

Section I
**Notice of Development of Proposed Rules
and Negotiated Rulemaking**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0571
RULE TITLE: Career and Technical Education and Adult General Education Standards and Industry-Driven Benchmarks

PURPOSE AND EFFECT: To adopt the “Career and Technical Education Programs, Academic Year 2015-2016 Curriculum Frameworks by Career Cluster” and the “Adult General Education Standards and Curriculum Frameworks 2015-2016.”

SUBJECT AREA TO BE ADDRESSED: Career and Technical Education and Adult General Education Curriculum Frameworks.

RULEMAKING AUTHORITY: 1004.92 FS.

LAW IMPLEMENTED: 1004.92 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: Kathleen Taylor, Bureau Chief, Division of Career and Adult Education, Florida Department of Education, 325 West Gaines Street, #1554 E, Tallahassee, FL 32399-0400, (850)245-9062. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: Cathy.Schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

AGENCY FOR STATE TECHNOLOGY

RULE NO.: 74-1.001
RULE TITLE: General

PURPOSE AND EFFECT: The Agency for State Technology (AST) is initiating rulemaking to establish Project Management and Oversight rules for Executive branch agencies. Section 282.0051(3), F.S., directs AST to “by June 30, 2015, establish project management and oversight standards with which state agencies must comply when implementing information technology projects.”

SUBJECT AREA TO BE ADDRESSED: Project management – the application of knowledge, skills, tools and techniques to project activities in order to meet or exceed stakeholder needs and expectations from a project.

Oversight – regular review and evaluation of project activities to ensure compliance with scope, schedule and cost baselines as well as fiscal, legal and administrative control.

RULEMAKING AUTHORITY: 282.0051(18) FS.

LAW IMPLEMENTED: Chapter 2014-221, Laws of Florida, Section 10 (Section 282.0051(3) FS.)

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

DATE AND TIME: March 5, 2015, 2:00 p.m. – 5:00 p.m.

PLACE: Betty Easley Center, Room 166, Tallahassee, Florida
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Shelley McCabe, Director of Project Management, Agency for State Technology at (850)412-6057. 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: Shelley McCabe at (850)412-6057

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

AGENCY FOR STATE TECHNOLOGY

RULE NO.: 74-2.001
RULE TITLE: General

PURPOSE AND EFFECT: The Agency for State Technology (AST) is initiating rulemaking to establish Information Technology Security rules for Executive branch agencies. Section 282.318(3), F.S., directs AST as “responsible for establishing standards and processes consistent with generally accepted best practices for information technology security and adopting rules that safeguard an agency’s data, information, and information technology resources to ensure availability, confidentiality, and integrity.”

SUBJECT AREA TO BE ADDRESSED: Information technology security rules will be developed to align with federal and industry standards and frameworks.

RULEMAKING AUTHORITY: 282.318(5) FS.

LAW IMPLEMENTED: Chapter 2014-221, Laws of Florida, Section 16 (Section 282.318 FS.)

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

DATE AND TIME: March 6, 2015, 2:00 p.m. – 5:00 p.m.
 PLACE: Betty Easley Center, Room 166, Tallahassee, Florida
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Danielle Alvarez, Chief Information Security Officer, Agency for State Technology at (850)412-6049 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: Danielle Alvarez at (850)412-6049
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

RULEMAKING AUTHORITY: 334.044(2) FS.
 LAW IMPLEMENTED: 334.044(25) 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: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, 605 Suwannee Street, Tallahassee, Florida 32399-0458, susan.schwartz@dot.state.fl.us, (850)414-5392

THE FULL TEXT OF THE PROPOSED RULE IS:

14-98.001 Purpose.

Rulemaking Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History–New 12-30-84, Amended 6-10-85, Formerly 9B-32.01, 9B-32.001, 9G-15.001, Amended 12-7-93, 4-16-02, Repealed _____.

14-98.002 Definitions.

Rulemaking Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History–New 12-30-84, Amended 6-10-85, Formerly 9B-32.02, 9B-32.002, Amended 11-19-89, Formerly 9G-15.002, Amended 12-7-93, 4-16-02, Repealed _____.

14-98.003 Policy.

Rulemaking Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History–New 12-30-84, Formerly 9B-32.03, 9B-32.003, Amended 11-19-89, Formerly 9G-15.003, Amended 12-7-93, 4-16-02, 8-18-10, Repealed _____.

14-98.004 Funds Availability.

Rulemaking Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History–New 12-30-84, Formerly 9B-32.04, 9B-32.004, 9G-15.004, Amended 12-7-93, 4-16-02, Repealed _____.

14-98.005 Application and Award Procedures.

Rulemaking Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History–New 12-30-84, Amended 6-10-85, Formerly 9B-32.05, 9B-32.005, Amended 11-19-89, Formerly 9G-15.005, Amended 12-7-93, 11-29-94, 1-17-99, 4-16-02, 8-6-02, 11-2-03, 8-24-04, 1-17-06, 3-22-09, 8-18-10, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Chris Craig, Traffic Safety Administrator
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ananth Prasad, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2014

Section II Proposed Rules

DEPARTMENT OF TRANSPORTATION

<p>RULE NOS.:</p> <p>14-98.001</p> <p>14-98.002</p> <p>14-98.003</p> <p>14-98.004</p> <p>14-98.005</p>	<p>RULE TITLES:</p> <p>Purpose</p> <p>Definitions</p> <p>Policy</p> <p>Funds Availability</p> <p>Application and Award Procedures</p>
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PURPOSE AND EFFECT: Rule Chapter 14-98, F.A.C., is being repealed as unnecessary and unsupported by a specific grant of rulemaking authority.
 SUMMARY: Rule Chapter 14-98, F.A.C., is being repealed.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.
 The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Highway Traffic Safety Program does not impose any regulatory cost. Repeal of the rule is required due to lack of rulemaking authority.
 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.

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-30.091	Petition to Revoke Water Certificate of Authorization
25-30.440	Additional Engineering Information Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase

PURPOSE AND EFFECT: New Rule 25-30.091, F.A.C., would be adopted to implement the statutory requirements contained in Section 367.072, F.S., by establishing a process by which customers may petition for revocation of their water utility’s certificate of authorization to provide water service, and would incorporate by reference instructions for petitioning for revocation of water certificate and a sample petition form. In addition, Rule 25-30.440, F.A.C., would be amended to require that when a Class A or Class B water utility applies for a rate increase, it must provide a copy of all customer complaints that it has received during the past 5 years regarding secondary water quality standards as established by the Department of Environmental Protection. Rule 25-30.443, F.A.C., Minimum Filing Requirements for Class C Water and Wastewater Utilities, which references Rule 25-30.440, F.A.C., would thereby require Class C utilities seeking a rate increase to also provide a copy of all such customer complaints.

Docket No. 140205-W5

SUMMARY: Newly enacted Section 367.072, F.S., authorizes the Commission to revoke a water utility’s certificate of authorization to provide water service if, after at least 65 percent of the utility’s customers file a petition for revocation, the Commission finds that due to quality of water service issues, revocation is in the best interest of the customers in accordance with that section. Rule 25-30.091, F.A.C., adopts the format of and requirements for a petition for revocation, as required by that section, and the process by which the Commission will consider the petitions. Moreover, newly enacted Section 367.0812, F.S., requires the Commission to consider, when setting rates, the extent to which a water utility provides service that meets secondary water quality standards as established by the Department of Environmental Protection (DEP). Therefore, Rule 25-30.440, F.A.C., is amended to require water utilities to provide a copy of all customer complaints the utility has received regarding DEP secondary standards during the past 5 years when applying for a rate increase.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2)(c), F.S., and concluded that the new rule and rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business.

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: based on the information contained in the SERC.

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: 350.172(2), 367.072, 367.0812 FS.

LAW IMPLEMENTED: 367.072, 367.081, 367.0812 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: Rosanne Gervasi, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224, E-MAIL ADDRESS: rgervasi@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.091 Petition to Revoke Water Certificate of Authorization.

(1) Purpose. The purpose of this rule is to establish a process by which customers of investor-owned drinking water utilities may petition the Commission to revoke a utility’s certificate of authorization pursuant to Section 367.072, F.S.

(2) Pursuant to Section 367.0812(3), F.S., customers may not petition the Commission to revoke a utility’s water certificate of authorization if the utility is the subject of a proceeding under Chapter 367, F.S. For the purposes of this rule, a proceeding under Chapter 367, F.S., means any rate proceeding in which quality of water service is addressed, such as a general rate proceeding under Section 367.081, F.S., a staff assisted rate proceeding under Section 367.0814, F.S., or a limited proceeding under Section 367.0822, F.S. A general rate proceeding under Chapter 367, F.S., is initiated upon the utility’s filing of a request for approval of a test year pursuant to Rule 25-30.430, F.A.C. Other rate proceedings under Chapter 367, F.S., are initiated upon the utility’s filing of an application for rate relief.

(3) Letter of Intent. Utility customers who intend to petition the Commission for revocation of their utility’s certificate of authorization pursuant to Section 367.072, F.S., shall notify the Commission in writing of their intent to file a petition for

revocation of certificate. In the letter of intent, the customers shall advise the Commission of the name and address of their water utility. The letter of intent shall be filed with the Office of Commission Clerk.

(4) Within 10 days after receipt of the letter of intent, the Commission staff will notify the utility of the customers' intent to file a petition for revocation of its certificate of authorization.

(5) In the notification letter to the utility, the Commission staff will request that the utility certify, within 30 days after receipt of the notification letter, the number of water customers the utility serves by counting its service connections, and provide staff with a list of its customers' names and addresses.

(6) If the utility fails to certify the number of customers it serves by the date requested in the notification letter, Commission staff will utilize the number of customers reported by the utility in its most recent annual report on file with the Commission to evaluate the sufficiency of the petition pursuant to Section 367.072(1)(b), F.S.

(7) Upon receipt of the utility's response to the Commission staff's request to certify the number of customers the utility serves, or, if the utility fails to respond to the Commission staff's request to certify the number of customers the utility serves, upon the expiration of 30 days from the utility's receipt of the Commission staff's request, the Commission staff will send the following materials to customers who file a letter of intent pursuant to subsection (3) of this rule:

(a) "Instructions for Petitioning for Revocation of Water Certificate," (EFF. 12/14), which are incorporated herein by reference and are available at [\[hyperlink\]](#);

(b) Form PSC 1000 (12/14), entitled "Florida Public Service Commission: Petition to Revoke the Certificate of Authorization of [Utility Name]," which petition form the customers must copy and use for the collection of signatures to be submitted to the Commission. A sample of Form PSC 1000 (12/14) is incorporated herein by reference for informational purposes only, and is available at [\[hyperlink\]](#). The sample petition form incorporated herein must not be used for the collection of signatures;

(c) A copy of Section 367.072, F.S.;

(d) A copy of this rule; and

(e) A copy of the state primary and secondary drinking water standards, as contained in Rule 62-550.828, F.A.C.

(8) For a petition for revocation to be deemed sufficient, the following criteria must be met:

(a) Each petition form must include the printed name, signature, service address, and telephone number of the customer-signatory;

(b) Each petition form must state with specificity each issue that the customer-signatory has with the quality of water

service provided, each time the issue was reported to the utility, and how long the issue has existed; and

(c) Petition forms must be completed by at least 65 percent of the utility's customers, as that term is defined in Section 367.072, F.S.

(9) The customers must file the completed petition forms with the Office of Commission Clerk within 90 days after receipt of the staff's instructions.

(10) Within 10 days after receipt of the petition, the staff will provide notice to the customers who filed the letter of intent or their designated representative by letter as to whether the petition is sufficient for the Commission to act, and will provide a copy of the notice to the utility. If the petition is deficient, the notice will specify what additional information is required.

(11) If the notice identifies deficiencies in the petition, the customers must file a corrected petition with the Office of Commission Clerk curing the noticed deficiencies within 30 days after receipt of the notice, and must provide a copy of the cured petition to the utility. The staff will notify the customers who file a corrected petition or their designated representative by letter as to whether the corrected petition has cured the deficiencies specified in the notice provided under subsection (10), and will provide a copy of the letter to the utility. If the customers fail to timely cure the noticed deficiencies, the petition will be dismissed pursuant to Section 367.072(1)(b), F.S.

(12) The utility may file a response to a sufficiently filed petition with the Office of Commission Clerk within 14 days from the staff letter notifying the customers that the petition is sufficient for the Commission to act.

(13) The staff will file a recommendation for the Commission to determine at a scheduled agenda conference whether the issues identified in a sufficiently filed petition support a reasonable likelihood that the utility is failing to provide quality water services.

(14) If the Commission determines that the issues identified in the petition do not support a reasonable likelihood that the utility is failing to provide quality water services, the Commission's order dismissing the petition will be issued as a proposed agency action. The notice of proposed agency action will give substantially affected persons an opportunity to request a Section 120.569 or 120.57, F.S., hearing on the matter within 21 days after issuance of the notice, pursuant to Rule 25-22.029, F.A.C.

(15) If the Commission determines that the issues identified in the petition support a reasonable likelihood that the utility is failing to provide quality water services, the Commission will order the utility to show cause as to why its water certificate of authorization should not be revoked, and will set the matter for hearing pursuant to Sections 120.569, 120.57, 120.60(5), and 367.072(5), F.S. The utility's response

to the show cause order shall use the criteria set forth in Section 367.072(3)(a) and (b), F.S., in addressing the issues identified within the petition.

Rulemaking Authority 350.127(2), 367.072, 367.0812 FS. Law Implemented 367.072, 367.0812 FS. History--New _____.

25-30.440 Additional Engineering Information Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase.

(1) through (2) No change.

(3) The most recent chemical analyses for each water system conducted by a certified laboratory covering the inorganic, organic turbidity, microbiological, radionuclide, secondary and unregulated contaminants specified in Chapter 62-550 47-550, F.A.C.

(4) through (6) No change.

(7) Any Notices of Violation, Consent Orders, Letters of Notice, or Warning Notices from the health department or the DEP ~~in since the utility's last rate case or the previous five years, whichever is less.~~

(8) through (10) No change.

(11) Provide a copy of all customer complaints that the utility has received regarding DEP secondary water quality standards during the past five years.

Rulemaking Authority 350.127(2), 367.0812(5), 367.121 FS. Law Implemented 367.081, 367.0812 FS. History--New 11-10-86, Amended 6-25-90, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kevin Bloom

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 18, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 40, Number 183, September 19, 2014

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-18.002	Definitions
59A-18.004	Licensure Requirements, Procedures, and Fees
59A-18.005	Registration Policies
59A-18.006	Administrator
59A-18.007	Registered Nurse and Licensed Practical Nurse
59A-18.0081	Certified Nursing Assistant and Home Health Aide

59A-18.009	Homemakers or Companions
59A-18.010	Acceptance of Patients or Clients
59A-18.011	Medical Plan of Treatment
59A-18.012	Clinical Records
59A-18.013	Administration of Drugs and Biologicals
59A-18.017	Supplemental Staffing for Health Care Facilities

59A-18.018 Emergency Management Plans

PURPOSE AND EFFECT: The intent is to update Chapter 59A-18, F.A.C., to conform to law changes in Section 400.506, F.S., by the Florida Legislature in Chapter 2014-142 and Chapter 2012-160, Laws of Florida, and to reduce the regulatory burden for nurse registries. Also, the revisions will remove the rules that are now in state laws and in the Chapter 59A-35, F.A.C., pertaining to licensing procedures and background screening. In addition, the nurse registry licensure application form and comprehensive emergency management plan form will also be updated.

SUMMARY: The Agency proposes to amend rule Chapter 59A-18, Florida Administrative Code, to be consistent with the 2013 and 2014 amendments to Section 400.506, Florida Statutes. Also, the licensure application form is updated and will be kept in this rule chapter, since the form was last updated in Chapter 59A-35, F.A.C. The comprehensive emergency management plan form will also be updated due to changes in the law and website addresses. The rule is updated to remove items that are now in other laws, update paragraphs of law and web site addresses. In addition, changes are made based on rule development workshop comments to be helpful to nurse registries while still complying with state law.

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: A SERC has not been prepared by the agency. The proposed rules decrease costs for nurse registries with the elimination of many requirements and a shorter licensure application form. There are no fee increases in the rules. For the rules listed above, the Agency prepared a checklist for each rule to determine the necessity for a SERC.

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: 400.506, 400.497 FS.

LAW IMPLEMENTED: 400.506, 408.810, 400.488 FS.

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

DATE AND TIME: January 23, 2015, 1:00 p.m. – 2:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3 – Conference Room B, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, (850)412-4385 or Anne.Menard@ahca.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, HQAHOMEHEALTH@ahca.myflorida.com, (850)412-4385

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-18.002 Definitions.

When used in this rule, unless the context otherwise requires, the term:

(1) through (2) No change.

(3) “Caregiver” ~~means a registered nurse, licensed practical nurse, certified nursing assistant, home health aide, homemaker or companion that is referred by a nurse registry to provide services to patients means a person who has been entrusted with or has assumed the responsibility for frequent and regular care of or services to a disabled adult or an elderly person on a temporary or permanent basis and who has a commitment, agreement, or understanding with that person or that person’s guardian that a caregiver role exists. “Caregivers” include, for example, relatives, household members, guardians, friends, neighbors, and employees and volunteers of facilities.~~

(4) through (7) No change.

(8) “Independent Contractor” means a person who contracts through a referral from a nurse registry. The independent contractor maintains control over the method and means of delivering the services provided, and is responsible

for the performance of such services. An independent contractor is not an employee of the nurse registry.

