

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
12D-8.0065 Transfer of Homestead Assessment Difference; "Portability"; Sworn Statement Required; Denials; Late Applications

PURPOSE AND EFFECT: The purpose of adopting this proposed new rule (which replaces Emergency Rule 12DER14-03) is to implement the provisions of Section 5 of Chapter 2007-339, Laws of Florida, Section 3 of Chapter 2008-173, Laws of Florida, and Section 5 of Chapter 2012-193, Laws of Florida. The effect of adopting this rule is that procedures that support applications for and the processing of taxpayers' "portability" requests will be available to taxpayers and property appraisers. The proposed new rule and proposed new Form DR-501TS are posted on the Department's website at <http://dor.myflorida.com/dor/property/legislation/rules/>.

SUBJECT AREA TO BE ADDRESSED: The proposed new rule addresses the procedures home owners can use to transfer their assessment limitation difference when they abandon a homestead in one location in Florida and qualify for homestead in another location in Florida.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.047, 193.114, 193.1142, 193.155, 193.461, 193.703, 194.011, 194.013, 195.084, 200.065 FS.

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

DATE AND TIME: February 24, 2015, 10:00 a.m.

PLACE: Conference Room 1250, Building 2, Capital Circle Office Complex, 2450 Shumard Oak Blvd., Tallahassee, Florida. The public can also participate in this workshop through our teleconference system using instructions that will be included with the agenda for this workshop. The agenda and supporting information for the workshop will be posted on the Department's Internet web site at: <http://dor.myflorida.com/dor/property/legislation/rules/>.

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: Mike Cotton, Senior Tax Specialist, (850)617-8870, cottonm@dor.state.fl.us If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Steve Keller, Executive Senior Attorney, Office of the General Counsel, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0104, telephone (850)617-8347, email KellerS@dor.state.fl.us

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NOS.: RULE TITLES:
12D-9.001 Taxpayer Rights in Value Adjustment Board Proceedings
12D-9.007 Role of the Clerk of the Value Adjustment Board
12D-9.015 Petition; Form and Filing Fee
12D-9.019 Scheduling and Notice of a Hearing
12D-9.020 Exchange of Evidence
12D-9.025 Procedures for Conducting a Hearing; Presentation of Evidence; Testimony of Witnesses

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12D-9.001, F.A.C., is to implement statutory changes enacted in Section 2 of Chapter 2012-193, Laws of Florida, and to conform this rule's provisions to current law. The purpose of the proposed amendments to Rule 12D-9.007, F.A.C., is to implement Section 2 of Chapter 2013-72, Section 8 of Chapter 2013-109, and Sections 4 and 5 of Chapter 2013-192, Laws of Florida. The purpose of the proposed amendments to Rule 12D-9.015, F.A.C., is to conform this rule's provisions to current law. The purpose of the proposed amendments to Rule 12D-9.019, F.A.C., is to implement statutory changes enacted in Sections 2 and 11 of Chapter 2012-193, Laws of Florida. The purpose of the proposed amendments to Rule 12D-9.020, F.A.C., is to implement the Administrative Law Judge's ruling in *Rob Turner, Hillsborough County Property Appraiser v. Department of Revenue, DOAH Case No 11-677, Summary Final Order dated June 22, 2011*. The proposed amendments to this rule also implement Section 8 of Chapter 2013-109, Laws of Florida, which amended Section 194.032(2), F.S. The purpose of the proposed amendment to Rule 12D-9.025, F.A.C., is to conform a provision in the rule regarding the property record card to current statute. The effect of amending Rules 12D-9.001, 12D-9.007, 12D-9.015, 12D-9.019, 12D-9.020, and 12D-9.025, F.A.C., is that statutorily current procedures about VAB activities and proceedings are available to all interested parties. The proposed amendments to these rules and the proposed changes to the forms that support these

rules are posted on the Department's Internet web site at: <http://dor.myflorida.com/dor/property/legislation/rules/>.

SUBJECT AREA TO BE ADDRESSED: The subject of the proposed rule amendments to Rules 12D-9.001, 12D-9.007, 12D-9.015, 12D-9.019, 12D-9.020, and 12D-9.025 is the rights granted to petitioners in VAB proceedings and the specific procedures that must be used in VAB activities.

RULEMAKING AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 192.0105, 193.074, 193.092, 193.155, 194.011, 194.013, 194.015, 194.032, 194.034, 194.035, 194.036, 194.171, 194.301, 195.002, 195.022, 195.027, 195.084, 195.096, 196.011, 196.151, 196.193, 196.194, 197.122, 197.2425, 197.301, 200.069 FS.

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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: Mike Cotton at (850)617-8870. Persons with hearing or speech impairments may contact the Department using the Florida Relay Service, which can be reached at (800)955-8770 (Voice) and (800)955-8771 (TDD). 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: Steve Keller, Executive Senior Attorney, Office of the General Counsel, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0104, telephone: (850)617-8347, email: KellerS@dor.state.fl.us . The proposed amendments to these rules and the proposed changes to the forms that support these rules are posted on the Department's Internet web site at: <http://dor.myflorida.com/dor/property/legislation/rules/>.

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: **RULE TITLE:**

12D-16.002 Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments is to implement the Administrative Law Judge's ruling in Rob Turner, Hillsborough County Property Appraiser v. Department of Revenue, DOAH Case No.: 11-677, Summary Final Order dated June 22, 2011. The judge found that the rule contradicts Section 194.011(4)(a), F.S. The amendment will also implement legislative changes in Section 8 of Chapter 2013-109, Laws of Florida, which amended Section 194.032(2), F.S. The Department will apply these changes to the forms associated with amendments to Rule 12D-9.020, F.A.C. The effect of these proposed amendments is that affected parties will have forms available that comply with the DOAH finding and Section 194.032, F.S. The proposed rule text and proposed forms are posted on the Department's website at <http://dor.myflorida.com/dor/property/legislation/rules/>.

SUBJECT AREA TO BE ADDRESSED: To amend existing forms for the value adjustment board process so that they conform to the rule changes proposed in Rules 12D-9.001, 12D-9.007, 12D-9.015, 12D-9.019, 12D-9.020, and 12D-9.025, F.A.C.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS.

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DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
12D-16.002 Index to Forms

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12D-16.002, F.A.C., is to implement the portability provisions of Section 5 of Chapter 2007-339, Section 3 of Chapter 2008-173, and Section 5 of Chapter 2012-193, Laws of Florida, which revised Section 193.155, F.S.

The effect of these proposed amendments is that affected parties will have forms available that comply with current law. The proposed amendments to this rule and the proposed new Form DR-501TS are posted on the Department's website at <http://dor.myflorida.com/dor/property/legislation/rules/>.

SUBJECT AREA TO BE ADDRESSED: The proposed amendments address a new form for designating shares for an abandoned homestead property.

RULEMAKING AUTHORITY: 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 92.525, 95.18, 136.03, 192.001(18), 192.0105, 193.052, 193.077, 193.085, 193.092, 193.114, 193.122, 193.155, 193.1554, 193.1555, 193.1556, 193.461, 193.501, 193.503, 193.625, 193.703, 194.011, 194.032, 194.034, 194.035, 194.037, 195.002, 195.022, 195.087, 196.011, 196.015, 196.031, 196.075, 196.095, 196.101, 196.121, 196.141, 196.151, 196.173, 196.183, 196.193, 196.1961, 196.1983, 196.1995, 196.202, 196.24, 196.26, 197.182, 197.222, 197.2423, 197.2425, 197.3632, 197.3635, 197.414, 197.432, 197.472, 197.502, 197.512, 197.552, 200.065, 200.069, 213.05, 218.12, 218.125, 218.66, 218.67 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Steve Keller, Executive Senior Attorney, Office of the General Counsel, Department of Revenue, 2450 Shumard Oak Boulevard, Tallahassee, Florida 32399-0104, telephone: (850)617-8347, email: KellerS@dor.state.fl.us

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:
61D-2.001 General Definitions

PURPOSE AND EFFECT: The purpose and effect will be to provide clarity to existing pari-mutuel definitions, as well as to establish a definition of the term 'trainer of record' for the purpose of Division enforcement.

SUBJECT AREA TO BE ADDRESSED: Pari-Mutuel Enforcement Definitions.

RULEMAKING AUTHORITY: 550.0251(3), (5), (8)(b), 550.155(1), 550.1815(5), 550.2415(13), 550.2625(2)(d), 550.3551(10), 550.3615(5), 550.495(2)(a), (4), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.054, 550.105, 550.155, 550.1815, 550.2415, 550.2625, 550.3551, 550.3615, 550.495, 550.6305 FS.

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

DATE AND TIME: February 23, 2013, 9:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

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: Patti Kight at (850)717-1096. 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: Patti Kight, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

- RULE NOS.: RULE TITLES:
 61D-3.001 Hearings Before Stewards/Judges
 61D-3.002 Appeal Procedures
 61D-3.003 Stay of Steward/Judges' Penalty
 61D-3.004 Payment of Fines

PURPOSE AND EFFECT: The purpose and effect will be to clarify the manner in which alleged violations of Chapter 550, Florida Statutes or Chapter 61D, Florida Administrative Code regarding animal racing may be heard by stewards or judges for the purpose of Division violation enforcement.

SUBJECT AREA TO BE ADDRESSED: Stewards and Judges Enforcement

RULEMAKING AUTHORITY: 120.80(4)(a), 550.0251(3), 550.2415(12) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.054, 550.1155, 550.2415 FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Patti Kight, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

- RULE NO.: RULE TITLE:
 61D-5.003 Applications for Licensure; Fingerprint Requirements; Exemptions from Fingerprinting

PURPOSE AND EFFECT: The purpose and effect will be to establish an exemption for an applicant who is under 18 year of age and to clarify the exemption for applicants 70 years of age or older.

SUBJECT AREA TO BE ADDRESSED: Applicant Exemptions from Fingerprinting for Licensure

RULEMAKING AUTHORITY: 550.0251(3), 550.105(2)(b), (10)(a) FS.

LAW IMPLEMENTED: 550.105 FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Patti Kight, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-6.002	General Duties and Responsibilities
61D-6.006	Procedures Relating to Split Samples
61D-6.008	Permitted Medications for Horses
61D-6.009	Veterinarians
61D-6.011	Penalty Guidelines for Class I-V Drug Violations in Horses
61D-6.012	Penalty Guidelines for Class I-V Drug Violations in Greyhounds

PURPOSE AND EFFECT: The purpose and effect will be to clarify the duties and responsibilities of the pari-mutuel industry and the Division with regard to racing animal medication and drug use, including the amendment of the penalty structure for drug violations to protect the integrity of animal racing and to protect the welfare of racing animals while safeguarding the interest of the public and the animal racing pari-mutuel industry.

SUBJECT AREA TO BE ADDRESSED: Medication, Drugs and Veterinarian Procedures.

RULEMAKING AUTHORITY: 120.80(4)(a), 550.155(1), 550.0251(3), 550.2415(2), (6)(b), (7)(a), (b), (c), (e), (8)(c), (12), (13) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.1155, 550.2415 FS.

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Patti Kight, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NOS.:	RULE TITLES:
64B9-2.017	Approval of Nursing Education Programs
64B9-2.018	Annual Report
64B9-2.019	Documentation of Accredited Programs

PURPOSE AND EFFECT: For Rule 64B9-2.017, to provide a mechanism by which to obtain approval of nursing education programs; for Rule 64B9-2.018, to require and outline parameters for annual reporting of each approved nursing education program; for Rule 64B9-2.019, to require documentation of accredited nursing education programs.

SUBJECT AREA TO BE ADDRESSED: Nursing education programs, annual reporting and accreditation documentation therefor.

RULEMAKING AUTHORITY: 464.006, 464.019 FS.

LAW IMPLEMENTED: 464.019 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN 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: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, (850)245-4125

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

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-10.001	General
64E-10.002	Special Requirements
64E-10.003	Cleanliness and Maintenance
64E-10.004	Soap, Towels and Toilet Tissue

PURPOSE AND EFFECT: To modify the rule to correct citations, eliminate outdated reference materials and unnecessary language, and provide clear language as it relates to restroom sanitation in buildings serving the public, places of employment and temporary housing.

SUBJECT AREA TO BE ADDRESSED: Changes will be proposed related to the general standards for operation and maintenance, special requirements and fixture ratios for temporary events and housing, restroom cleanliness, and sanitary supplies.

RULEMAKING AUTHORITY: 381.006 FS.

LAW IMPLEMENTED: 381.006(6), (15) 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: Robin Eychaner at robin.eychaner@flhealth.gov or at (850)245-4444
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-11.001	Food Hygiene - General
64E-11.002	Definitions
64E-11.003	Food Supplies
64E-11.004	Food Protection
64E-11.005	Personnel
64E-11.006	Food Equipment and Utensils
64E-11.007	Sanitary Facilities and Controls
64E-11.008	Other Facilities and Operations
64E-11.009	Temporary Food Service Events
64E-11.010	Vending Machines
64E-11.011	Procedure When Infection Is Suspected
64E-11.012	Manager Certification
64E-11.013	Sanitation Certificates and Fees
64E-11.014	Mobile Food Units

PURPOSE AND EFFECT: To update rules to be consistent with changes in Section 381.0072, F.S., as well as the National Automatic Merchandising Association and Centers for Disease Control; to incorporate changes in the 2013 FDA Model Food Code, and to increase clarity.

SUBJECT AREA TO BE ADDRESSED: Definitions, manager certification, adoption of provisions of the FDA Model Food Code, and other subjects encompassed by the above-cited rules.

RULEMAKING AUTHORITY: 154.06, 381.006, 381.0072 FS.

LAW IMPLEMENTED: 154.06, 381.006, 381.0072 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: Ric Mathis at Ric.Mathis@FLHealth.gov or at (850)245-4444
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.:	RULE TITLE:
65A-1.901	Public Assistance Fraud Reward Program

PURPOSE AND EFFECT: The purpose of this rule chapter is to implement the provisions of Section 414.39(11)(a), F.S., establishing procedures for application, approval, and disbursement of rewards for the Public Assistance Fraud Reward Program, as required by House Bill 515.

SUBJECT AREA TO BE ADDRESSED: The Public Assistance Fraud Reward Program

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31, 414.36, 414.41 FS.

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

DATE AND TIME: February 18, 2015

PLACE: 1317 Winewood Boulevard, Building 2, Room 202F, Tallahassee, Florida 32399-0700

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Tammy Lary. 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: Tammy Lary, Office of Public Benefits Integrity, Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)717-4498, Tammy.Lary@myflfamilies.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

65A-1.901 Public Assistance Fraud Reward Program.

