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: 1. This emergency action taken by the Agency provides the rules necessary to comply with its legislatively mandated responsibilities described above. The procedure used for these emergency rules is fair under the circumstances because the emergency rules set forth the statistically validated algorithm that was previously subject to scrutiny and public comment in a lengthy rulemaking process and successfully relied upon by the Agency during the phase in of the iBudget system. The rules set forth the same algorithm that was also scrutinized and upheld by an Administrative Law Judge at the Division of Administrative Hearings. See, G.B., et. al. v. A.P.D., Case No. 14-1849RP (DOAH Sept. 9, 2013). Moreover, the same algorithm was reviewed but not invalidated by the DCA in G.B. v. APD.

2. The population served by the Agency depends on help from the Agency to meet critical needs. This rule adopts an algorithm which is necessary to accomplish that goal and which is the only choice immediately available to the Agency.

SUMMARY: These emergency rules replace the iBudget process contained in the rules recently invalidated by the Court. They are necessary for the administration and continued implementation of Section 393.0662, F.S., and to effectuate the legislative appropriations provided in the 2014-15 General Appropriations Act, Ch. 2014-51, items 239, 241, and 268, at 61-63 and 66, Laws of Fla.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: David De La Paz at (850)922-9512 or david.delapaz@apdcares.org

THE FULL TEXT OF THE EMERGENCY RULE IS:

65GER14-2 Definitions.

(1) Allocation Algorithm: The mathematical formula based upon statistically validated relationships between individual characteristics (variables) and the individual's level of need for services provided through the Waiver as set forth in Emergency

Rule 65GER14-3 and as provided in Section 393.0662(1)(a), F.S.

(2) Amount Implementation Meeting Worksheet (AIM): A form used by the Agency for new waiver enrollees to:

(a) communicate an individual's Allocation Algorithm amount.

(b) identify proposed services based upon the Allocation Algorithm amount, and

(c) identify additional services, if any, should the individual or their representative feel that any Significant Additional Needs of the individual cannot be met within the Allocation Algorithm amount. The Amount Implementation Meeting Worksheet (AIM), effective September 1, 2014, is hereby adopted and incorporated by reference in the rule, and may be found on the Agency's website at <http://apd.myflorida.com/ibudget/docs/AIM%20Excel%20for%20Rule.pdf>.

(3) Approved Cost Plan: The document that lists all waiver services that have been authorized by the agency for the individual, including the anticipated cost of each approved waiver service, the provider of the approved service, and information regarding the provision of the approved service.

(4) Extraordinary Need: Has the same meaning as provided in Section 393.0662(1)(b), F.S.

(5) iBudget Amount: total amount of funds that have been approved by the agency, pursuant to the iBudget Rules, for an individual to expend for waiver services during a fiscal year.

(6) iBudget: The waiver service delivery system that uses individual budgets and under which the Agency for Persons with Disabilities operates the Developmental Disabilities Individual Budgeting Waiver.

(7) iBudget Rules: Emergency Rules 65GER14-2 through 65GER14-6., are the rules which implement and interpret iBudget Amounts Section 393.0662, F.S.

(8) Individual: a person with a developmental disability, as defined by Section 393.063, F.S., and who is enrolled in iBudget.

(9) Individual representative: The individual's parent (for a minor), guardian, guardian advocate, person holding a power of attorney for decisions regarding health care or public benefits, healthcare surrogate, a designated representative (evidenced by a written designation), or individual's advocate. The individual's Waiver Support Coordinator shall ascertain whether an individual has any of these representatives and inform the agency of the identity and contact information. When the term "legal representative" is used in the iBudget Rules it means only those individuals who have legal authority to act independently for the individual, such as the individual's parent (for a minor), guardian, guardian advocate, healthcare surrogate or person holding a power of attorney for decisions regarding health care or public benefits.

(10) Questionnaire for Situational Information (QSI) effective 2-15-08: An assessment instrument used by the Agency to determine an individual's needs in the areas of functional, behavioral, and physical status. The QSI is adopted by the Agency as the current valid and reliable assessment instrument and is hereby incorporated by reference. The QSI is available at: <http://apd.myflorida.com/waiver/qsi-version-4.pdf>, or <http://apd.myflorida.com/waiver/>.

(11) Significant: Significant means of considerable magnitude or considerable effect.

(12) Significant Additional Needs: Need for services that if not provided would place the health and safety of the individual, the individual's caregiver, or public in serious jeopardy which are authorized under Section 393.0662(1) (b), F.S., and categorized as extraordinary need, significant need for one time or temporary support or services, or significant increase in the need for services after the beginning of the service plan year.

(13) Support plan: An individualized plan of supports and services designed to meet the needs of an individual enrolled in the iBudget. The plan is based on the preferences, interests, talents, attributes and needs of an individual.

(14) Temporary basis: A time period of less than 12 months.

(15) Waiver: The Developmental Disabilities Individual Budgeting Medicaid Home and Community Based Services Waiver (iBudget) operated by the Agency.

(16) Waiver Support Coordinator: Abbreviated as WSC, means a person who is selected by the individual to assist the individual and family in identifying their capacities, needs, and resources; finding and gaining access to necessary supports and services; coordinating the delivery of supports and services; advocating on behalf of the individual and family; maintaining relevant records; and monitoring and evaluating the delivery of supports and services to determine the extent to which they meet the needs and expectations identified by the individual, family, and others who participated in the development of the support plan.

Rulemaking Authority 393.501(1), 393.0662 FS. Law Implemented 393.0662 FS. History—New 9-3-14.

65GER14-3 Allocation Algorithm.