(9) No change.

(10) “Nurse registry services” means referral of independent contractors to provide health care related services to a patient or client in the person’s home or place of residence or through staffing in a health care facility by an independent contractor referred through a nurse registry. Such services shall be limited to:

(a) Nursing care provided by licensed registered nurses or licensed practical nurses; or

(b) Care and services provided by certified nursing assistants or home health aides; or

(c) Homemaker or companion services. ~~provided pursuant to Section 400.509, F.S.~~

(11) “Plan of treatment” means written plan of care and treatment, including a medical plan of treatment, signed within 30 24 days by the physician, advanced registered nurse practitioner, or physician assistant to assure the delivery of safe and adequate care provided by a licensed nurse to a patient in the home.

(12) No change.

(13) “Satellite office” means a secondary office of the nurse registry established in the same county as the main office, pursuant to Section 400.506(1), F.S.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 3-15-07, _____.

59A-18.004 Licensure Requirements, Procedures, and Fees.

(1) Prior to operating a nurse registry as defined under Section 400.462 400.506, F.S., the owner shall make application for a license on the Health Care Licensing Application, Nurse Registry, AHCA Form 3110-7001, October 2014 Nurse Registry Application for Initial License, Revised May 2006, incorporated by reference and available at http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX,- and the Health Care Licensing Application Addendum prescribed in subsection 59A-35.060(1), F.A.C. The application shall be accompanied by a \$2,000 licensure fee. The application and other pertinent information can be obtained at the AHCA web site: http://ahca.myflorida.com/HQAlicensureforms ~~http://ahca.myflorida.com under “Licensing, & Certification” and then on “Nurse Registry”.~~ If the requestor is unable to obtain the forms and related information from the web site, the documents may be obtained from the ~~AHCA Licensed Home Health Programs Unit by contacting (850)414 6010 and sending a check or money order to cover the Agency’s costs for copying and mailing.~~ The receipt of a license from AHCA shall be based upon compliance

with all applicable rules and laws, as evidenced by a signed application ~~under oath~~ and upon the results of a survey conducted by AHCA representatives.

~~(2) For renewal and change of ownership licensure, the application forms and licensure fee in subsection (1) must be submitted as required in Section 408.806(2), F.S.~~

~~(3)(2) No change.~~

~~(3) An initial licensure application shall include: Initial licensure. An application for an initial license to operate a nurse registry shall be submitted per Section 408.806, F.S., for a new operation or change of licensee accompanied by a non-refundable license fee of \$2,000 for each site in operation to be licensed, and must be submitted and signed under oath on AHCA Form 3110-7001, Nurse Registry Application for Initial License, Revised May 2006, which is incorporated by reference, provided by the agency, and shall include:~~

~~(a) Name of the registry, address and telephone number;~~

~~(b) Name of owner or licensee, address and telephone number;~~

~~(c) Ownership control and type;~~

~~(d) Services provided;~~

~~(e) Geographic area served;~~

~~(f) Hours of operation;~~

~~(g) The name of the registry's administrator, the alternate administrator and the name and license or certification number for the registered nurse or nurses that the nurse registry has available to meet the requirements in Section 400.506(10)(c), F.S. An application for renewal will include the same information for the administrator, alternate administrator and registered nurse or nurses available to meet the requirements in Section 400.506(10)(c), F.S., unless there have been no changes since the previous application for licensure.~~

~~(h) A signed Affidavit of Compliance with Screening Requirements, AHCA Form 3110-1014, Revised December 2006, incorporated by reference, from the administrator, will be submitted with the application and annually thereafter as required in Sections 435.04(5) and 400.512, F.S., stating that the administrator, the financial officer, and each direct care contractor who enters the home of patients or clients and who was registered with the nurse registry on or after October 1, 2000, has been screened in accordance with level 1 standards and that the remaining contractors have been continuously registered with the nurse registry since before October 1, 2000, pursuant to Section 400.512(2), F.S.~~

~~1. Screening for the administrator, or similarly titled individual who is the managing employee responsible for the daily operation of the nurse registry, and for the financial officer, or similarly titled individual who is responsible for the financial operation of the nurse registry, including billings for patient care and services, shall be in accordance with level 2 standards for screening set forth in Section 408.809, F.S. The~~

~~fingerprint card for level 2 screening for the administrator and the financial officer can be obtained from, and must be submitted to, the Agency for Health Care Administration, Licensed Home Health Programs Unit, 2727 Mahan Drive, Mail Stop 34, Tallahassee, Florida 32308. Screening processing fees for level 2 screening shall be made payable to the Agency for Health Care Administration.~~

~~2. Level 1 screening shall be done in accordance with screening standards as provided in Chapter 435, F.S., and as required in Section 400.512, F.S., for each contractor.~~

~~(4)(i) Evidence of financial ability to operate for initial licensure and change of ownership applications must be submitted with the application, which shall consist of the completion of the financial schedules contained in a form as prescribed in subsection 59A-35.062(2), F.A.C. the application which includes a balance sheet and income and expense statement for the first year of operation as well as documented evidence of sufficient assets, credit and projected revenues to cover projected liabilities and expenses pursuant to Section 408.810(8), F.S.~~

~~(j) The certificate and articles of incorporation or a current certificate of status or authorization for limited partnerships, pursuant to Chapter 260, F.S. For general partnerships a current certificate of status or authorization or an affidavit of fictitious name must be submitted.~~

~~(k) An affidavit of fictitious name, pursuant to Section 865.09, F.S., as filed with Florida's Secretary of State, is required when the nurse registry chooses to operate under a name other than the name of the partnership or corporation.~~

~~(5) Satellite offices – One or more additional offices within the county where the main office is located may be added to the initial, renewal or change of ownership application and included on the license certificate pursuant to Section 400.506(1), F.S. A satellite office shares administration with the main office and is exempt from the requirements in paragraphs 59A-18.004(8)(a) and (b), F.A.C.~~

~~(6)(4) Evidence of compliance with local zoning and fire inspection authorities for the main office of the nurse registry and any satellite offices must be submitted with the application each office site.~~

~~(7)(4) All nurse registries must apply for a geographic service area on their initial license application. Nurse registries may apply for a geographic service area which encompasses one or more of the counties within the specific AHCA area boundaries, pursuant to Section 408.032(5), F.S., and Section 400.497(9)(7), F.S., in which the main office is located. However, any agency holding a current nurse registry license from AHCA, as of December 24, 2000 the effective date of this rule, may continue to serve patients or clients in those counties listed on its current license.~~

~~(5) A license, unless sooner suspended or revoked, shall automatically expire 2 years from the date of issuance and shall be renewable biennially.~~

~~(6) An application for renewal of a registry license shall be submitted not less than 60 days prior to expiration of the license pursuant to Section 408.806(2), F.S. The submission shall be on AHCA Form 3110-7004, Nurse Registry Application for Renewal of License May 2006, incorporated by reference, and shall include a renewal fee of \$2,000. The application shall include: All of the information required by paragraphs (4)(a) through (h) above.~~

~~(7) An application for renewal of a license shall not be required to provide proof of financial ability to operate, unless the applicant has demonstrated financial instability at any time, pursuant to Section 408.810(8), F.S., in which case AHCA shall require the applicant for renewal to provide proof of financial ability to operate by submitting Schedules 2 through 6 from AHCA Form 3110-7001, Nurse Registry Application for Initial License, Revised May 2006 and documentation of correction of the financial instability, to include evidence of the payment in full of any bad checks, delinquent bills or liens and all associated fees, costs, and charges related to the instability. If complete payment cannot be made, evidence must be submitted of partial payment along with a plan for payment of any liens or delinquent bills. If the lien is with a government agency or repayment is ordered by a federal, state, or district court, an accepted plan of repayment must be provided. If the licensed nurse registry has demonstrated financial instability as outlined above at any time the AHCA will request proof of financial ability to operate.~~

~~(8) An application for a change of ownership of a registry shall be submitted, on AHCA Form 3110-7001, Nurse Registry Application for Initial License, Revised May 2006, as referenced in subsection 59A-18.004(1), F.A.C., not less than 60 days prior to the effective date of the change in accordance with Section 408.806(2)(b), F.S. The submission shall include the change of ownership licensure fee of \$2,000. The application shall include all of the information required by paragraphs (4)(a) through (l) above.~~

~~(8)(9) A nurse registry has the following responsibility in terms of hours of operation:~~

(a) The nurse registry administrator, or his alternate, must be available to the public for any eight consecutive hours between 7 a.m. and 6 p.m., Monday through Friday of each week, excluding legal and religious holidays. Available to the public means being readily available on the premises or by telecommunications.

(b) When the administrator, or the designated alternate, are not on the premises during designated business hours, pursuant to paragraph 59A-18.004(8)(9)(a), F.A.C., a staff person must be available to answer the phone and the door and must be able

to contact the administrator, or the alternate, by telecommunications during the designated business hours. This individual can be a clerical staff person.

(c) If an AHCA surveyor arrives on the premises to conduct a survey and the administrator, or a person authorized to give access to patient records, is not available on the premises he, or his alternate, must be available on the premises within two hours.

~~(d) The nurse registry shall provide to the patient or the patient's representative a list of telephone numbers to be called if a replacement caregiver is needed along with local emergency numbers as determined by the nurse registry. The nurse registry shall have written policies and procedures governing 24 hour availability to a nurse, acting within the scope of his practice act, by active patients who are receiving skilled care from licensed nurses referred by the nurse registry. These procedures shall describe an on-call system whereby designated nursing staff will be available to directly communicate with the patient. For registries which refer only CNAs or home health aides, written policies and procedures shall address the availability of an on-call nurse, acting within the scope of his practice act, during hours of patient service.~~

(e) Failure to be available or to respond, as defined in paragraphs 59A-18.004(8)(9)(a), (b) and (c), F.A.C., will result in a \$500 fine, pursuant to Section 400.506(4), F.S. A second incident will be grounds for denial or revocation of the registry license.

Rulemaking Authority 400.497, 400.506, 408.810(8) FS. Law Implemented 400.497, 400.506, 400.512, 408.810(8) FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 8-10-06, 3-15-07, _____.

59A-18.005 Registration Policies.

(1) Each nurse registry shall disseminate the following rules and statutes to each applicable independent contractor at the time of registration. The rules and statutes may be provided by paper copy, by email or other means of electronic communication.

(a) Registered nurses and licensed practical nurses shall receive for their use and reference:

1. Rule Subsection 59A-18.005(6), F.A.C., Registration Policies regarding health statements and communicable disease.

2. Rule 59A-18.007, F.A.C., Registered Nurses and Licensed Practical Nurses.

3. Rule 59A-18.011, F.A.C., Medical Plan of Treatment.

4. Rule 59A-18.012, F.A.C., Clinical Records.

5. Rule 59A-18.013, F.A.C., Administration of Biologicals.

6. Sections 400.506, 408.809 ~~400.512~~, 400.484, 400.462, 400.488 and 408.810(5) ~~400.495~~, F.S. with the telephone numbers referred to in the law.

7. Rule 59A-18.018, F.A.C., Emergency Management Plans.

(b) Certified nursing assistants and home health aides shall receive for their use and reference:

1. Rule Subsection 59A-18.005(6), F.A.C., Registration Policies regarding health statements and communicable disease.

2. Rule 59A-18.0081, F.A.C., Certified Nursing Assistant and Home Health Aide.

3. Sections 400.506, 408.809 ~~400.512~~, 400.484, 400.462, 400.488 and 408.810(5) ~~400.495~~, F.S. with the telephone numbers referred to in the law.

4. Rule 59A-18.018, F.A.C., Emergency Management Plans.

(c) Homemakers and Companions shall receive for their use and reference:

1. Rule 59A-18.009, F.A.C., Homemakers or Companions.

2. Sections 400.506, 408.809 ~~400.512~~, 400.484, 400.462, and 408.810(5) ~~400.495~~, F.S. with the telephone numbers referred to in the law.

3. Rule 59A-18.018, F.A.C., Emergency Management Plans.

4. Rule 59A-18.005, F.A.C., Registration Policies.

(2) No change.

(3) Each nurse registry shall confirm a new independent contractor's licensure or certification with the issuing board or department. A screen print from the Department of Health web site that shows a clear and active license or certification for each nurse and certified nursing assistant is sufficient for documentation. Confirmation shall be based upon specific written requests or oral communications with the issuing authority. It shall be documented in the individual's registration file how confirmation was obtained, from whom, and who made the inquiry on behalf of the registry.

(4) Each nurse registry shall, at least annually, reconfirm the licensure or certification of all of its independent contractors who are licensed or certified. If the nurse registry cannot confirm the licensure of any registered nurse, licensed practical nurse or certification of any certified nursing assistant, the nurse registry shall take the actions specified in Section 400.506(19), F.S. This includes reporting the individual to the Florida Board of Nursing, Department of Health as specified at its web site: <http://www.floridahealth.gov/licensing-and-regulation/enforcement/report-unlicensed-activity/file-a-complaint.html>.

(5) No change.

(6) Prior to contact with patients or clients, each independent contractor referred for client care must furnish to the registry a statement from a health care professional licensed under Chapter 458, F.S., or Chapter 459, F.S., a physician's assistant, or an advanced registered nurse practitioner (ARNP)

or a registered nurse licensed under Chapter 464, F.S., under the supervision of a licensed physician, or acting pursuant to an established protocol signed by a licensed physician, ~~dated based upon an examination~~ within the last six months, that the contractor is free from communicable ~~diseases~~ disease. The independent contractor will provide this statement to the nurse registry along with the application required in Section 400.506(8), F.S., and annually thereafter. If any independent contractor is later found to have, or is suspected of having, a communicable disease, he or she shall immediately cease to be referred as an independent contractor. If the independent contractor later provides a statement from a health care professional that such condition no longer exists, then the nurse registry can again refer patients to the independent contractor. It is the responsibility of the independent contractor to ensure that patients are not placed at risk by immediately removing him or herself as a caregiver if he or she is found to have or is suspected of having a communicable disease. In the event that an independent contractor refuses to remove him or herself, the nurse registry shall report the situation to the county health department as an immediate threat to health, welfare and safety.

(7) No change.

(8) Registration folders on each independent contractor must contain the information required in Section 400.506(12), F.S., and the following:

(a) For home health aides, evidence of completion of a home health aide training course or certification from the Florida Board of Nursing, Department of Health as a certified nursing assistant;

(b) Evidence of a contract with the nurse registry;

(c) Evidence of eligible background screening; and

~~(9)(4)~~ Each nurse registry shall establish a system for the recording and follow-up of complaints involving individuals they refer to determine if a replacement caregiver should be referred and to provide the complainant with information on how to report the complaint to the appropriate entity;

(a) Report theft to local law enforcement;

(b) Report abuse, neglect or exploitation to the central abuse hotline 1(800)962-2873;

(c) Report nurses and certified nursing assistants to the Department of Health by completing and submitting the complaint form at <http://www.floridahealth.gov/licensing-and-regulation/enforcement/admin-complaint-process/forms.html> if there are alleged professional practice violations.

(d) Report other complaints to the Agency for Health Care Administration by calling (888)419-3456 or submitting the online complaint form at <http://apps.ahca.myflorida.com/hcfc>.

In addition, if the complaints are violations of state law, the nurse registry shall take the actions specified in Section 400.506(19), F.S. and such Rrecords of complaints and actions taken by the nurse registry shall be kept in the individual's

registration file or retained in the central files of the nurse registry.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 8-10-06, 3-15-07, _____.

59A-18.006 Administrator.

The administrator of the nurse registry shall ~~be a full-time position and:~~

(1) Be a licensed physician, an advanced registered nurse practitioner, a registered nurse, or an individual with training and experience in health service administration and at least one year of supervisory or administrative experience in the health care field;

(2) through (3) No change.

~~(4) Be responsible for informing each independent contractor with the law and rules of AHCA and shall have copies of the rules available for reference;~~

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

~~(7)(8) Be responsible for making sure that the nurse registry advises the patient, the patient’s family, or any other person acting on behalf of the patient at the time the referral is made that:~~

(a) The caregiver is an independent contractor and that it is not the obligation of a nurse registry to monitor, supervise, manage or train the caregiver as required in Section 400.506(6)(e), F.S.; and

(b) Registered nurses are available to make visits to the patient’s home for an additional cost when a certified nursing assistant or home health aide is referred as required in Section 400.506(6)(c), F.S.

~~(8) Assure the orientation of new independent contractors; and~~

~~(9) The administrator shall inform nurse registrants that when more than one nurse is serving the patient, the nurse that communicates with the physician’s office about any changes in the physician’s order should update the plan of treatment in the patient’s record.~~

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, _____.

59A-18.007 Registered Nurse and Licensed Practical Nurse.

The registered nurse and the licensed practical nurse shall:

(1) Be responsible for the clinical records for their patients. The clinical records shall be filed with the nurse registry, for each patient or client to whom they are giving care in the home or place of residence ~~or when they assess the care being provided by non-licensed independent contractors, pursuant to Section 400.506(10)(c), F.S.~~ Clinical notes and clinical records related to care given under a staffing arrangement are

maintained by the facility where the staffing contract is arranged;

(2) Be responsible for maintaining the medical plan of treatment with clinical notes and filing the initial medical plan of treatment, any amendments to the plan, any additional order or change in orders, and a copy of the clinical notes at the office of the nurse registry;

~~(3) The licensed practical nurse shall be under the direction of a registered nurse, or a physician licensed pursuant to Florida Statutes, as required under Section 464.003(3)(b), F.S.~~

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, _____.