(1) Intake Documentation. To facilitate tracking, eligible fraud reports are submitted using the CF-ES Form 3415, 12/2014, incorporated by reference, and sent to the Department of Children and Families (Department); or by submitting the online form. The form can be completed online at the Department's fraud reporting web site, www.myflfamilies.com/ReportFraud, or mailed to DCF ACCESS Central Mail Center Fraud Report, P.O. Box 1770, Ocala, Fl. 34478-1770, or faxed to (850)487-0800. Reports not received through the Department's fraud reporting web site and those received by the Department of Financial Services (DFS) or the Florida Department of Law Enforcement (FDLE) will be submitted by a state employee on behalf of the reporter using the online form. Copies of forms and materials incorporated by reference in this rule may be obtained by the public from the Office of Public Benefits Integrity (OPBI) at 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700. Forms are also available on the Department's web site at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

(a) Once submitted, the report will be assigned a tracking number and a notification will be sent to the reporter containing the tracking number, and describing the responsibilities of the reporter to be eligible for the Public Assistance Fraud Reward Program.

(b) A reporter has the opportunity to opt-out of the reward program or to report the allegation anonymously. If a reporter chooses either of these options, the report will be processed, but the reporter will not be eligible to receive a reward.

(c) State employees and individuals under contract with the state are not eligible to be public assistance fraud report reward recipients if the information provided was obtained in the performance of their official duties.

(2) Review Process and Reward Criteria.

(a) In determining whether a reward is due to the reporter, the Department will review the reported information and verify that it is consistent with Section 414.39(11), F.S., including the following:

1. The report was made to the Department, the Department of Financial Services, or the Department of Law Enforcement;

2. The results of the reported information indicated a criminal violation of public assistance laws pursuant to Section 414.39, F.S.;

3. The reported information lead to the recovery of a fine, penalty or forfeiture of property;

4. The person who reported the information is identifiable for payment, and has not declined the reward;

5. The report contained original information that had not been previously reported or otherwise known to the Department, DFS, or FDLE.

(b) Only one award will be granted per report.

(c) The award amount shall be ten percent (10%) of the amount of the recovery collected by the Department, or \$500,000, whichever is less, for a single report.

(d) Reporters who have received funds through the Crime Stopper Program or the Florida False Claims Act for Medicaid fraud are not eligible to be reward applicants for this program for the same case.

(3) Reward Disbursement. Subject to the availability of funds in the Federal Grants Trust Fund, in compliance with the requirements in Section 414.39(11), F.S., the Department will calculate the amount of the reward, and will request issuance of a check drawn on the Department's Federal Grants Trust Fund. DFS will issue the check to the reporter.

Rulemaking Authority 409.919, 414.41, 414.45 F.S. Law Implemented 414.31, 414.36, 414.41 F.S. History—New

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

690-166.031 Mediation of Property Insurance Claims

PURPOSE AND EFFECT: This proposed rulemaking proceeding is necessary to address the invalidity of a portion of Rule 690-166.031, F.A.C. "Mediation of Property Insurance Claims" as the result of the ruling in *State Farm Florida Ins. Co v Unlimited Restoration Specialists, Inc.*, 84 So. 3d 390 (Fla. 5th DCA 2012). The rule is also further amended to eliminate redundant language contained in the DFS rule governing the Mediation program.

SUBJECT AREA TO BE ADDRESSED: The rule governs the administrative requirements of Section 627.7015, F.S. regarding the mediation of residential and commercial property insurance claims. The Department of Financial Services administers the program and has adopted Rule 69J-166.031, F.A.C. This rule comprehensively addresses all aspects of the mediation program. OIR Rule 69O-166.031, F.A.C. at one point was identical to the DFS rule. Over time, the DFS rule has been amended and is not identical to the OIR rule. Much of the OIR rule is redundant and is not necessary. The revised rule is being amended to merely cross reference the DFS rule and maintain the penalty for an insurer's failure to appear at the mediation conference.

RULEMAKING AUTHORITY: 624.308(1), 627.7015(4), FS.
LAW IMPLEMENTED: 624.307(1), 624.418(2)(a), 624.421(1)(a), 624.4211(1)-(3), 626.9541(1)(i), 626.9581(1), 627.7015, FS.

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

DATE AND TIME: Tuesday, February 24, 2015, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stephen Fredrickson, Office of Insurance Regulation, E-mail: Steve.Fredrickson@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Stephen Fredrickson, Office of Insurance Regulation, E-mail: Steve.Fredrickson@flor.com

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

Section II Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-10.033
RULE TITLE: General Qualifications

PURPOSE AND EFFECT: The Agency proposes to revise rules related to health care risk manager licensure.

SUMMARY: These revisions will update reference to a revised form and update/clarify general qualifications requirements for licensure as a health care risk manager.

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.

A statement of estimated regulatory costs has been prepared for proposed rule revisions in Rule 59A-10.033 F.A.C. and is available from the person listed below. The following is a summary of the SERC:

For proposed rule Section 59A-10.033(1), F.A.C., license fees are increased by the Consumer Price Index pursuant to 408.805(2), F.S. The rule increases the license fee amount from \$50.00 to \$52.27 and the application fee from \$50.00 to \$52.27 for initial licensure and \$50.00 to \$52.78 for renewal licensure. This is a \$4.54 license fee increase per applicant for initial licensure and \$2.78 license fee increase per applicant for renewal licensure. There is no projected growth in licensees. Based on the number of initial applicants and currently licensed providers the total impact over five years will be 21,954.35.

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 been prepared by the agency for Rule 59A-10.033. For rules listed where no SERC was prepared, 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: 395.10973(1) and 408.819 FS.

LAW IMPLEMENTED: 395.10974 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:

DATE AND TIME: February 26, 2015, 4:00 p.m. – 5:00 p.m.

PLACE: Agency for Health Care Administration, Ft. Knox Bldg. 3, Conference Room D, 2727 Mahan Drive, 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: Kim Stewart via e-mail: Kimberly.Stewart@ahca.myflorida.com or by phone: (850)412-3492. 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: Kim Stewart via e-mail: Kimberly.Stewart@ahca.myflorida.com or by phone: (850)412-3492

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-10.033 General Licensure Qualifications for Health Care Risk Managers.

(1) Any person requesting licensure ~~desiring to be certified~~ as a health care risk manager shall make submit an application to the Agency on the Health Care Licensing Application, Health Care Risk Manager, AHCA Form 3130-1015, January 2015, Form AHCA/RM-001, entitled “Application for Health Care Risk Manager Licensure.” Form AHCA/RM-001 which is hereby incorporated by reference, and ~~shall become effective on July 9, 1986.~~ This form may be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> and from the Agency for Health Care Administration, Risk Management Office, Hospital and Outpatient Services Unit, 2727 Mahan Drive, Mail Stop 31, Tallahassee, Florida 32308 or on the Agency website at: <http://ahca.myflorida.com/HQAlicensureforms>. In order to qualify for licensure, the applicant must shall submit evidence satisfactory to the Agency department that which satisfies the requirements in Sections 395.10974(1)(a-j), F.S. demonstrates the applicant’s competence, by education, training, or experience, in the following areas:

- (a) Applicable standards of health care risk management.
- (b) Applicable federal, state, and local health and safety laws and rules.

- ~~(c) General risk management administration.~~
- ~~(d) Patient care.~~
- ~~(e) Medical care.~~
- ~~(f) Personal and social care.~~
- ~~(g) Accident prevention.~~
- ~~(h) Departmental organization and management.~~
- ~~(i) Community interrelationships.~~
- ~~(j) Medical terminology.~~

(2) An applicant shall be considered qualified as competent in the areas required by Sections 395.10974(1)(a-j), F.S. subsection (4) if he or she submits evidence of one of the following:

~~(a) Attainment of Nominee Level or advanced credential status from the International Healthcare Security and Safety Foundation.~~

~~(a)(b) Completion of all three modules in the Healthcare Risk Management Certificate Program, and a Attainment of the Certificate of Completion credentials from as a Fellow or Diplomate of the American Society for Healthcare Hospital Risk Management.~~

~~(b)(c) Currently licensed in one of the professions listed in the definition of health care professional Attainment of credentials as a Health Care Professional as defined in Rule 59A-10.032(15), FAC above and:~~

1. Satisfactory completion of a 120 hour risk management educational program approved pursuant to Rule 59A-10.037, F.A.C.; or

2. Experience which qualifies under paragraphs (a), (b), (c), (g) and (h) of subsection 59A-10.036(2), F.A.C.

~~(c)(d) Attainment of credentials as a health care administrator Health Care Administrator as defined in Rule 59A-10.032(14), FAC above and:~~

1. Satisfactory completion of a 120 hour risk management educational program approved pursuant to Rule 59A-10.037, F.A.C.; or

2. Experience which qualifies under paragraphs (a), (b), (d), (e) and (g) of subsection 59A-10.036(2), F.A.C.

~~(e) Satisfactory completion of an educational program accredited by the Committee on Allied Health Education Accreditation for Medical Record Administrators or Medical Record Technicians and satisfactory completion of a risk management educational program approved pursuant to Rule 59A-10.037, F.A.C.~~

~~(d)(f) Attainment of credentials as a basic risk manager Basic Risk Manager as defined in subsection 59A-10.032(16), FAC above and:~~

1. Satisfactory completion of an 80 hour a health care educational program approved pursuant to Rule 59A-10.037, F.A.C.; or

2. Experience which qualifies under paragraphs (b), (e), (d), (e), (f), and (g) of subsection 59A-10.036(2), F.A.C.

(e)(g) Attainment of a degree from an accredited law school and attainment or completion of one of the following:

1. An advanced degree in health law from an accredited law school or a degree in a health related field from an accredited institution of higher learning; or

2. Satisfactory completion of an 80 hour a health care educational program approved pursuant to Rule 59A-10.037, F.A.C.; or

3. Experience with health care risk management or medical malpractice claims administration as a result of being employed or retained for a period of one year by a Florida licensed hospital or ambulatory surgical center health care facility to advise, direct, or coordinate a risk management program.

(f)(h) Satisfactory completion of a one year health care risk manager training program ~~Health Care Risk Manager Training Program~~ approved pursuant to Rule 59A-10.034, F.A.C.

(g)(i) Satisfactory completion of two years of college level studies approved pursuant to Rule 59A-10.035, F.A.C.

(h)(j) Satisfactory completion of one year of practical experience in health care risk management which meets the requirements of Rule 59A-10.036, F.A.C.

Rulemaking Authority 395.10973(1), ~~408.819~~ FS. Law Implemented 395.10974 FS. History—New 7-9-86, Formerly 4-65.003, 4-217.020, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kim Stewart

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 30, 2014

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement - Local Retirement

RULE NO.: RULE TITLE:

60T-1.0035 Additional Actuarial Disclosures

PURPOSE AND EFFECT: To clarify the requirements needed to comply with Section 112.664, F.S., with regard to reporting standards for local government defined benefit retirement plans or systems as enacted in Chapter 2013-100, Laws of Florida SB 534.

SUMMARY: Clarify the requirements needed with regard to reporting standards for local government defined benefit retirement plans or systems as enacted in Chapter 2013-100, Laws of Florida SB 534.

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: Not required because there are no adverse impacts on economic growth, business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation.

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: 112.665 FS.

LAW IMPLEMENTED: 112.664 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: Friday, February 27, 2015, 1:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 166, Tallahassee, FL 32399

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: Stephanie Farmer, Administrative Assistant, Division of Retirement, Department of Management Services, (850)488-5706. 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: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32399-1560, (850)488-5706.

THE FULL TEXT OF THE PROPOSED RULE IS:

60T-1.0035 Additional Actuarial Disclosures.

(1) All reporting fields terms referenced in subsections (2) through (4) are as required under Section 112.664(1), unless expressly stated otherwise.

(a) Whenever used in this section “Annual Financial Statements” means a report issued which covers a local government retirement system or plan to satisfy the financial reporting requirements of Section 112.664(1), F.S.

(b) For purposes of compliance with Section 112.664(1), F.S., “receipt of the certified actuarial report” means formal approval of the report by the board of trustees.

(c) The actuarial disclosures required under this section must be submitted together with a certification statement, signed and dated by the plan actuary. The certification statement will be in the following format:

“With respect to the reporting standards for defined benefit retirement plans or systems contained in Section 112.664(1), F.S., the actuarial disclosures required under this section were prepared and completed by me or under my direct supervision and I acknowledge responsibility for the results. To the best of my knowledge, the results are complete and accurate, and in my opinion, meet the requirements of Section 112.664(1), Florida Statutes, and Rule 60T-1.0035, Florida Administrative Code.”

Signature

Name

Enrollment Number

Date

Cover letter attached

(2) The reports required to be filed electronically with the Department of Management Services under Section 112.664(1), F.S., shall use the following format:

Electronic Reporting Format - Must be submitted as a semi-colon delimited file in the following layout:

	<u>Refer</u> <u>ence</u>	<u>Field</u> <u>Name</u>	<u>Field Value</u>	<u>Field Layout</u> <u>Variable length with</u> <u>the maximum number</u> <u>of characters (v#) or</u> <u>Fixed Length with the</u> <u>number of characters</u> <u>(f#)</u>

			<u>(Negative values</u> <u>indicated with dashes)</u>
<u>(a)</u>	<u>City/District</u>		<u>v25</u>
<u>(b)</u>	<u>Plan Name</u>		<u>v50</u>
<u>(c)</u>	<u>Plan Type</u> <u>(drop down box)</u>		<u>v25</u>
<u>(d)</u>	<u>Valuation Date</u>		<u>f8 using</u> <u>MMDDYYYY format</u>
<u>(e)</u>	<u>Interest Rate:</u>		
<u>(e)(1)</u>	<u>Discount Rate, net of investment fees</u>		<u>v5 using xx.xx format</u>
<u>(e)(2)</u>	<u>Long-Term Expected Rate of Return, net of investment fees</u>		<u>v5 using xx.xx format</u>
<u>(f)</u>	<u>Certification Statement</u>		
<u>(f)(1)</u>	<u>Signature</u>	<u>Y / N</u>	<u>f1</u>
<u>(f)(2)</u>	<u>Actuary’s Name</u>		<u>v50</u>
<u>(f)(3)</u>	<u>Enrollment Number</u>		<u>v10</u>
<u>(f)(4)</u>	<u>Signature Date</u>		<u>f8 using</u> <u>MMDDYYYY format</u>
<u>(f)(5)</u>	<u>Cover letter attached (pdf)?</u>	<u>Y / N</u>	<u>f1</u>
	<u>Section 112.664(1)(a), F.S.</u>	<u>(descriptive separator, not part of the electronic file)</u>	
<u>(g)</u>	<u>Total pension liability:</u>	<u>Place responses in (g)(1)-(10)</u>	<u>Leave blank</u>