(1) To establish the Allocation Algorithm amount for any individual who has not previously had a QSI assessment, a QSI assessment must be completed prior to calculating the allocation algorithm amount under subsection (2).

(2) To calculate the Allocation Algorithm amount for each individual, the following weighted values, as applicable, shall be summed, and the resulting total then squared:

(a) The base value for all individuals, 26.7080;

(b) If the individual is age 21 or older, 53.1104;

(c) If the individual resides in supported or independent living, 62.5319;

(d) If the individual resides in an Agency-licensed foster or group home, or a non-Agency licensed congregate home, 92.1163;

(e) If the individual resides in a Residential Habilitation Center or Comprehensive Transitional Education Program, 121.5095;

(f) The sum of the scores on the individual questions in the QSI Behavioral Status Subscale (Questions 25-30), multiplied by 2.5457;

(g) The sum of the scores on the individual questions in the QSI Functional Status Subscale (Questions 14-24), multiplied by 0.4124;

(h) The individual's score on QSI Question 18, multiplied by 7.1686;

(i) The individual's score on QSI Question 20, multiplied by 5.8770; and

(j) The individual's score on QSI Question 23, multiplied by 7.6807;

(2) The squared result of the sum of the applicable values of paragraphs (1)(a) through (j) above, is the individual's Allocation Algorithm amount.

Rulemaking Authority 393.501(1), 393.0662 FS. Law Implemented 393.0662 FS. History—New 9-3-14.

65GER14-4 General Provisions.

(1) Medical necessity alone is not sufficient to authorize a service under the waiver.

(2) The individual must utilize all available State Plan Medicaid services, school-based services, private insurance, and any other resources which may be available to the individual before expending funds from the individual's iBudget Amount for support or services. As an example, State Plan Medicaid services for children under the age of 21 typically include, personal care assistance, therapies, consumable medical supplies, medical services, and nursing. Failure to comply with this subsection shall result in denial of a request for additional funding.

(3) An individual shall not be provided waiver services that duplicate available State Plan Medicaid Services for which the person is eligible.

(4) WSCs shall coordinate with the individuals they serve to ensure that services are selected from all available resources to keep the annual cost of services within the individual's iBudget Amount while maintaining the individual's health and safety.

(5) If an individual with documented behavioral, medical or functional needs chooses a less costly service to address those needs, the Agency will consider the need for those services in determination of the individual’s iBudget Amount.

(6) Cost Plan Flexibility. –

(a) After the individual’s proposed cost plan is approved, he or she may change the services in his or her Approved Cost Plan provided that such change does not jeopardize the health and safety of the individual and meets medical necessity.

(b) When changing the services within the Approved Cost Plan, the individual and his or her WSC shall ensure that sufficient funding remains allocated for unpaid services that were authorized and rendered prior to the effective date of this change.

(c) Individuals enrolled in iBudget will have flexibility and choice to budget or adjust funding among some services without requiring additional authorizations from the Agency, provided the overall individuals iBudget Amount is not exceeded and all health and safety needs are met. The Agency will authorize services in accordance with criteria identified in Section 393.0662(1)(b), F.S., medical necessity requirements of subsection 59G-1.010(166), F.A.C., and handbook limitations adopted in Rule 59G-13.083, F.A.C., and the requirements of 42 CFR 440.230(d).

(d) Retroactive application of changes to service authorizations is prohibited without written approval from the agency.

(7) Consumer Directed Care Plus (CDC+): Individuals enrolled in the CDC+ program are subject to the iBudget Rules Rulemaking Authority 393.501(1), 393.0662 FS. Law Implemented 393.0662, 409.901-9201 FS. History–New 9-3-14.

65GER14-5 Establishment of the iBudget Amount.

(1) The iBudget Amount for an individual shall be the Allocation Algorithm amount, as provided in Emergency Rule 65GER14-3, F.A.C., plus any approved Significant Additional Needs funding pursuant to Section 393.0662(1)(b), F.S.

(2) The Agency will determine the iBudget Amount consistent with the criteria and limitations contained in the following provisions: Sections 409.906(13) and 393.0662, F.S.; and Rules 59G-13.080, 59G-13.081, and 59G-13.083, F.A.C.

(3) Significant Additional Needs Review: For new waiver enrollees the Allocation Algorithm amount is calculated and provided to the individual and the individual’s WSC. The WSC will discuss the Allocation Algorithm amount with the individual, or representative in order to determine if the individual has any Significant Additional Needs. The Agency may approve an increase to the iBudget Amount if additional funding is required to meet the Significant Additional Needs. For new enrollees the AIM Worksheet form will be completed as part of the individual review.

(4) iBudget Amounts are pro-rated as appropriate based on the length of time remaining in the fiscal year.

(5) The individual or their representative will be advised of the Agency’s decision for the amount of the individual’s final iBudget Amount.

Rulemaking Authority 393.501(1), 393.0662 FS. Law Implemented 393.0662, 409.901-9201 FS. History–New 9-3-14.

65GER14-6 iBudget Cost Plan.

(1) Each individual’s proposed iBudget cost plan shall be reviewed and approved by the Agency in conformance with the iBudget Rules and the Florida Medicaid Developmental Disabilities Waiver Services Coverage and Limitations Handbook, November 2010, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-01050>, as adopted by Rule 59G-13.083, F.A.C. (5-13-2012), which is hereby incorporated by reference.

(2) For an individual to begin receiving a specific waiver service, that service must have been listed in an Approved Cost Plan and the service authorization must have been issued to the provider prior to the delivery of service.

(3) Individuals must budget their funds so that their needs are met throughout the plan year. All individuals shall allocate iBudget funding each month for waiver support coordination services, which is a required service under the waiver.

