

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:**      **RULE TITLE:**  
6A-20.060      Nursing Scholarship Program Application  
**PURPOSE AND EFFECT:** The purpose of this rule development is to align Rule 6A-20.060, F.A.C. with Section 1009.67, Florida Statutes and incorporate pertinent information from Rules 6A-20.061, 6A-20.062, 6A-20.063, F.A.C. and 6A-20.064, F.A.C. into 6A-20.060, F.A.C. and then later repeal Rules 6A-20.061, 6A-20.062, 6A-20.063, F.A.C. and 6A-20.064, F.A.C.. Rule 6A-20.060, F.A.C., will clarify the following: a completed Nursing Scholarship Application, form NS1, and a signed, notarized and dated Nursing Scholarship Program Application, form NS2, are required; within 10 working days of receipt of notice of a scholarship award, the scholar must return a notarized affidavit of agreement; and that eligible health care employment facilities are provided. The effect will be one rule consistent with governing law.

**SUBJECT AREA TO BE ADDRESSED:** Nursing Scholarship Program.

**RULEMAKING AUTHORITY:** 1009.67(6) FS.

**LAW IMPLEMENTED:** 1009.67 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:** Marlene Norrell, Education Program Director, Finance and Operations/Office of Student Financial Assistance, Suite 1314, (850)410-5238, Marlene.Norrell@fldoe.org. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

**RULE NO.:**      **RULE TITLE:**  
61J2-10.025      Advertising  
**PURPOSE AND EFFECT:** The Commission proposes to review the rule to determine if modification to the language is necessary.

**SUBJECT AREA TO BE ADDRESSED:** The rule amendment will address advertising requirements.

**RULEMAKING AUTHORITY:** 120.53, 475.05, 475.25(1)(c) FS.

**LAW IMPLEMENTED:** 475.01, 475.25, 475.42, 475.421, 475.4511 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Juana Watkins, 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 NOT AVAILABLE.**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

**RULE NO.:**      **RULE TITLE:**  
61J2-24.006      Probation  
**PURPOSE AND EFFECT:** The Commission proposes to review the rule to determine if modification to the language is necessary.

**SUBJECT AREA TO BE ADDRESSED:** The rule amendment will address probation requirements.

**RULEMAKING AUTHORITY:** 475.05 FS.

**LAW IMPLEMENTED:** 455.227, 475.25(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juana Watkins, 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 NOT AVAILABLE.

## Section II Proposed Rules

### COMMISSION ON ETHICS

RULE NOS.:	RULE TITLES:
34-13.100	Purpose
34-13.110	Organization of Rule Chapter
34-13.120	Persons Who Are Subject to the Law
34-13.130	General Statement of the Law Regarding Gifts, Honoraria, and Honorarium Event Related Expenses
34-13.140	General Considerations for Public Officers, Employees, and Candidates Who Are Reporting Individuals or Procurement Employees
34-13.150	General Considerations for Public Officers and Employees Who Are Not Reporting Individuals or Procurement Employees
34-13.160	General Considerations for Lobbyists, Their Partners, Firms, Employers, and Principals, and Political Committees and Committees of Continuous Existence
34-13.210	General Definition of "Gift."
34-13.214	Specific Examples of What Does Not Constitute a Gift
34-13.250	Procurement Employee Defined
34-13.270	Reporting Individual Defined
34-13.300	Prohibition Against Soliciting Gifts
34-13.310	Prohibitions Against Accepting and Giving Gifts
34-13.320	Exceptions to Prohibitions Against Accepting and Giving Gifts
34-13.400	Quarterly Gift Disclosure for Reporting Individuals and Procurement Employees
34-13.410	Annual Gift Disclosures for Reporting Individuals and Procurement Employees
34-13.420	Quarterly Gift Disclosure for Lobbyists and Others
34-13.500	Gift Valuation
34-13.620	Prohibition Against Accepting Honoraria
34-13.630	Prohibition Against Providing Honoraria
34-13.710	Disclosures by Reporting Individuals and Procurement Employees

**PURPOSE AND EFFECT:** The proposed rule amendments to Chapter 34-13, F.A.C., eliminate obsolete, redundant, or unnecessary rule provisions; correct grammatical errors; update and simplify existing rule provisions; and correct statutory references.

**SUMMARY:** The rules prescribe the circumstances in which public officers and employees can, and cannot, accept gifts or honorarium:

Rule 34-13.100, F.A.C. - Amendments clarify that Chapter 34, F.A.C., applies to local government attorneys, reference that the Commission can utilize provisions in the chapter when it receives referrals, and correct grammatical errors.