(g)(1)	Service cost	\$ _____ _____	v20 rounded to the nearest whole dollar, exclude "\$" in beginning of field and exclude commas; example 12313445
(g)(2)	Interest	\$ _____ _____	Use (g)(1) field layout
(g)(3)	Benefit changes	\$ _____ _____	Use (g)(1) field layout
(g)(4)	Difference between expected and actual experience	\$ _____ _____	Use (g)(1) field layout
(g)(5)	Changes in assumptions	\$ _____ _____	Use (g)(1) field layout
(g)(6)	Benefit payments	\$ _____ _____	Use (g)(1) field layout
(g)(7)	Contribution refunds	\$ _____ _____	Use (g)(1) field layout
(g)(8)	Net change in total pension liability	\$ _____ _____	Use (g)(1) field layout

(g)(9)	Total pension liability – beginning of year	\$ _____ _____	Use (g)(1) field layout
(g)(10)	Total pension liability – ending of year	\$ _____ _____	Use (g)(1) field layout
(h)	Plan fiduciary net position:	Place responses in (h)(1)-(11)	Leave blank
(h)(1)	Contributions – Employer	\$ _____ _____	Use (g)(1) field layout
(h)(2)	Contributions – State	\$ _____ _____	Use (g)(1) field layout
(h)(3)	Contributions – Member	\$ _____ _____	Use (g)(1) field layout
(h)(4)	Net investment income	\$ _____ _____	Use (g)(1) field layout
(h)(5)	Benefit payments	\$ _____ _____	Use (g)(1) field layout

(h)(6)	Contributions refunds	\$ _____ _____	Use (g)(1) field layout
(h)(7)	Administrative expense	\$ _____ _____	Use (g)(1) field layout
(h)(8)	Other	\$ _____ _____	Use (g)(1) field layout
(h)(9)	Net change in plan fiduciary net position	\$ _____ _____	Use (g)(1) field layout
(h)(10)	Plan fiduciary net position - beginning of year	\$ _____ _____	Use (g)(1) field layout
(h)(11)	Plan fiduciary net position - ending of year	\$ _____ _____	Use (g)(1) field layout
(i)	Net pension liability / (asset) [(g)(10) minus (h)(11)]	\$ _____ _____	Use (g)(1) field layout
	Section 112.664(1)(b), F.S.	(descriptive separator, not part of the electronic file)	
(j)	Total pension liability:	Place responses in (j)(1)-(10)	Leave blank

(j)(1)	Service cost	\$ _____ _____	Use (g)(1) field layout
(j)(2)	Interest	\$ _____ _____	Use (g)(1) field layout
(j)(3)	Benefit changes	\$ _____ _____	Use (g)(1) field layout
(j)(4)	Difference between expected and actual experience	\$ _____ _____	Use (g)(1) field layout
(j)(5)	Changes in assumptions	\$ _____ _____	Use (g)(1) field layout
(j)(6)	Benefit payments	\$ _____ _____	Use (g)(1) field layout
(j)(7)	Contributions refunds	\$ _____ _____	Use (g)(1) field layout
(j)(8)	Net change in total pension liability	\$ _____ _____	Use (g)(1) field layout

(j)(9)	Total pension liability – beginning of year	\$ _____	Use (g)(1) field layout
(j)(10)	Total pension liability – ending of year	\$ _____	Use (g)(1) field layout
(k)	Plan fiduciary net position:	Place responses in (k)(1)-(11)	Leave blank
(k)(1)	Contributions – Employer	\$ _____	Use (g)(1) field layout
(k)(2)	Contributions – State	\$ _____	Use (g)(1) field layout
(k)(3)	Contributions – Member	\$ _____	Use (g)(1) field layout
(k)(4)	Net investment income	\$ _____	Use (g)(1) field layout
(k)(5)	Benefit payments	\$ _____	Use (g)(1) field layout

(k)(6)	Contributions refunds	\$ _____	Use (g)(1) field layout
(k)(7)	Administrative expense	\$ _____	Use (g)(1) field layout
(k)(8)	Other	\$ _____	Use (g)(1) field layout
(k)(9)	Net change in plan fiduciary net position	\$ _____	Use (g)(1) field layout
(k)(10)	Plan fiduciary net position – beginning of year	\$ _____	Use (g)(1) field layout
(k)(11)	Plan fiduciary net position – ending of year	\$ _____	Use (g)(1) field layout
(l)	Net pension liability / (asset) [(j)(10) minus (k)(11)]	\$ _____	Use (g)(1) field layout
	Section 112.664(1)(c), F.S. (on last valuation basis)	(descriptive separator, not part of the electronic file)	
(m)	Number of Years, and		v6 using xxx.xx format

	<u>fractional parts of Years, for which the Market Value of Assets are adequate to sustain expected retirement benefits</u>		
	<u>Section 112.664(1)(c), F.S. (on s. 112.664(1)(a), F.S. basis)</u>	<u>(descriptive separator, not part of the electronic file)</u>	
<u>(n)</u>	<u>Number of Years, and fractional parts of Years, for which the Market Value of Assets are adequate to sustain expected retirement benefits</u>		<u>v6 using xxx.xx format</u>
	<u>Section 112.664(1)(c), F.S. (on s. 112.664(1)(b), F.S. basis)</u>	<u>(descriptive separator, not part of the electronic file)</u>	
<u>(o)</u>	<u>Number of Years, and fractional parts of Years, for which the Market Value of Assets are adequate to sustain expected</u>		<u>v6 using xxx.xx format</u>

	<u>retirement benefits</u>		
	<u>Section 112.664(1)(d), F.S. (on last valuation basis)</u>	<u>(descriptive separator, not part of the electronic file)</u>	
<u>(p)</u>	<u>Recommended Plan contributions in Annual Dollar Value</u>	<u>\$ _____</u>	<u>Use (g)(1) field layout</u>
<u>(q)</u>	<u>Recommended Plan contributions as a Percentage of Valuation Payroll</u>		<u>v6 using xxx.xx format</u>
	<u>Section 112.664(1)(d), F.S. (on s. 112.664(1)(a), F.S. basis)</u>	<u>(descriptive separator, not part of the electronic file)</u>	
<u>(r)</u>	<u>Recommended Plan contributions in Annual Dollar Value</u>	<u>\$ _____</u>	<u>Use (g)(1) field layout</u>
<u>(s)</u>	<u>Recommended Plan contributions as a Percentage of Valuation Payroll</u>		<u>v6 using xxx.xx format</u>
	<u>Section 112.664(1)(d), F.S. (on s. 112.664(1)(b), F.S. basis)</u>	<u>(descriptive separator, not part of the electronic file)</u>	

(t)	<u>Recommended Plan contributions in Annual Dollar Value</u>	\$ _____	<u>Use (g)(1) field layout</u>
(u)	<u>Recommended Plan contributions as a Percentage of Valuation Payroll</u>		<u>v6 using xxx.xx format</u>

(3) A complete electronic copy of the plan’s Annual Financial Statements in compliance with the requirements in Sections 112.664(1)(a) and (b), F.S., submitted in a portable document format (PDF).

(a) The generational mortality used by Pension Plans when submitting under Section 112.664(1)(a), F.S., will reflect the mortality improvement before and after the measurement date in the following format:

1. Total pension liability:

- a. Service cost \$ _____
- b. Interest \$ _____
- c. Benefit changes \$ _____
- d. Difference between expected and actual experience \$ _____
- e. Changes in assumptions \$ _____
- f. Benefit payments \$ _____
- g. Contribution refunds \$ _____
- h. Net change in total pension liability \$ _____
- i. Total pension liability – beginning \$ _____
- j. Total pension liability - ending \$ _____

2. Plan fiduciary net position:

- a. Contributions – Employer \$ _____
- b. Contributions – State \$ _____
- c. Contributions – Member \$ _____
- d. Net investment income \$ _____
- e. Benefit payments \$ _____
- f. Contributions refunds \$ _____
- g. Administrative expense \$ _____
- h. Other \$ _____
- i. Net change in plan fiduciary net position \$ _____

- j. Plan fiduciary net position - beginning \$ _____
- k. Plan fiduciary net position – ending \$ _____

3. Net pension liability / (asset) [(3)(a)1.j. minus (3)(a)2.k.] \$ _____

(b) Administrators of Pension plans complying with the reporting requirements in (3)(a) above, will additionally provide disclosure under section 112.664(1)(b), F.S., in the following format:

1. Total pension liability:

- a. Service cost \$ _____
- b. Interest \$ _____
- c. Benefit changes \$ _____
- d. Difference between expected and actual experience \$ _____
- e. Changes in assumptions \$ _____
- f. Benefit payments \$ _____
- g. Contribution refunds \$ _____
- h. Net change in total pension liability \$ _____
- i. Total pension liability – beginning \$ _____
- j. Total pension liability - ending \$ _____

2. Plan fiduciary net position:

- a. Contributions – Employer \$ _____
- b. Contributions – State \$ _____
- c. Contributions – Member \$ _____
- d. Net investment income \$ _____
- e. Benefit payments \$ _____
- f. Contributions refunds \$ _____
- g. Administrative expense \$ _____
- h. Other \$ _____
- i. Net change in plan fiduciary net position \$ _____
- j. Plan fiduciary net position - beginning \$ _____
- k. Plan fiduciary net position – ending \$ _____

3. Net pension liability / (asset) [(3)(b)1.j. – (3)(b)2.k.] \$ _____

(4) Each plan is required to disclose the number of months or years for which the current market value of assets will sustain the payment of expected retirement benefits, based on the results in the plan's latest actuarial valuation, and under the conditions specified in (3) above. This must be calculated by preparing a month-by-month projection of the market value of assets, credited with the long-term expected rate of return on investments, reduced by assumed benefit payments. The number of months or years the projected benefits are sustained would then be reported. All demographic and economic assumptions in the valuation are to be used in this calculation. This calculation will be prepared using information provided in the plan's latest valuation, and then repeated twice more, varying the mortality table and long-term expected rate of return on investments/discount rate. The Annual Financial Statements must contain a table in the following format calculating the number of years, and fractional parts of years, for which current market value of assets are adequate to sustain the payment of expected retirement benefits:

Add: Month/Year Market value of assets Investment return Subtract: Projected benefit payments

(5) Each plan is required to disclose the recommended contributions to the plan, stated as an annual dollar value and as a percentage of valuation payroll, based on the results in the plan's latest actuarial valuation, and under the conditions specified in (3) and (4) above.

(6) No additional charts or graphs are prescribed by the Department for compliance with Section 112.664(2)(b)3, F.S.

(7) If the plan's actuarial valuation report is revised and reissued subsequent to the release of the Annual Financial Statements, all the updated actuarial disclosure items identified in this section must be updated and electronically transmitted to the Department within 60 days of receipt of the revised report from the plan actuary. The Annual Financial Statements will not be required to be reissued and resubmitted to the Department.

Rulemaking Authority 112.665 FS. Law Implemented 112.664 FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dan Drake, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppel, Agency Secretary of Management Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 9, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 30, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-36.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to add a disciplinary guideline for the violation of failure to obtain continuing education hours required by Section 473.212, F.S. and Rule 61H1-33.003, F.A.C.

SUMMARY: A disciplinary guideline will be added to the rule regarding the violation for failure to obtain continuing education hours required by Section 473.212, F.S. and Rule 61H1-33.003, F.A.C.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.2273, 473.304 FS.
 LAW IMPLEMENTED: 455.2273, 473.323(1)(m) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria A. Kelly, Division Director, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-36.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) No change.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) through (aa) No change.		
(bb) Failure to obtain continuing professional education hours (Section 473.212, F.S., Rule 61H1-33.003, F.A.C.)		
First Offense		
NUMBER OF HOURS LACKING		
1 to 16 hours	\$500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, within 90 days of final order, must submit proof of compliance for next two renewal periods	\$500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, within 90 days of final order, must submit proof of compliance for next two renewal periods
17 to 80 hours	\$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those	\$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those

	missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods
Second Offense		
NUMBER OF HOURS LACKING		
1 to 16 hours	\$500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	\$500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, suspension until all hours are completed, must submit proof of compliance for next two renewal periods
17 to 80 hours	\$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	\$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods

(3) No change.

Rulemaking Authority 455.2273, 473.304 FS. Law Implemented 455.2273, 473.323(1)(m) FS. History—New 1-7-87, Amended 9-16-87, 8-25-88, 6-18-91, 12-30-91, Formerly 21A-36.004, Amended 12-7-93, 5-23-94, 8-16-99, 1-31-05, 7-28-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Accountancy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 16, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2014

DEPARTMENT OF HEALTH

School Psychology

RULE NOS.:	RULE TITLES:
64B21-504.001	Disciplinary Guidelines
64B21-504.002	Notice of Noncompliance
64B21-504.003	Citations
64B21-504.004	Mediation

PURPOSE AND EFFECT: This rulemaking eliminates unnecessary or duplicative language and corrects statutory references.

SUMMARY: This rulemaking eliminates unnecessary language and amends fines that are inconsistent with Section 456.072(2)(d), FS.

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: This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 456.079, 120.695, 456.072, 456.077, 456.078 FS.

LAW IMPLEMENTED: 456.072, 456.079, 490.009, 456.073, 456.077, 456.078, 490.015 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: Allen Hall, Executive Director, (850)245-4374

THE FULL TEXT OF THE PROPOSED RULE IS:

64B21-504.001 Disciplinary Guidelines.

(1) through (1)(j) No change.

(k) Section 490.009(1)(k) or 456.072(1)(v)(~~tt~~), F.S.: committing any act upon a patient or client which would constitute sexual battery or which would constitute sexual misconduct as defined in Section 490.0111 or 456.063, F.S. – a fine of \$7,000, a PRN evaluation and probation up to suspension followed by probation with a PRN evaluation. After the first offense, a fine of \$7,000 up to \$10,000 and PRN evaluation and suspension followed by probation, or in the alternative, revocation.

(l) through (o) No change.

(p) Section 490.009(1)(p) or 456.072(1)(z)(~~yy~~), F.S.: unable to practice with reasonable skill or competence – the penalty shall be suspension until such time as the licensee demonstrates rehabilitation satisfactory to the Department, then probation and mental or physical evaluations by Department approved professionals.

(q) through (v) No change.

(w) Section 490.009(1)(w) or 456.072(1)(dd)(~~ee~~), F.S.: violating any provision of Chapter 490, F.S., ~~this chapter~~ or Chapter 456, F.S., or any rules adopted thereto – a fine of \$1,000 up to \$5,000 and a letter of concern up to a reprimand. For a second offense, a fine of \$5,000 up to \$10,000 and probation. After the second offense, a fine of \$7,500 up to \$10,000 and suspension followed by probation or revocation. If the violation is for engaging or attempting to engage in sexual misconduct, then the penalty shall be a \$10,000 fine and revocation.

(x) through (z) No change.

