

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-17.001 Normal Penalty Ranges

PURPOSE AND EFFECT: Modify penalty ranges.

SUBJECT AREA TO BE ADDRESSED: Modify ranges.

RULEMAKING AUTHORITY: 455.227, 489.108, 489.129 FS.

LAW IMPLEMENTED: 455.277, 455.2273, 489.129 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: Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395

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

Florida Real Estate Commission

RULE NOS.:RULE TITLES:

61J2-3.008 Pre-licensing Education for Broker and Sales Associate Applicants.

61J2-3.009 Continuing Education for Active and Inactive Broker and Sales Associate Licensees.

PURPOSE AND EFFECT: For Rule 61J2-3.008, F.A.C., to amend or delete the effective dates referenced therein; for Rule 61J2-3.009, F.A.C., to provide that “specialty” courses (continuing education) referenced therein shall not be approved for less than 2 hours of instruction of 50 minutes each.

SUBJECT AREA TO BE ADDRESSED: For Rule 61J2-3.008, F.A.C., effective dates referenced therein; for Rule 61J2-3.009, F.A.C., “specialty” courses (continuing education) referenced therein.

RULEMAKING AUTHORITY: 455.2123, 475.01(1)(d), (e), (2), 475.05, 475.42(1)(c) FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 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: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801; (850)487-1395.

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

Drugs, Devices and Cosmetics

RULE NO.: RULE TITLE:

61N-1.010 Guidelines for Manufacturing Cosmetics

PURPOSE AND EFFECT: To protect the public health, safety, and welfare by setting forth requirements that cosmetic manufacturers must follow to ensure the safety of the products.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses good manufacturing practices that must be followed by persons that manufacture or are seeking licensure to manufacture cosmetics in Florida, including but not limited to: building and facility, equipment, personnel, raw material, product, internal audit, and complaint and recall requirements.

RULEMAKING AUTHORITY: 499.05, FS.

LAW IMPLEMENTED: 499.002, 499.008, 499.009, 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: Dinah Greene, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 N. Monroe Street, Suite 26A, Tallahassee, Florida 32399-1047; Dinah.Greene@myfloridalicense.com; (850)717.1802.

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:
5J-20.002 Standards of National Fire Protection Association Adopted

PURPOSE AND EFFECT: The proposed rule adopts NFPA 110, Standard for Emergency and Standby Power Systems, 2013 Edition, in accordance with Section 527.06, F.S.

SUMMARY: The department is required by Section 527.06, F.S., to "promulgate and enforce rules setting forth minimum general standards" for all LP gas activities carried out under Chapter 527, F.S. Section 527.06(3), F.S., deems the published standards of the National Fire Protection Association ("NFPA") "... to be in substantial conformity with the generally accepted standards of safety..." required to be adopted in Section 527.06(2), F.S. Accordingly, these NFPA standards are adopted in Rule 5J-20.002, F.A.C. NFPA 110 establishes the national standard for emergency and standby power systems, including LP gas-powered systems, adopted by NFPA. This standard is intended to be applied in tandem with other NFPA standards, including NFPA 58, which is already adopted in Rule 5J-20.002, F.A.C. Emergency and standby power systems include generators, widely used in Florida, particularly during "hurricane season." Effective July 28, 2014, the department amended Rule 5J-20.012, F.A.C., to add an "Installer F" Specialty License, specifically for installation of generators. Adoption of NFPA 110, Standard for Emergency and Standby Power Systems (2013 Edition), is necessary in order to establish the standards that will apply to generator installations and to the testing, training, and work to be performed in the state of Florida by persons wishing to be licensed as an Installer F.

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 department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did

not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As many of the provisions of NFPA 110 are already enforced in NFPA 58 and in local building code requirements, LP gas companies have already been complying with these standards in Florida and any regulatory or economic impact from adoption of NFPA 110 by the department would be negligible. No interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 527.06 FS.

LAW IMPLEMENTED: 527.06 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: Amy Topol, Assistant Director, Division of Consumer Services, Florida Department of Agriculture and Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, email: Amy.Topol@FreshFromFlorida.com or by phone (850)410-3662.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-20.002 Standards of National Fire Protection Association Adopted.

(1) The standards of the National Fire Protection Association for the storage and handling of liquefied petroleum gases as published in NFPA 58, Liquefied Petroleum Gas Code, 2011 edition, ~~and~~ for gas appliances and gas piping as published in NFPA 54, National Fuel Gas Code, 2012 edition, and for emergency power supply as published in NFPA 110, Standard for Emergency and Standby Power Systems, 2013 edition, shall be the accepted standards for this state and are hereby adopted and incorporated by reference, subject to such additions and exceptions as are set forth in this rule. The LP Gas Code Handbook, NFPA 58, 2011 Edition, and the National Fuel Gas Code Handbook, NFPA 54, 2012 Edition, are hereby adopted and incorporated by reference and shall be utilized by the ~~d~~Department as a guide in interpreting the provisions of Chapter 527, F.S. Reference to NFPA 58, ~~and~~ NFPA 54, and NFPA 110 in these rules shall be to the most recent edition as adopted herein. The section 6.6.7 of NFPA 58, 2011 edition, titled "Installation of Containers on Roofs of Buildings," is hereby excluded from adoption. The section 7.1.6.2 of NFPA 54, 2012 edition, titled "Conduit with

Both Ends Terminating Indoors” is hereby excluded from adoption.

(2) “NFPA” is the recognized abbreviation for the National Fire Protection Association, Inc., and generally the abbreviation is used in these rules in identifying the publications of the association, which are copyrighted. It would be a violation of federal copyright law to post the materials incorporated in this rule on the Internet for public viewing. Accordingly, the public may obtain a copy of any NFPA publication by writing the association, whose address is: National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269, or at <http://www.nfpa.org>. In addition, copies of the incorporated materials are available for viewing during regular business hours at the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, ~~Bureau of Liquefied Petroleum Gas Program Inspection~~—offices located at 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500. Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 8-7-80, Formerly 4A-1.01, Amended 7-18-85, Formerly 4B-1.01, Amended 10-8-86, 2-6-90, 8-9-92, Formerly 4B-1.001, Amended 7-20-95, 7-23-97, 6-8-99, 5-23-00, 9-2-02, 1-29-06, 8-2-07, 5-28-08, 4-6-12, 12-9-14, Formerly 5F-11.002, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Amy Topol, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 03, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 6, 2015

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.083
 RULE TITLE: Standards Relating to Gross Immorality and Acts of Moral Turpitude

PURPOSE AND EFFECT: The purpose of this new rule is to provide the definition of gross immorality and acts of moral turpitude as related to the education profession. The effect of this new rule is to define gross immorality and acts of moral turpitude as related to the authority of the Education Practices Commission to impose penalty against an educator’s certificate and to the Commissioner’s authority to engage in a Deferred Prosecution Agreement with an educator.

SUMMARY: The rule establishes definition of what acts or conduct are grossly immoral or acts of moral turpitude for the purpose of discipline against a Florida educator’s certificate.

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 proposed rule provides a definition of terms and does not impose any new or additional regulatory costs and should not have any adverse impact on economic growth, business competitiveness or any other factors listed 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: 1001.02(2)(n), 1012.795(1)(d), 1012.796(3), FS.

LAW IMPLEMENTED: 1012.795(1)(d), 1012.796(3), FS.

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

DATE AND TIME: April 15, 2015, 9:00 a.m.

PLACE: Department of Education, Turlington Building, 325 West Gaines St., Suite 1703, Tallahassee, Fl. 32399.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marian Lambeth, Professional Practices Services, Florida Department of Education, 325 West Gaines Street, Suite 224-E, Tallahassee, Florida 32399-0400.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.083 Standards Relating to Gross Immorality and Acts of Moral Turpitude.

(1) For the purpose of Section 1012.795(1)(d), Florida Statutes, the term gross immorality shall be defined as conduct that is inconsistent with the standards of public conscience and good morals. It is conduct that is serious, rather than minor in nature, and which constitutes a flagrant disregard for proper moral standards. Further, it is conduct sufficiently notorious to bring the individual concerned or the education profession into public disgrace or disrespect and impair the individual’s service in the community.

(2) Without limiting the conduct here defined, conduct listed below in paragraphs (2)(a)-(c), shall prompt review for

gross immorality. In determining whether the conduct, act or omission meets the definition of gross immorality, the factors found in subsection (4) shall be considered.

(a) A significant act or omission, regardless of whether the individual is charged with or convicted of any criminal offense, which would constitute a felony or a first degree misdemeanor under the laws of the State of Florida or equivalent law in another state or U.S. Territory, or laws of the United States of America.

(b) An act or omission resulting in the falsification of any document or information submitted by an educator with the intent to induce the Florida Department of Education to issue, reissue, or renew a Florida educator’s certificate.

(c) A violation of test or exam security protocols with the intent of altering the results for personal benefit or that results in a negative impact upon a student or school, such as an invalidation of the student’s results/score or necessitating a student to re-take a test or alternative assessment measure.