59A-18.0081 Certified Nursing Assistant and Home Health Aide.

The certified nursing assistant (C.N.A.) and the home health aide shall:

(1) Be limited to assisting a patient in accordance with Section 400.506(6)(b)(10)(b), F.S.;

(2) No change.

(3) Be responsible for observing appearance and gross behavioral changes in the patient and reporting these changes to the patient’s health care surrogate or other person designated by the patient caregiver and the nurse registry ~~or the registered nurse responsible for assessing the case when giving care in the home~~ or to the responsible facility employee if staffing in a facility;

(4) through (7) No change.

(8) For every home health aide registered with the nurse registry since _____ {insert the effective date of this rule when approved}, a nurse registry shall have on file a certificate or documentation of successful completion of at least forty hours of home health aide training, pursuant to Section 400.506(6)(40)(a), F.S., from a public vocational technical school or a non-public postsecondary career school licensed by the Commission on Independent Education, Florida Department of Education.

~~(a) Communication skills;~~

~~(b) Observation, reporting and documentation of patient status and the care or services provided;~~

~~(c) Reading and recording temperature, pulse and respiration;~~

~~(d) Basic infection control procedures;~~

~~(e) Basic elements of body functions that must be reported to the patient’s registered nurse or physician;~~

~~(f) Maintenance of a clean, safe, and healthy environment;~~

~~(g) Recognition of emergencies and knowledge of emergency procedures;~~

~~(h) Physical, emotional, and developmental characteristics of the populations served by the registry, including the need for respect for the patient, his privacy, and his property;~~

~~(i) Appropriate and safe techniques in personal hygiene and grooming, including bed bath, sponge, tub, or shower bath; shampoo, sink, tub, or bed; nail and skin care; oral hygiene;~~

~~(j) Safe transfer techniques and ambulation;~~

~~(k) Normal range of motion and positioning;~~

~~(l) Adequate nutrition and fluid intake;~~

~~(m) The role of the aide in the home;~~

~~(n) Differences in families;~~

~~(o) Food and household management; and~~

~~(p) Other health related topics pertinent to home health aide services offered in the home.~~

(9) No change.

(10) Home health aides registered with the nurse registry since the effective date of this rule who complete their training in another state must provide a certificate of completion of home health aide training from a public vocational technical school or a career education school that is licensed in that state. copy of the course work and a copy of their training documentation to the nurse registry. If the course work is equivalent to Florida's requirements, the nurse registry may refer the home health aide for contract. If the home health aide's course work does not meet Florida's requirements, the home health aide must receive training in a school approved by the Department of Education to the extent necessary to bring the training into compliance with subsection 59A-18.0081(8), F.A.C., prior to being referred for contract.

(11) CNAs and home health aides referred by nurse registries must maintain a current CPR certification from an instructor that is approved to provide training by the American Heart Association or the American Red Cross.

(12) Licensed practical nurses and registered nurses that are licensed in Florida or another state may work as home health aides. Also, persons who have completed the licensed practical nurse or registered nurse training from a public school, college, or university or a licensed nonpublic career education school or college in Florida who are not yet licensed may work as home health aides.

(13) A certified nursing assistant may work as a home health aide.

(14)(12) C.N.A.s and home health aides referred by nurse registries may assist with self-administration of medication as described in Section 400.488, F.S.

(a) Home health aides and C.N.A.s assisting with self-administered medication, as described in Section 400.488, F.S., shall have received a minimum of 2 hours of training covering the following content:

1. Training shall cover state law and rule requirements with respect to the assistance with self-administration of medications in the home, procedures for assisting the resident with self-administration of medication, common medications, recognition of side effects and adverse reactions and procedures to follow when patients appear to be experiencing side effects and adverse reactions. Training must include verification that each C.N.A. and home health aide can read the prescription label and any instructions.

2. Individuals who cannot read shall not be permitted to assist with prescription medications.

(b) Documentation of training on assistance with self-administered medication from one of the following sources is acceptable:

1. Documentation of 2 hours of training in compliance with subsection 59A-8.0095(5), F.A.C., from a home health agency if the home health aide or C.N.A. previously worked for the home health agency;

2. A training certificate for 4 hours of training for assisted living facility staff in compliance with subsection 58A-5.0191(5), F.A.C.

3. A training certificate for at least 2 hours of training from a career education school licensed pursuant to Chapter 1005, F.S., and Chapter 6E, F.A.C., by the Department of Education, Commission for Independent Education.

4. Documentation of at least 2 hours of training by a provider approved by the Florida Board of Nursing, Department of Health.

(c) Documentation of the training must be maintained in the file of each home health aide and C.N.A. who assists patients with self-administered medication.

(d) In cases where a home health aide or a C.N.A. will provide assistance with self-administered medications as described in Section 400.488, F.S., and paragraph (e) below, a review of the medications for which assistance is to be provided shall be conducted by a registered nurse or licensed practical nurse to ensure the C.N.A. and home health aide are able to assist in accordance with their training and with the medication prescription and the medication is not required to be administered by a nurse. If the patient will not consent to a visit by the nurse to review the medications, a written list with the dosage, frequency and route of administration shall be provided by the patient or the patient's health care surrogate, family member, or person designated by the patient to the home health aide or CNA to have reviewed by the nurse. The patient or the patient's surrogate, guardian, or attorney in fact must give written consent for a home health aide or C.N.A. to provide assistance with self-administered medications, as required in Section 400.488(2), F.S.

(e) The trained home health aide and C.N.A. may also provide the following assistance with self-administered medication, as needed by the patient and as described in Section 400.488, F.S.:

1. Prepare necessary items such as juice, water, cups, or spoons to assist the patient in the self-administration of medication;
2. Open and close the medication container or tear the foil of prepackaged medications;
3. Assist the resident in the self-administration process. Examples of such assistance include the steadying of the arm, hand, or other parts of the patient's body so as to allow the self-administration of medication;
4. Assist the patient by placing unused doses of solid medication back into the medication container.

(15) The nurse registry is not obligated to monitor or supervise a certified nursing assistant or home health aide pursuant to Section 400.506(19), F.S. The nurse registry is not obligated to review patient or client records per Section 400.506(20), F.S., but the nurse registry is not prohibited from reviewing records and may do so. In the event of violation of Section 400.488, F.S. or other state laws that comes to the attention of the nurse registry, the nurse registry shall take the actions specified in Section 400.506(19), F.S.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.488, 400.497, 400.506 FS. History—New 1-27-94, Amended 12-24-00, 8-10-06, 3-15-07,_____.

59A-18.009 Homemakers or Companions.

~~(1) The homemaker or companion shall have evidence of training in topics related to human development and interpersonal relationships, nutrition, shopping, food storage, use of equipment and supplies, planning and organizing of household tasks and principles of cleanliness and safety.~~

(1)(2) The homemaker shall have the following responsibilities:

- (a) To maintain the home in the optimum state of cleanliness and safety depending upon the client's and the caregiver's resources;
- (b) To perform the functions generally undertaken by the natural homemaker, including such duties as preparation of meals, laundry, and shopping;
- (c) To perform casual, cosmetic assistance, such as brushing the client's hair, assisting with make-up, filing and polishing nails, with the exception of clipping nails for diabetic patients;
- (d) To stabilize the client when walking, as needed, by holding the client's arm or hand; and
- (e) To report any unusual incidents or changes in the patient's or client's behavior to the person(s) designated by the client nurse registry administration and to the caregiver.

~~(2)(3) The companion shall have the following responsibilities:~~

- (a) To provide companionship for the patient or client;
- (b) To provide escort services such as taking the patient or client to the health care provider ~~doctor~~;
- (c) To provide light housekeeping tasks such as preparation of a meal or laundering the client's personal garments;
- (d) To perform casual, cosmetic assistance, such as brushing the client's hair, assisting with make-up, filing and polishing nails, with the exception of clipping nails for diabetic patients; and
- (e) To stabilize the client when walking, as needed, by holding the client's arm or hand; and
- (f) To report any unusual incidents or changes in the patient's or client's behavior to the person(s) designated by the client nurse registry administration and to the caregiver.

~~(4) Each nurse registry shall ensure that homemakers and companions understand the needs of the patients or clients to whom they are referred and are able to recognize those conditions that need to be reported to the nurse registry office.~~

(3)(5) Homemakers and companions shall be responsible for providing to patient and nurse registry copies of any documentation which reflects the services provided. This will be stored by the nurse registry in the client's file. The nurse registry is not obligated to review patient or client records per Section 400.506(20), F.S., but the nurse registry is not prohibited from reviewing the records and may do so.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.478, 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00,_____.

59A-18.010 Acceptance of Patients or Clients.

Policies for acceptance of patients or clients and termination of services to patients or clients shall include, for example, the following conditions:

- (1) through (2) No change.
- (3) When medical treatments or medications are administered, physician's, advanced registered nurse practitioner's, or physician assistant's orders in writing that are signed and dated shall be included in the clinical record; and
- (4) When services are to be terminated, the patient or client, or the person designated by the patient or client caregiver shall be notified of the date of termination and the reason for termination, and these shall be documented in the patient or client's record.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 12-24-00, 3-15-07,_____.

59A-18.011 Medical Plan of Treatment.

(1) When the delivery of skilled care to a patient in the home is under the direction or supervision of a physician or

when a physician, physician's assistant or advanced registered nurse practitioner is responsible for the medical care of the patient, a medical plan of treatment must be established for each patient receiving care or treatment provided by the licensed nurse in the home or residence.

(2) through (4) No change.

(5) The initial medical plan of treatment, any amendment to the plan, additional orders or change in orders, and copy of clinical notes must be filed in the office of the nurse registry, pursuant to Section 400.506(13)(15)(b), F.S., within 30 days, pursuant to Section 400.497(8)(7), F.S.

(6) through (7) No change.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 8-10-06, _____.

59A-18.012 Clinical Records.

The licensed nurse responsible for the delivery of patient care shall maintain a clinical record, pursuant to Section 400.497(8)(6), F.S., for each patient receiving nursing services in the home that shall include, at a minimum, the following:

(1) and (2) No change.

(3) Plan of treatment as required in Section 400.506(13)(17), F.S.;

(4) through (7) No change.

(8) The nurse registry is not obligated to review patient or client records per Section 400.506(20), F.S., but the nurse registry is not prohibited from reviewing records and may do so. In the event of violation of state law which comes to the attention of the nurse registry, the nurse registry shall take the actions specified in Section 400.506(19), F.S.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 8-10-06, _____.

59A-18.013 Administration of Drugs and Biologicals.

(1) No change.

(2) The procedures shall include the following:

(a) An order for medications to be administered by the licensed nurse shall be dated and signed by the attending physician, physician assistant, or advanced registered nurse practitioner as required in Section 400.506(13)(17), F.S.;

(b) An order for medications shall contain the name of the patient, the name of the drug, dosage, frequency, method or site of injection, and order from the physician, physician assistant, or advanced registered nurse practitioner if the patient or caregiver are to be taught to give the medication; and

(c) A verbal order for medication or change in the medication orders from the physician, physician assistant, or advanced registered nurse practitioner shall be taken by a licensed registered nurse, reduced to writing, to include the patient's name, the date, time, order received, signature and

title. The physician, physician assistant, or advanced registered nurse practitioner shall acknowledge the telephone order within 30 days by signing and dating the orders. A verbal order or change in medication order shall be on file in the clinical record at the nurse registry within 30 days.

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 3-15-07, _____.

59A-18.017 Supplemental Staffing for Health Care Facilities.

(1) Each nurse registry may provide staffing services to health care facilities licensed under Chapter 395, F.S., Chapter 429, F.S., or under Parts I, II, III, or IV, V, or VI of Chapter 400, F.S., or other business entities on a temporary basis by licensed nurses, home health aides, and certified nursing assistants.

(2) No change.

~~(3) Nurse registries shall, at least annually, request a performance outcome evaluation from the health care facilities licensed under Chapter 395, Chapter 400 Part I, II, and Chapter 429, Part I, F.S., where the individual has provided services for that period of assignment. These evaluations shall be maintained in the individual's registration file.~~

(3)(4) Each nurse registry shall establish a system for the recording and follow-up of complaints involving individuals they referred to health care facilities or other business entity, and such records shall be kept in the individual's registration file. The nurse registry is not obligated to review records per Section 400.506(20), F.S., but the nurse registry is not prohibited from reviewing records and may do so.

~~(4)(5) Each nurse registry shall provide to the independent contractor, the name of the appropriate person at the health care facility who will be responsible for orientation to the facility.~~

(5)(6) Each nurse registry shall, upon receiving licensure and certification information, inform the health care facility or other business entity, if a licensed or certified individual being referred to the facility is on probation with their professional licensing board or certifying agency or has any other restrictions placed on their license or certification. The registry shall also advise the licensed or certified individual that this information has been given to the health care facility or other business entity and keep a copy of this information in the independent contractor's file.

(6)(7) Each nurse registry shall maintain on file the name and address of facilities to whom the independent contractor is referred for contract, the amount of the fee charged, the title of the position, and the amount of the fee received by the registry.

~~(8) If a nurse registry refers contractors to provide staffing service to a nursing home and the contractor has not maintained continuous residency within the state for the 5 years~~

~~immediately preceding the date of the request for staffing, that contractor will be required to undergo a level 2 background screening as required by Section 400.215, F.S.~~

~~(7)(9) Each nurse registry shall maintain files in an organized manner and such files will be made available for inspection by the agency during the hours the registry is in operation. The nurse registry is not obligated to review patient or client records per Section 400.506(20), F.S., but the nurse registry is not prohibited from reviewing records and may do so.~~

~~(8) The nurse registry is not obligated to monitor, manage or supervise a referred independent contractor pursuant to Section 400.506(19), F.S. In the event of violation of state law which comes to the attention of the nurse registry, the nurse registry shall take the actions specified in Section 400.506(19), F.S.~~

Rulemaking Authority 400.497, 400.506 FS. Law Implemented 400.497, 400.506 FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 8-10-06, _____.

59A-18.018 Emergency Management Plans.

(1) Pursuant to Section 400.506(16), F.S., each nurse registry shall prepare and maintain a written comprehensive emergency management plan, in accordance with the Comprehensive Emergency Management Plan for Nurse Registries, AHCA Form 3110-1017, Revised _____ 2014 December 2006, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. This document is available from the Agency for Health Care Administration at http://ahca.myflorida.com/MCHO/Emergency_Activities/index.shtml, ~~http://ahca.myflorida.com under "Licensing & Certification", and then under "Nurse Registry".~~ The plan shall describe how the nurse registry establishes and maintains an effective response to emergencies and disasters. The plan, once completed, will be sent electronically to the contact designated by the Department of Health as required in Section 400.506(12)(16)(e), F.S.

(2) through (4) No change.

(5) In the event of an emergency, the nurse registry shall implement the nurse registry's emergency management plan pursuant to Section 400.506(12)(16), F.S. Also, the registry must meet the following requirements:

(a) All administrative staff shall be informed of responsibilities for implementing the emergency management plan.

(b) If telephone service is not available during an emergency, the registry shall have a contingency plan to support communication, pursuant to Section 400.506, F.S. A contingency plan may include cell phones, contact with a community based ham radio group, public announcements

through radio or television stations, driving directly to the patient's home, and, in medical emergency situations, contact with police or emergency rescue services.

(6) Nurse registries shall assist patients who would need assistance and sheltering during evacuations because of physical, mental, or sensory disabilities in registering with the local emergency management agency, as required in Section 400.506(12)(b)(15), F.S.

(a) Upon initial contract for services, and at a minimum on an annual basis, each nurse registry shall, pursuant to Sections 400.506(12)(15) and 252.355, F.S., inform ~~the patient patients~~ and ~~the patient's family member or other person acting on behalf of the patient caregivers~~, by the best method possible as it pertains to the person's disability, of the special needs registry and procedures for registration at the special needs registry maintained by their county emergency management office.

(b) If the patient is to be registered at the special needs registry, the nurse registry shall assist the patient with registering, pursuant to Sections 400.506(12)(15) and (16)(b), F.S., and must document in the patient's file if the patient plans to evacuate or remain at home; if the patient's ~~caregiver or family or other person that provides care to the patient~~ can take responsibility during the emergency for services normally provided by independent contractors referred by the registry; or if the registry needs to make referrals in order for services to continue. If the patient has a case manager through the Community Care for the Elderly or the Medicaid Waiver programs or any other state funded program designated in law to help patients and clients register with the special needs registry, then the nurse registry will check with the case manager to verify if the patient has already been registered. If so, a note will be made in the patient's file by the nurse registry that the patient's need for registration has already been reviewed and handled by the other program's case manager.

(c) The independent contractors referred by the nurse registry, or registry staff, shall inform patients registered with the special needs registry that special needs shelters are an option of last resort and that services may not be equal to what they have received in their homes.

(d) This registration information, when collected, shall be submitted, pursuant to Section 400.506(12)(15), F.S., to the county emergency management office.

(7) The person referred for contract to a patient registered with the special needs registry, which shall include special needs registry patients being served in assisted living facilities and adult family care homes, shall ensure that the same type and quantity of continuous care is provided in the special needs shelter that was provided prior to the emergency as specified in Section 400.506(12)(16), F.S., unless circumstances beyond the control of the independent contractor as described in Section

400.506(12)(16)(d), F.S., make it impossible to continue services.