~~(aa) Section 456.072(1)(gg), F.S.: being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, F.S., for failure to comply without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug or alcohol treatment program from suspension and a fine of up to \$1,000 to revocation. For a second offense, from suspension and a fine of up to \$5,000 to revocation. After a second offense, from suspension and a fine of up to \$7,500 to revocation.~~

(bb) through (ee) are renumbered (aa) through (dd)

~~(ee)(ff)~~ Section 456.072(1)(II), F.S.: being convicted of or entering a plea to any misdemeanor or felony relating to health care fraud – for a misdemeanor ~~with no intentional fraud~~, a fine ~~\$10,000 of \$1,000 to \$5,000~~ and probation to revocation. For a felony, a fine of ~~\$7,500 up to \$10,000~~ and from suspension to revocation. For a second offense, a fine of \$10,000 and revocation.

(2) through (3) No change.

Rulemaking Authority 456.079 FS. Law Implemented 456.072, 456.079, 490.009 FS. History–New 9-11-03, Amended 7-5-06, 10-28-10, _____.

64B21-504.002 Notice of Noncompliance.

The Department adopts the provisions in Rule 64B19-17.0035, F.A.C. (~~effective March 2005~~), as the minor violations which shall result in a notice of noncompliance.

Rulemaking Authority 120.695 FS. Law Implemented 456.073, 490.015 FS. History–New 4-11-05, Amended _____.

64B21-504.003 Citations.

The Department adopts the provisions in Rule 64B19-17.004, F.A.C. (~~effective March 2005~~), as the citation provisions to be imposed by the Department.

Rulemaking Authority 456.072, 456.077 FS. Law Implemented 456.073, 456.077, 490.015 FS. History–New 4-11-05, Amended _____.

64B21-504.004 Mediation.

The Department adopts the provisions in Rule 64B19-17.007, F.A.C., (~~effective March 2005~~), as the offenses that may be resolved through mediation.

Rulemaking Authority 456.078 FS. Law Implemented 456.078, 490.015 FS. History–New 4-11-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allen Hall

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 17, 2014

DEPARTMENT OF HEALTH

Council of Medical Physicists

RULE NO.: RULE TITLE:

64B23-6.001 Penalty Guidelines

PURPOSE AND EFFECT: The purpose of this rulemaking is to update language regarding fines related to fraud. The effect is internal consistency and statutory compliance.

SUMMARY: This rulemaking amends fines that are inconsistent with Section 456.072(2)(d), FS, which requires the imposition of a \$10,000 fine for violations for fraud or fraudulent representations.

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: This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 456.079(1), 483.901(6)(g) FS
LAW IMPLEMENTED: 456.072, 456.079, 483.901(6)(g) 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: Adrienne Rodgers, (850)245-4393, Adrienne.Rodgers@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B23-6.001-Penalty Guidelines.

(1) through (1)(cc) No change.

(dd) Section 456.072(1)(II), F.S.: Being convicted of or entering a plea to any misdemeanor or felony relating to health care fraud – misdemeanor ~~with no intentional~~ fraud – from a ~~minimum~~ fine of \$10,000 and two years of probation up to a ~~maximum~~ fine of \$103,000 and revocation. ~~Felony or F~~for a felony or second violation, revocation and a fine of \$10,000.

(2) No Change.

Rulemaking Authority 456.079(1), 483.901(6)(g) FS. Law Implemented 456.072, 456.079, 483.901(6)(g) FS. History—New 7-15-99, Amended 8-5-07, 7-20-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alysson Bradley
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2012

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-8.002 RULE TITLE: Disciplinary Action and Guidelines
PURPOSE AND EFFECT: The purpose of this rulemaking is to update language regarding fines related to fraud. The effect is internal consistency and statutory compliance.
SUMMARY: This rulemaking eliminates fines that are inconsistent with Section 456.072(2)(d), FS, which requires the imposition of a \$10,000 fine for violations for fraud or fraudulent representations.

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: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 456.004(5), 456.079, 467.005, 467.203(4) FS.
LAW IMPLEMENTED: 456.079, 467.203 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christy Robinson, (850)245-4162, Christy.Robinson@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-8.002 Disciplinary Action and Guidelines.

(1) No change.

(2) through (2)(v) No change.

(w) Section 456.072(1)(II), F.S.: Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction, which relates to health care fraud – misdemeanor and ~~unintentional~~ fraud: ~~from a minimum~~ fine of ~~\$10,000~~ ~~\$600~~ and a ~~minimum~~ one year of probation ~~up to a fine of \$3,000~~ and up to three years of probation; ~~intentional~~ ~~felony~~ fraud ~~or felony~~: ~~from a minimum~~ fine of \$10,000 and a ~~minimum~~ three months suspension followed by two years probation ~~and up to a maximum fine of \$10,000~~ and revocation. For a subsequent offense, a fine of \$10,000 and revocation.

Rulemaking Authority 456.004(5), 456.079, 467.005, 467.203(4) FS. Law Implemented 456.079, 467.203 FS. History—New 7-14-94, Formerly 61E8-8.002, 59DD-8.002, Amended 10-3-06, 10-28-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alysson Bradley
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 23, 2014

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: 64E-5.1602 64E-5.220 64E-5.508 64E-5.510 64E-5.511 64E-5.801
RULE TITLES: Administrative Requirements
Radioactive Quantities
X-Ray and Electron Therapy Systems with Energies of 1 MeV and Above
Mammographic Systems
Registration of Radiation Machines
Registration Requirements

PURPOSE AND EFFECT: This rulemaking amends rule language as necessary to ensure that all the rules conform to statutory requirements, federal regulations, and the current x-ray machine registration procedures. The rulemaking updates radiation machine registration related applications and forms and updates operational and safety requirements for x-ray and electron therapy systems, as well as diagnostic systems. The rulemaking amends Rule 64E-5.220, F.A.C., to incorporate by reference the modified table of Emergency Plan Isotopes and Quantities and updates the means for enforcing radiation control regulations.

SUMMARY: The rulemaking updates forms related to radiation machine registration, creates an incorporated form table that identifies required Emergency Plan Isotopes and Quantities, deletes obsolete definitions and language related to requirements for x-ray and electron therapy systems, deletes unnecessary language related to mammographic screening system requirements and updates radiation control enforcement rules.

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 analysis the department conducted to determine if a SERC is necessary, indicates neither a SERC nor legislative ratification is required. This rulemaking will have minimal impact on the regulated community and is not likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment. The rulemaking will have minimal impact on regulatory costs and business competitiveness. This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 404.022, 404.031, 404.042, 404.051, 404.061, 404.071, 404.081, 404.141, 404.22 FS.

LAW IMPLEMENTED: 404.022, 404.031, 404.042, 404.051, 404.061, 404.071, 404.081, 404.091, 404.101, 404.141, 404.161, 404.162, 404.163, 404.071, 404.081, 404.22 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: Brenda Andrews, 4052 Bald Cypress Way, Bin C21, Tallahassee, FL 32399-1741, (850)245-4266, Brenda.Andrews@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-5.1602 Administrative Requirements.

(1) Registration and Notification.

(a) through (c) No change.

(d) Each person who acquires an electronic brachytherapy device shall apply for registration of the radiation device with the department within 30 days after acquisition. Application for registration shall be on DH Form DH-1107, 09/14 03/07, "Radiation Machine Facility Registration," as incorporated in subparagraph 64E-5.511(2)(a)1., F.A.C. and is available from the internet at _____, and at _____. The application must include the following documents:

1. through 6. No change.

(e) No change.

(2) through (3) No change.

Rulemaking Authority 404.051(4), 404.22 FS. Law Implemented 404.051, 404.081(1), 404.22 FS. History—New 3-12-09, Amended _____.

64E-5.220 Radioactive Quantities.

(1) The list of Listed below are quantities of radioactive materials requiring consideration of the need for an emergency plan for responding to a release as required in Rule 64E-5.219, F.A.C.; is provided in the Department publication "Emergency Plan Isotopes and Quantities," July 2014 edition, which is incorporated by reference and can be obtained at <http://www.floridahealth.gov/radiation>, and at _____.

Entire table deleted. See table in individual notice.

(2) through (3) No change.

Rulemaking Authority 404.022, 404.042, 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.042, 404.051(1), (4), (6), (9), (10), 404.061(2), (3), 404.071(1), 404.081(1) FS. History—New 5-12-93, Formerly 10D-91.327, Amended _____.

64E-5.508 X-Ray and Electron Therapy Systems with Energies of 1 MeV and Above.

(1) Definitions. In addition to the definitions ~~provided~~ in Rule 64E-5.501, F.A.C., the following definitions shall apply ~~be applicable~~ to this section:

(a) through (e) No change.

(f) "Existing equipment" means therapy systems subject to this section which were manufactured on or before January 1, 1985.

~~(f)(g)~~ “Field-flattening filter” means a filter used to provide dose uniformity over the area of a useful beam of x-rays at a specified depth.

~~(g)(h)~~ “Field size” means the dimensions along the major axes of an area in a plane perpendicular to the specified direction of the beam of incident radiation at the normal treatment distance and defined by the intersection of the major axes and the 50 percent isodose line. Material shall be placed in the beam such that dose maximum is produced at the normal treatment distance when field size is being determined.

~~(h)(i)~~ “Gantry” means that part of the system supporting and allowing possible movements of the radiation head.

~~(i)(j)~~ “Interruption of irradiation” means the stopping of irradiation with the possibility of continuing irradiation without resetting of operating conditions at the control panel.

~~(j)(k)~~ “Isocenter” means a fixed point in space located at the center of the smallest sphere through which the central axis of the beam passes in all conditions.

~~(k)(l)~~ “Moving beam therapy” means radiation therapy with relative displacement of the useful beam and the patient during irradiation. It includes arc therapy, skip therapy and rotational therapy.

~~(m)~~ “New equipment” means systems subject to this section which were manufactured after January 1, 1985.

~~(l)(m)~~ “Normal treatment distance” means:

1. through 2. No change

~~(m)(n)~~ “Radiation head” means the structure from which the useful beam emerges.

~~(n)(o)~~ “Shadow tray” means a device attached to the radiation head to support auxiliary beam limiting material.

~~(o)(p)~~ “Stationary beam therapy” means radiation therapy without relative displacement of the useful beam or the patient during irradiation.

~~(p)(q)~~ “Target” means that part of a radiation head which by design intercepts a beam of accelerated particles with subsequent emission of other radiation.

~~(q)(r)~~ “Virtual source” means a point from which radiation appears to originate.

(2) Requirements for Equipment.

(a) Leakage Radiation to the Patient Area.

1. No change.

~~2. Existing equipment shall meet the following requirement: For operating conditions producing maximum leakage radiation, the absorbed dose in rads (grays) due to leakage radiation excluding neutrons at any point in a circular plane of 2 meters radius centered on a perpendicular to the central axis of the beam 1 meter from the virtual source, and outside the maximum size useful beam, shall not exceed 0.1 percent of the maximum absorbed dose in rads (grays) of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the surface of the circular~~

~~plane. Measurements shall be averaged over an area up to, but not exceeding, 100 square centimeters at the positions specified.~~

~~2.3. For each system, T~~the registrant shall determine or obtain from the manufacturer the leakage radiation existing at the positions specified and for the specified operating conditions. Records on radiation leakage shall be maintained for inspection by the Department.

(b) through (e) No change.

(f) Beam Monitors. All therapy systems shall be provided with two radiation detectors in the radiation head.

~~1. New equipment shall be provided with at least two radiation detectors.~~ The detectors shall be incorporated into two separate dose monitoring systems.

~~2. Existing equipment shall be provided with at least one radiation detector. This detector shall be incorporated into a primary dose monitoring system.~~

~~2.3.~~ The detector and the system into which that detector is incorporated shall meet the following requirements:

a. through d. No change.

~~3.4.~~ Each dose monitoring system shall have a legible display at the treatment control panel. For new equipment, each display shall:

~~a.(I)~~ Maintain a reading until intentionally reset to 0;

~~b.(II)~~ Have only one scale and no scale multiplying factors;

~~c.(III)~~ Utilize a design such that increasing dose is displayed by increasing numbers and ~~shall be so designed that,~~ in the event of an overdosage of radiation, the absorbed dose may be accurately determined; and

~~d.(IV)~~ In the event of power failure, the dose monitoring information required to be displayed at the control panel at the time of failure shall be retrievable in at least one system for a 20-minute period of time.

(g) Beam Symmetry. In ~~new~~ equipment inherently capable of producing useful beams with asymmetry exceeding 5 percent, the asymmetry of the radiation beam in two orthogonal directions shall be monitored before the beam passes through the beam limiting device. Facilities shall be provided so that, if the difference in dose rate between one region and another region symmetrically displaced from the central axis of the beam exceeds 5 percent of the central axis dose rate, indication of this condition is made at the control panel; and if this difference exceeds 10 percent, the irradiation is terminated.

(h) Selection and Display of Dose Monitor Units.

1. through 3. No change.

~~4. For new equipment, A~~after termination of irradiation, it shall be necessary to manually reset the pre-selected dose monitor units before irradiation can be initiated.

(i) Termination of Irradiation by the Dose Monitoring System or Systems During Stationary Beam Therapy.

1. Each primary system shall terminate irradiation when the pre-selected number of dose monitor units has been detected by the system.

~~2. If original design of the equipment included a second dose monitoring system, that system shall be capable of terminating irradiation when not more than 15 percent or 40 dose monitor units above the pre-selected number of dose monitor units set at the control panel has been detected by the second dose monitoring system.~~

~~2.3. For new equipment, a second dose monitoring system shall be present. The~~ That system shall be capable of terminating irradiation when not more than 10 percent or 30 dose monitoring units above the pre-selected number of dose monitor units set at the control panel has been detected by the second dose monitoring system.

~~3.4. For new equipment, A~~an indicator on the control panel shall show which dose monitoring system has terminated irradiation.

(j) through (k) No change.

(l) Timer.

1. through 2. No change.

3. ~~For new equipment, A~~after termination of irradiation and before irradiation can be reinitiated, it shall be necessary to manually reset the preset time selector.

4. No change.

(m) Selection of Radiation Type. Equipment capable of both x-ray therapy and electron therapy shall meet the following ~~additional requirements:~~

1. through 6. No change.

(n) Selection of Energy. Equipment capable of generating radiation beams of different energies shall meet the following ~~requirements:~~

1. through 3. No change.

(o) Selection of Stationary Beam Therapy or Moving Beam Therapy. Equipment capable of both stationary beam therapy and moving beam therapy shall meet the following ~~requirements:~~

1. through 4. No change.

5. ~~For new equipment, A~~an interlock system shall be provided to terminate irradiation if:

a. Movement of the gantry occurs during stationary beam therapy; or

b. Movement of the gantry stops during moving beam therapy unless such stoppage is a preplanned function.

6. Moving beam therapy shall be controlled to obtain the selected relationships between incremental dose monitor units and incremental angle of movement.

~~a. For new equipment, A~~an interlock system shall be provided to terminate irradiation if the number of dose monitor units delivered in any 10 degrees of arc differs by more than 20 percent from the selected value.