(3) For the purpose of Sections 1012.795(1)(d) and 1012.796, Florida Statutes, an act of moral turpitude shall be defined as a crime, regardless of whether the individual is charged or convicted, that is a felony or a first degree misdemeanor under the laws of the State of Florida or equivalent law in another state or U.S. Territory, or laws of the United States of America, that is evidenced by an act of baseness, vileness or depravity in the private and social duties, which, according to the accepted standards of the time, a man owes to his or her fellow man or to society in general, and the doing of the act itself and not its prohibition by statute fixes the moral turpitude.

(4) The following factors shall be considered in determining whether an act or omission rises to the level of gross immorality or moral turpitude:

- (a) The educator’s dishonesty or deception;
- (b) The educator’s use, attempted use or threatened use, of violence;
- (c) The educator’s malice or cruelty;
- (d) The educator’s deliberation, premeditation, or contemplation of an act;
- (e) The educator’s repeated behavior that displays a disregard for law, order, or human safety;
- (f) The harm, injury or insult to the victim;
- (g) The age, ability or limitation of the victim;
- (h) The benefit derived by the educator;
- (i) The presence or absence of mitigating factors, such as the educator’s age, experience, mental illness, or actions in self-defense.

(5) Accidental, negligent or reckless conduct alone, does not meet the definition of an act of moral turpitude or gross immorality.

Rulemaking Authority 1001.02(2)(n), 1012.795(1)(d), 1012.796 FS. Law Implemented 1012.795(1)(d), 1012.796 FS. History- New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Brian Dassler, Deputy Chancellor, Educator Quality.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 26, 2015

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-1.800
RULE TITLE: Lobbyist Registration

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to establish procedures for registering to lobby the South Florida Water Management District and to adopt two forms for use in registration, changing information, renewing registration, and cancelling registration; along with incorporation of a business classification system for the principals of the registering lobbyists.

SUMMARY: Chapter 2014-183, Laws of Florida, requires lobbyists to register with a water management district, if they seek to influence that district with respect to a decision of the district in an area of policy or procurement or seek to obtain the goodwill of a district official or employee. The proposed registration form requests general information about the lobbyist, including the existence of any direct or indirect business or financial relationship between the lobbyist and a District officer or employee.

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 District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District in

preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 112.3261(8) FS.

LAW IMPLEMENTED: 112.3261 FS.

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

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: South Florida Water Management District Clerk at 1(800)432-2045, x 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Derek Brown, Senior Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 2603 or (561)682-6278 or by email: debrown@sfwmd.gov. For procedural questions, please contact Charron Follins, Senior Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 6293 or (561)682-6293 or by email: cfollins@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.800 Lobbyist Registration.

(1) A person who is a "lobbyist" as defined in Section 112.3215, F.S., may not lobby the South Florida Water Management District (the "District") until he or she has registered as a lobbyist with the District. Registration shall be made by completing, under oath, the "Lobbyist Registration Form," which is incorporated by reference in subsection (7) below, and submitting that form to the District Clerk at the mail or email address provided in the form.

(2) A separate completed Lobbyist Registration Form must be submitted for each principal represented by the lobbyist before the District.

(3) For identifying and designating a principal's main business on the Authorization to Represent the Principal part of the Lobbyist Registration Form, the District adopts and incorporates by reference the 6-digit NAICS code published in the North American Industry Classification System – United

States, 2012. Classification system information can be obtained by contacting the NAICS Association, 129 Lakeshore Drive, Rockaway, NJ 07866, or by visiting its website: www.naics.com.

(4) Changes to the information provided on a Lobbyist Registration Form must be reported to the District within 15 days by submitting a completed Lobbyist Registration Form and checking the box indicating the submitted form is for the purpose of changing previously filed information.

(5) A lobbyist may renew his or her registration to lobby by filing a completed Lobbyist Registration Form with the District and checking the box indicating the submitted form is for renewal purposes. Renewals must be filed before January 1 of each year.

(6) The principal of a lobbyist may cancel the lobbyist's registration by submitting a completed "Lobbyist Registration Cancellation Form," which is incorporated by reference in subsection (7) below, informing the District that a particular lobbyist is no longer authorized to represent that principal. A lobbyist must cancel his or her registration with the District upon termination of his or her contract or other such employment relationship with the principal by promptly submitting a completed Lobbyist Registration Cancellation Form.

(7) The Lobbyist Registration Form, form number 1400, (effective date) (hyperlink), and the Lobbyist Registration Cancellation Form, form number 1402, (effective date) (hyperlink), are hereby incorporated by reference and may be obtained without cost from the District Clerk either at South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, or at clerk@sfwmd.gov. These forms may also be downloaded from the District's website at: www.sfwmd.gov/opengov.

Rulemaking Authority 112.3261(8) FS. Law Implemented 112.3261 FS. History--New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Derek Brown, Senior Attorney, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone: 1(800)432-2045, ext. 2603 or (561)682-6278 or by email: debrown@sfwmd.gov.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the South Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 12, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 16, 2015

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.: RULE TITLES:
 64B16-27.410 Registered Pharmacy Technician to Pharmacist Ratio

64B16-27.420 Pharmacy Technician - Delegable and Non-Delegable Tasks

PURPOSE AND EFFECT: For Rule 27.410, F.A.C. the Board proposes the rule amendment to update the rule regarding the registered pharmacy technician to pharmacist ratio and to restructure and revise existing requirements in order to make the rule easier to understand and apply. For Rule 27.420, F.A.C., the Board proposes the rule amendment to reorganize existing rule requirements in order to make the rule easier to understand.

SUMMARY: For Rule 27.410, F.A.C., the registered pharmacy technician to pharmacist ratio will be updated and the rule will be made easier to understand and apply by restructuring and revising existing requirements. For Rule 27.420, the rule will be made easier to understand by reorganizing existing rule requirements.

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: For Rule 27.410, F.A.C., the proposed amendments restructure and revise existing requirements, which will make the rule more comprehensible and easier to apply, which the Board believes shall reduce regulatory costs and burdens. In addition, the proposed amendments will allow certain additional pharmacies to utilize a 6:1 technician ratio, which will result in cost savings to small businesses, regulated entities, and government. For Rule 27.420, F.A.C., the proposed amendments reorganize existing rule provisions to increase clarity and readability. Since the proposed amendments do not impose any new or additional requirements, the amendments will not impose any costs on small business, regulated entities, or government.

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: 465.005, 456.069(1), 465.014, 465.017, 465.022 FS.

LAW IMPLEMENTED: 465.014, 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.410 Registered Pharmacy Technician to Pharmacist Ratio.

(1) General Conditions. When the pharmacist delegates tasks to a registered pharmacy technician, such delegation must enhance the ability of the pharmacist to practice pharmacy to serve the patient population. A pharmacist shall not supervise greater than one (1) registered pharmacy technician nor shall a pharmacy allow a supervision ratio of ~~more~~ ~~greater~~ than one (1) registered pharmacy technician to one (1) pharmacist (1:1), unless specifically authorized to do so pursuant to the provisions of this rule.

(2)(4) Required Documentation. ~~General Conditions:~~ Regardless of the technician ratio, every pharmacy, pharmacist, Prescription Department Manager (PDM) ~~and~~ ~~or~~ Consultant Pharmacist (CP) that employs or utilizes registered pharmacy technicians must comply with the following conditions:

(a) Establish and maintain a written Policy and Procedures Manual regarding the number of registered pharmacy technician positions and their utilization that includes the specific scope of delegable tasks of the technicians, job descriptions, and task protocols. The Policy and Procedures Manual or Manuals must include policies and the procedures for implementing the policies for each category enumerated below:

1. through 12. No change.

(b) Establish and maintain documentation that is signed by the registered pharmacy technician acknowledging the technician has reviewed the Policy and Procedures Manual(s). Compliance with this paragraph must be achieved by April 1, 2015, or within ninety (90) days from the date the registered pharmacy technician is hired. ~~Each registered pharmacy technician shall have 90 days from the effective date of this rule, [January 7, 2015], to comply with this provision and all registered pharmacy technicians hired subsequent to this rule's effective date shall have ninety (90) days from the date of hire.~~

(c) Establish and maintain documentation that demonstrates the registered pharmacy technician has received training is knowledgeable in the established job description, delegable tasks, task protocols, and policy and procedures in the specific pharmacy setting where the delegable tasks will be performed. Documentation shall consist of one of the following items:

1. Certification by the supervising licensee;
2. Certification by an instructor, trainer, or other similar person;
3. Training attendance logs or completion certificates, accompanied by an outline of the materials addressed; or
4. Exam or written questionnaires.

~~(3)(2)~~ The Policy and Procedures Manual(s) required by paragraph ~~(2)(a)(4)~~ must be maintained on-site where the pharmacy technician will perform the delegable tasks and must be available during a Department inspection or at the request of the Board of Pharmacy. However, any and all documentation required by paragraphs ~~(2)(4)(b)~~ and (c) must be maintained and must be provided to the Board of Pharmacy or a Department inspector within 72 hours of a request.

~~(4)(3)~~ Three to One (3:1) Ratio: Any pharmacy or any pharmacist engaged in Registered pharmacy technicians assisting with delegable tasks involving sterile compounding shall not exceed a ratio of up to three (3) registered pharmacy technicians to one (1) pharmacist (3:1).