(8) When a nurse registry is unable to continue services to special needs patients registered under Section 252.355, F.S., that patient’s record must contain documentation of the efforts made by the registry to comply with their emergency management plan in accordance with Section 400.506(12)(16), F.S. Documentation includes but is not limited to contacts made to the patient’s family or other person that provides care ~~caregivers~~, if applicable, contacts made to the assisted living facility and adult family care home if applicable; contacts made to local emergency operation centers to obtain assistance in reaching patients and contacts made to other agencies which may be able to provide temporary services.

(9) Upon imminent threat of an emergency or disaster the nurse registry must contact those patients needing ongoing services pursuant to Section 400.506(12)(16)(a), F.S., and confirm each patient’s plan during and immediately following an emergency. The nurse registry shall contact the assisted living facility and adult family care home patients and confirm their plans during and immediately following an emergency.

(10) If the independent contractor is unable to provide services to special needs registry patients, including any assisted living facility and adult family care home special needs registry patients, due to circumstances beyond their control pursuant to Section 400.506(12)(16)(d), F.S., then the nurse registry will make reasonable efforts to find another independent contractor for the patient, pursuant to Section 400.506(12)(16), F.S.

(11) During emergency situations, when there is not a mandatory evacuation order issued by the local county emergency management office, some patients, registered pursuant to Section 252.355, F.S., may decide not to evacuate and will stay in their homes. The nurse registry must establish procedures, prior to the time of an emergency, which will delineate to what extent the registry will continue to arrange for care during and immediately following an emergency pursuant to Section 400.506(12)(16)(a), F.S. The registry shall also make reasonable attempts to ascertain which patients remaining at home or in their assisted living facility or adult family care home will need services from the registry and which patients have plans to receive care from their family or other persons ~~caregivers~~. If the assisted living facility or adult family care home does relocate the residents to another assisted living facility or adult family care home in the geographic area served by the nurse registry, the registry will continue to provide services to the residents. If the patients relocated outside the area served by the registry, the registry will assist the assisted living facility and adult family care home in obtaining the services of another registry already licensed for that area until the patient returns back to their original location.

(12) The prioritized list of registered special needs patients maintained by the nurse registry shall be kept current and shall include information, as defined in Sections 400.506(12)(16)(b) and (c), F.S. This list also shall be furnished to county health departments and to the county emergency management office, upon request.

(13) The independent contractor from the nurse registry is required to maintain in the home of the special needs patient a list of patient-specific medications, supplies and equipment required for continuing care and service should the patient be evacuated as per Section 400.506(12)(16)(c), F.S. The list must include the names of all medications, their dose, frequency, route, time of day and any special considerations for administration. The list must also include any allergies; the name of the patient’s physician and the physician’s phone number; and the name, phone number and address of the patient’s pharmacy. If the patient permits, the list can also include the patient’s diagnosis.

(14) The patient record for each person registered as a special needs patient shall include the list described in subsection (13) above and information as listed in Sections 400.506(12)(16)(a) and (b), F.S.

Rulemaking Authority 400.506 FS. Law Implemented 400.506 FS. History—New 8-10-06, Amended 3-15-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anne Menard

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2014

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-20.014 Gold Seal Quality Care Program

PURPOSE AND EFFECT: Chapter 2010-210, s.7, Laws of Florida, amended Section 402.281(2), Florida Statutes, to require the department to adopt rules to establish Gold Seal Quality Care accreditation standards for child care facilities. Chapter 2010-210, s. 7, Laws of Florida, also amended Section 402.281(5), Florida Statutes, to require the department to adopt rules for approving accrediting associations for participation in Gold Seal Quality Care Program.

SUMMARY: The proposed rule will require minimum standards for child care providers seeking Gold Seal designation and establish minimum standards and an approval process for accrediting associations participating in the Gold Seal Quality Care Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

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

The proposed rule language is cost neutral to providers for the purpose of licensure as participation in the Gold Seal Quality Care Program is voluntary for child care providers. The approved accrediting associations assess their own fees, and these fees are not governed by the department. Gold Seal designation is granted to providers who become accredited by an approved association and submit a request to the department to participate in the Gold Seal program. The Gold Seal designation certification issued by the department is free of charge. Gold Seal Quality Care facilities/homes are often reimbursed at a higher rate for School Readiness children and are also eligible for tax exemptions. 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.

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: 402.281 FS.

LAW IMPLEMENTED: 402.281 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: Dinah Davis, Child Care Regulation and Background Screening Program Office; 1317 Winewood Boulevard, Building 6, Room 389A, Tallahassee, Florida 32399-0700 or call (850)488-4900

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-20.014 Gold Seal Quality Care Program.

(1) Definitions.

(a) "Class I Violation" has the same meaning as provided for the same term in paragraph 65C-20.012(1)(d), F.A.C.

(b) "Class II Violation" has the same meaning as provided for the same term in paragraph 65C-20.012(1)(d), F.A.C.

(c) "Class III Violation" has the same meaning as provided for the same term in paragraph 65C-20.012(1)(d), F.A.C.

(d) Gold Seal Quality Care Provider means a family day care home or large family child care home licensed by the Department or local licensing authority, refers to a child care program that meets the accreditation compliance requirements in is accredited by a nationally recognized accrediting association pursuant to Section 402.281(1), F.S.

~~1. "Effective" refers to the beginning date of a Gold Seal Quality Care provider's designation certificate issued by the Child Care Program Office.~~

~~2. "Expired" refers to the end date of a provider's Gold Seal Quality Care designation certificate issued by the Child Care Program Office.~~

(d)(b) "Gold Seal Quality Care Accrediting Association" means refers to an accrediting association that has applied to for and been approved by the Department as an accrediting association for the purpose of Gold Seal Designation pursuant to Section 402.281(3), F.S.

~~1. "Active" refers to the status of a Gold Seal Quality Care Accrediting Association that has met all the criteria for accreditation and has been designated a Gold Seal Quality Care Accrediting Association by the department.~~

~~2. "Inactive" refers to the status of a Gold Seal Quality Care Accrediting Association in which all criteria for accreditation are no longer being successfully met or where an entity has failed to renew its active designation.~~

~~3. "Nationally Recognized" refers to an association whose accrediting body is recognized and is actively issuing accreditation certificates in at least five states at the time of approval.~~

(2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation Certificate.

A licensed Pursuant to Section 402.281(1), F.S., family day care homes or and large family child care homes program seeking to obtain designation as a Gold Seal Quality Care provider shall apply to the Department on form CF-FSP Form 5386, November 2014, Gold Seal Quality Care Provider Application, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department's website at www.myflorida.com/childcare or from the following link []. Once reviewed and approved by the Department, the designation will be issued in the name of the provider. The

designation will be effective the date approved by the Department through the duration of the provider's accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name on the accrediting association certificate required by CF-FSP Form 5386 must be the same as that on the provider's license provide the department with documentation of accreditation by an accrediting association that has been approved by the department. Acceptance of the documentation is subject to verification by the issuing accrediting association. A list of approved accrediting associations may be obtained from the Department's website at www.myflorida.com/childcare or from the following link [].

2. Meet the criteria of Section 402.281(4), F.S.

(c) To renew a Gold Seal Quality Care designation, the provider must submit CF-FSP Form 5386 at least 30 days prior to expiration of the current designation. The Department cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation.

(3)(b) Gold Seal Quality Care Enforcement.

(a)4- Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their a Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider's family day care home's Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider's accreditation. In order to obtain and maintain Gold Seal Quality Care provider designation, a family day care home must meet the additional criteria outlined in Section 402.281(3), F.S.

(b)2- A provider's Gold Seal designation will be terminated if the Department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination. If a provider's Gold Seal Quality Care designation is revoked by the department, the Gold Seal Quality Care designation will be terminated effective on the date of revocation.

(c)3- The Department will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers 180 days from the date of notification, to obtain a new accreditation certificate from an approved Gold Seal Quality Care

Accrediting Association. The Department will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180 day period. If a provider's accreditation is revoked by the accrediting association, termination of the provider's Gold Seal Quality Care designation by the department will be effective on the date of revocation.

4. If a provider receives accreditation from an inactive accrediting association, it shall not be recognized as a Gold Seal Quality Care Provider.

(4)(3) Gold Seal Quality Care Accrediting Association Requirements.

(a) An aAccrediting associations seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care programs in Florida for a period of five years prior to submission of an application to the Department.

2. Hold an active corporation registration with the Florida Department of State to do business in Florida. complete and attest to the requirements referenced on CF-FSP Form 5315, March 2009,

3. Submit and meet all requirements outlined on the Gold Seal Quality Care Accrediting Association Application, CF-FSP Form 5315, November 2014, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the Department's website at www.myflorida.com/childcare or from the following link [].

4. Submit a crosswalk of the Accrediting Association's standards with the Department's Gold Seal Quality Standards.

(b) Applications will be are accepted only in during the months of January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial. Denial of an application requires a minimum of a six month waiting period from the date of denial before re-submission during the next scheduled acceptance month.

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF-FSP 5390, November 2014, Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, this form is incorporated by reference and is effective within 90 days of the effective date of this rule. A copy of this form may be obtained from the Department's website at www.myflorida.com/childcare or from the following link []. The Department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures document,

which is incorporated by reference and may be obtained from the Department's website at www.myflorida.com/childcare or from the following link [] .

(d) The Department's Gold Seal Quality Care Standards are established in CF-FSP Form 5388, November 2014, Gold Seal Quality Care Standards for Family Day Care Homes and Large Family Child Care Programs, which is incorporated by reference and is effective within 90 days of the effective date of this rule. A copy of this form may be obtained from the Department's website at www.myflorida.com/childcare or from the following link [] .

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the Department or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

(g)(b) ~~The following acts or omissions are grounds for revocation of an accrediting association's approval. The department may revoke a Gold Seal Quality Care Accrediting Association's active status for~~

1. ~~Failure to notify the Department of a change in the association's administration, corporate structure operation or any condition under which the accreditation association was initially approved by the Department~~

2. ~~Any as a Gold Seal Quality Care Accrediting Association, if such changes resultsing in the Association's inability to meet the criteria provided in Section 402.281, F.S.~~

(h) A Gold Seal Accrediting Association must notify the Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a family day care home or large family child care home in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the Department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.

~~(i)(e) Active Gold Seal Quality Care Associations must re-apply to renew approval every five years by submitting CF-FSP Form 5315 that may be obtained from the department's website at www.myflorida.com/childcare. Re applications must be received a minimum of six months prior to end of the five-year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above.~~

or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.

(j) An accrediting association approved under this rule must notify the Department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) The Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An Accrediting Association approved by the Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups, and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

~~Failure to submit CF FSP Form 5315 every five years or denial of the application will place the accrediting association in an inactive state, during which the association is not recognized as a Gold Seal Quality Care Accrediting Association.~~

~~(d) Inactive Gold Seal Quality Care Accrediting Associations seeking to renew their active status must be in compliance with all requirements outlined on CF FSP Form 5315 as a new applicant before being reinstated as an active Gold Seal Quality Care Accrediting Association, pending department's approval.~~

~~Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History--New 5-1-08, 1-13-10, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Samantha Wass de Czege, Director, Child Care Regulation and Background Screening

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 11, 2013, Vol. 39/134

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-22.009 Gold Seal Quality Care Program

PURPOSE AND EFFECT: Chapter 2010-210, s.7, Laws of Florida, amended Section 402.281(2), Florida Statutes, to require the department to adopt rules that establish Gold Seal Quality Care accreditation standards for child care facilities.

Chapter 2010-210, s. 7, Laws of Florida, also amended Section 402.281(5), Florida Statutes, to require the department to adopt rules for approving accrediting associations for participation in Gold Seal Quality Care Program.

SUMMARY: The proposed rule will require minimum standards for child care providers seeking Gold Seal designation and establish the approval process for accrediting associations participating in the Gold Seal Quality Care Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The Agency has determined that this will 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. The Agency has prepared a statement of estimated regulatory costs (SERC) for this rule. The Department anticipates license-exempt child care providers who are currently Gold Seal designated and who wish to maintain the designation will experience direct regulatory costs in the form of the Department or local licensing agency licensing fee, and indirect regulatory costs in the form of staff training and credentialing to meet licensing standards for child care personnel. The proposed rule does not increase regulatory costs for other child care providers because participation in Gold Seal designation is voluntary and does not impact licensure. The approved accrediting associations which accredit Gold Seal providers assess their own fees independent of the Department or Department rule. The Department issues Gold Seal designations at no cost to providers that meet the criteria in Section 402.281, Florida Statutes. Gold Seal designated programs may be reimbursed at a higher rate under Voluntary Pre-K and/or School Readiness programs, and may be eligible for tax exemptions, but the Department is not involved in the administration of those programs.

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 Agency has determined the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs because the Department does not estimate direct and indirect regulatory costs related to the rule will exceed \$1 million in the aggregate within five years. A copy of the SERC is available from the contact person for this rule identified below.

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: 402.281 FS.

LAW IMPLEMENTED: Chapter 2010-210, s.7, Laws of Florida.

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: Dinah Davis, Child Care Regulation and Background Screening Program Office; 1317 Winewood Boulevard, Building 6, Room 389A, Tallahassee, Florida 32399-0700 or call (850)488-4900

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-22.009 Gold Seal Quality Care Program.

(1) Definitions.

(a) “Class I Violation” has the same meaning as provided for the same term in paragraph 65C-22.010(1)(d), F.A.C.

(b) “Class II Violation” has the same meaning as provided for the same term in paragraph 65C-22.010(1)(d), F.A.C.

(c) “Class III Violation” has the same meaning as provided for the same term in paragraph 65C-22.010(1)(d), F.A.C.

(d) Gold Seal Quality Care Provider means refers to a child care program, regulated by the department or local licensing authority, that meets the accreditation compliance requirements in is accredited by a nationally recognized accrediting association pursuant to Section 402.281(1), F.S.

(b) “Effective” refers to the beginning date of a Gold Seal Quality Care provider’s designation certificate issued by the Child Care Program Office.

(c) “Expired” refers to the end date of a provider’s Gold Seal Quality Care designation certificate issued by the Child Care Program Office.

(e)(d) “Gold Seal Quality Care Accrediting Association” refers to an means an accrediting association that has applied for to and been approved by the Department as an accrediting association for the purpose of Gold Seal Designation pursuant to Section 402.281(3), F.S.

1. “Active” refers to the status of a Gold Seal Quality Care Accrediting Association that has met all criteria for accreditation and has been designated a Gold Seal Quality Care Accrediting Association by the department.

2. “Inactive” refers to the status of a Gold Seal Quality Care Accrediting Association in which all criteria for accreditation are no longer being successfully met or where an entity has failed to renew its active designation.

~~3. “Nationally Recognized” refers to an association whose accrediting body is recognized and is actively issuing accreditation certificates in at least five states.~~

~~(f) “Regulated by the Department” means a child care facility that has been licensed by the Department or a child care facility that is exempt from licensure pursuant to Section 402.3025 or Section 402.316, Florida Statutes, that has agreed to periodic inspection by the Department as part of the application process.~~

~~(2) Gold Seal Quality Care Provider Requirements.~~

~~(a) Gold Seal Quality Care Provider Designation Certificate.~~

~~Pursuant to Section 402.281(4), F.S., A child care program regulated by the Department facility seeking to obtain a designation as a Gold Seal Quality Care provider shall apply to the Department on form CF-FSP Form 5386, November 2014, Gold Seal Quality Care Provider Application, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department’s website at www.myflorida.com/childcare or from the following link []. Once reviewed and approved by the Department, the designation will be issued in the name of the provider. The designation will be effective the date approved by the Department through the duration of the provider’s accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.~~

~~(b) In order to obtain and maintain Gold Seal designation, the applicant must:~~

~~1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name on the accrediting association certificate required by form CF-FSP Form 5386, must be the same as on the provider’s license provide the department with documentation of accreditation by an accrediting association that has been approved by the department. Acceptance of the documentation is subject to verification by the issuing accrediting association. A list of approved accrediting associations may be obtained from the department’s website at www.myflorida.com/childcare or from the following link [].~~

~~2. Meet the criteria of Section 402.281(4), F.S.~~

~~(c) To renew a Gold Seal Quality Care designation, the provider must submit CF-FSP Form 5386 at least 30 days prior to expiration of the current designation. The Department cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation.~~

~~(3)(b) Gold Seal Quality Care Enforcement.~~

~~(a)4- Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by a their Gold Seal Quality Care Accrediting Association in~~

order to retain their designation. A provider’s facility’s Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider’s accreditation. In order to obtain and maintain Gold Seal Quality Care provider designation, a child care facility must meet the additional criteria outlined in Section 402.281(3), F.S.

~~(b)2- A provider’s Gold Seal designation will be terminated if the Department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination. The effective date of a termination of a provider’s Gold Seal Quality Care designation is the date of the department’s written notification to the provider.~~

~~(c)3- The Department will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers 180 days from the date of notification to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The Department will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180-day period. If a provider receives accreditation from an inactive accrediting association, it shall not be recognized as a Gold Seal Quality Care Provider.~~

~~(4)(3) Gold Seal Quality Care Accrediting Association Requirements.~~

~~(a) An Accrediting associations seeking recognition as a Gold Seal Quality Care Accrediting Association must:~~

~~1. Have been active and accrediting child care programs in Florida for a period of five years prior to submission of an application to the Department.~~

~~2. Hold an active corporation registration with the Florida Department of State to do business in Florida, complete and attest to the requirements referenced on CF-FSP Form 5315, March 2009,~~

~~3. Submit and meet all requirements outlined on the Gold Seal Quality Care Accrediting Association Application, CF-FSP Form 5315, November 2014, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the department’s website at www.myflorida.com/childcare or from the following link [].~~

~~4. Submit a crosswalk of the Accrediting Association’s standards with the Department’s Gold Seal Quality Standards.~~

~~(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial. Denial of an application requires a minimum of a six~~

~~month waiting period from the date of denial before re-submission during the next scheduled acceptance month.~~

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF-FSP 5389, November 2014, Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities. This form is incorporated by reference and is effective within 90 days of the effective date of this rule. A copy may be obtained from the Department's website www.myflorida.com/childcare or from the following link []. The Department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures document, which is incorporated by reference and may be obtained from the Department's website at www.myflorida.com/childcare or from the following link [].