~~b. For new equipment, W~~where gantry angle terminates the irradiation in arc therapy, the dose monitor units shall differ by less than 5 percent from the value calculated from the absorbed dose per unit angle relationship.

7. No change.

(p) Absorbed Dose Rate. ~~For new equipment, A~~a system shall be provided from whose readings the absorbed dose rate at a reference point in the treatment volume can be calculated. In addition:

1. The dose monitor unit rate shall be displayed at the treatment control panel; ~~and,~~

2. The radiation detectors specified in paragraph (2)(f), above, may form part of this system.

(q) through (r) No change.

(3) through (4) No change.

Rulemaking Authority 404.031, 404.051, 404.071, 404.081, 404.141, 404.22 FS. Law Implemented 404.022, 404.031, 404.051(1), (4), (5), (6), 404.071(1), 404.081(1), 404.141, 404.22(1), (3) FS. History—New 7-17-85, Amended 4-4-89, Formerly 10D-91.609, Amended _____.

64E-5.510 Mammographic Systems.

(1) No change.

~~(2) Mammographic x ray examinations shall be performed on systems specifically designed for and used only for mammography. Mammographic medical x ray systems shall meet the following requirements:~~

~~(a) Image receptor. The image receptor systems and their individual components must be designed for mammography.~~

~~(b) Target/filter. The x ray system must be able to provide kVp/target/filter combinations that are compatible with the image receptor systems.~~

~~(c) Focal spot size measurement. Focal spot dimensions shall be measured both parallel and perpendicular to the anode cathode axis with a slit camera or star pattern. Measured focal spot size shall result in minimal acceptable phantom image as specified in paragraph (8)(c) or comply with the manufacturer's specified nominal focal spot size within the following tolerances:~~

Nominal Focal Maximum Measured

Spot Size		Dimensions*
In Millimeters	Width (mm)	Length (mm)
0.10	0.15	0.15
0.15	0.23	0.23
0.20	0.30	0.30
0.30	0.45	0.65
0.40	0.60	0.85
0.60	0.90	1.30

*Width is the dimension perpendicular to the anode cathode axis, length is the dimension parallel to the anode cathode axis.

(d) Compression. Devices parallel to the imaging plane must be available to immobilize and compress the breast. These devices must be able to compress the breast with a force of at least 25 pounds and be able to maintain this compression for at least 15 seconds. For systems with automatic compression, the maximum force applied without manual assistance shall not be allowed to exceed 40 pounds. The chest wall edge of the compression paddle must be aligned with the chest wall edge of the image receptor to within 1 percent of the SID when the compression paddle is placed 6 centimeters above the patient support device.

(e) Anti scatter grids. A mammographic x ray system using screen film image receptors shall be able to use anti-scatter grids that are integral to the x ray system and available for all image receptor sizes of the system.

(f) Automatic exposure control. The department recommends that all x ray equipment installed after September 1, 1993 have automatic exposure control that meets the requirements of subsection 64E 5.503(14), F.A.C. The automatic exposure control shall be able to maintain constant film density within the diagnostic range of 1.05 to 1.60 optical density for 2, 4, and 6 centimeters of acrylic or of BR 12 phantoms. Density selection and kVp can be manually adjusted and recorded on technique charts if necessary to maintain film density.

(3) Beam quality. The useful beam shall have a half value layer between the values of measured kVp/100 and measured kVp/100 + 0.1 millimeter aluminum equivalent when used with screen film image receptors and the contribution to filtration made by the compression device is included. For xeroradiography, the half value layer of the useful beam with the compression device in place shall be at least 1.0 and not more than 1.6 millimeters aluminum equivalent, tested at the kVp recommended by the manufacturer. Mammographic units using only rhodium filters and anodes are exempt from these beam quality requirements.

(4) The x ray system shall meet safety standards and be free from unnecessary hazards to patients, personnel and others. Identified hazards must be corrected promptly. Technique charts, procedures for all equipment use, proper safety precautions for both mechanical and electrical operation, adequate shielding, and emergency procedures must be available to the equipment operator. Staff or a medical physicist as specified in subsection (12), below, shall conduct and document periodic inspections of the equipment and of the adequacy of procedures as part of the annual quality assurance review.

(5) Collimation. The mammographic system shall be able to limit the useful beam so that the x ray field at the plane of the image receptor at any SID does not extend beyond the left, right, and nipple edges of the image receptor and does not extend beyond the image receptor adjacent to the chest wall by more than 2 percent of the SID. The sum of the collimated light field edges shall not differ from the sum of the respective edges of the x ray field along either the length or the width of the visually defined field by more than 2 percent of the SID.

(6) Average glandular tissue dose. The average glandular tissue dose for one craniocaudal view of a 4.5 centimeter compressed breast with 50 percent adipose/50 percent glandular tissue shall not exceed the following values:

(a) One hundred millirads (1 milligray) for film/screen without grid.

(b) Three hundred millirads (3 milligray) for film/screen with grid.

(c) Four hundred millirads (4 milligray) for Xeroradiographic systems.

(2)(7)The film processor shall be optimized for the specific mammography film used by the facility. Its performance shall be checked for consistency of speed, contrast, and base plus fog prior to processing patient films and after being idle more than 6 hours.

(a) These performance checks shall be plotted and compared to established limits. If these limits are exceeded, documented corrective actions including an image quality check as specified in subsection (3) (8), below, are required.

(b) Corrective action shall be taken when:

1. Optical density deviates by more than 0.15 from established operating levels for readings of mid-density or and density difference on the sensitometric control charts.

2. Base plus fog exceeds the established operating level by more than 0.03 optical density.

(c) No change.

(3)(8) Mammographic x-ray systems shall be monitored and evaluated using the following standards:

(a) The image quality shall be checked using a standard phantom approved by the FDA U.S. Food and Drug Administration which meets the criteria below at least weekly ~~monthly~~ and whenever service which could affect image quality is performed on the x-ray system or the film processor. The image quality shall be scored on the ability to image fibers, specks, and low density masses. If quality control limits are exceeded, image quality checks also must be performed after any corrective actions have been taken. This standard phantom must be designed to evaluate image quality in the 1.2 1.05 to 1.8 1.60 optical density range, shall not change more than 0.2 optical density from its previous reading, and must be composed of material that is equivalent to a nominal 4.5 centimeter compressed breast of average density of approximately 50 percent adipose and 50 percent glandular tissue. It shall contain the following objects:

1. through 3. No change.

(b) No change.

(c) The minimum acceptable image quality of a standard phantom described in ~~(3)(8)(a)~~, above, shall demonstrate the ability to image at least ~~1.56 millimeter, 1.12 millimeter, 0.89 millimeter, and 0.75 millimeter fibers; 0.54 millimeter, 0.40 millimeter, and 0.32 millimeter specks; and 2.00 millimeter, 1.00 millimeter, and 0.75 millimeter spherical masses.~~ Mammographic examinations shall not be performed on systems which do not meet the minimum image quality standard.

(d) The registrant must document in the annual review required in subsection (1), above, that all ~~the following~~ equipment quality control items were performed under the direction and approval of the medical physicist ~~when the equipment or components were initially installed or replaced and were performed thereafter at least as often as the frequency specified in paragraph (8)(c), below. When the results of performed tests do not meet established limits, corrective action must be taken and documented. The equipment quality control items which must be monitored are:~~

1. ~~Processor performance through sensitometric-densitometric means, before processing patient films and as specified in subsection (7), above.~~

2. Darkroom cleaning, daily.

3. Screen cleaning, weekly.

4. Image quality, monthly and as specified in paragraphs ~~(8)(a), (b) and (c), above.~~

5. Equipment observation check, monthly.

6. Analysis of fixer retention in film, quarterly.

7. Compression device performance, semiannually.

8. ~~Screen film contact and screen artifact detection, semiannually.~~

9. Uniformity of screen speed, annually.

10. Beam limiting device alignment, annually.

~~11. Accuracy of kVp, annually.~~

~~12. Output reproducibility and linearity, annually.~~

~~13. Automatic exposure control reproducibility, kVp response and phantom thickness response, annually.~~

~~14. Half value layer, annually.~~

~~15. Average glandular tissue dose, annually.~~

~~16. Focal spot size, annually.~~

~~17. Analysis of clinical images repeated or rejected, quarterly. Corrective action shall be taken and documented if the retake rate of the facility exceeds 5 percent.~~

~~18. Viewbox uniformity and integrity of devices used to block extraneous light, semiannually. A means shall be provided to block extraneous light from the viewer's eye when the illuminated surface of the viewbox is larger than the film size or area of clinical interest.~~

~~19. Darkroom integrity, semiannually. Darkroom fog shall not exceed 0.05 optical density when sensitized film is exposed to darkroom conditions with the safelight on for 2 minutes.~~

(e) Mammography system performance must be evaluated regularly. ~~The registrant must document the evaluation of the equipment quality control tests in the annual review specified in subsection (1), above. Those components and parameters of the equipment quality control program tested for performance daily, weekly, monthly or quarterly shall be evaluated quarterly. The annual onsite survey evaluation by the medical physicist must include a summary of the quarterly evaluations, and the following:~~

~~1. Unit assembly.~~

~~2. Collimation assessment.~~

~~3. Focal spot size measurement.~~

~~4. Accuracy and reproducibility of the kVp.~~

~~5. Beam quality assessment.~~

~~6. Automatic exposure control system performance.~~

~~7. Uniformity of screen speed.~~

~~8. Breast entrance exposure and average glandular tissue dose.~~

~~9. Image quality.~~

~~10. Artifacts.~~

~~(f) The registrant shall document the qualifications and training of the personnel responsible for each part of the mammography quality assurance program, including the clinical image review, the establishment, monitoring, and evaluation of the equipment quality control program, and the annual review of the quality assurance program effectiveness.~~

~~(9) All image receptors shall be clearly marked to indicate on the film which receptor was used on any given examination to facilitate the detection and removal of artifacts.~~

~~(10) Xerox mammography systems shall be exempt from the requirements of paragraphs (2)(e), (2)(f), (7), (8)(d)1., 2., 3., 6., 8., 9., 13., 18., 19., (8)(e)6., and 7.~~

~~(11) Xerox mammography systems which exceed an average glandular dose for one craniocaudal view of a 4.5 centimeter compressed breast with a 50/50 percent ratio of glandular/fat tissue of 400 mrad (4 mGy) shall have the exposure techniques, processing, and image quality of the system investigated by a medical physicist, as specified in subsection (12), below.~~

~~(4)(12) The following requirements apply to personnel involved in any aspect of mammography, including the production, processing, and interpretation of mammograms and related quality assurance activities.~~

~~(a) Interpreting physicians shall be meet the following requirements: 1. Licensed to practice medicine in the State of Florida, as specified in Chapters 458 and 459, F.S.~~

~~2.a. Certified by a certifying body approved by the U.S. Food and Drug Administration; or~~

~~b.(I) Have 2 months of documented full time training in the interpretation of mammograms, including instruction in radiation physics, radiation effects, and radiation protection; and~~

~~(II) Have 40 hours of documented continuing medical education in mammography. Time spent in residency specifically devoted to mammography is acceptable if documented in writing by the physician.~~

~~3.a. Have read and interpreted mammograms from the examinations of at least 240 patients in the last 6 months; or~~

~~b. Have read and interpreted mammograms as specified above under the direct supervision of a fully qualified interpreting physician.~~

~~4.a. Read and interpret mammograms from the examinations of an average of at least 40 patients per month over 24 months; and~~

~~b. Teach or complete an average of at least five continuing medical education credits in mammography per year.~~

~~(b) Radiologic technologists shall be meet the following requirements: 1. Certified as a general radiographer in the State of Florida as specified in Chapter 64E-3, F.A.C.~~

~~2. Obtain training specific to mammography, either through a training curriculum or special mammography course.~~

~~3. Accumulate an average of 5 continuing education hours in mammography per year.~~

~~(c) 1. Prior to April 28, 1999, Aa medical physicist qualified to conduct surveys of mammography facilities and provide oversight of the facility quality assurance program shall be meet the criteria specified in a. and b. and c., below: a. Licensed in Florida as a medical physicist as specified in Chapter 483, Florida Statutes; and~~

~~b.(I) Holds a Master of Science, Master of Arts, or a higher degree in an appropriate field from an accredited institution. Appropriate fields include physics, applied physics, radiological physics, biophysics, health physics, engineering, and public health when the Bachelor's degree is in a physical science; and~~

~~(II) Has had training in biological sciences; and~~

~~(III) Has had at least 1 year of training in medical physics in the area of diagnostic radiological physics; and~~

~~(IV) Has had at least 2 years of experience conducting mammography equipment performance evaluations.~~

~~e. Has received or taught at least an average of 5 hours of documented continuing education related to mammography per year.~~

~~2. After April 28, 1999, the medical physicist must meet the criteria specified in 1.a. and 1.b.(I), above, and the qualifications and experience specified in 21 CFR 900.12(a) (3) (i), (iii), and (iv), which is herein incorporated by reference and which is available from the department.~~

~~(5)(13) Documentation, records and surveys. Each facility shall maintain records, policies, procedures and documentation to demonstrate compliance with these requirements, including corrective actions taken.~~

~~(a) No change.~~

~~(b) Clinical image interpretation. To ensure that quality clinical images are produced routinely at the facility, each facility shall submit clinical images to the Department for review as required by the Department. Each facility also will establish a system to review outcome data from all mammography performed, including follow up on the disposition of positive mammograms and correlation of surgical biopsy results with mammogram reports.~~

~~(c) Surveys. A medical physicist who meets the qualifications specified in subsection (4) (12), above, and who establishes, monitors, evaluates, and directs the equipment quality control program must perform an on-site survey of the facility to assure that it meets quality control and equipment standards. These surveys shall be performed at least annually and shall be available for inspection by the department. Each survey report shall be retained by the facility until the next annual survey is completed satisfactorily.~~

~~(d) Medical records.~~

~~1. Each facility shall maintain mammograms and associated records in a permanent medical record of the patient as follows:~~

~~a. For at least 5 years, or, if no additional mammograms of the patient are performed at the facility, for at least 10 years; or~~

~~b. Until the records are transferred as requested by the patient to a medical institution, to a physician of the patient, or to the patient.~~

2. Each facility shall prepare a written report of the results of each mammography examination. This report shall be completed as soon as reasonably possible and shall:

- a. Be signed by the interpreting physician; and
- b. Be provided to the patient's physician or to the patient if the patient's physician is not available or if the patient does not have a physician. If this report is sent to the patient, it shall include a summary written in language easily understood by a lay person. A copy of the report shall be maintained in the patient's medical record.