Rulemaking Authority 393.501(1), 393.0662 FS. Law Implemented 393.0662, 409.901-9201 FS. History–New 9-3-14.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: September 3, 2014

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-1.004 General Sanitation and Safety Requirements

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

On July 30, 2014, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from Tropicale located in Orlando. 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 in the omelet station.

The Petition for this variance was published in Vol. 40, No. 149 on August 1, 2014. The Order for this Petition was signed and approved on August 19, 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.

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 August 7, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, from Fergs Sports Bar Building A located in Orlando. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; and that each establishment have areas for food preparation and storage. They are requesting to utilize the mopsink and share food preparation and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 40, No. 156, F.A.R., on August 12, 2014. The Order for this Petition was signed and approved on August 19, 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 mop sink and food preparation and storage areas within Fergs Depot (SEA5813533) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and are available during all hours of operation. The Petitioner shall also ensure that all handwash sinks used by employees are provided with a handwash sign, soap and approved hand drying devices. If the ownership of Fergs Depot (Fergs Depot LLC - Mark Ferguson) changes, a signed agreement for use of the shared facilities is required 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

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

On August 7, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code from Fergs Sports Bar Building B located in Orlando. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; and that each establishment have areas for food preparation and storage. They are requesting to utilize the mopsink and share food preparation and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 40, No. 156, F.A.R., on August 12, 2014. The Order for this Petition was signed and approved on August 19, 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 mop sink and food preparation and storage areas within Fergs Depot (SEA5813533) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold

running water under pressure and are available during all hours of operation. The Petitioner shall also ensure that all handwash sinks used by employees are provided with a handwash sign, soap and approved hand drying devices. If the ownership of Fergs Depot (Fergs Depot LLC - Mark Ferguson) changes, a signed agreement for use of the shared facilities is required 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

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

On August 14, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from Trout Pass Pool Bar located in Orlando. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food preparation and storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the mop sink, dishwashing, food preparation and food storage areas with another licensed food service establishment under the same ownership and on the same premise. This request is for the period of time from September 3 through December 1, 2014.

The Petition for this variance was published in Vol. 40, No. 161, F.A.R., on August 19, 2014. The Order for this Petition was signed and approved on August 25, 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 mop sink, dishwashing sink and food preparation and storage areas within Roaring Fork (SEA5807442) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and are available during all hours of operation. The handwash sinks must also be provided with soap, an approved hand drying device and a handwashing sign. If the ownership of Roaring Fork and Trout Pass Pool Bar (Walt Disney World Co.) changes, a signed agreement between the two establishments for the use of the shared facilities 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-4.010 Sanitation and Safety Requirements

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

On August 18, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Paragraph 61C-4.010(7) Florida Administrative Code and Paragraph 61C-4.010(6), Florida Administrative Code from White Star Baking Facility located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent business under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 40/162 on August 20, 2014. The Order for this Petition was signed and approved on August 26, 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 bathrooms located within Blue Moon Ventures Supply Shop are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location

of the bathrooms. If the ownership of Blue Moon Ventures Supply Shop (Alfredo Ona) changes, an updated signed agreement for use of the bathroom facilities is required 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-4.010 Sanitation and Safety Requirements

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

On August 18, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2009 FDA Food Code from Empanada Hut located in Orlando. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided; and at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the dishwashing and mop sink facilities within an adjacent food service establishment under the same ownership and same premise.

The Petition for this variance was published in Vol. 40, No. 162, F.A.R., on August 20, 2014. The Order for this Petition was signed and approved on August 26, 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 and mop sink areas within Arcade Soft Serve (NOS5812564) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and are available during all hours of operation. The Petitioner shall also ensure that all handwash sinks used by employees are provided with a handwash sign, soap and approved hand drying devices. If the ownership of Arcade Soft Serve (Sea World of Florida LLC) changes, a written agreement between the two establishments to share such areas 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

Board of Cosmetology

The Board of Cosmetology hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Linda M. Campbell, filed on May 22, 2014. Petitioner was requesting a variance or waiver of the rule relating to the minimum passing score and level of acceptability in the subject area of coloring, a component of a cosmetology license. The minimum passing score of which is found in Rule 61G5-22.02, Florida Administrative Code. The Notice of Petition for Variance or Waiver was published in Vol. 40, No. 125, of the June 27, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on July 15, 2014.

The Board's Order, filed on August 21, 2014, denies the Petition for Variance or Waiver. The Board determined that the Petitioner has not demonstrated that the purpose of application of the rule would create a substantial hardship or violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

The Board of Cosmetology hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Melinda Grimmage, filed on June 10, 2014. Petitioner did not cite any section of the Florida Statutes. However, it appears that the Petitioner was requesting a variance of the statute relating to scope of practice of a Florida hair braider registration, which is found in subsection 477.013(9), Florida Statutes. The Notice of Petition for Variance or Waiver was published in Vol. 40, No. 125, of the June 27, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on July 15, 2014.

The Board's Order, filed on August 21, 2014, denies the Petition for Variance or Waiver. The Board determined that the Petitioner was requesting a variance of a statute, and that granting a variance or waiver of a statute is beyond the Board's authority pursuant to Section 120.542, Florida Statutes.

A copy of the Order or additional information may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-3.003 Licensure by Endorsement

The Board of Physical Therapy Practice hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Roselle R. Jardiel-Rumbaoa, filed on March 27, 2014. The Notice of Petition for Variance or Waiver was published in Vol. 40, No. 75, of the April 17, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on May 2, 2014. The Petitioner seeks a variance or waiver of Rules 64B17-3.001 and 64B17-3.003, Florida Administrative Code, which require applicants for licensure by endorsement to meet certain education requirements, including that the applicant has received a determination that the educational credentials are deemed equivalent to those of a U.S. educated physical therapist.