Rule 34-13.110, F.A.C. - Being repealed as its entire purpose is to reference the "Parts" of Chapter 34-13, F.A.C., and the structure of the Florida Administrative Code no longer lends itself to division of rule chapters into "Parts."

Rule 34-13.120, F.A.C. - Amendments clarify that pertinent laws can be triggered when "things of value" are given, that in certain circumstances the gift laws are applicable to persons other than public officers or employees, and incorporate recent statutory changes pertaining to vendors and committees of continuous existence.

Rule 34-13.130, F.A.C. - Amendments clarify that pertinent laws can be triggered when "things of value" are given, incorporate recent statutory changes pertaining to vendors and committees of continuous existence, relate that additional gift restrictions may apply under Sections 112.31485 and 112.3215, F.S., and indicate that certain gift laws extend to individuals besides public officers and public employees.

Rule 34-13.140, F.A.C. - Amendments reflect gift prohibitions recently added in Section 112.31485, F.S., incorporate recent statutory changes pertaining to vendors and committees of continuous existence, eliminate outdated reference to "Parts" of the Florida Administrative Code, and add relevant statutes to the Rulemaking Authority.

Rule 34-13.150, F.A.C. - Amendment adds relevant statute to the Rulemaking Authority.

Rule 34-13.160, F.A.C. - Amendments reflect prohibitions recently added in Section 112.31485, F.S., eliminate outdated references to "Parts" of the Florida Administrative Code, and incorporate recent statutory changes related to vendors and committees of continuous existence.

Rule 34-13.210, F.A.C. - Amendments reflect that Section 112.3148, F.S. defines a "gift" differently than Section 112.31485, F.S..

Rule 34-13.214, F.A.C. - Amendment indicates the section refers only to those examples of exclusions to the definition of a "gift" that are found in Section 112.3148, F.S.

Rule 34-13.250, F.A.C. - Amendment corrects a statutory reference to Section 287.012, F.S.

Rule 34-13.270, F.A.C. - Amendments indicate the requirement to file a financial disclosure may be found in laws including, but not limited to, the Florida Constitution and Chapter 112, F.S., and adds Section 112.31485, F.S., as rulemaking authority.

Rule 34-13.300, F.A.C. - Amendments incorporate recent statutory changes pertinent to vendors and committees of continuous existence.

Rule 34-13.310, F.A.C. - Amendments incorporate recent statutory changes pertinent to vendors and committees of continuous existence, and reflect prohibitions recently added in Section 112.31485, F.S.

Rule 34-13.320, F.A.C. - Amendments incorporate recent statutory changes pertinent to vendors and committees of continuous existence, clarify that the exceptions mentioned apply only to “gifts” as that term is defined in Section 112.3148, and eliminate references to the dissolved Technological Research and Development Authority.

Rule 34-13.400, F.A.C. - Amendments relate that the law just excludes gifts prohibited by Section 112.3148, F.S., from the reporting requirements and eliminates outdated references to “Parts” of the Florida Administrative Code.

Rule 34-13.410, F.A.C. - Amendment eliminates reference to the Technological Research and Development Authority, which was recently dissolved.

Rule 34-13.420, F.A.C. - Amendments incorporate recent statutory changes pertinent to vendors and committees of continuous existence, and eliminates references to the Technological Research and Development Authority, which was recently dissolved.

Rule 34-13.500, F.A.C. - Amendment eliminates language that contradicts Rule 34-13.210(b), F.A.C.

Rule 34-13.620 - Amendments incorporate recent statutory changes pertinent to vendors and committees of continuous existence, as well as prohibitions recently added in Section 112.31485, F.S., concerning accepting certain expenses from political committees.

Rule 34-13.630, F.A.C. - Amendments incorporate recent statutory changes pertinent to vendors and committees of continuous existence, as well as prohibitions recently added in Section 112.31485, F.S., concerning political committees giving certain expenses.

Rule 34-13.710, F.A.C. - Amendments incorporate recent statutory changes pertinent to vendors and committees of continuous existence.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based on past experiences with rules of this nature, the adverse impact or regulatory cost, if any, do not exceed and would not be expected to exceed any one of the economic criteria set forth 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:** 112.322(9)(b) FS.

**LAW IMPLEMENTED:** 112.312, 112.313, 112.3148, 112.31485, 112.3149 FS.

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

**DATE AND TIME:** December 11, 2015, 8:30 a.m.

**PLACE:** First District Court of Appeal, Third Floor Courtroom, 2000 Drayton Drive, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Diana Westberry, Executive Secretary, Commission on Ethics, (850)488-7864. 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:** Grayden Schafer, Senior Attorney, Florida Commission on Ethics, (850)488-7864

## THE FULL TEXT OF THE PROPOSED RULE IS:

## 34-13.100 Purpose.

(1) The purpose of this chapter is to provide notice and guidance to public officials, candidates, ~~and~~ employees, and local government attorneys, as well as the general public, by implementing the provisions in the Code of Ethics for Public Officers and Employees (Chapter 112, Part III, F.S.) regarding the prohibitions to and ~~the~~ reporting of the receipt of gifts, honoraria, and expenses related to honorarium events. To a limited extent, the rules of this chapter also are intended to provide notice of how other provisions in the Code of Ethics may apply in this context.