~~(5)(4)~~ Four to One (4:1) Ratio: Any pharmacy pharmacist or any pharmacist pharmacy may allow a supervision ratio of up to four (4) registered pharmacy technicians to one (1) pharmacist (4:1), as long as the pharmacist or pharmacy is not engaged in delegable tasks do not involve sterile compounding.

~~(6)(5)~~ Six to One (6:1) Ratio:

(a) Non-dispensing pharmacies. Any A pharmacy which does not dispense medicinal drugs, and the pharmacist(s) employed by such pharmacy, may allow a supervision ratio of up to six (6) registered pharmacy technicians to one (1) pharmacist (6:1), as long as the pharmacy or pharmacist is not involved in delegable tasks do not involve sterile compounding.

(b) Dispensing pharmacies. A pharmacy which dispenses medicinal drugs may utilize a six to one (6:1) ratio in any physically separate area of the pharmacy from which medicinal drugs are not dispensed. A "physically separate area" is a part of the pharmacy which is separated by a permanent wall or other barrier which restricts access between the two areas.

Rulemaking Authority 465.005, 456.069(1), 465.014, 465.017, 465.022 FS. Law Implemented 465.014, 465.022 FS. History—New 2-14-77, Amended 3-31-81, Formerly 21S-4.02, Amended 8-31-87, Formerly 21S-4.002, Amended 9-9-92, Formerly 21S-27.410, 61F10-27.410, Amended 1-30-96, Formerly 59X-27.410, Amended 2-23-98, 10-15-01, 1-1-10, 1-7-15,_____.

64B16-27.420 Pharmacy Technician – Delegable and Non-Delegable Tasks.

A pharmacy technician may only assist a pharmacist in executing or carrying out the practice of the profession of pharmacy, but shall never themselves engage in the practice of the profession of pharmacy as defined in Chapter 465, F.S. Therefore, pharmacy technicians may only perform delegable tasks as identified and defined pursuant to this rule.

(1) ~~Definition of~~ Delegable Tasks. —Delegable tasks are those tasks that are performed pursuant to a pharmacist’s direction, without the exercise of the pharmacy technician’s own judgment and discretion, and which do not require the pharmacy technician to exercise the independent professional judgment that is the foundation of the practice of the profession of pharmacy. The following tasks are delegable:

~~(2) Delegable Tasks—The following tasks are delegable:~~
(a) through (l) No change.

~~(2)(3)~~ Non-Delegable Tasks – The following tasks may not be delegated and the pharmacy technician shall not:
(a) through (k) No change.

Rulemaking Authority 465.005, 465.014 FS. Law Implemented 465.014 FS. History—New 8-31-87, Formerly 21S-4.0025, Amended 7-30-91, Formerly 21S-27.420, 61F10-27.420, 59X-27.420, Amended 2-23-98, 1-1-10, 8-26-12, 2-5-15,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 27, 2015

**DEPARTMENT OF CHILDREN AND FAMILIES
Family Safety and Preservation Program**

- RULE NOS.: RULE TITLES:
- 65C-41.004 Case Management Services For Young Adults in Extended Foster Care
- 65C-41.005 Judicial Interaction
- 65C-41.006 Discharge from Program

PURPOSE AND EFFECT: In 2013, the Florida Legislature passed Senate Bill 1036 authorizing young adults in foster care, who have not reached permanency before 18 years of age, to remain in care until 21 years of age, or age 22 years of age in the case of a young adult with a disability. This

legislation substantially amended the following sections of the Florida Statutes: 39.013, 39.6013, 39.701, 409.145, 409.1451, 409.175, and 409.903 and created Sections 39.6035 and 39.6251, Florida Statutes. These changes necessitate new rule development. The new rule titles will be as follows: 65C-41.004, Transition and Case Plans; 65C-41.005, Discharge from Program; 65C-41.006, Appeals.

SUMMARY: The Department of Children and Families intends to implement Senate Bill 1036 in 65C-41, F.A.C., Extension of Foster Care. The new rules will require transition and cases plans; set forth the conditions for discharge from extended foster care; and provide an appeal procedure for young adults determined to no longer be eligible for, or denied readmission into, extended foster care.

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 Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in Section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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: 39.0121, 409.1451, F.S.

LAW IMPLEMENTED: 39.6012, 39.6035, 39.6251, 39.701, 409.1451, F.S.

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

DATE AND TIME: Wednesday, March 25, 2015, 9:00 am – 12:00 pm (ET)

PLACE: (1) Attending in person at: Florida Department of Children and Families, 1317 Winewood Boulevard, Bldg. 1, Secretary's Large Conference Room, 2nd Floor, Tallahassee, FL 32399-0700

(2) Via conference call: Dial 1-888-670-3525, Code: 314 879 3079 #

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz, Jodi.abramowitz@myflfamilies.com or 850-717-4189.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-41.004 Transition and Case Plans. Case Management Services For Young Adults in Extended Foster Care

(1) Transition planning.

(a) Transition planning must begin within 180 days of the young adult's 17th birthday, or as soon as possible within 30 days of being placed into licensed foster care after that date. The transition plan must be completed at least 60 days prior to the young adult's 18th birthday, or as soon as possible for any young adult who enters licensed foster care after that date, and no later than the last judicial review hearing during the young adult's minority.

(b) All young adults with diagnosed disabilities or mental health needs shall be provided with an equal opportunity to participate in transition planning. A young adult with a diagnosed disability or mental health need may need additional support; therefore, the designated staff shall work in consultation with all of the young adult's service providers.

(c) If the young adult intends, after discussion with the case manager, to opt out of extended foster care, the case manager shall provide the young adult the form "My Decision to Opt Out of Foster Care," CF-FSP 5375, January 2015, which is hereby incorporated by reference and available at www.dcf.state.fl.us/dcforms/Search/DCFFormSearch.aspx, or any other form that addresses all components of CF-FSP 5375. Upon receipt of the completed and signed form, the case manager shall:

1. Provide the young adult a copy of the completed form; and

2. Discuss with the young adult the options for enrollment in Aftercare or Postsecondary Education Services and Support (PESS).

(d) In the event the young adult refuses to participate in transition planning; fails to designate a qualifying activity; fails to live in an approved living arrangement; refuses to sign the transition plan after completion; or opts out of extended foster care, or the case manager determines that the young adult is ineligible due to the young adult's placement as a child other than in licensed foster care, the case manager shall provide a notice, "Notice of Discharge from Extended Foster Care," CF-FSP 5376, May 2014, which is hereby incorporated by reference and available at www.dcf.state.fl.us/dcforms/Search/DCFFormSearch.aspx, or any other form that addresses all components of CF-FSP 5376.

(2) Transition and Case Plans. Each young adult in extended foster care must have both a transition plan and a case plan developed by the case manager in consultation with the young adult.

(a) Transition Plan. The provisions of the transition plan form the basis of the young adult's case plan and delineate the young adult's short-term and long-term goals, the young adult's obligations, and the obligations of the foster parent, the case manager, and any other service provider.

1. The transition plan shall be coordinated with the case plan; however, a change in the transition plan does not require an amendment to the case plan or a return to court unless there is a substantial change in circumstances, a change in goal, or the young adult requests a hearing.

2. The transition plan shall include an agreement by the young adult to comply with the provisions to engage in one or more of the qualifying activities required by Section 39.6251(2), F.S., to participate in case management activities and judicial review proceedings as delineated in Rule 65C-41.003, F.A.C., and to remain in the approved living arrangement as detailed in the transition plan. The agreement shall also include a provision that the young adult shall sign necessary releases to enable the case manager to verify participation in the qualifying activities.

3. The transition plan shall address allowance.

a. Whether an allowance will be provided to the young adult and the amount of the allowance shall be discussed in consultation with the young adult and foster parent or designated staff.

b. The foster parent or designated staff shall use a reasonable and prudent parent standard to decide whether an allowance will be provided and the amount.

c. If the young adult is in licensed out-of-home care, the foster parent or caregiver shall make the ultimate decision.

d. If the young adult is in non-licensed care, designated staff shall make the ultimate decision.

e. The decision and rationale shall be supported by documentation in the young adult's case plan and transition plan.

4. If the young adult is a parent, the transition plan shall address the young adult's goals and needs in his or her role as a parent, as well as any referrals to service providers.

5. Amending the Transition Plan. The transition plan may be amended at any time, without court approval, whenever the young adult and the designated staff agree. The plan shall be periodically reviewed and must be updated when necessary prior to each judicial review hearing.

6. Portability. The services provided under this rule are portable across county lines and between lead agencies.

a. The service needs that are identified in the original or updated transition plan shall be provided by the lead agency where the young adult is currently residing but shall be funded by the lead agency that initiated the transition plan.

b. For all young adults in foster care who are on a living arrangement out-of-state or visiting out-of-state, the lead agency with primary case management responsibilities shall provide maintenance payments; case planning, including a written description of all services that will assist the young adult in preparing for the transition from care to independence; as well as regular case reviews that conform with all federal scheduling and content requirements.

(b) Case Plan. The young adult must have a case plan while in extended foster care.