The Board's Order, filed on May 21, 2014, grants the Petition for Variance or Waiver. The Petitioner has demonstrated that the Petition was in substantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code. Petitioner has demonstrated that the purpose of the underlying statute has been met by other means, and that application of the rule would cause a substantial hardship and would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, (850)245-4373.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.055 Job Functions and Staff Qualifications

NOTICE IS HEREBY GIVEN that on August 18, 2014, the Department of Children and Families received a petition for waiver of subsection 65C-14.055(2), Florida Administrative Code, from The Center for Family and Child Enrichment and Osdel Martinez. Subsection 65C-14.055(2), F.A.C., requires staff responsible for supervision, evaluation and monitoring of direct child care staff shall have a bachelor's degree of social work or a related area of study from a college or university and at least a 2 years of experience in working with children or 2 years of college and 4 years working with children.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.055 Job Functions and Staff Qualifications

NOTICE IS HEREBY GIVEN that on August 18, 2014, the Department of Children and Families received a petition for waiver of subsection 65C-14.055(2), Florida Administrative Code, from The Center for Child Enrichment and Oslayde Martinez. Subsection 65C-14.055(2), F.A.C., require staff responsible for supervision, evaluation and monitoring of direct child care staff shall have a bachelor's degree in social work or a related area of study from a college or university and at least 2 years of experience in working with children or 2 years of college and 4 years working with children.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.055 Job Functions and Staff Qualifications

NOTICE IS HEREBY GIVEN that on August 18, 2014, the Department of Children and Families received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Hibiscus Children's Center and Staci Evans. Subsection 65C-14.055(4), F.A.C., requires staff responsible for the supervision, evaluation and monitoring of direct care staff shall have a bachelor's degree in social work or related area of study from a college or university and at least 3 years' experience in working with children or 2 years of college and 4 years of experience in working with children.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on August 20, 2014, the Department of Children and Families received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Wesley House Family Services and Becky Ranney. Subsection 65C-15.017(3), F.A.C., states agency staff

responsible for performing casework services shall have a bachelor's degree in social work or related area of study or master's degree in social work or a related area of study from an accredited college or university.

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

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Library and Information Services

RULE NO.: RULE TITLE:

1B-24.003 Records Retention Scheduling and Disposition
The Department of State, Division of Library and Information Services announces a workshop to which all persons are invited.

DATE AND TIME: September 19, 2014, 2:00 p.m.; second in a series of workshops

PLACE: Herndon Branch Library, 4324 E. Colonial Drive, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of workshop is to discuss a rule amendment that incorporates by reference general retention schedules, which are established by the Division of Library and Information Services in the Department of State and are used by agencies in the disposition and destruction of public records.

A copy of the agenda may be obtained by contacting: Carlos A. Rey.

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: Brandy Hedges, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6515, brandy.hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Carlos A. Rey, Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399, (850)245-6515, carlos.rey@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 18, 2014, 2:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

NOTE: In the absence of a quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, phone: (850)414-3300, fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, phone: (850)414-3300, fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, phone: (850)414-3300, fax: (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: September, 29, 2014, 9:30 a.m.

PLACE: Florida State Fairgrounds

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonia Velez, (813)627-4221.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: September 29, 2014, 10:30 a.m.

PLACE: Florida State Fairgrounds

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonia Velez, (813)627-4221.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida State Fair Authority Board announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 2014, 1:00 p.m.

PLACE: Florida State Fairgrounds

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonia Velez, (813)627-4221.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: Thursday, September 9, 2014, 4:30 p.m.

PLACE: Florida Horse Park; 11008 S. Highway 475; Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee and Building Committee to discuss general business.

A copy of the agenda may be obtained by contacting: EllenMarie Ettenger, (352)307-6699.

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: EllenMarie Ettenger, (352)307-6699. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Commodity Fumigation Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: September 17, 2014, 10:00 a.m.

PLACE: Alachua Regional Service Center, 14101 NW Hwy. 441, Suite 200, Alachua, Florida 32615-6382, (386)418-5507; online at:

<https://global.gotomeeting.com/meeting/join/812230781> or teleconference: 1(888)999-0073, access code and meeting ID: 812-230-781

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Workgroup will be focusing on clarifying definitions and harmonizing rules relative to the Raw Agricultural Commodity Fumigation license.

A copy of the agenda may be obtained by contacting: the Bureau of Licensing and Enforcement at (850)617-7997 or from the Department website: <http://www.freshfromflorida.com/News-Events/Event-Calendar>.

For more information, you may contact: Ms. Sarah Oglesby, Administrator, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650, (850)617-7944.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food Safety

The Florida Food Safety and Food Defense Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Eyster Auditorium, The Conner Building, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A general meeting of the Florida Food Safety and Food Defense Advisory Council will be held to discuss topics including: FSMA phase II implementation, compliance and enforcement statistics, microbiological surveillance programs, Genome Trakr genome sequencing project, and other general organizational matters of the Advisory Council.

A copy of the agenda may be obtained by contacting: Darcy Poole, Division of Food Safety, 3125 Conner Building, Mail Stop C-18, Tallahassee, Florida 32399-1650, telephone: (850)245-5595.

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: Darcy Poole, Division of Food Safety at (850)245-5595. 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: Darcy Poole, Division of Food Safety, 3125 Conner Building, Mail Stop C-18, Tallahassee, Florida 32399-1650, telephone: (850)245-5595.