(d) The Department's Gold Seal Quality Care Standards are established in CF-FSP Form 5387, November 2014, Gold Seal Quality Care Standards for Child Care Programs, which is incorporated by reference and is effective within 90 days of the effective date of this rule. A copy of this form may be obtained from the Department's website at www.myflorida.com/childcare or from the following link [].

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the Department or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

~~(g)(b) The following acts or omissions are grounds for revocation of an accrediting association's approval. The department may revoke a Gold Seal Quality Care Accrediting Association's active status for~~

~~1. Failure to notify the Department of a change in the association's administration, corporate structure operation or any condition under which the accreditation association was initially approved by the Department.~~

~~2. Any as a Gold Seal Quality Care Accrediting Association, if such changes result in the Association's inability to meet the criteria provided in Section 402.281, F.S.~~

(h) A Gold Seal Accrediting Association must notify the Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a child care provider in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the Department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.

~~(i)(c) Active Gold Seal Quality Care Associations must re-apply to renew approval every five years by submitting CF-FSP Form 5315 that may be obtained from the department's website at www.myflorida.com/childcare. Re applications must be received a minimum of six months prior to end of the five-year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.~~

(j) An accrediting association approved under this rule must notify the Department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) The Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An Accrediting Association approved by the Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

~~Failure to submit CF FSP Form 5315 every five years or denial of the application will place the accrediting association in an inactive state, during which the association is not recognized as a Gold Seal Quality Care Accrediting Association.~~

~~(d) Inactive Gold Seal Quality Care Accrediting Associations seeking to renew their active status must be in compliance with all requirements outlined on CF FSP Form 5315 as a new applicant before being reinstated as an active Gold Seal Quality Care Accrediting Association, pending department's approval.~~

Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History—New 5-1-08, Amended 1-13-10, 8-1-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Samantha Wass de Czege, Director, Child Care Regulation and Background Screening

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Caroll, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 3, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 10, 2013, Vol. 39/133

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE NO: 68C-22.016
 RULE TITLE: Pinellas County Zones

PURPOSE AND EFFECT: The purpose of the proposed rule is to improve protection of manatees and manatee habitat by limiting allowable motorboat speed in portions of Pinellas County. This rule is being proposed after considering recommendations made by the Pinellas County Local Rule Review Committee that was formed pursuant to Section 379.2431(2)(f), FS. The effect of the rule would be to limit allowable motorboat speed in portions of western Pinellas County. Additional information is available at: <http://myfwc.com/wildlifehabitats/managed/manatee/rulemaking/>.

SUMMARY: The proposed rule would establish manatee protection zones in portions of western Pinellas County that limit allowable motorboat speed to Slow Speed. Most zones would be in effect only between April and October, while some would be in effect year-round and one would be in effect only between November 15 and March 31. The rule would add 0.5 linear miles of new Slow Speed zone on the Intracoastal Waterway. In many locations the zones would have no impact on the water because of existing boating safety zones that are more restrictive. The proposed rule includes new descriptions of the existing zones in the eastern portion of the county but the zones in this area are not being substantively changed. The new descriptions are needed so that all zone descriptions are based on the same geographic projection and the most up-to-date and accurate shoreline information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary information and analysis conducted to date.

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

RULEMAKING AUTHORITY: 379.2431(2) FS.

LAW IMPLEMENTED: 379.2431(2) FS.

HEARINGS WILL BE HELD BY COMMISSION STAFF AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: January 27, 2015, 6:00 p.m.

PLACE: Treasure Island City Hall Auditorium, 120 108th Avenue, Treasure Island, FL 33706

DATE AND TIME: January 28, 2015, 6:00 p.m.

PLACE: Clearwater Community Sailing Association, 1001 Gulf Boulevard, Clearwater, FL 33767

The final public hearing will be held by the Commission in April 2015 or later. Another notice will be published in the FAR when the date and location of the final hearing is set. The Commission’s agenda for this meeting will indicate the specific day when this item is scheduled to be addressed.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these hearings is asked to advise the agency at least 5 days before the hearing by contacting the FWC at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Comments may be submitted by e-mail to ManateeRuleComments@MyFWC.com (please reference Pinellas County in the subject line).

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 68C-22.016 follows. See Florida Administrative Code for present text.)

68C-22.016 Pinellas County Zones.

(1) The Commission hereby designates the waters within Pinellas County, as described below, as areas where manatee sightings are frequent and where the best available information supports the conclusion that manatees inhabit these areas on a regular or periodic basis. The primary purpose of this rule is to

protect manatees from harmful collisions with motorboats and from harassment by regulating the speed and operation of motorboats within these designated areas. A secondary purpose is to protect manatee habitat. In consideration of balancing the rights of fishers, boaters, and water skiers to use the waters of the state for recreational and commercial purposes (as applicable under Section 379.2431(2)(k), F.S.) with the need to provide manatee protection, the Commission has examined the need for limited lanes, corridors, or unregulated areas that allow higher speeds through or within regulated areas. Such lanes, corridors, or areas are provided in those locations where the Commission determined they are consistent with manatee protection needs.

(2) The following year-round and seasonal zones are established, which include all associated and navigable tributaries, lakes, creeks, coves, bays, backwaters, canals, channels, boat basins, and other waterways unless otherwise designated or excluded. Coordinates used in the descriptions of zone boundaries are referenced to the North American Datum of 1983 (NAD83) using the HARN Florida GDL Albers projection.

(a) SLOW SPEED (year-round)

1. Anclote River, Tarpon Bayou, Spring Bayou Area: All waters east of a line that bears 46° from a point (approximate latitude 28° 9' 44.0" North, approximate longitude 82° 46' 47.6" West) on the southern shoreline of the Anclote River (about 800 feet southeast of North Florida Avenue), and west of a line that bears 346° from a point (approximate latitude 28° 9' 24.4" North, approximate longitude 82° 45' 51.6" West) on the southern shoreline of the Anclote River (about 100 feet west of Roosevelt Blvd), including all waters of Spring Bayou and Tarpon Bayou north of a line that bears 270° from a point (approximate latitude 28° 8' 45.6" North, approximate longitude 82° 45' 43.4" West) on the shoreline on the south side of the boat ramp at Craig Park, but excluding Kreamer Bayou and associated waters west and south of a line that bears 358° from a point (approximate latitude 28° 9' 26.2" North, approximate longitude 82° 46' 12.0" West) on the northern shoreline of Chesapeake Point to the southern shoreline of the peninsula that contains Bayshore Drive and North Casamia Circle;

2. Clearwater Area:

a. All waters, including the Intracoastal Waterway channel, north of the centerline of the Memorial Causeway (SR 60) Bridge, south of a line that bears 283° from a point (approximate latitude 27° 58' 29.8" North, approximate longitude 82° 48' 11.3" West) on the western shoreline of the peninsula that contains the Seminole Street boat ramp to the eastern shoreline of the island that contains Windward Island Road, and east of a line that bears 188° from a point (approximate latitude 27° 58' 23.7" North, approximate

longitude 82° 48' 39.6" West) on the southern shoreline of the island that contains Windward Island Road to the northern shoreline of the Memorial Causeway; and

b. All waters east of the marked channel of the Intracoastal Waterway, north of the aforementioned line that bears 283° from the western shoreline of the peninsula that contains the Seminole Street boat ramp and south of a line that bears 271° from a point (approximate latitude 27° 59' 20.5" North, approximate longitude 82° 47' 55.9" West) on the shoreline of the peninsula on the south side of Stevenson Creek that contains Venetian Point Drive;

3. Narrows Area: All waters outside of the marked channel of the Intracoastal Waterway (ICW) south of a line that bears 58° from a point (approximate latitude 27° 51' 52.3" North, approximate longitude 82° 50' 49.7" West) on the western shoreline of The Narrows (about 7340 feet south of the Indian Rocks Beach / Walsingham Road (SR 688) Bridge, running through green ICW channel marker 27), and north of a line that bears 83° from a point (approximate latitude 27° 51' 3.3" North, approximate longitude 82° 50' 32.4" West) on the western shoreline of The Narrows (about 350 feet south of green ICW channel marker 19);

4. Johns Pass Area: All waters of Johns Pass and Boca Ciega Bay (excluding the residential canals and side waterways of Madeira Beach and Treasure Island) east of the centerline of the Gulf Boulevard (SR 699) Bridge, and west of the following line: Begin at a point (approximate latitude 27° 47' 43.5" North, approximate longitude 82° 46' 49.5" West) on the eastern shoreline of the island that contains Johns Pass Avenue, then bear 96° for a distance of approximately 2310 feet to a point (latitude 27° 47' 41.0" North, longitude 82° 46' 23.9" West) in the water near to the northeast of Little Bird Key, then bear 135° for a distance of approximately 3095 feet to another point (approximate latitude 27° 47' 19.1" North, approximate longitude 82° 45' 59.8" West) in the water, then bear 202° to the line's terminus on the northeastern shoreline of the peninsula that contains 126th Avenue;

5. Boca Ciega Isle Area: All waters south of 55th Avenue, north of 41st Avenue, and west of the following line: Begin at a point (approximate latitude 27° 43' 51.4" North, approximate longitude 82° 44' 11.9" West) on the southeastern shoreline of the peninsula that contains Pali Way, then bear 170° for a distance of approximately 2400 feet to a point (approximate latitude 27° 43' 28.0" North, approximate longitude 82° 44' 7.6" West) in the water northwest of Boca Ciega Isle, then bear 123° for a distance of approximately 290 feet to another point (approximate latitude 27° 43' 26.4" North, approximate longitude 82° 44' 4.9" West) in the water, then bear 50° for a distance of approximately 2510 feet to a point (approximate latitude 27° 43' 42.1" North, approximate longitude 82° 43' 43.2" West) in the water north of Boca Ciega Isle (west of red

Intracoastal Waterway channel marker 30), then bear 155° for a distance of approximately 2430 feet to a point (approximate latitude 27° 43' 20.1" North, approximate longitude 82° 43' 32.1" West) in the water (west of green Intracoastal Waterway channel marker 29), then bear 198° to the line's terminus on the eastern shoreline of the peninsula that contains 41st Avenue;

6. Broadwater Area: All waters in the canal system between 42nd Avenue South and 46th Avenue South, east of a line that bears 12° from a point (approximate latitude 27° 43' 50.9" North, approximate longitude 82° 41' 33.8" West) on the shoreline of the peninsula that contains 45th Street South; and all waters of the canal system between 48th Avenue South and 49th Avenue South, east of a line that bears 191° from a point (approximate latitude 27° 43' 30.1" North, approximate longitude 82° 41' 40.6" West) on the shoreline of the peninsula that contains 48th Street South;

7. Indian Key, Frenchman Creek Area: All waters of Frenchman Creek; and all waters north of Indian Key and a line that bears 66° from a point (approximate latitude 27° 42' 16.0" North, approximate longitude 82° 41' 5.3" West) on the eastern shoreline of Indian Key to a point (approximate latitude 27° 42' 22.1" North, approximate longitude 82° 40' 49.7" West) on the eastern shoreline of Boca Ciega Bay, south of 62nd Avenue South and a line that bears 81° from a point (approximate latitude 27° 42' 38.3" North, approximate longitude 82° 41' 33.2" West) on the eastern shoreline of the peninsula that contains 62nd Avenue South, and east of a line beginning at a point (approximate latitude 27° 42' 8.4" North, approximate longitude 82° 41' 52.5" West) in the water approximately 120 feet west of Indian Key, then bearing 15° for a distance of approximately 1350 feet to a point (approximate latitude 27° 42' 21.2" North, approximate longitude 82° 41' 48.4" West) in the water, then bearing 355° to the line's terminus on the southwestern shoreline of the peninsula that contains 62nd Avenue South, excluding those water within 200 feet of said peninsula west of a line that bears 150° from a point (approximate latitude 27° 42' 37.1" North, approximate longitude 82° 41' 34.1" West) on the southern shoreline;

8. Fort De Soto Area: All waters of Mullet Key Bayou and associated waters east and north of Anderson Boulevard, west of Pinellas Bayway South, and south of a line that bears 358° from a point (approximate latitude 27° 38' 36.4" North, approximate longitude 82° 43' 52.5" West) on the northern shoreline of Mullet Key to a point (latitude 27° 38' 39.2" North, longitude 82° 43' 52.5" West) in the water then bears 85° to a point (approximate latitude 27° 38' 42.2" North, approximate longitude 82° 43' 5.6" West) on the western shoreline of Madelaine Key (southwest of the boat ramps).

(b) SLOW SPEED (April 1 – November 15)

1. Safety Harbor Area: All waters south and east of the centerline of the SR 580 Bridge and inshore of the following

line: Begin at a point (approximate latitude 28° 0' 8.2" North, approximate longitude 82° 40' 43.2" West) on the western shoreline of Old Tampa Bay, then bear 80° for a distance of approximately 1620 feet to a point (approximate latitude 28° 0' 10.8" North, approximate longitude 82° 40' 25.3" West) in the water, then bear 12° for a distance of approximately 1245 feet to a point (approximate latitude 28° 0' 22.8" North, approximate longitude 82° 40' 22.2" West) in the water, then bear 333° for a distance of approximately 1055 feet to a point (approximate latitude 28° 0' 32.2" North, approximate longitude 82° 40' 27.4" West) in the water, then bear 321° for a distance of approximately 2920 feet to a point (approximate latitude 28° 0' 54.8" North, approximate longitude 82° 40' 47.7" West) in the water, then bear 335° for a distance of approximately 1990 feet to a point (approximate latitude 28° 1' 12.7" North, approximate longitude 82° 40' 56.8" West) in the water, then bear 348° for a distance of approximately 1650 feet to a point (approximate latitude 28° 1' 28.7" North, approximate longitude 82° 41' 0.5" West) in the water, then bear 41° for a distance of approximately 1560 feet to a point (approximate latitude 28° 1' 40.2" North, approximate longitude 82° 40' 48.8" West) in the water, then bear 79° for a distance of approximately 2125 feet to a point (approximate latitude 28° 1' 44.1" North, approximate longitude 82° 40' 25.5" West) in the water, then bear 101° for a distance of approximately 905 feet to a point (approximate latitude 28° 1' 42.3" North, approximate longitude 82° 40' 15.6" West) in the water, then bear 139° for a distance of approximately 1280 feet to a point (approximate latitude 28° 1' 32.7" North, approximate longitude 82° 40' 6.4" West) in the water, then bear 172° for a distance of approximately 635 feet to a point (approximate latitude 28° 1' 26.4" North, approximate longitude 82° 40' 5.4" West) in the water, then bear 190° for a distance of approximately 1750 feet to a point (approximate latitude 28° 1' 9.4" North, approximate longitude 82° 40' 9.0" West) in the water, then bear 201° for a distance of approximately 555 feet to a point (approximate latitude 28° 1' 4.3" North, approximate longitude 82° 40' 11.3" West) in the water, then bear 183° for a distance of approximately 1035 feet to a point (approximate latitude 28° 0' 54.1" North, approximate longitude 82° 40' 12.0" West) in the water, then bear 168° for a distance of approximately 705 feet to a point (approximate latitude 28° 0' 47.3" North, approximate longitude 82° 40' 10.4" West) in the water, then bear 143° for a distance of approximately 715 feet to a point (approximate latitude 28° 0' 41.6" North, approximate longitude 82° 40' 5.6" West) in the water, then bear 164° for a distance of approximately 1610 feet to a point (approximate latitude 28° 0' 26.3" North, approximate longitude 82° 40' 0.9" West) in the water, then bear 174° for a distance of approximately 1205 feet to a point (approximate latitude 28° 0' 14.4" North, approximate longitude 82° 39' 59.6" West) in the water, then bear 88° for a distance of

approximately 870 feet to the line's terminus on the eastern shoreline of Safety Harbor:

2. North of Courtney Campbell Causeway: All waters north of Courtney Campbell Causeway, south of a line that bears 80° from a point (approximate latitude 28° 0' 8.2" North, approximate longitude 82° 40' 43.2" West) on the western shoreline of Old Tampa Bay, and west of the following line: Begin at a point (approximate latitude 27° 57' 46.2" North, approximate longitude 82° 41' 8.4" West) on the northern shoreline of the Courtney Campbell Causeway, then bear 13° for a distance of approximately 2825 feet to a point (approximate latitude 27° 58' 13.3" North, approximate longitude 82° 41' 1.0" West) in the water, then bear 28° for a distance of approximately 2000 feet to a point (approximate latitude 27° 58' 30.6" North, approximate longitude 82° 40' 50.2" West) in the water, then bear 327° for a distance of approximately 1310 feet to a point (approximate latitude 27° 58' 41.6" North, approximate longitude 82° 40' 58.0" West) in the water, then bear 346° for a distance of approximately 2840 feet to a point (approximate latitude 27° 59' 8.9" North, approximate longitude 82° 41' 5.2" West) in the water, then bear 5° for a distance of approximately 680 feet to a point (approximate latitude 27° 59' 15.6" North, approximate longitude 82° 41' 4.4" West) in the water, then bear 36° for a distance of approximately 4410 feet to a point (approximate latitude 27° 59' 50.8" North, approximate longitude 82° 40' 35.3" West) in the water, then bear 29° for a distance of approximately 1365 feet to a point (approximate latitude 28° 0' 2.5" North, approximate longitude 82° 40' 27.7" West) in the water, then bearing 13° for a distance of approximately 870 feet to the line's terminus on the aforementioned line that bears 80° from a point on the western shoreline of Old Tampa Bay.