1. The case plan must include:

a. A description of the qualifying activity or activities in which the young adult will engage to maintain eligibility for remaining in extended foster care. If the young adult has chosen an alternate or secondary qualifying activity, it shall be included in the case plan;

b. A description of the programs and services necessary to assist the young adult to successfully participate in the chosen qualifying activities, and a designation of who is responsible for providing these programs and services, and who is responsible for paying the costs of such programs and services;

c. A description of the young adult's long-term goals for living independently and the services to be provided to assist the young adult in meeting those goals; and

d. A designation of the permanency goal of transition from care to independent living.

2. The young adult's case plan shall be developed as part of the initial transition planning process, and shall include the young adult's long-term goals.

3. The case plan shall be reviewed with the young adult prior to each judicial review hearing, and shall be updated as necessary.

(3) Provision of Services. The community-based care lead agency must ensure that the young adult is provided necessary services. Necessary services include:

(a) Those services, including participation in programs, that are identified in the young adult's case plan.

(b) Supervision of the young adult at a level that is consistent with the young adult's individual educational and health care needs, permanency plan and independent living goals as assessed with input from the young adult.

(c) Life skills instruction, counseling, educational support, employment preparation and placement, and development of support networks that are consistent with the young adult's assessed needs and interests, and with the goals identified by the young adult in the transition plan and case plan.

(d) Regular case management reviews, at least monthly, but more often as necessary and as agreed to by both the case manager and the young adult.

(e) Any additional services that are necessary to assist the young adult in complying with the conditions of extended foster care.

(4) Prior to each judicial review hearing, the designated staff shall assist the young adult in preparing for the hearing by jointly developing the report, which addresses the young adult's progress in meeting the goals in the case plan. The report must include information on the young adult's progress on the case plan and the transition plan, as applicable, and shall propose modifications as necessary to further the young adult's goals.

(5) Procedures for a Young Adult Wishing to Remain in Extended Foster Care until the 22nd birthday. A young adult must be actively participating in extended foster care on his or her 21st birthday, and have a documented disability, in order to remain in care until his or her 22nd birthday.

(a) The case manager for a young adult who has a documented disability shall discuss with the young adult and any designated decision-making authority for the young adult, within 180 days of the young adult's 20th birthday, whether the young adult wishes to remain in extended foster care after his or her 21st birthday. This discussion shall occur during the transition planning for possible discharge based on reaching the maximum age for participation.

(b) If the young adult who has a documented disability requests discharge from, or otherwise opts out of continuing in extended foster care beyond the 21st birthday, the case manager shall provide the form "My Decision to Opt Out of Foster Care," CF-5375, incorporated in paragraph (1)(c) of this rule, or any other form that addresses all components of CF-FSP 5375, and specify that the young adult has requested discharge from the program on the 21st birthday.

Rulemaking Authority 39.012, 39.0121 FS. Laws Implemented 39.6012, 39.6035, 39.6251, 39.701, FS. History–New._____.

65C-41.005 Discharge from Program. Judicial Interaction

(1) A young adult shall be discharged from the extended foster care program when the young adult is no longer eligible to participate in the program.

(a) A young adult shall be discharged from extended foster care when categorical eligibility ends on the earliest of the dates that the young adult:

1. Reaches 21 years of age or, in the case of a young adult with a disability, reaches 22 years of age;

2. Knowingly and voluntarily withdraws his or her consent to participate in extended foster care. Withdrawal of consent to participate in extended foster care shall be verified by the court pursuant to Section 39.701, F.S.;

3. Achieves Permanence. Permanence due to a voluntary return by the young adult to his or her legal parent after the age of 18 disqualifies the young adult from participating in extended foster care during the time the young adult is living with that parent. However, in the event that living arrangement fails, the young adult will no longer be considered to have achieved permanence, and the young adult is again eligible for extended foster care.

(b) Except as provided for in subparagraph (1)(c) of this rule, a young adult shall be discharged from the extended foster care program for failure to participate in one or more qualifying activities set forth in Section 39.6251(2), F.S., unless that failure is based on a documented disability.

(c) A young adult may not be discharged from the extended foster care program for ceasing to participate in one or more qualifying activities set forth in Section 39.6251(2), F.S., if he or she provides within 20 days of ceasing participation:

1. Documentation of efforts to resume a qualifying activity; or

2. Documentation of a condition that limits participation, pursuant to Section 39.6251(2)(e), F.S.

(d) A young adult may be discharged from the extended foster care program for failure to reside in the approved living arrangement. The length of the young adult's absence from the approved living arrangement that supports the determination that the young adult is not residing in the approved living arrangement shall be determined during transition planning and documented in the transition plan.

(e) A young adult may be discharged from the extended foster care program for failure to actively participate in case management and supervision provided by the case manager.

(2) A young adult may elect voluntary discharge from the extended foster care program. When a young adult indicates to a case manager or designated staff that he or she wishes to leave the program, the case manager or designated staff shall provide the young adult with the form "My Decision to Opt Out of Foster Care" CF-FSP 5375, January 2015, which is incorporated by reference in Rule 65C-41.004, F.A.C., or any other form that addresses all components of CF-FSP 5375, and ask the young adult to complete the form and return it to the case manager. The case manager shall inform the young adult of other available services in Postsecondary Education Services and Support and Aftercare Services. When a young adult elects voluntary discharge from extended foster care, or when the young adult is discharged, the case manager shall request that the Children's Legal Services attorney file a motion to terminate jurisdiction and schedule a court hearing on that motion.

(3) Before the case manager may discharge a young adult from extended foster care, other than when the young adult voluntarily leaves the program, the case manager must provide the young adult with a written notice that describes all reasons for the discharge and the form “Due Process Rights for Young Adults Formerly in Foster Care,” CF/PI 175-74, August 2014, which is incorporated by reference in paragraph 65C-41.006(2)(d), F.A.C., or any other form that addresses all components of CF/PI 175-74.
 Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251, 39.701, 39.013 FS. History—New_____.

65C-41.006 Appeals, Discharge from Program

(1) The Department, the community-based care lead agency and its contracted service provider staff shall treat all young adults fairly and afford them due process. A young adult applying for or receiving extended foster care services has the right to receive written notice of adverse actions by the Department or its contracted service provider and to resolve issues about eligibility by meeting with representatives of the Department or its contracted service provider or through the fair hearing process. The fair hearing process is available to any young adult who is determined to no longer be eligible for extended foster care, or who has been denied readmission into extended foster care.

(2) Notice of Adverse Action. The community-based care lead agency shall give timely and adequate written notice to the young adult regarding any decision to deny readmission or terminate participation in extended foster care.

(a) The notice shall be provided on the form “Notice of Discharge from Extended Foster Care,” CF-FSP 5376, incorporated by reference in 65C-41.004(1)(d), F.A.C, or on any other form that addresses all components of CF-FSP 5376 and meets the requirements set forth in subparagraph (2)(c) of this rule.

(b) The notice shall be considered timely:

1. When the notice concerns an application for readmission into care, if it is delivered to the young adult within 10 business days of the lead agency receiving the application.

2. When the notice concerns any decision to discharge a young adult from participation in extended foster care, if it is delivered to the young adult at least 30 calendar days before the action described in the notice becomes effective.

(c) The notice shall be considered adequate if it explains in the primary language of the young adult:

1. the proposed action;
2. the reasons for the proposed action;
3. the young adult’s right to request a fair hearing;

4. the person whom the young adult would contact to request a fair hearing or for additional information about the decision, including the contact’s name, telephone number, e-mail address and mailing address; and

5. in bold type, the timeline for requesting a fair hearing.;
The notice must specifically include the following information, in bold type:

a. that the request for a fair hearing must be sent to the case manager no later than 30 calendar days from the date the notice was received by the young adult; and

b. that the request for a fair hearing must be sent no later than 10 business days after the notice is received for the young adult to continue to participate in the program pending the completion of the fair hearing process.

6. The notice also must inform the young adult that if the last day to request a fair hearing falls on a weekend or holiday, the request will be considered timely if it is sent the first business day after the deadline.

(d) A “Request for Fair Hearing on Application Denial or Discharge from the Extended Foster Care Program; or on Denial, Termination, or Reduction of Postsecondary Education Services and Support or Aftercare Services Benefits,” CF-FSP 5380, August 2014, incorporated by reference, and “Due Process Rights for Young Adults Formerly in Foster Care,” CF/PI 175-74, incorporated by reference in 65C-41.005(3), F.A.C, or any other forms that address all components of CF-FSP 5380 and CF/PI 175-74, shall be attached to the notice. Forms CF-FSP 5380 and CF/PI 175-74 are available at www.dcf.state.fl.us/dcf/forms/Search/DCFFormSearch.aspx. 45 C.F.R. §205.10, July 1992, is incorporated by reference and available at <http://www.gpo.gov/fdsys/granule/CFR-1997-title45-vol2/CFR-1997-title45-vol2-sec205-10/content-detail.html>.

(e) The notice shall be sent by certified mail or provided to the young adult by hand delivery. The notice shall also be sent via e-mail if the young adult has provided an e-mail address. If the young adult has provided a telephone number, designated staff shall call the young adult and advise him or her that the notice has been sent and also is available for pickup at the community-based care office. Documentation of hand delivery and e-mail shall be made in the young adult’s file contemporaneously with the hand and e-mail delivery. The certified mail receipt shall also be placed in the young adult’s file.