DEPARTMENT OF TRANSPORTATION

RULE NOS.:RULE TITLES:

- 14-10.0011 General Provisions
- 14-10.0022 Outdoor Advertising Sign Inventory
- 14-10.003 Licenses
- 14-10.004 Permit
- 14-10.0041 Annual Renewal Billing - Licenses and Permits
- 14-10.0042 Denial or Revocation of Licenses or Permits
- 14-10.0043 Outdoor Advertising License and Permit Fees
- 14-10.0052 Zoning Enacted Primarily to Permit Outdoor Advertising Signs
- 14-10.006 Permitting Criteria
- 14-10.007 Maintenance of Nonconforming Signs
- 14-10.057 Application and Permit Insurance

The Department of Transportation announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, September 23, 2014, 1:00 p.m.

PLACE: Department of Transportation, Burns Building Room 479, 605 Suwannee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed changes to Rule Chapter 14-10, Florida Administrative Code, Outdoor Advertising Regulation and Highway Beautification Program. A copy of the initial draft language is available at www.dot.state.fl.us/rightofway/.

A copy of the agenda may be obtained by contacting: Michael Green, OAC Operations, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-4558, michael.green@dot.state.fl.us. A copy is also available at www.dot.state.fl.us/rightofway/.

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: Michael Green, OAC Operations, Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399, (850)414-4558, michael.green@dot.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).

PUBLIC SERVICE COMMISSION

Notice of Securities Application

The Florida Public Service Commission will consider at its October 2, 2014 Commission Conference, Docket No. 140165-EI, Application by Gulf Power Company (Gulf) for authority to issue and sell securities and to receive common equity contributions during the 12 months ending December 31, 2015. Pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, Gulf seeks authority to receive equity funds from and/or issue common equity securities to the Southern Company (Southern), Gulf's parent company; issue and sell long-term debt and equity securities; and issue and sell short-term debt securities. The maximum amount of common equity contributions received from and proceeds from common equity shares issued to Southern, the maximum amount of equity securities issued and the maximum principal amount of long-term debt securities issued will total not more than \$700 million. The maximum principal amount of short-term debt outstanding at any one time will total not more than \$450 million.

DATE AND TIME: Thursday, October 2, 2014. The Commission Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action on Docket No. 140165-EI.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service. For more information, please contact Martha F. Barrera, Office of the General Counsel, (850)413-6212.

REGIONAL PLANNING COUNCILS

Withlacoochee Regional Planning Council

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

DATE AND TIME: WRPC Board of Directors, Thursday, September 18, 2014, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: The WRPC Board of Directors will meet to conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: the Executive Director, Withlacoochee Regional Planning Council at 1241 S. W. 10th Street, Ocala, FL 34471-0323 or website – wrpc.cc.

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.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: Thursday, September 18, 2014, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, First Floor Conference Room, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the SWFRPC. Immediately following the SWFRPC meeting there will be a presentation given on SolarReadyFlorida which all members are invited to attend.

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at (239)338-2550, ext. 232 or ngwinnett@swfrpc.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 48 hours before the workshop/meeting by contacting: SWFRPC offices at (239)338-2550. 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 visit the SWFRPC’s website: www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Tuesday, September 16, 2014, 5:01 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Tentative Budget Hearing: Governing Board adoption of District tentative millage rate and budget for Fiscal Year 2014-15. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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: Linda.dejonge@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4605 (Ad Order EXE0341)

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Thursday, September 18, 2014, 1:30 p.m.

PLACE: James P. Austin Community Center, 315 Dr. Martin Luther King Jr., Blvd., Lake Wales, FL 33853

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern Water Use Caution Area (SWUCA) Ridge Lakes Stakeholder Workgroup Meeting. Discussion is focused on evaluating and recommendations for adjustments to the strategies in the SWUCA Recovery Strategy intended to meet the minimum lake levels along the Lake Wales Ridge. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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: SWUCA.recovery@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4422 (Ad Order EXE0342).

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: Monday, September 15, 2014, 12:00 Noon

PLACE: Jupiter Emergency Operations Center, 3133 Washington Street, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: FY2016 Project Proposals.

A copy of the agenda may be obtained by contacting: Rod Braun, Office of Everglades Policy and Coordination, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-2925, rbraun@swfwmd.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: The District Clerk, (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).

For more information, you may contact: Rod Braun, (561)682-2925 or rbraun@swfwmd.gov.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water – A Regional Water Supply Authority

The Tampa Bay Water announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 15, 2014, 10:00 a.m.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee Meeting.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

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: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

The Department of Management Services, Division of State Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2014, 10:00 a.m.

PLACE: 4050 Esplanade Way, Room 101, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a Pre-Proposal Vendor Conference is hereby noticed within the timeline for the Request for Proposal (RFP)(Number: 06-80141800-W) for Mail Services.

The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of

any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Don Hurst, PMP – Procurement Officer, Associate Category Manager, Division of State Purchasing, Florida Department of Management Services, 4050 Esplanade Way, Suite 360, Tallahassee, Florida 32399-0950, phone: (850)488-8367, email: don.hurst@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Procurement Officer – see above. 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 BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

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

DATE AND TIME: September 22, 2014, 10:00 a.m.

PLACE: 1(888)670-3525, participant passcode: 6493057517#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N Monroe St., Tallahassee, FL 32399, (850)717-1981.

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: Board of Pilot Commissioners, 1940 N Monroe St., Tallahassee, FL 32399, (850)717-1981. 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: Board of Pilot Commissioners, 1940 N Monroe St., Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

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

DATE AND TIME: September 22, 2014, 10:00 a.m.