~~(6)(14)~~ In addition to the above requirements, effective October 1, 1994, no facility can conduct mammography procedures unless the facility also obtains and maintains a certificate issued by the FDA U.S. Food and Drug Administration as described in Public Law 102-539, the Mammography Quality Standards Act of 1992, and complies with all requirements of 21 CFR Part 900, April 1, 2014 edition, which is incorporated herein by reference and available from the internet at <http://www.gpo.gov/fdsys/pkg/CFR-2014-title21-vol8/pdf/CFR-2014-title21-vol8-chapI-subchapI.pdf>, and at _____.

Rulemaking Authority 404.051, 404.22 FS. Law Implemented 404.051(1),(4), 404.141, 404.22(1), (3), (6) FS. History—New 3-17-92, Amended 1-1-94, 11-20-94, Formerly 10D-91.611, Amended 5-18-98, _____.

64E-5.511 Registration of Radiation Machines.

(1) Exemptions.

(a) Electronic equipment that produces radiation incidental to its operation for other purposes is exempt from registration and notification requirements if the dose equivalent rate averaged over an area of 10 square centimeters does not exceed 0.5 mR millirem (5 µSv) per hour at 5 centimeters from any accessible surface of the equipment. The production, testing or factory servicing of such equipment shall not be exempt.

(b) No change.

(2) Application and Fees for Registration of Radiation Machines.

(a) Each person who acquires a radiation machine or an additional radiation machine shall:

1. Apply for registration of the radiation machine with the department within 30 days after acquisition and before use. Application for registration shall be on DH Form 1107, 09/14 3/07, "Radiation Machine Facility Registration," which is herein incorporated by reference and available from the internet department at <http://www.floridahealth.gov/radiation>, or at <http://www.doh.state.fl.us/environment/radiation/>.

2. through 3. No change.

(b) Registration fees are due within 30 days after acquiring a radiation machine. If the machine is acquired within 120 days before the October 28 annual renewal date, the registration fee will be due on or before October 28 and will be the annual renewal fee. Otherwise, the renewal fee is due annually on or before October 28.

~~(c) (b)~~ An annual fee for the registration and inspection of radiation machines shall be paid according to the following schedule:

See individual notice for schedule.

~~1. Renewal fees are due before October 28 annually.~~

~~2. Registration fees are due within 30 days after acquiring a radiation machine. If the machine is acquired within 120 days before the October 28 annual renewal date, the registration fee will be due on October 28 and shall be the annual renewal fee.~~

(3) Application for Registration of Servicing and Services.

(a) Each person who installs or offers to install radiation machines or furnishes or offers to furnish radiation machine servicing or services in Florida shall apply to the Department to register such services before furnishing or offering to furnish such services.

(b) Application for registration shall be completed on DH DOH Form 1113, 09/14, "Radiation Machine Vendor Registration Form," which is herein incorporated by reference and ~~which~~ is available from the internet department at <http://www.floridahealth.gov/radiation>, and at _____.

(c) No change.

(4) No change.

(5) Assembler or Transferor Obligation.

(a) Any person who sells, leases, transfers, relocates, lends, assembles, installs or disposes of radiation machines or major components of such machines shall notify the Department within 15 days after such action. Notification shall be made on DH DOH Form 1114, 09/14, "Report of Assembly of Non-Certified X Ray Systems," which is herein incorporated by reference and available from the internet department; at <http://www.floridahealth.gov/radiation> and at _____, or if the system contains certified components, on Form FDA 2579, which is herein incorporated by reference and which is available from the FDA department at <http://www.fda.gov/aboutfda/reportsmanualsforms/forms/default.htm>.

(b) No person shall sell, offer to sell, lease, transfer, lend or install radiation machines unless such machines meet the requirements of these regulations.

(6) Out-of-State Radiation Machines.

(a) Any person proposing to bring a radiation machine into Florida shall notify the Department in writing at least 10 days before the machine is to be used in the state. The notice shall include the type of radiation machine; the nature, duration and scope of use; and the exact location where the radiation machine will be used. ~~If the 10 day period is an undue hardship, the department can grant permission to proceed sooner.~~

(b) Any person proposing to bring a radiation machine into Florida shall register the machine with the department and pay the registration fee.

(c) No change.

(7) Enforcement. The General Statement of Policy and Procedure for Radiation Machine Enforcement Actions, September 2014 1996, which is ~~available from the department and which is~~ herein incorporated by reference, will be used to determine enforcement actions to be taken. This publication can be obtained from the internet at <http://www.floridahealth.gov/radiation>, and at

Rulemaking Authority 404.051 FS. Law Implemented 404.071, 404.091, 404.101, 404.141, 404.161, 404.162, 404.163, 404.22 FS. History—New 12-12-96, Formerly 10D-91.612, Amended 8-16-07, _____.

64E-5.801 Registration Requirements.

(1) No person shall receive, possess, use, transfer, or acquire a particle accelerator facility or a particle accelerator except as authorized by a registration certificate issued by the Department pursuant to these rules.

(2) Application for registration shall be made on ~~DH~~ DOH Form 1107, 09/14, “Radiation Machine Facility Registration,” which is incorporated by reference herein ~~effective 7-17-85, and is available from the internet at <http://www.floridahealth.gov/radiation>, and at~~, ~~furnished by the Department~~, and shall contain all information required by the form and accompanying instructions. Part V contains rules concerning registration and the payment of registration fees.

Rulemaking Authority 404.051, 404.22 FS. Law Implemented 404.022, 404.051(1), (4), (9), 404.22(1) FS. History—New 7-17-85, Amended 5-15-96, Formerly 10D-91.902, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Cynthia Becker, Bureau Chief, Bureau of Radiation Control

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 19, 2014

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NOS.: RULE TITLES:

69L-7.020 Florida Workers’ Compensation Health Care Provider Reimbursement Manual

69L-7.100 Florida Workers’ Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)

PURPOSE AND EFFECT: The Florida Workers’ Compensation Health Care Provider Reimbursement Manual incorporated in Rule 69L-7.020, F.A.C. and the Florida Workers’ Compensation Reimbursement Manual for Ambulatory Surgical Centers incorporated in Rule 69L-7.100, F.A.C., are updated to conform to the mandate in paragraph 440.13(12)(b), F.S., limiting workers’ compensation healthcare provider reimbursements to 110% of Medicare reimbursement allowances. Manuals containing updated billing codes are also updated.

SUMMARY: Both rules adopt revised manuals listing reimbursement rates for various medical services and supplies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that Rule 69L-7.020, F.A.C., 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 and is subject to ratification. A SERC has been prepared by the agency for proposed Rule 69L-7.020, F.A.C.

The Agency has determined that Rule 69L-7.100, F.A.C., 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 for proposed Rule 69L-7.100, F.A.C.

The Agency has determined that proposed Rule 69L-7.100, F.A.C., is not expected to require legislative ratification based on the statement of estimated regulatory costs which reflects that the net cost impact of the Ambulatory Surgical Centers Reimbursement Manuals is positive. The amendment to Rule 69L-7.020, F.A.C., is expected to generate an overall Florida workers’ compensation system cost increase of 1.9%. The Agency has determined that proposed Rule 7.020, F.A.C., will generate costs of \$61,000,000, and therefore will require legislative ratification.

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: 440.13(4), (14) (b), 440.591 FS.

LAW IMPLEMENTED: 440.13(7), (12), (14) (c) FS.

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

TIME AND DATE: Thursday, February 26, 2015, 9:00 a.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Macon, Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4232, (850)413-1708 or Pamela.Macon@MyFloridaCFO.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-7.020 Florida Workers' Compensation Health Care Provider Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2015 ~~2008~~ Edition, is adopted by reference as part of this rule. The manual contains the Maximum Reimbursement Allowances determined by the Three-Member Panel, pursuant to subsection ~~Section~~ 440.13(12), F.S., and establishes reimbursement policies, guidelines, codes and maximum reimbursement allowances for services and supplies provided by health care providers. Also, the manual includes reimbursement policies and payment methodologies for pharmacists and medical suppliers.

(2) The CPT® 2014 ~~2009~~ Current Procedural Terminology Professional Edition, Copyright 2013 ~~2008~~, American Medical Association; the Current Dental Terminology, CDT-2013 ~~2009/2014~~ ~~2010~~, Copyright 2013 ~~2008~~, American Dental Association; and in part for D codes and for injectable J codes, and for other medical services and supply codes, the "Healthcare Common Procedure Coding System, Medicare's National Level II Codes, HCPCS 2014 ~~2009~~", American Medical Association, ~~Twenty-first Edition~~, Copyright 2013 ~~2008~~, Ingenix Publishing Group, are adopted by reference as part of this rule. When a health care provider performs a procedure or service which is not listed in the

Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2015 ~~2008~~ Edition Edition incorporated above, the provider must use a code contained in the CPT®-2014 ~~2009~~, CDT-2013 ~~2009/2014~~ ~~2010~~ or HCPCS-2014 ~~2009~~ as specified in this section.

(3) The Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2015 ~~2008~~ Edition Edition incorporated above, is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department's web site at <http://www.myfloridacfo.com/Division/wc/> ~~http://www.fldfs.com/we.~~

~~Rulemaking Specific~~ Authority 440.13(14)(b), 440.591 FS. Law Implemented 440.13(7), (12), (14)(c) FS. History—New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, 5-9-05, 9-4-05, 11-16-06, 10-18-07, 2-4-09, Amended _____.

69L-7.100 Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs).

(1) The Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers, 2015 ~~2011~~ Edition, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00686> (ASC Reimbursement Manual) is incorporated by reference as part of this rule. The ASC Reimbursement Manual contains the Maximum Reimbursement Allowances determined by the Three-Member Panel, pursuant to subsection ~~Section~~ 440.13(12), F.S. and establishes reimbursement policies, guidelines, codes and maximum reimbursement allowances (MRAs) for items and services provided to an injured worker in connection with a surgical procedure performed in an Ambulatory Surgical Center.

(2) The ASC Reimbursement Manual refers to a number of procedure codes and modifiers that are consistent with the Current Procedural Terminology (CPT®), developed and published by the American Medical Association. When a service or procedure is performed that does not have a code listed in the ASC Reimbursement Manual, the Ambulatory Surgical Center shall refer to the Current Procedural Terminology (CPT®), 2015 ~~2010~~ Professional Edition, Copyright 2014 ~~2009~~, American Medical Association, which is hereby incorporated by reference as part of this rule. ~~In addition, the rule incorporates the 2010 ICD 9 CM for Hospitals, Volumes 1, 2 and 3, International Classification of Diseases, 9th Revision, Clinical Modification, Copyright 2009, Ingenix, Inc.; the Physician ICD 9 CM 2010, Volumes~~

~~1 & 2, International Classification of Diseases, 9th Revision, Clinical Modification, Copyright 2009, Ingenix, Inc.~~

(3) The Current Dental Terminology (CDT-~~2013 2009/2014~~ 2010), Copyright ~~2013 2008~~, American Dental Association, and the HCPCS Level II, A resourceful complication of HCPCS codes ~~2014 2010~~, Copyright ~~2013 2009~~, Ingenix Publishing Group, are incorporated by reference as part of this rule, for dental D codes, injectable J codes, and other medical services or supply codes as specified in the ASC Reimbursement Manual.

(4) The ASC Reimbursement Manual is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or via the Department’s web site at <http://www.myfloridacfo.com/Division/wc/> <http://www.myfloridacfo.com/wc/provider/reimbursement-manuals.html>.

Rulemaking Authority 440.13(4), (14), 440.591 FS. Law Implemented 440.13(7), (12), (14) FS. History–New 8-7-91, Amended 12-31-92, Formerly 38F-7.100, 4L-7.100, Amended 9-4-05, 8-19-07, 11-13-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Macon, Chief, Bureau of Monitoring and Audit, Division of Workers’ Compensation, Department of Financial Services,
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2015
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 24, 2014

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:
 5E-2.040 Pesticide Active Ingredients Subject to Supplemental Registration Fee
 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. 240, December 12, 2014 issue of the Florida Administrative Register.

5E-2.040 Pesticide Active Ingredients Subject to Supplemental Registration Fee.

The pesticide active ingredients published in the list entitled, “Registered Pesticide Active Ingredients for which a Brand of Pesticide is Subject to a Supplemental Fee” (Version 08-08-14), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04832> or may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Scientific Evaluation and Technical Assistance, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650; (850) 617-7917, are subject to the supplemental registration fee established in Sections 487.041(1)(d) and (2), F.S.

Rulemaking Authority 487.041(1)(d), (2), 570.07(23) FS. Law Implemented 487.041(1)(d), (2) FS. History–New 12-15-09, Amended 6-26-12,_____.

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

RULE NO.: RULE TITLE:
 6M-8.100 Definitions

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 12, January 20, 2015 issue of the Florida Administrative Register.

The law implemented is changed to remove reference to 1002.53(4) and 1002.55(3)(g) and add 1002.66

6M-8.100(2) is changed to read: “Advance payment” is the process of a Voluntary Prekindergarten (VPK) provider choosing to receive an advance payment, prior to providing services, instead of a reimbursement for services rendered as described in Rule 6M-8.205(2), F.A.C.

6M-8.100(15) is changed to read: (15) “VPK SIS provider” means a provider delivering the VPK specialized instructional services (SIS) program defined in Section 1002.66, F.S.

The remainder of the rule reads as previously published.

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

RULE NO.: RULE TITLE:
 6M-9.110 Board Membership 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. 41 No. 1, January 2, 2015 issue of the Florida Administrative Register.

The law implemented is changed to: 1002.83(5), F.S. and removing the other cited subsections of this statute.

Within 6M-9.110, at:

- (1)(c) Add a colon after the word includes.
 - (1)(d) 1. Reference to subsection (2) is changed to paragraph (1)(e).
 - (1)(e) Delete the phrase, includes but is not limited to.
 - (1)(e)3.d. Reference to sub-subparagraph is changed to sub-subparagraphs.
 - (1)(e)8. Reference to subparagraph (1)(d)7. is changed to subparagraph (1)(e)7.
 - (1)(e)9. Delete the phrase including but not limited to.
 - (3) Is changed to read: (3) Criteria for appointing private sector business members. Including the members appointed by the Governor, private sector business members can represent either for-profit or nonprofit entities. Neither the members nor any of their relatives, as defined in section 112.3143, F.S., may have a substantial financial interest in the design or delivery of the VPK or SR programs.
 - (3)(b) Add a colon after the word it.
- The remainder of the rule reads as previously published.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER15-7
RULE TITLE: Orlando Magic POWERBALL® Promotion
SUMMARY: This emergency rule sets forth the provisions for the Orlando Magic POWERBALL® Promotion.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-7 Orlando Magic POWERBALL® Promotion.