(3) Request for Fair Hearing.

(a) A young adult shall have 30 calendar days from the date of receipt of the notice of adverse action to request a fair hearing. If the young adult requests the fair hearing within 10 business days of the date of receipt of the notice of adverse action terminating participation in extended foster care, then the young adult shall remain in extended foster care pending the resolution of the fair hearing.

(b) The request for a fair hearing may be made orally or in writing.

1. The form "Oral Request for Fair Hearing," CF-FSP 5381, August 2014, incorporated by reference, or any other form that addresses all components of CF-FSP 5381, shall be used by the case manager or designated staff to document oral requests for a fair hearing. This form is available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx.

2. Written requests may be prepared by the young adult on the form "Request for Fair Hearing on Application Denial or Discharge from the Extended Foster Care Program; or on Denial, Termination, or Reduction of Postsecondary Education Services and Support ~~PESS~~ or Aftercare Services Benefits," CF-FSP 5380, incorporated in subsection (2)(d) of this rule, or any other form that addresses all components of CF-FSP 5380, or in any other manner the young adult chooses.

(c) The request for a fair hearing is made on the date the young adult sends a written request for fair hearing by

U.-S. Mail or e-mail, or hand-delivers the written request to the staff member of the agency (or his or her designee)

who sent the notice of adverse action. An oral request for a fair hearing is made on the date the young adult speaks with his or her case manager or designated staff, the community-based care agency providing him or her with independent living services, or the Office of Appeal Hearings in Tallahassee. If the deadline to request a fair hearing is a Saturday, Sunday or holiday, the request shall be timely if it is made on or before the first business day after the weekend or holiday.

(4) Transmittal of Hearing Request to the Department or Its Contracted Service Provider.

(a) Within one (1) business day of receiving the young adult's request for a fair hearing, staff shall send the request for a fair hearing and notice of adverse action by facsimile or e-mail transmission to the legal representative for the Department and the Office of Appeal Hearings of the Department of Children and Families.

(b) If a request for a hearing is not sent by the young adult within the stated timeframes, the request shall be forwarded to the Florida Department of Children and Families' Office of Appeal Hearings with a notation that the request was late being sent to the lead agency by the young adult.

(c) Staff shall forward a copy of all documentation supporting the decision regarding participation in extended foster care to the Regional Legal Counsel and the legal representative for the Department within three (3) business days of receipt of the young adult's request for fair hearing.

(5) Additional Local Preparation for Fair Hearings.

(a) The staff person receiving the request shall, within five (5) business days, prepare copies of the young adult's complete extended foster care file; and copies of the young adult's case file records from his or her dependency case file during the young adult's 17th year of age to provide to both the young adult and the legal representative for the Department or its contracted service provider. Staff shall provide the complete file to both the young adult and the legal representative for the Department or its contracted service provider, whether or not a request has been made.

(b) The designated staff responsible for the young adult's extended foster care case (the case manager in the county where the young adult's participation originated) shall coordinate and participate in the fair hearing, even if the hearing takes place in a different county or region. The fair hearing shall take place in the county in which the young adult lives.

Rulemaking Authority 39.012, 39.0121, 409.1451 FS. Law Implemented 39.6251, 409.1451 FS. History—New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kirk Brown

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 15, 2013

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: 6M-8.301 RULE TITLE: Statewide Provider Agreement for the VPK Program

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40 No. 168, August 28, 2014 issue of the Florida Administrative Register.

The following language is substituted in the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification:

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.: RULE TITLES:
40A-2.902 Areal Boundary Maps for Water Use Permitting.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 41, No. 8, January 13, 2015, issue of the Florida Administrative Register.

40A-2.902 Areal Boundary Maps for Water Use Permitting.

General areal boundaries for Water Resource Caution Areas and Areas of Resource Concern are established for the implementation of water use permitting pursuant to this Chapter and are indicated in Figures 2-1, 2-2, and 2-3. These boundaries are depicted in specific detail on the following maps: Water Resource Caution Area Map for Santa Rosa County

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-05185>); Water Resource Caution Area Map for Okaloosa County

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-05186>); Water Resource Caution Area Map for Walton County

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-05187>) Upper Telogia Creek Drainage Basin Water Resource Caution Area and Area of Resource Concern Map for Gadsden County

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-05188>); and Area of Resource Concern Map for Bay County

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-05189>) and for each county on general county highway maps.

~~These maps~~ are hereby incorporated by reference (effective _____). Copies of these maps and can be obtained from the District’s website (nwfwater.com) or from the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-4712 District offices.

Rulemaking Authority 373.044, 373.171 FS. Law Implemented 373.216 FS. History—New 10-1-82, Amended 1-5-86, 5-4-87, 8-1-89, 5-31-92, 7-1-98, 1-1-05, 5-29-14, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.: RULE TITLES:
61-31.701 Minimum Standards and Practices for Mold Assessors
61-31.702 Minimum Standards and Practices for Mold Remediators

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40 No. 250, December 30, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:
65C-41.001 Definitions
65C-41.002 Application Procedures for Readmission to Extended Foster Care
65C-41.003 Appeals
65C-41.004 Case Management Services For Young Adults in Extended Foster Care
65C-41.005 Judicial Interaction
65C-41.006 Discharge from Program

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 49, March 12, 2015 issue of the Florida Administrative Register. The above rules were published in a Notice of Change on March 12, 2015. Rules 65C-41.004, 65C-41.005, and 65C-41.006, should not have been included in the Notice of Change. A Notice of Proposed Rule will be published on Rules 65C-41.004, 65C-41.005, and 65C-41.006. The language in the proposed rule will be identical to the language in the Notice of Change.

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER15-20 CASH 3™

SUMMARY: This emergency rule sets forth the provisions for the conduct of CASH 3™. This emergency rule replaces Emergency Rule 53ER12-22 and 53ER15-14, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-20 CASH 3™.

(1) How to Play CASH 3™.

(a) CASH 3 is a lottery online terminal game in which a player must select any two-digit or three-digit number from 000 to 999 inclusive. The digits may be the same or different; for example, 111, 122, and 123 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing, for a total of \$.50, \$1.00, \$1.50, \$3.00, or \$6.00, depending upon the play type selected and number of combinations covered.

(c) Players may make their CASH 3 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their CASH 3 selections must mark the play type, draw time, play amount and number selection (or mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. If the draw time is not marked, the ticket will automatically be entered into the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next available CASH 3 drawing, or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next available CASH 3 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their CASH 3 ticket selections by telling the retailer may specify the play type, play amount, draw time, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). The terminal defaults to a \$1.00 straight play for the next available draw if the play type, play amount, and draw time are not specified by the player in conjunction with the selection of the quick pick feature.

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way combo or 6-way combo play type as described in paragraph (1)(g) below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way or 6-way box combination as described below.

(f) Players may play future consecutive midday, evening or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available CASH 3 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time(s) selected. The advance play options are described more fully in subparagraphs 1. and 2. below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance Play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw time(s) selected, including the next available drawing.

In the event that a planned change in the CASH 3 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website.

(g) CASH 3 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits are drawn in the exact order as they were chosen by the player, the player wins \$250.00 for a 50-cent play or \$500 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's selections are drawn in any order.

a. A "3-way box" is a play in which the player has selected a number with two identical digits. Therefore, the play involves three combinations; for example, a 122 box covers the combinations 122, 212, and 221, and pays a winner \$80.00 for a 50-cent play or \$160.00 for a \$1.00 play.

b. A "6-way box" is a play in which the player has selected a number in which all three digits are different. Therefore, the play involves six combinations; for example, a 123 box covers the combinations 123, 132, 213, 231, 312, and 321, and pays a winner \$40.00 for a 50-cent play or \$80.00 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 3-way box" play pays a winner \$330.00 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$80.00 if the player's digits are drawn in any other order.

b. A "Straight and 6-way box" play pays a winner \$290.00 if a player's digits are drawn in the exact order as printed on the ticket, or \$40.00 if the player's digits are drawn in any order.

4. "Combo" play. A combo is a play covering all straight combinations of a 3-digit number and will cost \$1.50 to \$6.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the 3-digit number selected.

a. A "3-way combo" is a play in which the player has selected a number with two identical digits. The combo involves three straight play combinations; for example, a 122 combo covers the combinations 122, 212, and 221. A "3-way combo" pays \$250 for a \$1.50 play (\$.50 per combination) or \$500 for a \$3.00 play (\$1.00 per combination).

b. A "6-way combo" is a play in which the player has selected a number in which all three digits are different. The combo involves six straight play combinations; for example, a 123 combo covers the combinations 123, 132, 213, 231, 312, and 321. A "6-way combo" pays \$250 for a \$3.00 play (\$.50 per combination) or \$500 for a \$6.00 play (\$1.00 per combination).

5. "Front Pair" play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the ticket match, in exact order, the first two numbers drawn by the Lottery.

6. "Back Pair" play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the ticket match, in exact order, the last two numbers drawn by the Lottery.