PLACE: 1(888)670-3525, participant passcode: 6493057517#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N Monroe St., Tallahassee, FL 32399, (850)717-1981.

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: Board of Pilot Commissioners, 1940 N Monroe St., Tallahassee, FL 32399, (850)717-1981. 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: Board of Pilot Commissioners, 1940 N Monroe St., Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Educational Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 16, 2014, 8:30 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 48 hours prior to the date of the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 16, 2014, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committees. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 48 hours prior to the date of the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: September 16, 2014, 1:00 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Rebecca Sammons at least 48 hours prior to the meeting. This meeting may be available by conference call also. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 48 hours prior to the date of the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

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

DATE AND TIME: Wednesday, September 24, 2014, 2:00 p.m. – 3:00 p.m.

PLACE: The Florida Department of Health, 2585 Merchants Row Blvd., Suite 135Q, Tallahassee, FL 32311 or you may join the meeting online at <https://global.gotomeeting.com/meeting/join/351859685>, by telephone: 1(877)309-2070; access code: 351-859-685; audio pin: shown after joining the meeting; meeting ID: 351-859-685.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Health, Division of Community Health Promotion, Bureau of Family Health Services, Maternal and Child Health Section is hosting the second MCH Needs Assessment Advisory Workgroup meeting. The purpose of this meeting is to share the Maternal and Child Health survey results.

A copy of the agenda may be obtained by contacting: Anna Simmons, (850)245-4465.

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: Anna Simmons, (850)245-4465. 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: Anna Simmons, (850)245-4465 or Anna.Simmons@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

The Division of Children’s Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2014, 10:30 a.m., EDT

PLACE: Department of Health, 2585 Merchants Row, Room 210AA, Tallahassee, FL 32399, 1(888)670-3525, participant code: 538 249 6242

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Health, Children’s Medical Services, The Agency for Health Care Administration, and the Children’s Medical Services Cardiac Technical Advisory Panel are scheduling a conference call to discuss collaborative opportunities to both monitor and improve the quality of care provided to children with congenital or acquired cardiac disease and adults with congenital heart disease.

A copy of the agenda may be obtained by contacting: Chrishonda Jenkins, RN, BSN, (850)245-4200, extension *2247.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Division of Community Health Promotion announces a public meeting to which all persons are invited.

DATE AND TIME: October 30, 2014, 9:00 a.m. – 12:00 Noon

PLACE: Smith Auditorium, 900 University Boulevard North, Jacksonville, Florida 32211, conference call: 1(888)670-3525, participant code: 621.874.5338, then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Diabetes Advisory Council Quarterly Business Meeting.

A copy of the agenda may be obtained by contacting: M.R. Street, (850)245-4444, ext. 2842.

For more information, you may contact: M.R. Street, Florida Department of Health, (850)245-4444, ext. 2842, M.Street@flhealth.gov.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services**

The Pensacola Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2014, 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Pensacola Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335.

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: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335. 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: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services**

The Pensacola Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Pastoral Center, 11 North B Street, Pensacola, FL 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Pensacola Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335.

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: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335. 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: Theresa Leslie at (850)778-4065 or Taddese Fessehaye at (407)317-7335.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Services announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 2, 2014, 8:00 a.m. – 10:00 a.m.

PLACE: Florida State Fire College, 11655 NW Gainesville Road, Ocala, FL 34482

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is holding a second workshop for the purpose of exploring options with the public for the implementation of changes to the procedures for state firefighter certification exam day. The workshop may also include a general discussion of the procedures for state firefighter exam day, exam process, equipment requirements, general procedures, safety requirements, makeup exams, and proposed rule development in that regard. This workshop will take input from affected persons as to what rule amendments are necessary to implement this statutory change.

A copy of the agenda may be obtained by contacting: Bill Wentlandt, Assistant Superintendent, Bureau of Fire Standards and Training, Division of State Fire Marshal, Department of Financial Services, 11655 NW Gainesville Road, Ocala, FL 34482, phone: (352)369-2829 or Bill.Wentlandt@MyFloridaCFO.com. A conference line is available for individuals to participate via phone. The conference call in number is (850)413-1558, Conference ID: 215149.

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: Bill Wentlandt at the number listed above. 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).

A copy of the agenda may be obtained by contacting: Bill.Wentlandt@MyFloridaCFO.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Fire & Emergency Incident Information System Technical Advisory Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 2, 2014, 1:00 p.m.

PLACE: Florida State Fire College, 11655 NW Gainesville Road, Ocala or via conference call: (850)413-1558, conference ID: 7715672

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@MyFloridaCFO.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Firefighters Employment, Standards & Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 2, 2014, 10 minutes after adjournment of the FFIRS meeting which begins at 1:00 p.m.

PLACE: Florida State Fire College, 11655 NW Gainesville Road, Ocala or via conference call: (850)413-1558, conference ID: 7715672

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@MyFloridaCFO.com.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: September 24, 2014, 9:00 a.m. – 12:00 Noon

PLACE: The Alford Inn, 300 East New England Ave., Winter Park, FL 32789; dial-in: 1(888)942-8686, conference ID: 5743735657#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics to include but not limited to financial statements and committee reports.

A copy of the agenda may be obtained by contacting our website: www.citizensfla.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: Barbara Walker at (850)513-3744. 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).

MRGMIAMI

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

DATE AND TIME: Thursday, September 11, 2014, 6:30 p.m.