(2) The Commission on Ethics will utilize the provisions contained in this chapter in advisory opinions requests, ~~and~~ complaint proceedings, and referrals coming before the Commission.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.313, 112.3148, 112.3149 FS. History—New 4-16-92, Amended.

## 34-13.110 Organization of Rule Chapter.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.313, 112.3148, 112.31485, 112.3149 FS. History—New 4-16-92, Repealed.

## 34-13.120 Persons Who Are Subject to the Law.

In general, the following persons are subject to various provisions of the Code of Ethics regarding gifts, things of value, honoraria, and expenses related to honorarium events.

(1) through (3) No change.

(4) Spouses, ~~and~~ minor children, parents, and siblings of public officers and public employees.

(5) No change

(6) Vendors

~~(7)(6)~~ Political committees ~~and committees of continuous existence~~ as defined under the Florida elections laws.

~~(8)(7)~~ Local government attorneys, as defined in Section 112.313(16), F.S.

(9) Other persons as designated by law.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.313, 112.3148, 112.31485, 112.3149 FS. History—New 4-16-92, Amended 2-27-95, \_\_\_\_\_.

## 34-13.130 General Statement of the Law Regarding Gifts, Things of Value, Honoraria, and Honorarium Event Related Expenses.

The Code of Ethics contains both provisions that prohibit soliciting, giving, or accepting certain gifts, honoraria, and honorarium event related expenses and provisions that require the public disclosure of gifts, honoraria, and honorarium event related expenses under certain circumstances.

(1) All public officers, public employees, local government attorneys, ~~and~~ candidates, and others as designated by law, are subject to the prohibition in Section 112.313(2), F.S., against soliciting or accepting anything of value based upon any understanding that their official action would be influenced thereby.

(2) All public officers, local government attorneys, ~~and~~ public employees, and others as designated by law, and their spouses and minor children, are subject to the prohibition in Section 112.313(4), F.S., against accepting any thing of value when they know or should know that it is given to influence their official action.

(3) All public officers and employees, and others as designated by law, are subject to the prohibition in Section 112.313(7), F.S., against having certain conflicting employment or contractual relationships. While the acceptance of a gift will not usually create an employment or contractual relationship, the acceptance of an honorarium or the payment of expenses related to an honorarium event may constitute an employment or contractual relationship which could create a prohibited conflict of interest pursuant to Section 112.313(7), F.S. For example, if you are hired on a long-term contract to have a recurring requirement to speak at certain events, that could present a conflict under Section 112.313(7), F.S.

(4) In addition, persons who are classified as “reporting individuals” or as “procurement employees” are subject to the extensive prohibitions and disclosure requirements in Sections 112.3148, 112.31485, and 112.3149, F.S., that pertain to receiving gifts, honoraria, and expenses related to an honorarium event. The rules of this chapter are primarily intended to assist in the interpretation of these prohibitions and disclosures. Reporting individuals and procurement employees are also subject to the ban in Section 112.3215, F.S., on accepting expenditures, which is addressed in Ch. 34-12, F.A.C.

(5) Lobbyists, the employers and principals of lobbyists, the partners and firms of lobbyists, ~~and~~ political committees, and vendors doing business with the agency of a reporting individual or procurement employee committees of continuous existence also are subject to the extensive prohibitions and disclosure requirements in Sections 112.3148, 112.31485, and 112.3149, F.S., that pertain to giving gifts, honoraria, and expenses related to an honorarium event. Lobbyists and the principals of lobbyists are also subject to the ban in Section 112.3215, F.S., on making expenditures, which is addressed in Ch. 34-12, F.A.C.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.313, 112.3148, 112.31485, 112.3149 FS. History—New 4-16-92, Amended 2-27-95, \_\_\_\_\_.

34-13.140 General Considerations for ~~Public Officers, Employees, and Candidates Who Are Reporting Individuals and~~ Procurement Employees.

(1) First, persons in this category should determine whether they can solicit or accept a gift, honorarium, or the payment of honorarium event related expenses, according to the following general principles.

(a) No gift, honorarium, or payment of honorarium event related expenses can be accepted:

1. If it is based on the understanding that the person's official action would be influenced thereby; ~~or~~

2. If the person knows, or with the exercise of reasonable care should know, that it is being given to influence the person's official action.