7. "1-OFF®" play. A 1-OFF play allows a player to win if the three-digit number chosen by the player matches in exact order the CASH 3 winning numbers drawn by the Lottery ("straight win") or if one of the twenty-six three-digit 1-OFF numbers printed on the player's ticket matches in exact order the CASH 3 winning numbers drawn by the Lottery ("1-OFF win"). The CASH 3 1-OFF ticket will contain the three-digit number (player-selected or Quick Pick) that qualifies for the straight win plus twenty-six additional three-digit 1-OFF numbers that qualify for a 1-OFF win. The twenty-six 1-OFF numbers are all the possible combinations in which each of the three digits either matches or is one number higher or lower than each of the player's three digits, in exact order. A \$1.00 play pays as follows:

a. \$250 for a straight win

b. \$20 for a 1-OFF on one digit win- (two digits match, one digit is off by one)

c. \$10 for a 1-OFF on three digits win- (all three digits are off by one)

d. \$5 for a 1-OFF on two digits win- (one digit matches, two digits are off by one)

A 50-cent play amount is not available for a 1-OFF play.

(h) On occasion, increases in the prize amounts set forth in paragraph (1)(g) above will be offered for promotional purposes.

(i) A liability limit of \$10 million is established for CASH 3. When the play of a particular three-digit number for a drawing reaches the Lottery's CASH 3 liability limit of \$10 million, no further ticket sales for any type of play that would involve that three-digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair play that involves the first two or last two digits, respectively, of the three-digit number will be allowed for that drawing.

(2) CASH 3 Drawings.

(a) CASH 3 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of three units of balls numbered zero (0) through nine (9).

(c) Three balls will be selected in the drawing, one each into three separate display devices. The numbers shown on the three balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) CASH 3 Odds of Winning.

The odds of winning in CASH 3 are as follows:

<u>(a) Straight</u>	<u>1 in 1000</u>
<u>(b) Box 3-Way</u>	<u>1 in 333.33</u>
<u>(c) Box 6-Way</u>	<u>1 in 166.67</u>
<u>(d) Straight and Box 3-Way</u>	<u>1 in 1000 and 1 in 333.33</u>
<u>(e) Straight and Box 6-Way</u>	<u>1 in 1000 and 1 in 166.67</u>
<u>(f) Combo 3-Way</u>	<u>1 in 333.33</u>
<u>(g) Combo 6-Way</u>	<u>1 in 166.67</u>
<u>(h) Front Pair</u>	<u>1 in 100</u>
<u>(i) Back Pair</u>	<u>1 in 100</u>
<u>(j) 1-OFF</u>	
<u>1. Straight</u>	<u>1 in 1,000</u>
<u>2. 1-OFF on one digit</u>	<u>1 in 166.67</u>
<u>3. 1-OFF on three digits</u>	<u>1 in 125</u>
<u>4. 1-OFF on two digits</u>	<u>1 in 83.33</u>

(4) CASH 3 Rules and Prohibitions.

(a) By purchasing a CASH 3 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) CASH 3 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, CASH 3 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily CASH 3 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m. ET for the evening draw. Ticket sales for a specific CASH 3 drawing will close approximately ten minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available CASH 3 draw date and draw time, unless the player specifies another CASH 3 draw date and draw time within the selection parameters.

(e) Retailer cancellations of CASH 3 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no CASH 3 ticket can be canceled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related CASH 3 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s) and time(s), and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection.

(5) The effective date of this emergency rule is March 16, 2015.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History-New 3-16-15, Replaces 53ER12-22 and 53ER15-14 F.A.C.

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: 3-16-15.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER15-21 PLAY 4™

SUMMARY: This emergency rule sets forth the provisions for the conduct of PLAY 4™. This emergency rule replaces Emergency Rule 53ER12-23.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-21 PLAY 4™.

(1) How to Play PLAY 4™.

(a) PLAY 4 is a lottery online terminal game in which a player must select any two or four digit number from 0000 through 9999 inclusive. The digits may be the same or different; for example, 1111, 1212, and 1348 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing, for a total of \$.50, \$1.00, \$2.00, \$3.00, \$4.00, \$6.00, \$12.00, or \$24.00, depending upon the play type selected and number of combinations covered.

(c) Players may make their PLAY 4 ticket selections by marking a play slip or by telling the retailer their desired selections.

1. There are five panels on a play slip. Players electing to use a play slip to make their PLAY 4 ticket selections must mark the play type, draw time, play amount, and number selection (or mark the "Quick Pick" box located at the bottom

of each panel for the terminal to randomly select one or more of the numbers) for each panel played. If the draw time is not marked, the ticket will automatically be entered into the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets each with one set of four randomly selected numbers (straight play) for the next PLAY 4 drawing, or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of four randomly selected numbers (straight play) for the next available PLAY 4 drawing. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket.

2. Players electing to make their PLAY 4 ticket selections by telling the retailer may specify the play type, draw time, play amount, and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). The terminal defaults to a \$1.00 straight play for the next available draw if the play type, play amount, and draw time are not specified by the player in conjunction with the selection of the quick pick feature.

(d) A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way combo, 6-way combo, 12-way combo, or 24-way combo play type as described below.

(e) A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way box, 6-way box, 12-way box, or 24-way box combination as described in paragraph (1)(g) below.

(f) Players may play future consecutive midday, evening, or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either mark the play slip or tell the retailer the advance play selections and draw times they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PLAY 4 drawing for the draw time selected and continue through the next thirteen /six consecutive days for the draw time selected. The advance play options are described more fully in subparagraphs 1. and 2. below.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for the draw time(s) selected only. Players shall mark the desired number of consecutive drawings in the "Days" section and the desired draw time(s) in the "Draw Time" section of the play slip. The number of consecutive drawings marked will include the next available drawing for the draw time(s) selected and will apply to each panel (A-E) played. Advance play does not apply to selections in the Quick Picks box.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one (1) of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw times selected, including the next available drawing.

In the event that a planned change in the PLAY 4 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website.

(g) PLAY 4 can be played and won as follows:

1. "Straight" play. In a straight play, if a player's digits are drawn in the exact order as they were chosen by the player, the player wins \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

2. "Box" play. A box play allows a player to win if the player's selections are drawn in any order.

a. A "4-way box" is a play in which the player has selected a number with three identical digits. Therefore, the play involves four combinations; for example, a 1112 box covers the combinations 1112, 1121, 1211 and 2111, and pays a winner \$599 for a 50-cent play or \$1,198 for a \$1.00 play.

b. A "6-way box" is a play in which the player has selected a number with pairs of two unique digits. Therefore, the play involves six combinations; for example, a 1122 box covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$400 for a 50-cent play or \$800 for a \$1.00 play.

c. A "12-way box" is a play in which the player has selected a number with two identical digits. Therefore, the play involves twelve combinations; for example, a 1123 box covers the combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$200 for a 50-cent play or \$400 for a \$1.00 play.

d. A "24-way box" is a play in which the player has selected a number with four unique digits. Therefore, the play involves twenty-four combinations; for example, a 1234 box covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$100 for a 50-cent play or \$200 for a \$1.00 play.

3. "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

a. A "Straight and 4-way box" play pays a winner \$3,099 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$599 if the player's digits are drawn in any other order.

b. A "Straight and 6-way box" play pays a winner \$2,900 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$400 if the player's digits are drawn in any other order.

c. A "Straight and 12-way box" play pays a winner \$2,700 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$200 if the player's digits are drawn in any other order.

d. A "Straight and 24-way box" play pays a winner \$2,600 if a player's digits are drawn in the exact order as printed on the player's ticket, or \$100 if the player's digits are drawn in any other order.

4. "Combo" play. A combo is a play covering all straight combinations of a four-digit number and will cost \$2.00 to \$24.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the four-digit number selected.

a. A "4-way combo" is a play in which the player has selected a number with three identical digits. The 4-way combo is comprised of four straight play combinations; for example, a 1112 4-way combo covers the combinations 1112, 1121, 1211, and 2111 and pays a winner \$2,500 for a \$2.00 play or \$5,000 for a \$4.00 play.

b. A "6-way combo" is a play in which the player has selected a number with two pairs of unique digits. The 6-way combo is comprised of six straight play combinations; for example, a 1122 6-way combo covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$2,500 for a \$3.00 play or \$5,000 for a \$6.00 play.

c. A "12-way combo" is a play in which the player has selected a number with two identical digits. The 12-way combo is comprised of twelve straight play combinations; for example, a 1123 12-way combo covers combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$2,500 for a \$6.00 play or \$5,000 for a \$12.00 play.

d. A "24-way combo" is a play in which the player has selected a number with four unique digits. The 24-way combo is comprised of twenty-four straight play combinations; for example, a 1234 24-way combo covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$2,500 for a \$12.00 play or \$5,000 for a \$24.00 play.

5. "Front Pair" play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the ticket match, in exact order, the first two numbers drawn by the Lottery.

6. "Mid Pair" play. A mid pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the ticket match, in exact order, the middle two numbers drawn by the Lottery.

7. "Back Pair" play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the ticket match, in exact order, the last two numbers drawn by the Lottery.