PLACE: St. Thomas University, Bobcat Hall, 16401 NW 37 Avenue, Miami Gardens, FL 33054

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six, will conduct a Project Advisory Committee (PAC) Meeting for the State Road (SR) 826/Palmetto Expressway Project Development and Environment (PD&E) Study from State Road (SR) 93/I-75 to the Golden Glades Interchange (GGI) (Financial Management Number 418423-1-22-01; Efficient Transportation Decision Making (ETDM) Number 11241). This meeting is being held to allow the Project Advisory Committee (PAC) an opportunity to represent community concerns and express their views concerning the location, conceptual design, social, economic, and environmental effects of the proposed improvements to the Palmetto Expressway between I-75 and the Golden Glades Interchange (GGI), including ultimate improvements to the Golden Glades Interchange (GGI).

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., Project Manager, Florida Department of Transportation District Six, 1000 NW 111th Avenue, Room 6251, Miami, Florida 33172, (305)470-5217 (telephone), (305)640-7558 (fax) or via email: dat.huynh@dot.state.fl.us.

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

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 seven (7) days before the workshop/meeting by contacting: Ms. Fang Mei, P.E. at (305)470-5342; in writing at 1000 NW 111th Avenue, Room 6111-A, Miami, Florida 33172 or via email: fang.mei@dot.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: Mr. Dat Huynh, P.E., Project Manager, Florida Department of Transportation District Six, 1000 NW 111th Avenue, Room 6251, Miami, Florida 33172, (305)470-5217 (telephone), (305)640-7558 (fax) or via email: dat.huynh@dot.state.fl.us.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, State of Florida has received the petition for declaratory statement from Hukids, Inc., DS 2014-108 on August 20, 2014. The petition seeks the agency's opinion as to the applicability of Sections 561.14, 561.22, 561.221(2), and 561.42, Florida Statutes, and subsection 61A-1.006(5), F.A.C., as it applies to the petitioner.

The Petitioner seeks the Division's interpretation as to whether or not the petitioner, or its affiliate are prohibited from obtaining a CMB manufacturer license for the Petitioner's current licensed premises or a different premise.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joy.Cottrell@myfloridalicense.com, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

Please refer all comments to: Michael Ross, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Holly Bonk on September 3, 2014. The following is a summary of the agency's declination of the petition:

Petitioner was requesting clarification regarding employment by a salon and cites Section 477.0263, Florida Statutes. The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 125, of the June 10, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on July 15, 2014. The Board's Order, filed on August 25, 2014, declines to answer the Petition for Declaratory Statement. The Board determined the Petition lacked overall clarity, making it difficult to discern a clear question and declined to answer the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)487-1395.

Please refer all comments to: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:

61G5-20.002 Salon Requirements

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Benefit Cosmetics, LLC., on April 11, 2014. The following is a summary of the agency's declination of the petition:

Petitioner was requesting clarification regarding the requirement that a salon must have toilet and lavatory facilities accessible to the general public and cites subsections 61G5-20.005(2) and (5), Florida Administrative Code. The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 83, of the April 29, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on July 15, 2014. The Board's Order, filed on August 21, 2014, declines to answer the Petition for Declaratory Statement. The Board determined that the Petitioner is not licensed under Chapter 477, F.S., and is not a "substantially affected person," and therefore lacked standing to request a declaratory statement and declined to answer the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

Please refer all comments to: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-23.002 Records Disposition Responsibility

NOTICE IS HEREBY GIVEN that the Board of Accountancy has received the petition for declaratory statement from Michele K. Sheerahamed, CPA, filed on August 27, 2014. The petition seeks the agency's opinion as to the applicability of Rule 61H1-23.002, F.A.C., as it applies to the petitioner.

The petition seeks the Board's interpretation of Rule 61H1-23.002, F.A.C., regarding the proper disposition of client records. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, by email: Veloria.Kelly@myfloridalicense.com or by telephone: (352)333-2505.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that the Florida Real Estate Commission has issued an order disposing of the petition for declaratory statement filed by James E. Parker, Boss Group International, LLC on June 16, 2014. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 121, of the June 23, 2014, Florida Administrative Register. The Commission's Order, filed on August 20, 2014, denies the petition for declaratory statement because the Petitioner's question is about the conduct of another person contrary to Rule 28-105.001, Florida Administrative Code, which provides, in part, that a declaratory statement is not the appropriate means of determining the conduct of another person.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395 or by electronic mail: Lori.Crawford@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice has issued an order disposing of the petition for declaratory statement filed by Brittany DeCroes, P.T., on September 3, 2014. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 64 of the April 2, 2014, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on May 2, 2014. The Petitioner is requesting the Board's interpretation of Section 486.021, Florida Statutes, regarding specific activities which can be performed during a research project and remain outside the scope of the practice of physical therapy in Florida. The Board's Order, filed on May 21, 2014, grants the Petition for Declaratory Statement. Petitioner's activities at the conference do not fall within the scope of practice of physical therapy, as

set forth in Section 486.021(1), Florida Statutes, since the Petitioner will be gathering data for research and not for the purpose of treating any disability, injury, disease, or other health conditions.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

Please refer all comments to: Allen Hall, Executive Director, Board of Physical Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