(c) SLOW SPEED (April 1 – October 31)

1. Indian Rocks Beach Area: All waters south of a line that bears 114° from a point (approximate latitude 27° 54' 29.1" North, approximate longitude 82° 50' 6.3" West) on the shoreline of the peninsula that contains Harbor Drive North to the western shoreline of the island that contains Buttonwood Lane, and north of the centerline of the Indian Rocks Beach / Walsingham Road (SR 688) Bridge, including the waters of McKay Creek west of the centerline of Indian Rocks Road, but excluding the marked channel of the Intracoastal Waterway and the following areas:

a. The basin between 20th Avenue and Harbor Drive, west of a line that bears 6° from a point (approximate latitude 27° 54' 17.4" North, approximate longitude 82° 50' 31.9" West) on the shoreline of the peninsula that contains 20th Avenue Parkway; and

b. The basins between 12th Avenue and 20th Avenue, west of a line that bears 46° from a point (approximate latitude 27° 53' 51.2" North, approximate longitude 82° 50' 26.1" West) on

the shoreline of the peninsula that contains 12th Avenue to the shoreline of the peninsula that contains 20th Avenue;

2. Redington Shores Area: All waters east of a line that bears 189° from a point (approximate latitude 27° 50' 4.1" North, approximate longitude 82° 49' 49.8" West) on the southern shoreline of Conch Key (about 250 feet east of red Intracoastal Waterway channel marker 4), west of the peninsula that contains Oakhurst Drive, and north of the following line: Begin at the southern terminus of the aforementioned line from Conch Key, then run approximately 1500 feet east along the northern shoreline of the peninsula that contains 182nd Avenue East to the easternmost point (approximate latitude 27° 49' 56.0" North, approximate longitude 82° 49' 35.7" West) of the peninsula, then bear 28° for a distance of approximately 600 feet to a point (approximate latitude 27° 50' 1.1" North, approximate longitude 82° 49' 32.6" West) in the water on the northern boundary of the marked channel of the Intracoastal Waterway (about 230 feet east of red Intracoastal Waterway channel marker 2), then bear 118° for a distance of approximately 2050 feet to red Intracoastal Waterway channel marker 24 (approximate latitude 27° 49' 51.4" North, approximate longitude 82° 49' 12.5" West), then bear 102° to a point (approximate latitude 27° 49' 47.3" North, approximate longitude 82° 48' 52.5" West) on the northwestern shoreline of the large unnamed island south of Boca Ciega Millennium Park, then run along the northern and eastern shorelines of said island to a point (approximate latitude 27° 49' 40.2" North, approximate longitude 82° 48' 46.0" West) on its southeastern shoreline, then bear 113° to a point (approximate latitude 27° 49' 34.5" North, approximate longitude 82° 48' 31.2" West) on the northwestern shoreline of the unnamed island to the southeast, then run along the northern and eastern shorelines of said island to a point (approximate latitude 27° 49' 28.8" North, approximate longitude 82° 48' 24.1" West) on its southeastern shoreline, then bear 129° to the line's terminus at a point on the western shoreline of the peninsula that contains Oakhurst Drive;

3. West of War Veteran's Memorial Park: All waters north of a line that bears 131° from a point (approximate latitude 27° 48' 37.5" North, approximate longitude 82° 47' 16.2" West) on the shoreline of Boca Ciega Bay near Madeira Beach Elementary School and runs approximately 6225 feet to a point (latitude 27° 47' 56.8" North, longitude 82° 46' 24.1" West) in the water then bears 83° to a point (approximate latitude 27° 47' 57.8" North, approximate longitude 82° 46' 13.6" West) on the western shoreline of Turtlecrawl Point in War Veteran's Memorial Park, excluding the basin east of Bay Pines Terrace;

4. Long Bayou, Dog Leg Key Area: All waters east of the following line: Begin at a point (latitude 27° 48' 6.1" North, longitude 82° 45' 52.7" West) in the water west of Dog Leg Key and east of Bay Pines channel marker 16, then bear 176° for a

distance of approximately 325 feet to another point (approximate latitude 27° 48' 2.9" North, approximate longitude 82° 45' 52.5" West) in the water, then bear 143° for a distance of approximately 3130 feet to Jungle Beach channel marker 7 (approximate latitude 27° 47' 37.9" North, approximate longitude 82° 45' 31.8" West), then bear 154° for a distance of approximately 1580 feet to another point (approximate latitude 27° 47' 23.8" North, approximate longitude 82° 45' 24.3" West) in the water, then bear 141° to the line's terminus at a point (approximate latitude 27° 47' 18.6" North, approximate longitude 82° 45' 19.7" West) in the water approximately 315 feet west of the eastern shoreline of Boca Ciega Bay just to the north of the Jungle Prada boat ramp, south of the following line: Begin at a point (approximate latitude 27° 48' 9.2" North, approximate longitude 82° 45' 27.4" West) on the eastern shoreline of Long Bayou (near 33rd Avenue North), then bear 260° to the easternmost point of Dog Leg Key, then run along the southern shoreline of Dog Leg Key to its westernmost point, then bear approximately 257° for a distance of approximately 370 to the line's terminus at the aforementioned point in the water east of Bay Pines channel marker 16, and north of a line that bears 275° from a point (approximate latitude 27° 47' 18.3" North, approximate longitude 82° 45' 16.2" West) on the eastern shoreline of Boca Ciega Bay just to the north of the Jungle Prada boat ramp;

5. North of Treasure Island Causeway: All waters south of a line that bears 275° from a point (approximate latitude 27° 47' 18.3" North, approximate longitude 82° 45' 16.2" West) on the eastern shoreline of Boca Ciega Bay just to the north of the Jungle Prada boat ramp, north of the centerline of the Treasure Island / Central Avenue Bridge, and west of the following line: Begin at a point (approximate latitude 27° 47' 18.6" North, approximate longitude 82° 45' 19.7" West) in the water approximately 315 feet west of the eastern shoreline of Boca Ciega Bay just to the north of the Jungle Prada boat ramp, then bear 190° for a distance of approximately 1585 feet to another point (approximate latitude 27° 47' 3.2" North, approximate longitude 82° 45' 23.0" West) in the water, then bear 152° for a distance of approximately 3450 feet to a point (approximate latitude 27° 46' 32.9" North, approximate longitude 82° 45' 5.4" West) in the water northeast of Intracoastal Waterway channel marker 16, then bear approximately 183° for a distance of approximately 1330 feet to a point (approximate latitude 27° 46' 19.8" North, approximate longitude 82° 45' 6.5" West) in the water (corresponding to the current northeast corner of a state boating safety zone), then bear 179° to the line's terminus on the Treasure Island Causeway;

6. 79th Street South, South Pasadena Area: All waters south of a line that bears 231° from a point (approximate latitude 27° 45' 44.4" North, approximate longitude 82° 44' 30.1" West) on the eastern shoreline of Boca Ciega Bay (near the southwesterly

extension of Villa Grande Avenue South) to the eastern shoreline of the peninsula that contains 9th Avenue South (including those waters in the basin between 9th Avenue South and 10th Avenue South and in the basin between 10th Avenue South and 79th Street South), and north of the following line: Begin at a point (approximate latitude 27° 45' 18.1" North, approximate longitude 82° 45' 2.6" West) on the southern shoreline of the peninsula that contains the southernmost section of 79th Street South, then bear 134° to the northernmost point (approximate latitude 27° 45' 16.4" North, approximate longitude 82° 45' 0.7" West) of Deadman Key, then bear 92° to a point (approximate latitude 27° 45' 15.6" North, approximate longitude 82° 44' 42.9" West) on the northwestern shoreline of the peninsula that contains Sun Island Drive South, then run along the northern shoreline of said peninsula to a point (approximate latitude 27° 45' 15.6" North, approximate longitude 82° 44' 40.1" West) on its northeastern shoreline, then bear 93° to a point (approximate latitude 27° 45' 15.3" North, approximate longitude 82° 44' 36.1" West) on the northwestern shoreline of the peninsula that contains Bay Island Drive South, then run along the northern shoreline of said peninsula to a point (approximate latitude 27° 45' 15.2" North, approximate longitude 82° 44' 33.5" West) on its northeastern shoreline, then bear 90° to the line's terminus on the eastern shoreline of Boca Ciega Bay (about 250 feet north of Huffman Way);

7. Pasadena Avenue Area:

a. All waters, including the Intracoastal Waterway channel, south of a line that bears 261° from a point (approximate latitude 27° 45' 22.4" North, approximate longitude 82° 45' 18.9" West) on the shoreline of the peninsula that contains 13th Avenue South, north and west of the centerline of the Pasadena Avenue South (SR 693) Bridge, and west of a line that bears 134° from a point (approximate latitude 27° 45' 18.1" North, approximate longitude 82° 45' 2.6" West) on the southern shoreline of the peninsula that contains the southernmost section of 79th Street South to the northernmost point (approximate latitude 27° 45' 16.4" North, approximate longitude 82° 45' 0.7" West) of Deadman Key, excluding the basin between 79th Street South and 80th Street South; and

b. All waters, including the Intracoastal Waterway channel, east and south of the centerline of the Pasadena Avenue South (SR 693) Bridge, south of a line that bears 100° from a point (approximate latitude 27° 44' 50.5" North, approximate longitude 82° 44' 43.7" West) on the southeastern shoreline of Deadman Key to a point (approximate latitude 27° 44' 47.3" North, approximate longitude 82° 44' 24.0" West) on the western shoreline of Pasadena Isle and then runs along the southern shoreline of said isle to a point (approximate latitude 27° 44' 37.3" North, approximate longitude 82° 44' 5.2" West) on its southern shoreline, and north and west of a line that bears 178° from the aforementioned point on the southern shoreline

of Pasadena Isle for a distance of approximately 300 feet to a point (latitude 27° 44' 34.3" North, longitude 82° 44' 5.2" West) in the water southeast of South Pasadena Marina channel marker 2 and then bears 229° to a point (approximate latitude 27° 44' 25.7" North, approximate longitude 82° 44' 16.8" West) on the eastern shoreline of the peninsula that contains 64th Avenue;

8. Pasadena Golf Club Area: All waters of Bear Creek west and south of La Plaza Avenue South; and all waters east of the centerline of the Shore Drive South Bridge to Pasadena Isle, and north of the following line: Begin at a point (approximate latitude 27° 44' 37.3" North, approximate longitude 82° 44' 5.2" West) on the southern shoreline of Pasadena Isle, then bear 178° for a distance of approximately 300 feet to a point (latitude 27° 44' 34.3" North, longitude 82° 44' 5.2" West) in the water southeast of South Pasadena Marina channel marker 2, then bear 139° for a distance of approximately 1490 feet to a point (approximate latitude 27° 44' 23.1" North, approximate longitude 82° 43' 54.4" West) in the water (east of red Intracoastal Waterway channel marker 34), then bear 99° for a distance of approximately 2590 feet to a point (approximate latitude 27° 44' 19.0" North, approximate longitude 82° 43' 25.9" West) in the water south of Kipps Colony, then bear 36° to the line's terminus on the southwestern shoreline of the peninsula that contains Bayview Circle South;

9. Isle Del Sol Area: All waters west of the Pinellas Bayway South, north of a line that bears 311° from a point (approximate latitude 27° 41' 42.8" North, approximate longitude 82° 43' 1.4" West) on the western shoreline of the Pinellas Bayway South Causeway to a point (latitude 27° 41' 58.1" North, longitude 82° 43' 21.0" West) in the water (northeast of red Intracoastal Waterway channel marker 24), and east of a line bearing 8° from said point in the water east of channel marker 24 to a point (approximate latitude 27° 42' 12.8" North, approximate longitude 82° 43' 18.3" West) on the southern shoreline of Isle Del Sol;

10. Tierra Verde Area: All waters south of a line that bears 108° from a point (approximate latitude 27° 40' 57.5" North, approximate longitude 82° 43' 8.6" West) on the eastern shoreline of Paradise Key, west of a line that bears 179° from a point (approximate latitude 27° 40' 33.3" North, approximate longitude 82° 41' 47.3" West) in the water northwest of Tarpon Key to a point (approximate latitude 27° 39' 28.0" North, approximate longitude 82° 41' 47.0" West) in the water on the northern boundary of the marked channel in Bunces Pass, north of the marked channel in Bunces Pass, and east of the Pinellas Bayway South, excluding the canals north of 13th Street East and the deeper water area bounded on the east by a line that bears 182° from a point (approximate latitude 27° 40' 55.5" North, approximate longitude 82° 43' 1.9" West) in the water south of Little Bird Key to a point (approximate latitude 27° 40'

24.5" North, approximate longitude 82° 43' 3.5" West) in the water east of 13th Street East and bounded on the south by a line that bears 107° from a point (approximate latitude 27° 40' 26.4" North, approximate longitude 82° 43' 10.0" West) on the shoreline of the peninsula that contains 13th Street East to the aforementioned point in the water east of 13th Street East.

(d) SLOW SPEED (November 15 – March 31) – Whitcomb Bayou Area: All waters of Whitcomb Bayou south of a line that bears 270° from a point (approximate latitude 28° 8' 45.6" North, approximate longitude 82° 45' 43.4" West) on the shoreline on the south side of the boat ramp at Craig Park.

(3) Maps depicting the zones described in this rule are available on the agency's website at <http://myfwc.com>. The maps are intended only as visual aids and do not have regulatory effect; therefore, in the event of conflict between the maps and the descriptions of the zones provided by this rule, the rule text shall prevail.

SEE INDIVIDUAL SECTION II FOR MAPS

Rulemaking Authority 379.2431(2) ~~370.12(2)(a)~~ FS. Law Implemented 379.2431(2) ~~370.12(2)(d), (k), (a)~~ FS. History--New 1-5-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Thomas Eason, Director of the Division of Habitat and Species Conservation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioners of the Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 10, 2014

Section III
Notice of Changes, Corrections and Withdrawals

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-21.002	Definitions
67-21.004	Federal Set-Aside Requirements for MMRB Loans
67-21.010	Issuance of Revenue Bonds
67-21.013	Non-Credit Enhanced Multifamily Mortgage Revenue Bonds

- 67-21.019 Issuance of Bonds for Section 501(c)(3) Entities
- 67-21.027 HC General Program Procedures and Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 185, September 23, 2014 issue of the Florida Administrative Register.

The following subsections in Rule 67-21.002 have been changed to read:

(38) “Elderly Housing” means housing or a unit being occupied or reserved for qualified persons pursuant to the Federal Fair Housing Act and Section 760.29(4), F.S. ~~The Federal Fair Housing Act is incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <https://www.flrules.org/gateway/reference.asp?No=Ref 02838>.~~

(60) “HUD Risk Sharing Program” means the program authorized by section 542(c) of the Housing and Community Development Act of 1992, ~~which is adopted and incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02839>.~~

(63) “IRC” or “Internal Revenue Code” means Sections ~~42, 142, 147, 151, and 501~~ of the Internal Revenue Code of 1986, together with corresponding and applicable final, temporary or proposed regulations, notices, and revenue rulings issued with respect thereto by the Treasury or the Internal Revenue Service of the United States, ~~which are incorporated by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02833>, <http://www.flrules.org/Gateway/reference.asp?No=Ref 02834>, <http://www.flrules.org/Gateway/reference.asp?No=Ref 02835>, <http://www.flrules.org/Gateway/reference.asp?No=Ref 02836> and <http://www.flrules.org/Gateway/reference.asp?No=Ref 02837>.~~

(88) “Qualified Institutional Buyer” is sometimes called a “sophisticated investor” and specifically includes the following:

(a) Any of the following entities, acting for its own account or the accounts of other Qualified Institutional Buyers that, in the aggregate, own and invest on a discretionary basis at least \$100 million in securities of issuers that are not affiliated with the entity:

1. Any insurance company as defined in section 2(13) of the Securities Act of 1933, ~~which is adopted and incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02840>;~~

2. Any investment company registered under the Investment Company Act of 1940 or any business development company as defined in section 80a-2(a)(48) of that Act, ~~which is adopted and incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02841>;~~

3. Any Small Business Investment Company licensed by the U.S. Small Business Administration under section 301(c) or (d) of the Small Business Investment Act of 1958, ~~which is adopted and incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02842>;~~

4. No change.

5. Any employee benefit plan within the meaning of Title I of the Employee Retirement Income Security Act of 1974, ~~which is adopted and incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02843>;~~

6. No change.

7. Any business development company as defined in section 80b-2(a)(22) of the Investment Advisors Act of 1940, ~~which is adopted and incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02844>;~~

8. No change.

(b) Any dealer registered under section 15 of the Securities Exchange Act of 1934, ~~which is adopted and incorporated herein by reference and available on the Corporation’s Website under the Multifamily Programs link labeled Non Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref 02845>,~~ acting on its own behalf or on the behalf of other Qualified Institutional Buyers who in the aggregate own and invest at least \$10 million of securities of issuers not affiliated with the dealer (not including securities held pending public offering).