8. "1-OFF[®]" play. A 1-OFF play allows a player to win if the four-digit number chosen by the player matches in exact order the PLAY 4 winning numbers drawn by the Lottery ("straight win") or if one of the eighty four-digit 1-OFF numbers printed on the player's ticket matches in exact order the PLAY 4 winning numbers drawn by the Lottery ("1-OFF win"). A PLAY 4 1-OFF ticket will contain the four-digit number (player-selected or Quick Pick) that qualifies for the straight win plus eighty additional four-digit 1-OFF numbers that qualify for a 1-OFF win. The eighty 1-OFF numbers are all the possible combinations in which each of the four digits either matches or is one number higher or lower than each of the player's four digits, in exact order. A \$1.00 play pays as follows:

- a. \$2,500 for a straight win
- b. \$100 for a 1-OFF on one digit win- (three digits match, one digit is off by one)
- c. \$50 for a 1-OFF on four digits win- (all four digits are off by one)
- d. \$25 for a 1-OFF on two digits win- (two digits match, two digits are off by one)
- e. \$15 for a 1-OFF on three digits win- (one digit matches, three digits are off by one)

A 50-cent play amount is not available for a 1-OFF play.

(h) On occasion, increases in the prize amounts set forth in paragraph (1) (g) above will be offered for promotional purposes.

(i) A liability limit of \$5 million is established for PLAY 4. When the play of a particular four digit number for a drawing reaches the Lottery's PLAY 4 liability limit of \$5 million, no further ticket sales for any type of play that would involve that four digit number will be allowed for that drawing.

(2) PLAY 4 Drawings.

(a) PLAY 4 drawings are conducted twice daily.

(b) The equipment shall be configured so that one ball is drawn from each of four units of balls numbered zero (0) through nine (9).

(c) Four balls will be selected in the drawing, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) PLAY 4 Odds of Winning.

The odds of winning in PLAY 4 are as follows:

<u>(a) Straight</u>	<u>1 in 10,000</u>
<u>(b) Box 4-Way</u>	<u>1 in 2,500</u>
<u>(c) Box 6-Way</u>	<u>1 in 1,666.67</u>
<u>(d) Box 12-Way</u>	<u>1 in 833.33</u>
<u>(e) Box 24-Way</u>	<u>1 in 416.67</u>
<u>(f) Straight/ Box 4-Way</u>	<u>1 in 10,000 and 1 in 2,500</u>
<u>(g) Straight/ Box 6-Way</u>	<u>1 in 10,000 and 1 in 1,666.67</u>
<u>(h) Straight/ Box 12-Way</u>	<u>1 in 10,000 and 1 in 833.33</u>
<u>(i) Straight/ Box 24-Way</u>	<u>1 in 10,000 and 1 in 416.67</u>
<u>(j) Combo 4-Way</u>	<u>1 in 2,500</u>
<u>(k) Combo 6-Way</u>	<u>1 in 1,666.67</u>
<u>(l) Combo 12-Way</u>	<u>1 in 833.33</u>
<u>(m) Combo 24-Way</u>	<u>1 in 416.67</u>
<u>(n) Front Pair</u>	<u>1 in 100</u>
<u>(o) Middle Pair</u>	<u>1 in 100</u>
<u>(p) Back Pair</u>	<u>1 in 100</u>
<u>(q) 1-OFF</u>	
<u>1. Straight</u>	<u>1 in 10,000</u>
<u>2. 1-OFF on one digit</u>	<u>1 in 1,250</u>
<u>3. 1-OFF on four digits</u>	<u>1 in 625</u>
<u>4. 1-OFF on two digits</u>	<u>1 in 416.67</u>
<u>5. 1-OFF on three digits</u>	<u>1 in 312.50</u>

(4) PLAY 4 Rules and Prohibitions.

(a) By purchasing a PLAY 4 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PLAY 4 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and on-line system availability, PLAY 4 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PLAY 4 drawing is approximately 1:30 p.m. ET for the midday draw and 7:57 p.m., ET for the evening draw. Ticket sales for a specific PLAY 4 drawing will close approximately ten minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PLAY 4 draw date and time unless the player specifies another PLAY 4 draw date and time within the selection parameters.

(e) Retailer cancellations of PLAY 4 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PLAY 4 ticket shall be canceled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related PLAY 4 close of game.

(f) It is the responsibility of the player to determine the accuracy of the selected panels of numbers, draw date(s), draw time(s) and play types on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of a player by the "quick pick" method of number selection.

(5) The effective date of this emergency rule is March 16, 2015.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History-New 3-16-15, Replaces 53ER12-23 F.A.C.

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: 3-16-15.

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO. RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 11, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from Artifacts located in Tampa. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink in the outside bar area.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO. RULE TITLE

61C-4.010 Sanitation and Safety Requirements

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

On January 30, 2015 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Third Level Conrad Banquet Facility located in Fort Lauderdale. The above referenced F.A.C. addresses the requirement that each establishment have facilities for manually washing, rinsing and sanitizing equipment and utensils. They are requesting to share the warewashing sink area within another licensed food service establishment under the same ownership and on the same premises.

The Petition for this variance was published in Vol. 41, No. 25, F.A.R., on February 6, 2015. The Order for this Petition was signed and approved on February 24, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring a three-compartment sink is provided with hot and cold running water under pressure. The Petitioner shall also ensure that the three-compartment sink area within the main kitchen Lower Level Conrad Banquet Facility (SEA1623692) is maintained in a clean and sanitary manner and is available during all hours of operation. If the ownership of Lower Level Conrad Banquet Facility (CFLB Partnership LLC) changes, a signed agreement for use of the shared facilities is required immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO. RULE TITLE

61C-1.004 General Sanitation and Safety Requirements

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

On February 3, 2015, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from Hilton Historic Bayfront located in St. Augustine. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink in the omelet station.

The Petition for this variance was published in Vol. 41, No. 25, F.A.R., on February 6, 2015. The Order for this Petition was signed and approved on February 24, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner

ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO. RULE TITLE

61C-4.010 Sanitation and Safety Requirements

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

On February 4, 2015 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Tropi Q Island Cuisine located in Melbourne. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 41, No. 25, on February 6, 2015. The Order for this Petition was signed and approved on February 24, 2015. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code;

and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on March 9, 2015, the Board of Massage Therapy received a petition for Rebecca Pollock, seeking a variance or waiver of Rule 64B7-32.002, Florida Administrative Code, regarding the requirements for proof of graduation and Rule 64B7-32.003, Florida Administrative Code, regarding minimum requirements for board approved massage schools. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, or by email, christy.robinson@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on March 9, 2015, the Board of Massage Therapy, received a petition for Laura Randich seeking a variance or waiver regarding using counterfeit proof paper for transcripts. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christy Robinson, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, or by email, christy.robinson@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO. RULE TITLE

64B8-4.009 Applications

The Board of Medicine hereby gives notice: that the Petition for Waiver filed by Tim A. Miller, M.D., on January 20, 2015, has been withdrawn upon request of the Petitioner. The

Petition, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., was published in Volume 41, No. 29, of the Florida Administrative Register, on February 12, 2015. The person to be contacted regarding this Petition is: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

Section VI Notice of Meetings, Workshops and Public Hearings

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: March 20, 2015, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd, Room 120L, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to Bid (ITB-DEM-14-15-036) for State Logistics Response Center Pallet Rack Repairs.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting:

Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, (850)410-1391, Tara.Walters@em.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, (850)410-1391, Tara.Walters@em.myflorida.com.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: March 26, 2015, 6:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Program Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: March 26, 2015, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: March 26, 2015, 6:30 p.m.
PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: March 26, 2015, 7:30 p.m.
PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: March 26, 2015, 6:00 p.m.
PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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

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

DATE AND TIME: Tuesday, March 31, 2015; 9:00 a.m.
PLACE: Brooksville Service Office, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. There will be an opportunity for public input on the intention to amend the District's Fiscal Year (FY) 2014-15 budget as follows: Increase the FY2014-15 General Fund budget by \$200,000 from \$161,870,414 to \$162,070,414 and increase the District's FY2014-15 budget from \$166,698,619 to \$166,898,619 to include unanticipated revenue from the Florida Blue for

Wellness Benefits. The proposed budget amendment will not impact the District’s millage or ad valorem property taxes. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0398).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
RULE NO. RULE TITLE**

62-304.500 Ocklawaha River Basin TMDLs

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

DATE AND TIME: Tuesday, March 31, 2015, 10:00 a.m.

PLACE: GRU Multi-Purpose Room, Gainesville Regional Utilities, 301 SE 4th Avenue, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on nutrient total maximum daily loads (TMDLs) for impaired waters in the Ocklawaha Basin, to be adopted in Rule 62-304.500, F.A.C.. These nutrient TMDLs, if adopted, will constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C., that would replace the otherwise applicable numeric nutrient criteria in subsection 62-302.531(2) for these particular waters. The TMDLs to be presented at the public workshop include nutrient TMDLs for Lochloosa Lake (2738A) and Cross Creek (2754). Draft reports for these TMDLs will be posted on the Department’s TMDL webpage (http://www.dep.state.fl.us/water/tmdl/draft_tmdl.htm) on March 15, 2015, for public review. Written comments on

these TMDLs, as well as the establishment of these nutrient TMDLs as site specific interpretations of the narrative nutrient criteria, will be accepted by the Department through April 16, 2015. These comments should be directed to: Xueqing Gao, Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, xueqing.gao@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Linda Quinn-Godwin, Water Quality Evaluation and TMDL Program, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by calling (850)245-8449.