(1) Beginning February 2, 2015, through March 18, 2015, the Florida Lottery will conduct the Orlando Magic POWERBALL® Promotion (or “Promotion”). Retailers in the Florida Lottery’s Orlando Sales District and retailers in Sumter County (“Select Retailers”) will be included in the Promotion. During the promotion period, players who purchase a \$6.00 or more POWERBALL or POWERBALL with Power Play® ticket at a Select Retailer location will receive a voucher with a unique number that can be entered into one of two drawings on the Florida Lottery’s website for a chance to win Orlando Magic team prizes.

(2) How to Enter. To enter a voucher number into the Orlando Magic POWERBALL Promotion, players must enter on the Lottery’s website at www.flalottery.com. On the home page of the Lottery’s website, players can click on the Orlando Magic POWERBALL Promotion banner and follow the directions. Players can also access the Lottery’s website to enter a voucher number via a banner ad with a link on the Orlando Magic’s website at www.nba.com/magic/. The entry voucher will be attached to the bottom of the POWERBALL ticket. The voucher entry number is located at the bottom on the front of the voucher. Players are to enter the first 13-digits of the 19-digit voucher entry number. Qualifying POWERBALL ticket purchases will produce entry vouchers from the beginning of the promotion period until 10:00 p.m. ET on March 18, 2015. A player will be able to enter his or her voucher entry numbers beginning at the top of the hour after the POWERBALL tickets are purchased. A player entering a voucher entry number prior to the top of the hour after purchase will be directed to return at a later time to enter his or her voucher entry number into the drawing. POWERBALL ticket numbers cannot be used for entry into the drawings. The odds of winning depend on the number of entries received. Entry vouchers should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Entry vouchers or tickets received in the mail by the Florida Lottery will not be entered into the drawing and will not be returned.

(3) Drawings. Two drawings will be held on two separate drawing dates and will include entries submitted before midnight ET on the last day of the entry period for each drawing. The drawing schedule is:

<u>Drawing</u>	<u>Drawing Date</u>	<u>Entry Period</u>
<u>1</u>	<u>Friday, February 27, 2015</u>	<u>February 2, 2015- February 25, 2015</u>
<u>2</u>	<u>Friday, March 20, 2015</u>	<u>February 26, 2015- March 18, 2015</u>

Players may enter as many times as they wish during the Promotion. However, each valid voucher entry number may only be used one time, for one entry into one drawing.

(4) Prizes. In each of the two drawings, prizes will be awarded in accordance with the table below.

<u>Prize Level</u>	<u>Prize Description</u>	<u>Number of Winners Per Drawing</u>
<u>Grand Prize</u>	<u>Orlando Magic Fly-Away Trip Package</u>	<u>1</u>
<u>Second Prize</u>	<u>Orlando Magic 2015-2016 Season Tickets</u>	<u>1</u>
<u>Third Prize</u>	<u>Orlando Magic VIP Pre-Game Experience</u>	<u>2</u>
<u>Fourth Prize</u>	<u>Orlando Magic Legend Meet & Greet</u>	<u>3</u>

<u>Fifth Prize</u>	<u>Autographed Basketball</u>	<u>2</u>
<u>Sixth Prize</u>	<u>Autographed Jersey</u>	<u>2</u>
<u>Seventh Prize</u>	<u>Home Game Experience</u>	<u>5</u>
<u>Eighth Prize</u>	<u>Team Merchandise Package</u>	<u>10</u>
<u>Total Prizes per Drawing</u>		<u>26</u>

(5) Winner Selection. In each drawing, the first valid entry selected will win the grand prize, the second valid entry selected will win the second prize, the third and fourth valid entries selected will each win a third prize, fifth through the seventh valid entries selected will each win a fourth prize, the eighth and ninth valid entries selected will each win a fifth prize, the tenth and eleventh valid entries selected will each win a sixth prize, the twelfth through sixteenth valid entries selected will each win a seventh prize, and the seventeenth through twenty-sixth valid entries selected will each win an eighth prize. An additional sixteen valid entries will be selected as alternates and used in the order in which they are drawn and in the order of need to fulfill a grand, second, third, fourth, fifth, sixth or seventh prize in the event that a prize cannot be awarded. Alternate winners will not be selected for eighth prizes.

(6) Notification. The prize winners in each drawing will be posted on www.flalottery.com after the drawing. The Florida Lottery will attempt to notify each prize winner by telephone, U.S. mail or e-mail using the contact information provided in the winner's registration data no later than close of business on the first business day after the winners are posted on the Florida Lottery's website.

(a) Grand, Third, Fourth and Seventh Prize Winners. If the Florida Lottery is unable to have personal contact with the grand prize winner or a third, fourth or seventh prize winner within three business days of the date of the drawing, the winner will forfeit his or her right to claim the prize, and the Florida Lottery will award the prize to the first alternate winner as described in subsection (5). If the Florida Lottery is unable to contact the first alternate winner within three business days, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This notification process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Florida Lottery is unable to contact an alternate winner, the prize will not be awarded.

(b) Second, Fifth and Sixth Prize Winners. If the Lottery is unable to have personal contact with the second prizewinner or a fifth or sixth prize winner within two weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the first available alternate winner as described in subsection (5) above. If the Florida Lottery is unable to have personal contact with the first available alternate winner within two weeks, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the second available alternate winner. This notification process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Florida Lottery is unable to contact an alternate winner, the prize will not be awarded.

(c) Eighth Prize Winners. If the Florida Lottery is unable to have personal contact with an eighth prize winner within thirty days of the date of the drawing in order to confirm the winner's mailing address, the winner will forfeit his or her right to claim the prize and the prize will not be awarded.

(d) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(7) How to claim a prize.

(a) To claim the grand prize, or a third, fourth, or seventh prize in a drawing, a winner must submit to the Florida Lottery the original valid voucher bearing the unique number selected in the drawing, a completed Winner Claim Form DOL-173-2, revised 09/13, or Spanish Winner Claim Form DOL-173-2S, revised 09/13, a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes, a completed Release and Authorization form DOL-474, revised 08/13 or Spanish Release and Authorization form DOL-474S, revised 08/13, and any other required releases. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Forms DOL-173-2 and DOL-173-2S are hereby incorporated by reference and can be obtained from any Lottery office, from the Lottery's website, www.flalottery.com, or by writing to: Florida Lottery, Customer Service Division, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The required forms must be received by the Florida Lottery no later than three business days after the winner is notified by the Lottery that he or she is a winner. If the Florida Lottery has not received the required forms by the third business day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner in accordance with subsection (5) and paragraph (6)(a) above.

(b) To claim the second prize, or a fifth or sixth prize in a drawing, a winner must submit to the Florida Lottery the original valid voucher bearing the unique number selected in the drawing along with a Winner Claim Form and identification referenced in (7)(a) above. The second prize winner must also submit the required releases referenced in (7)(a) above. Documentation must be received by the Florida Lottery no later than two weeks after the winner is notified by the Lottery that he or she is a winner. If the Florida Lottery has not received the required forms by the fourteenth day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner in accordance with subsection (5) and paragraph (6)(b).

(c) Eighth prize winners are not required to submit the original valid voucher bearing the entry number selected in the drawing or the documentation listed in paragraph (7)(a) in order to claim the merchandise prize.

(8) Award of Prizes.

(a) Grand Prize (Orlando Magic Fly-Away Trip Package)

1. Upon the Florida Lottery's receipt of the grand prize winner's required documentation, the Florida Lottery will award a prize of an Orlando Magic Fly-Away Trip Package ("Trip Package"). The Lottery will provide the grand prize winner a certificate describing the Trip Package and information necessary for the prizewinner to make reservations to fulfill the trip. The Trip Package includes: two tickets to one away game during the 2014-2015 regular season; round-trip coach class airfare tickets for two persons from Orlando International airport to the city in which the game is played; one night double occupancy hotel stay (room and room tax only); and \$500. The estimated value of the prize is \$3,000. The actual value of the prize depends on the cost of airfare from Orlando to the airport in which the game is played and the cost of the hotel at the time the trip is booked. If the fulfillment of a trip to a 2014-2015 regular season away game is not practicable, the trip shall be to an away game (determined by Orlando Magic) in the 2015-2016 regular season.

2. A grand prize is not transferable or assignable without the express written consent of the Lottery. If the prizewinner advises the Lottery at the time the grand prize is claimed that he or she is unable to attend an 2014-2015 away game, the grand prize winner may transfer the airline ticket/hotel/and game ticket portions of the grand prize to another person; however, the cash portion of the prize will be paid to the grand prize winner and the entire value of the grand prize shall remain taxable to the grand prize winner. An alternate winner of a grand prize may transfer the airline ticket/hotel/and game ticket portions of the grand prize to another person provided

he or she advises the Lottery of such transfer at the time of notification of his or her selection as an alternate.

3. A grand prize does not include travel (except as specified above), gratuities, parking fees, baggage fees, any items not expressly specified, meals or per diem for meals, incidentals, tips, and personal expenses such as telephone calls, valet service or laundry, etc., or revision, rebooking, transfer or cancellation fees that may be charged by the airline, hotel or other suppliers.

(b) Second Prize (Season Tickets). Upon the Florida Lottery's receipt of the second prize winner's required documentation, the Lottery will award a prize of two lower level Orlando Magic home game season tickets for the 2015-2016 season. The winner will be provided a certificate with the necessary information to obtain the basketball tickets from the fulfillment entity. (Total value \$1,800)

(c) Third Prize (VIP Pre-Game Experience). Upon the Florida Lottery's receipt of a third prize winner's required documentation, the Lottery will award a prize of two loge tickets (with pre-game warm up access) to a 2014-2015 regular season Orlando Magic home game including food and non-alcoholic beverages. If fulfillment of the prize for a 2014-2015 regular season home game is not practicable, the prize shall be to a home game (determined by Orlando Magic) in the 2015-2016 regular season. The winner will be provided a certificate with the necessary information to make arrangements to obtain the basketball tickets and suite access from the fulfillment entity. (Total value \$750)

(d) Fourth Prize (Legend Meet and Greet). Upon the Florida Lottery's receipt of a fourth prize winner's required documentation, the Lottery will award a prize of two lower level tickets to a 2014-2015 regular season Orlando Magic home game with a post-game meet and greet with a former Orlando Magic player. If fulfillment of the prize for a 2014-2015 regular season home game is not practicable, the prize shall be to a home game (determined by Orlando Magic) in the 2015-2016 regular season. The winner will be provided a certificate with the necessary information to obtain the basketball tickets from the fulfillment entity and make arrangements for the post-game meet and greet. (Total value \$500)

(e) Fifth Prize (Autographed Basketball). Upon the Florida Lottery's receipt of a fifth prize winner's required documentation, the Lottery will ship one basketball autographed by the 2014-2015 Orlando Magic team. (Total value -\$375)

(f) Sixth Prize (Autographed Jersey). Upon the Florida Lottery's receipt of a sixth prize winner's required documentation, the Lottery will ship one jersey autographed by a 2014-2015 Orlando Magic player to the winner. (Total value- \$375)

(g) Seventh Prize (Home Game Experience). Upon the Florida Lottery’s receipt of a seventh prize winner’s required documentation, the Florida Lottery will award a prize of two lower level tickets to a 2014-2015 regular season home game. If fulfillment of the prize for a 2014-2015 regular season home game is not practicable, the prize shall be to a home game (determined by Orlando Magic) in the 2015-2016 regular season. The winner will be provided a certificate with the necessary information to obtain the basketball tickets from the fulfillment entity. (Total value- \$150)

(h) Eighth Prize (Team Merchandise Package). Upon confirmation of an eighth prize winner’s mailing address, the Florida Lottery will ship one Orlando Magic T-shirt and one Orlando Magic hat. (Total value- \$40)

(9) Taxes. All federal, state and/or local taxes or other fees on the prizes will be the responsibility of the winner. Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. Because there is no cash awarded in connection with the second and third prizes from which to withhold taxes, a nonresident alien claimant who is selected as a winner of a second or third prize will be required to pay the withholding tax or forfeit the prize. The reporting and subsequent payment of any additional federal, state or local taxes will be the responsibility of the nonresident alien winner.

(10) State-Owed Debt. If the winner of a grand prize in a drawing is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with section 24.115, Florida Statutes. If the debt is an amount less than the cash portion of the prize, the non-cash portion of the prize and the cash portion of the prize less the amount owed shall be awarded. If the winner is identified as owing such a debt in an amount greater than the cash portion of the prize, the winner’s entire cash portion of the prize will be applied toward the outstanding debt as provided in section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the prize.

(11) No cash option is available in lieu of the non-cash prizes.

(12) The right to claim a prize cannot be assigned to another person or entity.

(13) The Florida Lottery reserves the right, in its sole discretion, to substitute a different prize of comparable value should a prize become unavailable.

(14) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. Copies of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(15) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(16) By entering the Orlando Magic POWERBALL® Promotion, a player gives his or her permission for the Florida Lottery to provide the player’s address and telephone number to the fulfillment entity for prize fulfillment purposes.

(17) A player entering the Orlando Magic POWERBALL® Promotion is deemed to have granted permission for the Florida Lottery and/or Orlando Magic to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(18) The Orlando Magic POWERBALL® Promotion drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1), FS. History – New 1-30-15.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: January 30, 2015

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HEALTH
Board of Medicine

RULE NO.: RULE TITLE:
64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on January 30, 2015, the Board of Medicine received a petition for waiver or variance filed by Jean Otrakji, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine, at the above address, or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:
64E-5.502 General Requirements

The Department of Health, Bureau of Radiation Control hereby gives notice that on January 28, 2015, pursuant to Section 120.542, F.S., the Bureau of Radiation Control has issued an order.

The Order grants a variance from subparagraph 64E-5.502(1)(a)6., F.A.C., for the Orange County Corrections Department. The petition for a variance was received by the Department on October 27, 2014. Notice of receipt of the petition was published in the Florida Administrative Register on October 29, 2014. Subparagraph 64E-5.502(1)(a)6., F.A.C., prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided. The Orange County Corrections Department has been granted a variance to subparagraph 64E-5.502(1)(a)6., F.A.C., allowing the intentional exposure of individuals to ionizing radiation for the specific purpose of screening inmates at the Orange County Corrections Department and under the condition that the machine or any future replacement machines and their use meet the standards found in ANSI/HPS N43.17-2009. The variance is in effect until such time as the Department promulgates rules specific to ionizing radiation machines for personnel security purposes.

A copy of the Order or additional information may be obtained by contacting: Yvette Forrest, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Suite 300, Orange Park, FL 32073 or (904)278-5730.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO. RULE TITLE:
64E-5.502 General Requirements

The Department of Health, Bureau of Radiation Control hereby gives notice that on January 28, 2015, pursuant to Section 120.542, F.S., the Bureau of Radiation Control has issued an order.

The Order grants a variance from subparagraph 64E-5.502(1)(a)6., F.A.C., for the Polk County Sheriff's Office.