NONE

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Wild Hogs Scooters and Motorsports, LLC at lot 1 for the establishment of MOTF motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Motofino USA, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Motofino (MOTF) at 3311 West Lake Mary Boulevard, Units 1 2, Lake Mary, (Seminole County), Florida 32746, on or after October 6, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports, LLC, are dealer operator(s): Johnnie Rupp, 3311 West Lake Mary Boulevard, Lake Mary, Florida 32746; principal investor(s): Jason M. Rupp, 3311 West Lake Mary Boulevard, Lake Mary, Florida 32746, Johnnie Rupp, 3311 West Lake Mary Boulevard, Lake Mary, Florida 32746.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Jessica Richeson, Motofino USA, Inc., 2167 Gordon Highway, Augusta, Georgia 30909.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Wild Hogs Scooters and Motorsports, LLC at lot 2 for the establishment of MOTF motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Motofino USA, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Motofino (line-make MOTF) at 1932 West Fairbanks Avenue, Winter Park, (Orange County), Florida 32789, on or after October 6, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports, LLC, are dealer operator(s): Johnathan Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Johnathan Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789, Jason Rupp, 1932 West Fairbanks Avenue, Winter Park, Florida 32789.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Jessica Richeson, Motofino USA, Inc., 2167 Gordon Highway, Augusta, Georgia 30909.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Wild Hogs Scooters and Motorsports, LLC at lot 3 for the establishment of MOTF motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Motofino USA, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Motofino (line-make MOTF) at 9741 South Orange Blossom Trail, Orlando, (Orange County), Florida 32837, on or after October 16, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports, LLC, are dealer operator(s): Patrick Paton, 9741 South Orange Blossom Trail, Orlando, Florida 32837; principal investor(s): Johnnie Rupp, 9741 South Orange Blossom Trail, Orlando, Florida 32837, Jason Rupp, 9741 South Orange Blossom Trail, Orlando, Florida 32837.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Jessica Richeson, Motofino USA, Inc., 2167 Gordon Highway, Augusta, Georgia 30909.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Wild Hogs Scooters and Motorsports, LLC at lot 4 for the establishment of MOTF motorcycles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Motofino USA, Inc., intends to allow the establishment of Wild Hogs Scooters and Motorsports, LLC, as a dealership for the sale of motorcycles manufactured by Motofino (line-make MOTF) at 730 South Dillard Street, Winter Garden, (Orange County), Florida 34787, on or after October 6, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Wild Hogs Scooters and Motorsports, LLC, are dealer operator(s): Andrew Freedom, 730 South Dillard Street, Winter Garden, Florida 32746; principal investor(s): Johnnie Rupp, 730 South Dillard Street, Winter Garden, Florida 32746, Jason Rupp, 730 South Dillard St, Winter Garden, Florida 32746.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Jessica Richeson, Motofino USA, Inc., 2167 Gordon Highway, Augusta, Georgia 30909.

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

LAND AND WATER ADJUDICATORY COMMISSION

Notice of Receipt of Petition to Contract the Boundary of the River Hall Community Development District

On June 23, 2014, the Florida Land and Water Adjudicatory Commission ("Commission") received a petition to contract the boundary of the River Hall Community Development District. The petition was supplemented on July 22, 2014. The Commission will follow the requirements of Chapter 42-1, F.A.C., and Chapter 190, F.S., as amended, in considering the supplemented petition.

SUMMARY OF CONTENTS OF PETITION: The supplemented petition requests the contraction of the District to remove approximately 338.19 acres of land located within Lee County, Florida. A general location map of the existing District is provided in Exhibit 1 to the supplemented petition and a metes and bounds description for the contraction parcels is provided in Exhibit 3. After contraction, the District will encompass a total of approximately 1,620.24 acres.

SUMMARY OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory costs (SERC) was prepared at the request of the District. The complete text of the SERC is contained as Exhibit 7 to the supplemented petition and addresses each statutorily required element as defined in Section 120.541(2), F.S. (2013). Generally, the SERC indicates that after contraction, the remaining District will continue to exercise the powers outlined in Section 190.012, F.S. The existing District has financed infrastructure improvements through special or non-ad valorem assessment revenue bonds. Repayment of these bonds is through special or non-ad valorem assessments levied against all benefited properties. Ongoing operation and maintenance for District-owned facilities is funded through operation and maintenance assessments levied against all benefited properties. Upon approval of the supplemented petition, there will be no District special assessments on the parcels excluded by the boundary contraction.

A LOCAL HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

DATE AND TIME: October 14, 2014, 9:00 a.m.

PLACE: River Hall Town Hall Building Center, 3089 River Hall Parkway, Alva, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Jonathan T. Johnson, Hopping Green & Sams, 119 South Monroe Street, Suite 300, Post Office Box 6526, Tallahassee, Florida 32314, telephone: (850)222-7500, at least two business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the supplemented petition may be obtained by contacting: Jonathan T. Johnson, Hopping Green & Sams, 119 South Monroe Street, Suite 300, Post Office Box 6526, Tallahassee, Florida 32314, telephone: (850)222-7500, or Barbara Leighty, Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone: (850)717-9513.

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

EXEMPTION

The Agency for Health Care Administration approved the following exemption on August 29, 2014 pursuant to Section 408.036(3), Florida Statutes:

ID # E140020 District: 3/2 (Alachua County)
Applicant/Facility: Gainesville Council on Aging, Inc./Gainesville Health Care Center.
Project Description: Construct a 180-bed replacement nursing home within five miles of the existing site.
Proposed Project Cost: \$23,034,262.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On September 3, 2014, State Surgeon General issued an Order of Emergency Restriction of Certificate with regard to the certificate of Lawrence M. Frazier, C.N.A., Certificate #: CNA 154064. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On September 3, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Heather Christian Hackney, R.N., License #: CNA 9239695.

This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES
FSC – Financial Institution Regulation
Financial Institutions

NOTICE OF FILINGS
Financial Services Commission
Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone (850)410-9800		Tallahassee, Florida 32399-0379
Fax: (850)410-9548		Phone: (850)410-9643

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 25, 2014):

APPLICATION TO MERGE

Constituent Institutions: 121 Financial Credit Union, Jacksonville, Florida and Duval Federal Credit Union, Jacksonville, Florida
Resulting Institution: 121 Financial Credit Union, Jacksonville, Florida

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.