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: Ms. Linda Quinn-Godwin, (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: May 8, 2015, 9:00 a.m. – 1:00 p.m.

PLACE: Northwest Florida State College Chautauqua Campus 908 US Hwy 90 W., DeFuniak Springs, FL. 32433

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Department of Children and Families, Circuit 1 Alliance-Community Action Team to provide a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Escambia, Santa Rosa, Okaloosa and Walton Counties. For those who cannot attend in person, the conference call number is 1(888)670-3525 and the participant code4 is 5412711821#.

A copy of the agenda may be obtained by contacting: Fay Evans, (850)483-6708.

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 days before the workshop/meeting by contacting: (850)483-6708. 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: Fay Evans, (850)483-6708.

OTHER AGENCIES AND ORGANIZATIONS

Center for Independent Living in Central Florida, Inc.
The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.
DATE AND TIME: Tuesday, March 24, 2015, 8:00 a.m.

PLACE: Center for Independent Living, 702 North Denning Drive, Winter Park

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Board Meeting

A copy of the agenda may be obtained by contacting: Luana Kutz, (407)623-1070.

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: Luana Kutz, (407)623-1070. 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).

OTHER AGENCIES AND ORGANIZATIONS

Sunshine State Governmental Financing Commission
The Sunshine State Governmental Financing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 24, 2015, 10:00 a.m. (EDT)

PLACE: Via conference call. This special meeting of the Commission will be conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons desiring to attend the meeting may do so by conference call which may be in listen-only mode during Commission deliberations and action, or at other times not designated for public comment. A copy of the agenda, conference-call dial-in instructions, and directions to the location of the hosting facility designated for public use of communications media technology (conference call) for this meeting may be obtained from the agency contact listed below. Any one not having access to a telephone will be entitled to use the telephone facilities located in Room 100, Clerk of the Circuit Court – Leon County, 301 South Monroe Street, Tallahassee, FL, 32301.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business of the Commission’s Board of Directors

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Program Administrator, at ssgfc@embarqmail.com or (850)878-1874.

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Valarie Haring, Unit Owner, In Re: Del Prado Park Townhouses Condominium Association, Inc., Docket No. 2015011114, filed on February 10, 2015. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(c), Florida Statutes, as it applies to the petitioner.

Whether new procedures, policies, and fee structures regarding unit leases can be approved via email instead of at a noticed, open meeting; Whether the board of directors may discuss lease compliance and policy via email; Whether board of directors may hold an email vote to find unit owners non-compliant, approve violation notices, and cite intent to take legal action; Whether board decisions to deny lease renewal must be made at a noticed, open meeting; under section 718.112(2)(c), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1415; Rikki.Anderson@myfloridalicense.com.

Please refer all comments to: Thomas Morton, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Dan Tsinokas, Unit Owner, In Re: Grand Venezia COA, Inc., Docket No. 2015010804, filed on March 5, 2015. The petition seeks the agency's opinion as to the applicability of Section 718.115(1)(a), Florida Statutes, as it applies to the petitioner. Whether water and sewer service for Grand Venezia COA, Inc. is a common expense under Section 718.115(1)(a), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1415; Rikki.Anderson@myfloridalicense.com.

Please refer all comments to: Thomas Morton, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Robert Dewar on January 16, 2015. The following is a summary of the agency's disposition of the petition:

The Petition was withdrawn by the Petitioner on March 13, 2015. Accordingly, the matter has been closed by the Department.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Senior Attorney, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-5829.

Please refer all comments to: Melissa E. Dembicer, Senior Attorney, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-5829.

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

OTHER AGENCIES AND ORGANIZATIONS

Area Agency on Aging for North Florida

Community Care for the Elderly

Request for Information (RFI)

The Area Agency on Aging for North Florida, Inc. ("Agency") is seeking sources interested in providing services to eligible individuals within a specified community care service area ("CSA") under the following programs: (A) Community Care for the Elderly; (B) Home Care for the Elderly Program; (C) Home Care for the Elderly Subsidy Program; and, (D) Alzheimer's Disease Initiative (collectively "programs").

For the purpose of this request for information (RFI), a CSA is defined as a county. Counties include: Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, and Washington counties.

The Agency is seeking sources interested in achieving Community Care for the Elderly (CCE) Lead Agency designation in accordance with Section 430.203(9), Florida Statutes. Lead Agencies are designated to provide case management and to coordinate various community-based services.

Designated Lead Agencies will also be responsible for program management of the Alzheimer's Disease Initiative, under Sections 430.601 et seq., Florida Statutes, and Home Care for the Elderly Program, under Sections 430.601 et seq., Florida Statutes and Home Care for the Elderly Subsidy Program, under Sections 430.601 et seq., Florida Statutes.

Prospective sources must demonstrate the ability to work with individuals age 60 and older. The intent of the CCE program is to assist functionally impaired elderly persons in living dignified and reasonably independent lives in their own homes or in the homes of relatives or caregivers through the development, expansion, reorganization, and coordination of various community-based services. The Legislature intends that a continuum of care be established so that functionally impaired elderly persons age 60 and older may be assured the least restrictive environment suitable to their needs. The development of innovative approaches to program management, staff training, and service delivery which have an impact on cost-avoidance, cost-effectiveness, and program efficiency is encouraged.

Organizations interested in serving as the designated Community Care for the Elderly Lead Agency in more than one CSA/County should provide a response for each CSA/county of interest to the Area Agency on Aging.

The Area Agency on Aging for North Florida, Inc. does not intend to award a contract on the basis of this request for information or to otherwise pay for the information solicited. This RFI is a preliminary step to the release of a Request for Proposal (RFP) package on or around April 17, 2015. Failure to respond by the deadline specified below shall constitute a "not interested" response.

Deadline: Written responses to this RFI are due to the Area Agency on Aging for North Florida, Inc. no later than 4:00 p.m., EST on March 31, 2015. Responses should include the organization name, contact person's name, contact person's email address, business address and phone number. Only written responses, including responses via email, will be accepted.

Prospective sources must be established and have current or previous experience in providing home and community-based services to older adults.

Contact: Area Agency on Aging for North Florida, Inc., Attention: Lisa Bretz, 2414 Mahan Drive, Tallahassee, Florida 32308, email: lisab@aanf.org.

OTHER AGENCIES AND ORGANIZATIONS

City of Cape Coral

P3 Unsolicited Proposal for Entry Structures

REQUEST FOR PROPOSALS

City of Cape Coral, FL

Entry Structures

The City of Cape Coral (City) has received an unsolicited proposal from a private entity to design, build, finance, operate and maintain two entry structures. The structures are proposed for two entry points into the City (Cape Coral Parkway and Veterans Parkway). The proposal was discussed by the City Council at meetings on December 1, 2014 (item 11.B), and January 26, 2015 (item 10) (see www.capecoral.net/department/clerk/agendas_and_videos.php). A copy of the proposal may be obtained upon request addressed to dsimonet@capecoral.net.

Pursuant to Section 287.05712(4)(b), Florida Statutes, the City provides this notice of its intent to consider the development of an interim and/or comprehensive agreement for purposes of implementing a project for entry structures. The City invites interested parties to submit competing proposals. Competing proposals may or may not include public messaging components in association with the entry structures. Any public messaging components should comply with the City's current sign ordinance (Ord. 29-13, codified at Article VII of City Land Use and Development Regulations, available at www.capecoral.net).

Competing proposals must be submitted via hard copy delivery (one original and three copies) by 3:30 p.m. on July 13, 2015, to: City of Cape Coral, Procurement Division, 1015 Cultural Park Blvd., Second Floor, Room 230, and Cape Coral, FL 33990. In evaluating competing proposals, the City will consider the following factors, which proposals must address: firm qualifications and experience; project characteristics; project cost and financing; and community impact. The City may reject all proposals. Questions about this opportunity should be submitted in writing to dsimonet@capecoral.net.

By Order of the City Manager

Rebecca van Deutekom, City Clerk

Advertise: March, 16, 2015

Section XII
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program
NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE

Ozello Water Association, Inc.

The Florida Department of Environmental Protection (DEP) has determined that the Ozello Water Association (a private non-profit Corporation) project involving the construction of a replacement water transmission main within the right-of way along U.S. Highway 19/State Road 55 (N. Suncoast Boulevard) from Goodman Lane to W. Fort Island Trail in Citrus County is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$2,120,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical

Exclusion Notice can be obtained by writing to: Gregg Caro, SRF Program, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399; or by calling (850)245-8546 or emailing gregg.caro@dep.state.fl.us.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No.: DEO-15-038

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-038 on March 11, 2015, in response to an application submitted by the Coronado Community Association for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.Zimmer@DEO.MyFlorida.com

Section XIII
Index to Rules Filed During Preceding
Week

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