(c) through (f) No change.

The following subsection in Rule 67-21.004 has been changed to read:

(3) For Developments financed solely through the issuance of Taxable Bonds or refundings of Tax-exempt Bonds originally issued under section 103(b)(4)(A) of the Internal Revenue Code of 1954, as amended, ~~which is adopted and incorporated herein by reference and available on the Corporation's Website under the Multifamily Programs link labeled Non-Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02847>~~, 20 percent of the residential units in the Development shall be occupied by or reserved for occupancy by a Family whose Annual Household Income does not exceed 80 percent of the area median income limits adjusted for Family size (the 20/80 set-aside).

Rule 67-21.010 has been changed to read:

The Corporation shall fund Mortgage Loans with the proceeds from the sale of Bonds. The issuance and sale of the Bonds shall be governed by resolutions adopted by the Corporation and by Section 420.509, F.S., and this Rule Chapter ~~applicable law and rule~~. If Bonds cannot be sold or cannot be sold in an amount or at an interest rate or under conditions which satisfy the Credit Underwriting Report, as the same may be amended, the Corporation shall terminate its MMRB Loan Commitment and such other agreements as were executed in conjunction with the proposed MMRB Loan.

Rule 67-21.013 has been changed to read:

(1) No change.

(2) The Bonds shall be issued in minimum denominations of \$250,000 (subject to reduction by means of redemption) and an investment letter satisfactory to the Corporation and its counsel shall be obtained from each initial purchaser of the Bonds (including any purchaser purchasing such Bonds in an immediate resale from an underwriter), but shall not be required of subsequent purchasers of the Bonds, to the effect that, among other things, such purchaser is a Qualified Institutional Buyer, is purchasing such Bonds for its own account and not for immediate resale to a purchaser other than ~~a another~~ Qualified Institutional Buyer, and has made an independent investment decision as a sophisticated or institutional investor; or

(3) No change.

The following paragraph of Subsection (3) in Rule 67-21.019 has been changed to read:

(a) An initial Bond Counsel fee of \$1,000 along with IRS Form 1023, ~~Rev. December 2013, which is adopted and incorporated herein by reference and available on the Corporation's Website under the Multifamily Programs link labeled Non-Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02853>~~, and all attachments and correspondence to and from the IRS relative to section 501(c)(3) status of the Applicant; and The following subsection in Rule 67-21.027 has been changed to read:

(3) All of the dwelling units within a Housing Credit Development shall be rented or available for rent on a continuous basis to members of the general public. The owner of the Housing Credit Development shall not give preference to any particular class or group in renting the dwelling units in the Housing Credit Development, except to the extent that dwelling units are required to be rented to Eligible Persons. All Housing Credit Developments must comply with the Fair Housing Act as implemented by 24 CFR Part 100, Section 504 of the Rehabilitation Act of 1973 as implemented by 24 CFR Part 8 ("Section 504 and its related regulations"), and Titles II and III of the Americans with Disabilities Act of 1990 as implemented by 28 CFR Part 35. To the extent that a Housing Credit Development is not otherwise subject to Section 504 and its related regulations, the Housing Credit Development shall nevertheless comply with Section 504 and its related regulations as requirements of the Housing Credit Program to the same extent as if the Housing Credit Development were subject to Section 504 and its related regulations in all respects. To that end, for purposes of the Housing Credit Program, a Housing Credit Allocation shall be deemed "Federal financial assistance" within the meaning of that term as used in Section 504 and its related regulations for all Housing Credit Developments. ~~Section 504 of the Rehabilitation Act of 1973, as implemented by 24 CFR Part 8, is incorporated by reference and available on the Corporation's Website under the Multifamily Programs link labeled Non-Competitive Funding Programs or from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02854>~~.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: RULE TITLE:
69I-22.002 Definitions Applicable to Chapter 69I-22

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 225, November 19, 2014 issue of the Florida Administrative Register.

Subsection (1) has been deleted.

Subsection (3) has been changed to read:

(3) "Participating Financial Institution" means a bank, national association, savings and loan association, mutual savings bank, or a credit union which is chartered by either any state or the federal government and authorized by the applicable federal reserve bank to receive commercial automated clearing house transactions and is thus eligible to receive State of Florida direct deposits by electronic funds transfer.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-505.350 Grant Funding

NOTICE IS HEREBY GIVEN that on December 16, 2014, the Department of Environmental Protection received a petition for a variance pursuant to §120.542, F.S., from subsection 62-505.350(4), F.A.C., from the City of Dunnellon (City).

The City, which qualifies as a financially disadvantaged community as defined in Rule 62-505, F.A.C., was issued a Small Community Wastewater Facilities Construction Grant on February 28, 2013. The project was requested by the Department and will remove the Rio Vista wastewater treatment facility that is not in compliance with the DEPs rules. Amendment 1 to the Grant Agreement was executed on March 17, 2014, and increased grant eligible funding to \$1,004,384.

Subsection 62-505.350(4), F.A.C., limits grant funds to no more than \$500,000 annually (State of Florida fiscal year July 1 to June 30). Construction of the grant project commenced on October 13, 2014, and the construction contract completion date is March 12, 2015. Therefore, grant eligible costs incurred will exceed the \$500,000 annual limitation.

The City is requesting a one-time variance from Rule 32-505.350, and further requests to be reimbursed for all eligible

costs incurred, up to the grant amount, upon receipt of complete disbursement requests including all deliverables.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lea Crandall, Agency Clerk at (850)245-2242 or lea.crandall@dep.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

The Department of Financial Services, Division of Consumer Services, hereby gives notice:

The Department entered an Order on December 18, 2014, denying the Petition for Variance or Waiver filed by Manhattan Palms Condominium Association, Inc. (Manhattan Palms).

This was in response to the Petition filed on October 13, 2014, by Manhattan Palms seeking a variance of subsection 69J-8.007(3), Florida Administrative Code, which requires "Neutral evaluation be mandatory once requested by either party. However a request may be cancelled or withdrawn in writing by the requested party."

A copy of the Order or additional information may be obtained by contacting: Merribeth Bohanan, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0333, phone: (850)413-4215, fax number: (850)488-0697 or by emailing your request to MerriBeth.Bohanan@MyFloridaCFO.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: January 8, 2015, 6:30 p.m.

PLACE: Florida State Fairgrounds, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business - Townhall Meeting

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services
The Pesticide Registration Evaluation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 8, 2015, 9:00 a.m.
PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Scientific Evaluation & Technical Assistance, Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399-1650, (850)617-7940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: the Pesticide Registration Section, (850)617-7940 or from the PREC website at: <http://www.freshfromflorida.com/Divisions-Offices/Agricultural-Environmental-Services/Business-Services/Pesticide/Pesticide-Product-Registration-Procedures>. For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Review Section; 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: February 10, 2015, 2:00 p.m.; February 11, 2015, 1:00 p.m.; March 10, 2015, 2:00 p.m.; March 11, 2015, 1:00 p.m.; April 7, 2015, 2:00 p.m.; April 8, 2015, 1:00 p.m.; May 12, 2015, 2:00 p.m.; May 13, 2015, 1:00 p.m.; June 2, 2015, 2:00 p.m.; June 3, 2015, 1:00 p.m.; June 30, 2015, 2:00 p.m. (Date/Time changes will be posted at: www.dot.state.fl.us/cc-admin).

PLACE: Florida Department of Transportation, 605 Suwannee St., Tallahassee, FL 32399-0450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.

A copy of the agenda may be obtained by contacting: Juanita.moore@dot.state.fl.us or calling (850)414-4000.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 27, 2015, 2:00 p.m.; January 29, 2015, 10:00 a.m.; March 3, 2015, 2:00 p.m.; March 5, 2015, 10:00 a.m.; March 31, 2015, 2:00 p.m.; April 2, 2015, 10:00 a.m.; April 28, 2015, 2:00 p.m.; April 30, 2015, 10:00 a.m.; June 2, 2015, 2:00 p.m.; June 4, 2015, 10:00 a.m.; June 30, 2015, 2:00 a.m.; July 2, 2015, 10:00 a.m. (Date/Time changes

will be posted at: www.dot.state.fl.us/contractsadministrationdistrict1).

PLACE: Florida Department of Transportation, 801 N. Broadway Avenue, Bartow, FL 33831

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.

A copy of the agenda may be obtained by contacting: linda.roberts@dot.state.fl.us or calling (863)519-2629.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 5, 2015, 10:00 a.m.; January 29, 2015, 8:30 a.m.; February 2, 2015, 10:00 a.m.; February 19, 2015, 8:30 a.m.; February 23, 2015, 10:00 a.m.; March 26, 2015, 8:30 a.m.; March 30, 2015, 10:00 a.m.; April 23, 2015, 8:30 a.m.; April 27, 2015, 10:00 a.m.; May 21, 2015, 8:30 a.m.; May 26, 2015, 10:00 a.m.; June 18, 2015, 8:30 a.m.; June 22, 2015, 10:00 a.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict2).

PLACE: Florida Department of Transportation, 1109 S. Marion Avenue, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.

A copy of the agenda may be obtained by contacting: james.brown@dot.state.fl.us or calling (386)758-3798.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 21, 2015, 1:30 p.m.; January 22, 2015, 2:00 p.m.; February 25, 2015, 1:30 p.m.; February 26, 2015, 2:00 p.m.; March 25, 2015, 1:30 p.m.; March 26, 2015, 2:00 p.m.; April 22, 2015, 1:30 p.m.; April 23, 2015, 2:00 p.m.; May 27, 2015, 1:30 p.m.; May 28, 2015, 2:00 p.m.; June 24, 2015, 1:30 p.m.; June 25, 2015, 2:00 p.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict3).

PLACE: Florida Department of Transportation, 1074 Hwy 90, Chipley, FL 32428

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.

A copy of the agenda may be obtained by contacting: richard.norris@dot.state.fl.us or calling (850)330-1366.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation announces public meetings to which all persons are invited.

DATES AND TIMES: January 20, 2015, 9:00 a.m.; January 22, 2015, 2:00 p.m.; February 17, 2015, 9:00 a.m.; February 19, 2015, 11:00 a.m.; March 17, 2015, 9:00 a.m.; March 18, 2015, 10:00 a.m.; April 14, 2015, 9:00 a.m.; April 16, 2015, 2:00 p.m.; May 13, 2015, 9:00 a.m.; May 14, 2015, 2:00 p.m.; June 16, 2015, 9:00 a.m.; June 18, 2015, 2:00 p.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict4)
PLACE: Florida Department of Transportation, 3400 W Commercial Blvd., Fort Lauderdale, FL 33309
GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids
 A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Margaret.simpkins@dot.state.fl.us or calling (954)777-4612.

DEPARTMENT OF TRANSPORTATION
 The Department of Transportation announces public meetings to which all persons are invited.
DATES AND TIMES: January 15, 2015, 3:00 p.m.; February 12, 2015, 3:00 p.m.; March 12, 2014, 3:00 p.m.; April 16, 2015, 3:00 p.m.; May 14, 2015, 3:00 p.m.; June 11, 2015, 3:00 p.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict5).
PLACE: Florida Department of Transportation, 719 S. Woodland Blvd., DeLand, FL 32720
GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.
 A copy of the agenda may be obtained by contacting: Jamie.carter@dot.state.fl.us or calling (386)943-5525.

DEPARTMENT OF TRANSPORTATION
 The Department of Transportation announces public meetings to which all persons are invited.
DATES AND TIMES: January 12, 2015, 10:00 a.m.; January 26, 2015, 10:00 a.m.; February 9, 2015, 10:00 a.m.; February 23, 2015, 10:00 a.m.; March 9, 2015, 10:00 a.m.; March 23, 2015, 10:00 a.m.; April 6, 2015, 10:00 a.m.; April 20, 2015, 10:00 a.m.; May 11, 2015, 10:00 a.m.; May 26, 2015, 10:00 a.m.; June 8, 2015, 10:00 a.m.; and June 22, 2015, 10:00 a.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict6).
PLACE: Florida Department of Transportation, 1000 NW 111th Avenue, Miami, FL 33172
GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.
 A copy of the agenda may be obtained by contacting: d6.contracts@dot.state.fl.us or calling (305)470-5404.

DEPARTMENT OF TRANSPORTATION
 The Department of Transportation announces public meetings to which all persons are invited.
DATES AND TIMES: January 21, 2015, 10:00 a.m.; January 27, 2015, 3:30 p.m.; February 18, 2015, 10:00 a.m.; February 24, 2015, 1:30 p.m.; March 18, 2015, 10:00 a.m.; March 31, 2015, 1:30 p.m.; April 15, 2015, 10:00 a.m.; April 28, 2015, 1:30 p.m.; May 20, 2015, 10:00 a.m.; May 26, 2015 3:00 p.m.; June 17, 2015, 10:00 a.m.; June 30, 2015, 1:30 p.m. (Date/Time changes will be posted at: www.dot.state.fl.us/contractsadministrationdistrict7).
PLACE: Florida Department of Transportation, 11201 North McKinley Drive, Tampa, Florida 33612
GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.
 A copy of the agenda may be obtained by contacting: John.Ellis@dot.state.fl.us or calling (813)975-6467.

DEPARTMENT OF TRANSPORTATION
 The Department of Transportation announces public meetings to which all persons are invited.
DATES AND TIMES: January 26, 2015, 11:00 a.m.; February 23, 2015, 11:00 a.m.; March 23, 2015, 11:00 a.m.; April 27, 2015, 11:00 a.m.; May 26, 2015, 11:00 a.m.; June 22, 2015, 11:00 a.m. (Changes to meeting Date and Time will be posted at: www.dot.state.fl.us/contractsadministrationturnpike).
PLACE: Florida Department of Transportation, MP 263, Bldg. 5315, Florida's Turnpike, Ocoee, FL 34761
GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of technical issues and to determine the Department's intent to award or reject bids.
 A copy of the agenda may be obtained by contacting: Richardjr.Nethercote@dot.state.fl.us or calling (407)264-3885.

AGENCY FOR HEALTH CARE ADMINISTRATION
 Health Facility and Agency Licensing
RULE NOS.:RULE TITLES:
 59A-25.001 Definitions
 59A-25.002 Licensure Requirements
 59A-25.005 Compliance
 The Agency for Health Care Administration announces a hearing to which all persons are invited.
DATE AND TIME: January 8, 2015, 2:00 p.m. – 3:00 p.m.
 Note: correction is to the date listed and not to the time of the hearing.
PLACE: Agency for Health Care Administration, Ft. Knox Bldg. 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Correction is only to the date listed and not to the time of the hearing.

Please reference the Notice of Hearing published in the Vol. 40, No. 243, December 17, 2014 issue of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: Noël Cronin Lawrence via email: noel.lawrence@ahca.myflorida.com or by phone: (850)412-4403.

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: Noël Cronin Lawrence via email: noel.lawrence@ahca.myflorida.com or by phone: (850)412-4403. 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).

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-17.118 Dietary and Nutrition Services

The Agency for Health Care Administration announces a hearing to which all persons are invited.

DATE AND TIME: January 13, 2015, 9:00 a.m. – 10:00 a.m.

**NOTE: Correction is to the date and time of the hearing.

PLACE: Agency for Health Care Administration, Ft. Knox Bldg. 3, Conference Room B, 2727 Mahan Drive, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Correction is date and time of the hearing.

Please reference the Notice of Hearing published in Vol. 40, No. 244, December 18, 2014 issue of the Florida Administrative Register.

A copy of the agenda may be obtained by contacting: Jacqueline Williams, Long Term Care Unit, Agency for Health Care Administration, 2727 Mahan Drive, MS 33, Tallahassee, Florida 32308, email: LTCStaff@ahca.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 7 days before the workshop/meeting by contacting: Jacqueline Williams. 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

Florida Building Commission

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

DATE AND TIME: Monday, January 5, 2015, 10:00 a.m.

PLACE: Meeting to be conducted using communications media technology; you must access webinar for video only and teleconference number for audio. The “voice-over-internet-protocol” feature will not be used for this meeting and you must dial in using the telephone number indicated below. To access the webinar go to <https://global.gotomeeting.com/join/849731693>. You may call in to participate by audio only or in conjunction with the webinar. Use the following numbers to call in using your telephone:

United States: +1(626)521-0016

United States (toll-free): 1(866)899-4679

Access code and meeting ID: 478-483-605

Audio PIN: Shown after joining the meeting

Public point of access: 1940 North Monroe Street, Room 90, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the rule hearing separately noticed in Volume 40, Number 234 of the Florida Administrative Register published in the Notice of Proposed Rule for Rule 61G20-1.001, F.A.C., on December 4, 2014. The purpose of the hearing is to consider public comments on the Florida Building Code, 5th Edition (2014), as updated by the Commission on November 13, 2014, and to consider a Notice of Correction in response to JAPC comments.

A copy of the agenda may be obtained by contacting: Jim Richmond, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (850)717-1823, fax: (850)414-4836.

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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, telephone: (850)717-1838, fax: (850)414-4836. 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: Jim Richmond, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, telephone: (850)717-1823, fax: (850)414-4836.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces public meetings to which all persons are invited.