The petition for a variance was received by the Department on October 27, 2014. Notice of receipt of the petition was published in the Florida Administrative Register on October 29, 2014. Subparagraph 64E-5.502(1)(a)6., F.A.C., prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided. The Polk County Sheriff's Office has been granted a variance to subparagraph 64E-5.502(1)(a)6., F.A.C., allowing the intentional exposure of individuals to ionizing radiation for the specific purpose of screening inmates at the Polk County Sheriff's Office and under the condition that the machine or any future replacement machines and their use meet the standards found in ANSI/HPS N43.17-2009. The variance is in effect until such time as the Department promulgates rules specific to ionizing radiation machines for personnel security purposes.

A copy of the Order or additional information may be obtained by contacting: Yvette Forrest, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Suite 300, Orange Park, FL 32073 or (904)278-5730.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:
65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on January 22, 2015, the Department of Children and Families received a petition for waiver for subsection 65C-15.017(3), F.A.C., from Tanya Warren. Rule 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or master's degree in social work or a related area of study from an accredited college or university.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO. RULE TITLE:
69J-8.009 Evaluation Process

NOTICE IS HEREBY GIVEN that on January 28, 2015, the Department of Financial Services, Division of Consumer Services, received a petition for emergency waiver filed by Matthew R. Danahy, Esq., on behalf of Manhattan Palms Condominium Association, Inc., from subsection 69J-8.009(2), F.A.C., with regard to the requirement that the neutral evaluator be allowed reasonable access to the interior and exterior of insured structures to be evaluated or for which a claim is made. Comments on the petition should be filed

with: Division of Legal Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, within 5 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Renee Gordon, Division of Legal Services, at the above address, or telephone: (850)413-3110.

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO. RULE TITLE:
69J-8.009 Evaluation Process

NOTICE IS HEREBY GIVEN that on January 28, 2015, the Department of Financial Services, Division of Consumer Services, received a petition for emergency waiver filed by Matthew R. Danahy, Esq., on behalf of Manhattan Palms Condominium Association, Inc., from subsection 69J-8.009(8), F.A.C., with regard to the requirement that each party may reject up to three selections of neutral evaluators for a proceeding. Comments on the petition should be filed with: Division of Legal Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, within 5 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Renee Gordon, Esq., Division of Legal Services, at the above address, or telephone: (850)413-3110.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Agriculture in the Classroom announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2015, 11:00 a.m.

PLACE: Mid-Florida Research & Education Center, 2725 S. Binion Road, Apopka, FL 32703

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture in the Classroom board of directors will hold a regularly scheduled board meeting.

A copy of the agenda may be obtained by contacting: Lisa Gaskalla at gaskalla@ufl.edu.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation District 1 announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 2, 2015, 1:30 p.m.

PLACE: District 1 Headquarters, 801 N Broadway, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wawa ON SR 70 & Lockwood Ridge Road, Manatee, FL.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: February 12, 2015, 1:00 p.m.

PLACE: Emerald Coast Convention Center, 1250 Miracle Strip Parkway, S.E., Fort Walton Beach, Florida 32548

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update of the Florida Transportation and Strategic Intermodal System Plans.

A copy of the agenda may be obtained by contacting: Paula San Gregorio, (850)414-4811.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Paula San Gregorio, (850)414-4800. 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).

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

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

DATE AND TIME: February 12, 2015, 9:00 a.m.

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

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

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

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District
The St. Johns River Water Management District announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, February 18, 2015, 7:00 p.m. – 8:00 p.m.; Canaveral Marshes Conservation Area Land Management Plan Public Meeting
PLACE: St. Johns River Water Management District's Blue Cypress Room, 525 Community College Parkway SE, Palm Bay, FL 32909

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting will include a short presentation of the draft land management plan for Canaveral Marshes Conservation Area, followed by public comments. A copy of the agenda may be obtained by contacting: J. B. Miller, (386)329-4381 or jbmiller@sjrwmd.com. A draft copy of the management plan can be found at <http://www.floridawater.com/landmanagementplans>.

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: J. B. Miller, (386)329-4381 or jbmiller@sjrwmd.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District
The St. Johns River Water Management District announces a public meeting to which all persons are invited.
DATE AND TIME: Monday, February 9, 2015, 12:30 p.m.
PLACE: Starting location: Keystone Beach, SE Lakeview Drive, Keystone Heights, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This site visit will focus on the Etonia Chain of Lakes and Alligator Creek. The site visit will start with Lake Geneva at Keystone Beach and then proceed from there to visit the system on Camp Blanding. Members of the Governing Board will attend and participate in this site visit.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240, email: jgreen@sjrwmd.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: Julie Green. 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).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District
The St. Johns River Water Management District announces public meetings to which all persons are invited.

DATE AND TIMES: Tuesday, February 10, 2015: Projects and Land Committee business meeting, 9:00 a.m.; Finance, Administration and Audit Committee meeting, 10:00 a.m. or upon conclusion of Projects and Land Committee meeting, whichever is later; Regulatory Committee meeting, 11:00 a.m. or upon conclusion of the Finance, Administration and Audit Committee meeting, whichever is later; Governing Board meeting will begin upon conclusion of the Regulatory Committee meeting.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177, by phone: (386)329-4470 or by visiting the District's website at floridaswater.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: District Clerk at (386)329-4500. 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.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 11, 2015, 8:00 a.m. – 5:00 p.m.

PLACE: St. Johns River Water Management District, Palm Bay Service Center, Blue Cypress Room, 525 Community College Pkwy., SE, Palm Bay, FL 32909

GENERAL SUBJECT MATTER TO BE CONSIDERED: The St. Johns River Water Management District will hold a meeting of the Indian River Lagoon National Estuary Program (IRL NEP) Citizens’ Action and Technical Advisory committees to review, discuss, and score written proposals, hear oral presentations, for IRL NEP 2015-2016 Work Plan proposals. All interested parties are invited to attend.

A copy of the agenda may be obtained by contacting: Frank Sakuma, 525 Community College Pkwy., SE, Palm Bay, FL 32909, (321)984-4950 or bsakuma@sjrwmd.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: District Clerk at (386)329-4500. 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: Frank Sakuma, 525 Community College Pkwy., SE, Palm Bay, FL 32909, (321)984-4950 or bsakuma@sjrwmd.com.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Indian River Lagoon Advisory Board (IRL Board) of the St. Johns River Water Management District’s Indian River Lagoon National Estuary Program (IRL NEP) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 11, 2015, 11:00 a.m.

PLACE: St. Johns River Water Management District, Palm Bay Service Center, Blue Cypress Room, 525 Community College Parkway, S.E., Palm Bay, Florida 32909

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the IRL Board will discuss and consider IRL NEP business, including discussion, providing input on, and consideration of a new draft inter-local agreement to become a new implementing document for the IRL NEP.

A copy of the agenda may be obtained by contacting: Maurice Sterling, Interim Director, Indian River Lagoon National Estuary Program, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4320 or M Sterling@sjrwmd.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: District Clerk at (386)329-4500. 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: Maurice Sterling, Interim Director, Indian River Lagoon National Estuary Program, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4320 or M Sterling@sjrwmd.com.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

Tampa Bay Water, a Regional Water Supply Authority, announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2015, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355, ext. 2401, or on our website at www.tampabaywater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355, ext. 2401. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Department of Business and Professional Regulation announces public meetings to which all persons are invited.

DATE AND TIMES: February 24, 2015, 9:00 a.m. and 10:00 a.m.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Kyle Christopher, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Committee on Continuing Professional Education announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 27, 2015, 9:00 a.m.

PLACE: Teleconference: conference number 1(888)670-3525, conference code 4694532213

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee on Continuing Professional Education will meet to discuss items relating to CPE credits.

A copy of the agenda may be obtained by contacting: Karan Lee, Florida Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Karan Lee. 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: Karan Lee.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

The Department of Health, Division of Emergency Medical Operations announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 19, 2015, 1:30 p.m. – 4:30 p.m.

PLACE: Teleconference: dial (toll-free) 1(877)568-4106; access code: 689-229-389; audio PIN: shown after joining the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the EMS Advisory Council.

A copy of the agenda may be obtained by contacting: Bethany Lowe, by email: Bethany.Lowe@flhealth.gov, or by telephone: (850)245-4055.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

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

DATE AND TIME: February 17, 2015, 1:00 p.m. – 2:30 p.m.

PLACE: City of Jacksonville, Ed Ball Building, 1st Floor Training Room, 214 N. Hogan Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State of Florida receives annual funding from the U.S. Department of Housing and Urban Development (HUD). The State agencies receiving these funds are the Department of Economic Opportunity (DEO), Department of Health (DOH), Department of Children and Families (DCF), and the Florida Housing Finance Corporation (FHFC). As a recipient of these funds, Florida is required to prepare a State Consolidated Plan. The Consolidated Plan is a five (5) year planning document that identifies targeting strategies for the use of these funds. The Department of Economic Opportunity has been designated as the lead agency for preparing the Plan on behalf of the State agencies that are recipients of HUD funding.

As citizen participation is a vital component in the development of the Plan, public meetings will be held throughout the state to allow citizens the opportunity to provide comment on impediments to fair housing choice.

A copy of the agenda may be obtained by contacting: Sean Lewis, Government Analyst, at (850)717-8428 or by email: sean.lewis@deo.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: Sean Lewis at (850)717-8428 or by email: sean.lewis@deo.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sean Lewis at (850)717-8428 or by email: sean.lewis@deo.myflorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

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

DATE AND TIME: February 17, 2015, 5:00 p.m. – 6:30 p.m.

PLACE: Florida DOT Office, District 2, 1109 S. Marion Avenue, Lake City, FL 32025-5874

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State of Florida receives annual funding from the U.S. Department of Housing and Urban Development (HUD). The State agencies receiving these funds are the Department of Economic Opportunity (DEO), Department of Health (DOH), Department of Children and Families (DCF), and the Florida Housing Finance Corporation (FHFC). As a recipient of these funds, Florida is required to prepare a State Consolidated Plan. The Consolidated Plan is a five (5) year planning document that identifies targeting strategies for the use of these funds. The Department of Economic Opportunity has been designated as the lead agency for preparing the Plan on behalf of the State agencies that are recipients of HUD funding.

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A copy of the agenda may be obtained by contacting: Sean Lewis, Government Analyst, at (850)717-8428 or by email: sean.lewis@deo.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: Sean Lewis at (850)717-8428 or by email: sean.lewis@deo.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sean Lewis at (850)717-8428 or by email: sean.lewis@deo.myflorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

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

DATE AND TIME: February 20, 2015, 1:00 p.m. – 2:30 p.m.

PLACE: Florida DOT Office, District 1, 801 North Broadway Avenue, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State of Florida receives annual funding from the U.S. Department of Housing and Urban Development (HUD). The State agencies receiving these funds are the Department of Economic Opportunity (DEO), Department of Health (DOH), Department of Children and Families (DCF), and the Florida Housing Finance Corporation (FHFC). As a recipient of these funds, Florida is required to prepare a State Consolidated Plan. The Consolidated Plan is a five (5) year planning document that identifies targeting strategies for the use of these funds. The Department of Economic Opportunity has been designated as the lead agency for preparing the Plan on behalf of the State agencies that are recipients of HUD funding.

As citizen participation is a vital component in the development of the Plan, public meetings will be held throughout the state to allow citizens the opportunity to provide comment on impediments to fair housing choice.

A copy of the agenda may be obtained by contacting: Sean Lewis, Government Analyst, at (850)717-8428 or by email: sean.lewis@deo.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: Sean Lewis at (850)717-8428 or by email: sean.lewis@deo.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Sean Lewis at (850)717-8428 or by email: sean.lewis@deo.myflorida.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF HEALTH
 Board of Nursing

Notice of Emergency Action

On January 29, 2015, the State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Stacy Hines Neal, R.N., Certificate #: RN 3291702. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development

Final Order No.: DEO-15-020

In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY CITY OF MARATHON
 ORDINANCE NO. 2014-21

FINAL ORDER
 APPROVING CITY OF MARATHON ORDINANCE NO.
 2014-21

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2014-21 (the “Ordinance.”)

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. The City of Marathon, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by the City of Marathon on January 13, 2015, and rendered to the Department on January 15, 2015.

3. The Ordinance amends the City of Marathon Code of Ordinances, Appendix A (Land Development Regulations) to amend Chapter 100, Article 1, by creating Section 100.04 A.3 which would allow the imposition of Zoning in Progress when deemed necessary by the City.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) Florida Statutes.

5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. §380.0552, Florida Statutes and Florida Administrative Code Chapter 28-26.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

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

8. The Ordinance is consistent with the City of Marathon Comprehensive Plan generally, and specifically with Policy 1-1.1.2 (Adopt Compatibility for Residential and Non-Residential Review Criteria) and Policy 1-3.1.4 (Future Land Use Categories).

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

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

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2014-21 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

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

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
 DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON ST., MSC 110
 TALLAHASSEE, FLORIDA 32399-4128
 FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 29th day of January, 2015.

/s/ _____
Katie Zimmer, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified U.S. Mail:
The Honorable Chris Bull, Mayor
City of Marathon, City Council
9805 Overseas Highway
Marathon, FL 33050

Diane Clavier, Clerk
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

George Garrett, Director
City of Marathon, Planning Department
9805 Overseas Highway
Marathon, FL 33050

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development
Final Order No.: DEO-15-021

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY CITY OF MARATHON
ORDINANCE NO. 2014-23

FINAL ORDER

APPROVING CITY OF MARATHON ORDINANCE NO.
2014-23

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2014-23 (the “Ordinance.”)

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. The City of Marathon, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by the City of Marathon on January 13, 2015, and rendered to the Department on January 15, 2015.

3. The Ordinance amends the City of Marathon Code of Ordinances, Appendix A (Land Development Regulations) to repeal and modify language in Chapter 104, Article 1, Section 104.05(G)(1-2) (Alcoholic Beverage). The Ordinance repeals language specifying minimum distances between package sale liquor establishments and other establishments. It also modifies language by creating a 500 foot minimum distance between package sale liquor establishments and schools, making it consistent with Florida Statutes.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) Florida Statutes.

5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. §380.0552, Florida Statutes and Florida Administrative Code Chapter 28-26.

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

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

8. The Ordinance is consistent with the City of Marathon Comprehensive Plan generally, and specifically with Policy 1-1.1.2 (Adopt Compatibility for Residential and Non-Residential Review Criteria).

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

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2014-23 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

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

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 29th day of January, 2015.

_____/s/_____
Katie Zimmer, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By Certified U.S. Mail:

The Honorable Chris Bull, Mayor
City of Marathon, City Council
9805 Overseas Highway
Marathon, FL 33050

Diane Clavier, Clerk
City of Marathon
9805 Overseas Highway
Marathon, FL 33050

George Garrett, Director
City of Marathon, Planning Department
9805 Overseas Highway
Marathon, FL 33050

Section XIII
Index to Rules Filed During Preceeding
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.