DATES AND TIMES: February 13, 2015, 9:00 a.m.; April 17, 2015, 9:00 a.m.; June 19, 2015, 9:00 a.m.; August 21, 2015, 9:00 a.m.; October 16, 2015, 9:00 a.m.; December 17, 2015, 9:00 a.m.; December 18, 2015, 9:00 a.m. All meetings will begin at 9:00 a.m. unless otherwise noted. Public Hearings Date: **May (Date and Time TBA) **November (Date and Time TBA) **sites are yet to be arranged. Contact the Office of Environmental Services 30 days prior to meeting for meeting date for hearing location. The hearing will also be advertised in Florida newspapers 30 days before, and on the Office Notice website seven days before the hearings.

Public Hearings:

**May (Date and Time TBA)

**November (Date and Time TBA)

PLACE: Department of Environmental Protection, 3900 Commonwealth Boulevard, Marjory Stoneman Building, Conference Room A, Tallahassee, Florida, (Unless otherwise stated)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Acquisition and Restoration Council (ARC), as defined in Section 259.035, Florida Statutes, announces the above calendar of 2015 for their public hearings/meetings to which all interested parties are invited for the purposes of conducting business of the Council, including the review of land acquisition proposals, management plans and proposed uses of state-owned lands and to conduct other business of the Council. A copy of the agenda may be obtained by contacting: Office of Environmental Services at (850)245-2784 or see website: www.dep.state.fl.us/lands/arc_calendar.htm.

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: Office of Environmental Services at (850)245-2784 or see www.dep.state.fl.us/lands/arc_calendar.htm, Hank Vinson at (850)245-2713 or email: Hank.Vinson@dep.state.fl.us. If you are hearing or speech

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

For more information, you may contact: Office of Environmental Services at (850)245-2784 or see website: www.dep.state.fl.us/lands/arc_calendar.htm, Hank.Vinson@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 7, 2015, 7:00 p.m. (EST)

PLACE: Palmetto City Hall, 516 8th Avenue West, Palmetto, FL 34221

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the proposed unit management plan updates for the Madira Bickel Mound State Archaeological Site and Judah P. Benjamin Confederate Memorial at Gamble Plantation Historic State Park.

A copy of the agenda may be obtained by contacting: Kevin Kiser, Park Manager, Judah P. Benjamin Confederate Memorial at Gamble Plantation Historic State Park, 3708 Patten Avenue, Ellenton, FL 34222, (941)723-4536, fax (941)723-4538 or kevin.kiser@dep.state.fl.us. A copy of the draft plans and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notice>.

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: Kevin Kiser as 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).

For more information, you may contact: Kevin Kiser as listed above.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 7, 2015, 9:00 a.m. (EST)

PLACE: SouthShore Regional Library, 15816 Beth Shields Way, Ruskin, FL 33573

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed unit management plan update for Cockroach Bay Preserve State Park with the advisory group members.

A copy of the agenda may be obtained by contacting: Kevin Kiser, Park Manager, Judah P. Benjamin Confederate Memorial at Gamble Plantation Historic State Park, 3708 Patten Avenue, Ellenton, FL 34222, (941)723-4536, fax (941)723-4538 or kevin.kiser@dep.state.fl.us. A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notice>.

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: Kevin Kiser as 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).

For more information, you may contact: Kevin Kiser as listed above.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Division of Recreation and Parks announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 6, 2015, 7:00 p.m. (EST)

PLACE: SouthShore Regional Library, 15816 Beth Shields Way, Ruskin, FL 33573

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation of the proposed unit management plan update for Cockroach Bay Preserve State Park.

A copy of the agenda may be obtained by contacting: Kevin Kiser, Park Manager, Judah P. Benjamin Confederate Memorial at Gamble Plantation Historic State Park, 3708 Patten Avenue, Ellenton, FL 34222, (941)723-4536, fax (941)723-4538 or kevin.kiser@dep.state.fl.us. A copy of the draft plan and agenda are available before the date of the public meeting online at <https://www.fldepnet.org/public-notice>.

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: Kevin Kiser as 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).

For more information, you may contact: Kevin Kiser as listed above.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

DATE AND TIME: January 8, 2015, 11:00 a.m. – 12:30 p.m., EST

PLACE: Leon County Human Services Building, Community Room, 1000 W. Tharpe Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 2 Alliance - Community Action Team to provide a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those who cannot attend in person, the following conference call number is being provided for their convenience: 1(888)670-3525, participant code: 6368767367.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 Community Development Administrator at Jeanna.Olson@myflfamilies.com or (850)921-8269.

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: Jeanna Olson, Circuit 2 Community Development Administrator at Jeanna.Olson@myflfamilies.com or (850)921-8269. 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: Jeanna Olson, Circuit 2 Community Development Administrator at Jeanna.Olson@myflfamilies.com or (850)921-8269.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:RULE TITLES:

- 65G-4.0213 Definitions
- 65G-4.0214 Allocation Algorithm
- 65G-4.0215 General Provisions
- 65G-4.0216 Establishment of the iBudget Amount
- 65G-4.0217 iBudget Cost Plan
- 65G-4.0218 Significant Additional Needs Funding

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

DATE AND TIME: January 8, 2015, 10:00 a.m. – 12:00 Noon, EST

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed rules 65G-4.0213 through 65G-4.0218 noticed in the Florida Administrative Register Vol. 40 No. 235 published on December 5, 2014 regarding the implementation of iBudget Florida as required by Section 393.0662, F.S.

A copy of the agenda may be obtained by contacting: David De La Paz, Esq., Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-9512, david.delapaz@apdcares.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 72 hours before the workshop/meeting by contacting: David De La Paz, Esq., Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-9512, david.delapaz@apdcares.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David De La Paz, Esq., Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)922-9512, david.delapaz@apdcares.org

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

The Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 7, 2015, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This conference call will address the committees' continued development of policy recommendations and work tasks to address the Council's Annual Report on recommendations to end homelessness in Florida.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@myflfamilies.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: Erik Braun. 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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

The Affordable Housing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 14, 2015, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss permanent supportive housing and chronic homelessness.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.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: Erik Braun. 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 CHILDREN AND FAMILY SERVICES
Office on Homelessness

The Veteran's Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2015, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda to be announced.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.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: Erik Braun. 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: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

The Continuum of Care Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2015, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda to be announced.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.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: Erik Braun. 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: Erik Braun, Director, Office on Homelessness, (850)922-9850, Erik.Braun@myflfamilies.com.

FLORIDA HOUSING FINANCE CORPORATION

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

DATES AND TIMES: February 11, 2015, 10:00 a.m. (ET); March 11, 2015, 2:30 p.m. (ET)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first Review Committee Meeting will be to discuss the Applications and answer any questions the Review Committee may have regarding the Applications submitted in response to Florida Housing Finance Corporation’s Request for Applications No. 2014-117 for SAIL Funding to Preserve Farmworker and Commercial Fishing Worker Housing. The second Review Committee Meeting will be to give the scores and to submit a recommendation to Florida Housing’s Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197 or Jean.Salmonsens@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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, January 22, 2015, 9:40 a.m.

PLACE: Fire Rescue East, Ocean Center, Daytona Beach, FL

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, January 22, 2015, 10 minutes after the adjournment of the Fire & Emergency Incident Information System Technical Advisory Panel which begins at 9:40 a.m.

PLACE: Fire Rescue East, Ocean Center, Daytona Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

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

STANTEC

The Florida Department of Transportation, District Five announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, January 13, 2015 – Open House: 5:00 p.m. – 7:00 p.m. Presentation: Informal open house

PLACE: Lakeshore Park and Marina Building, Banquet Hall – 2nd Floor, 1104 Lakeshore Boulevard, St. Cloud, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The project involves widening of SR 500 (US 192) from Aeronautical Drive to Budinger Avenue. Improvements include the widening from a rural four (4) lane to a high speed urban six (6) lane roadway with curbed inside and outside shoulders, 5-foot sidewalks along the north and south side of the roadway, as well as drainage and stormwater improvements. This meeting is being held to allow interested persons an opportunity to express their views concerning the proposed improvements to this section of SR 500 (US 192).

A copy of the agenda may be obtained by contacting: Ms. C. Storm Kazmierczak, P.E., FDOT Project Manager, Florida Department of Transportation, District V, 719 S. Woodland Boulevard, Deland, Florida 32720-6834 or by email: storm.kazmierczak@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Liz Fernandez, Public Information Specialist, Stantec at (786)502-0704 or by email: liz.fernandez@stantec.com at least seven days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. C. Storm Kazmierczak, P.E., FDOT Project Manager, Florida Department of Transportation, District V, 719 S. Woodland Boulevard, Deland, Florida 32720-6834 or by email: storm.kazmierczak@dot.state.fl.us.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by William R. Wohlsifer, Esq. on behalf of Lorraine Bodek, Unit Owner, In Re: Lakeview Townhomes at the California Club Condominium Association, Inc., Docket No. 2014040305, on September 25, 2014. The following is a summary of the agency’s declination of the petition:

The Division declined to issue a Declaratory Statement because it may not issue a statement concerning actions that have already taken place; it cannot interpret vague or ambiguous association documents; it is not the proper forum to resolve disputes of fact; and because a complete current set of governing documents was not provided. The order was filed with the Agency Clerk on December 15, 2014.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Danny Brown, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1486, Daniel.Brown@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal (the “Department”), has issued an order disposing of the petition for declaratory statement filed by Fort Myers Beach Fire Control District (the “Petitioner”) on October 1, 2014. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published October 8, 2014 in Vol. 40, No. 198 of the Florida Administrative Register. The Petition seeks the Department’s clarification on the applicability of Section 553.79(13), Florida Statutes. Specifically, if one-family and two-family detached homes are exempt from inspection and review by the local AHJ and the Florida Fire Prevention Code (the “FFPC”), whether one-family and two-family homes, which are in normal use and not part of a vacation or timeshare rental are subject to annual inspection and enforcement by the AHJ and the FFPC. The Petition was answered: Section 553.79, Florida Statutes, is not under the authority of the State Fire Marshal. Therefore, the Department is unable to provide a response to this question. However, according to Section 633.208(8), Florida Statutes, the provisions of the Life Safety Code, as contained in the FFPC, do not apply to newly constructed one-family and two-family dwellings.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333 or by email: Melissa.dembicer@myfloridacfo.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
 University of Central Florida
 Electrical Contractors

NOTICE TO CONTRACTORS

The University of Central Florida has a need for several firms to provide contractor services in the trade of Electrical on an ongoing basis for campus renovation and construction projects with construction budgets of less than \$2,000,000.

Typical projects may include new construction, renovations, remodeling, equipment installation, fire code corrections, building code corrections, aesthetic enhancements, technology enhancements, exterior enhancements, communications modifications, air quality, and sustainability modifications. Areas requiring renovation or modifications may include, but are not limited to, animal research or holding areas, research laboratories, classrooms, libraries, media centers, offices, clinics, reception and waiting areas, lobbies, corridors, atriums, courtyards, plazas, student housing, site work, parking areas, and hardscapes. Projects being implemented may border or be within occupied areas, and projects will in many cases need to be phased to allow partial occupancy during construction. ALL projects will need to ensure the safety of faculty, staff, and students. Projects may be located on the University of Central Florida main campus or branch campuses.

Instructions for submitting a proposal can be found on the Project Fact Sheet. The Project Fact Sheet and General Contractor's Form may be obtained on our website, www.fp.ucf.edu or by contacting: Gina Seabrook, email: gina.seabrook@ucf.edu, phone: (407)823-5894.

We are accepting only electronic submissions, to be uploaded at: <https://ucf.bonfirehub.com/p/742>.

Submittals must be received by 5:00 p.m. local time January 30, 2015. Late submissions or additional documentation will not be accepted.

Continued work from the university will be based on a periodic contractor performance evaluation. Evaluations will assess the contractor's: quality of work, ability to maintain budget, ability to stay on schedule, safety, no-change orders for same scope of work, and customer service. Contractors that do not receive

satisfactory evaluations may not be given additional work, and their contracts may be terminated.

FLORIDA HOUSING FINANCE CORPORATION

Request for Applications 2014-117 for SAIL Funding to Preserve Farmworker and Commercial Fishing Worker Housing

This Request for Applications (RFA) is open to Applicants proposing the Moderate Rehabilitation/Substantial Rehabilitation or Acquisition and Moderate Rehabilitation/Substantial Rehabilitation of existing Farmworker or Commercial Fishing Worker Developments that are currently in the Florida Housing Finance Corporation (the Corporation) portfolio and/or the United States Department of Agriculture Rural Development (RD) portfolio. The Corporation expects to offer an estimated \$9,366,000, comprised of the Farmworker/Commercial Fishing Worker Demographic portion of the State Apartment Incentive Loan (SAIL) Program funding appropriated by the 2014 Florida Legislature as well as SAIL Program income.

Applications shall be accepted until 11:00 a.m., Eastern Time, on Friday, January 30, 2015, to the attention of Ken Reecy, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Ken Reecy at Ken.Reecy@floridahousing.org or as otherwise directed in the RFA. This Request for Applications, which outlines selection criteria and Applicant's responsibilities, can be downloaded from the Florida Housing Finance Corporation website

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2014-117/>.

Any modifications that occur to the Request for Applications will be posted at the website and may result in an extension of the deadline. It is the responsibility of the Applicant to check the website for any modifications prior to the deadline date.

Section XII
Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Martin Motorcycle Sales, Inc. for the establishment of KYMC mcy

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 Kymco USA, Inc., intends to allow the establishment of Martin Motor Cycle Sales, Inc., d/b/a Martin's Yamaha as a

dealership for the sale of motorcycles manufactured by Kwang Yang Motor Co., Ltd. (KYMC) at 4050 North US Highway 441, Ocala, (Marion County), Florida 34475, on or after January 19, 2015.

The name and address of the dealer operator(s) and principal investor(s) of Martin Motor Cycle Sales, Inc., d/b/a Martin's Yamaha are dealer operator(s): James W. Martin, 13494 South Highway 25, Ocklawaha, Florida 32179; principal investor(s): James W. Martin, 13494 South Highway 25, Ocklawaha, Florida 32179.

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: Bruce Ramsey, Kymco USA, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

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
University Motors F & L, Inc. for the establishment of DAIX mcy

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 Pacific Rim International West, Inc., intends to allow the establishment of University Motors F & L, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd. (line-make DAIX) at 2207 East Michigan Street, Orlando, (Orange County), Florida 32806, on or after January 19, 2015.

The name and address of the dealer operator(s) and principal investor(s) of University Motors F & L, Inc., are

dealer operator(s): Stephanie Peel, 2207 East Michigan Street, Orlando, Florida 32806; principal investor(s): Stephanie Peel, 2207 East Michigan Street, Orlando, Florida 32806.

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: Wendy Yu, Pacific Rim International West, Inc., 2181 East Francis Street, Ontario, California 91761.

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
University Motors F & L, at 2609 Inc. for the establishment of DAIX mcy

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 Pacific Rim International West, Inc., intends to allow the establishment of University Motors F & L, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd. (line-make DAIX) at 2609 Curry Ford Road, Orlando, (Orange County), Florida 32806, on or after January 19, 2015.

The name and address of the dealer operator(s) and principal investor(s) of University Motors F & L, Inc. are dealer operator(s): Stephanie Peel, 2609 Curry Ford Road, Orlando, Florida 32806-0; principal investor(s): Stephanie Peel, 2609 Curry Ford Road, Orlando, Florida 32806.

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.

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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.

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

RECEIPT OF EXPEDITED APPLICATION

The Agency for Health Care Administration received the following CON application for expedited review:

CON #10346	Received: 12/19/14
County: Marion	Service District: 3-4
Applicant/Facility/Project: Bridgewater Park, LLC	
Project Description: Construct a 120-bed community nursing home in a deed-restricted retirement community, On Top of the World	

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF GRANT SUBMISSION PERIOD FOR PUBLIC
OUTDOOR RECREATION

The Department of Environmental Protection has established an application submission cycle and will accept grant applications for the Federal Land and Water Conservation Fund (LWCF) State Assistance Program, for the Fiscal Year 2014-2015, as follows:

APPLICATION SUBMISSION PERIOD: February 16, 2015 through February 27, 2015. Completed applications must be postmarked or received on or before the last date of the submission period, February 27, 2015.

ELIGIBLE APPLICANTS: All county governments and incorporated municipalities of the State of Florida and other legally constituted local governmental entities with the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public.

LIMIT TO ONE APPLICATION PER SUBMISSION CYCLE: Eligible applicants may submit only one application per submission cycle.

INELIGIBLE APPLICANTS: Applicants with two incomplete LWCF projects as of the last day of the submission period are prohibited from applying.

MAXIMUM GRANT REQUEST: The maximum grant request may not exceed \$200,000.00. The Department may revise an applicant's requested grant amount based on availability of program funds. Grants must be for the sole purpose of providing outdoor recreation opportunities to the public. Grant awards are contingent upon an annual apportionment from the National Park Service and expenditure authorization by the Florida Legislature. The LWCF grant is provided on a 50% (Program/Grantee) matching basis.

APPLICATION INFORMATION: LWCF grant application packets may be obtained by visiting the website: <http://www.dep.stat.fl.us/parks/oirs>.

FOR FURTHER INFORMATION: phone: (850)245-2501 or email: Linda.Reeves@dep.state.fl.us or Angie.Bright@dep.state.fl.us.

PROGRAM DESCRIPTION: LWCF is a competitive grant program which provides financial assistance to local governmental entities for the development or acquisition of land for public outdoor recreational purposes pursuant to Fla. Stat. Sections 258.007 and 375.021(4), and Rules 62D-5.068 through 62D-5.074, Fla. Admin. Code.

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.