(b) No gift may be accepted from a political committee, unless it is primarily related to contributions, expenditures, or other political activities authorized pursuant to ch. 106.

(c) No honorarium may be accepted from a political committee. No honorarium event related expenses can be accepted from a political committee unless such expenses are primarily related to contributions, expenditures, or other political activities authorized pursuant to Chapter 106, F.S.

~~(d)(b)~~ If the acceptance of an honorarium or the payment of expenses related to an honorarium event involves an employment or contractual relationship, it may be prohibited if it presents a conflict of interest.

~~(e)(e)~~ In addition, the person may be prohibited from soliciting a gift or accepting a gift from a lobbyist, from the partner, firm, employer, or principal of a lobbyist, or from a vendor doing business with the person's agency ~~political committee or committee of continuous existence~~. Gifts from close relatives and certain other persons in close relationships are not restricted by this prohibition and may be solicited or accepted. However, a gift to the spouse, parent, child, or sibling or minor child(ren) of a reporting individual or procurement employee from a lobbyist who lobbies the agency of the reporting individual or procurement employee, from the partner, firm, employer, or principal of a lobbyist, or from a political committee or vendor ~~committee of continuous existence~~, may be prohibited or may be treated as an indirect gift to the reporting individual or procurement employee. Specific rules about when these prohibitions apply are contained in Rules 34-13.300 through 34-13.320, F.A.C Part III of this chapter.

(d) The person also may be prohibited from soliciting an honorarium or accepting an honorarium or expenses related to an honorarium event from a lobbyist, from the partner, firm, employer, or principal of a lobbyist, or from a political committee or vendor ~~committee of continuous existence~~. Specific rules about when these prohibitions apply are contained in Rules 34-13.610 through 34-16.620, F.A.C Part VI of this chapter.

(2) Secondly, if it is determined that the gift, honorarium, or the payment of honorarium event related expenses can be solicited or accepted, then persons in this category should determine whether public disclosure must be made, according to the following general principles.

(a) Gifts worth over \$100 should be disclosed on a quarterly basis, except for gifts from close relatives and certain other persons in close relationships. Gifts worth over \$100 from certain governmental entities or from certain private organizations supporting governmental entities should be disclosed on an annual basis. Gifts worth \$100 or less do not have to be reported by the person receiving them. Specific rules about these disclosure requirements are contained in Rule 34-13.410, F.A.C. Part IV of this chapter.

(b) The payment of expenses related to an honorarium event by a lobbyist, by the partner, firm, employer, or principal of a lobbyist, or by a vendor ~~political committee or committee of continuous existence~~ should be disclosed on an annual basis. Specific rules about when this disclosure requirement applies are contained in Rule 34-13.710, F.A.C. Part VII of this chapter.

(c) The payment by a political committee of expenses related to an honorarium event is prohibited unless primarily related to contributions, expenditures, or other political activities authorized pursuant to Chapter 106, F.S. In such a case, the payment should be disclosed on an annual basis.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.313, 112.3148, 112.31485, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_\_.

34-13.150 General Considerations for Public Officers and Employees Who Are Not Reporting Individuals or Procurement Employees.

(1) through (2) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.313, 112.3148, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_\_.

34-13.160 General Considerations for Lobbyists, Their Partners, Firms, Employers, and Principals, and Political Committees, and Vendors Committees of Continuous Existence.

(1) Persons and entities in this category first should determine whether they can give or provide a gift or honorarium, or pay honorarium event related expenses, according to the following general principles.

(a) The person or entity may be prohibited from giving a gift to a public officer, employee, or candidate who is a reporting individual or a procurement employee. Specific rules about when these prohibitions apply are contained in Rules 34-13.310 through 34-13.320, F.A.C. Part III of this chapter.

(b) The person or entity also may be prohibited from providing an honorarium or paying for expenses related to an honorarium event to or on behalf of a public officer, employee, or candidate who is a reporting individual or a procurement employee. Specific rules about when these prohibitions apply are contained in Rule 34-13.630, F.A.C. Part VI of this chapter.

(2) If it is determined that the gift, honorarium, or the payment of honorarium event related expenses can be given or made, then persons and entities in this category secondly should determine whether public disclosure must be made, according to the following general principles.

(a) Gifts to reporting individuals and procurement employees valued over \$25, but not more than \$100, may be required to be reported by the person or entity to the reporting individual or procurement employee and be publicly disclosed on a quarterly basis. Gifts over \$100 from certain governmental entities or from certain private organizations supporting governmental entities may need to be disclosed to the recipient on an annual basis. Specific rules about these disclosure requirements are contained in Rules 34-13.420 through 34-13.430, F.A.C. Part IV of this chapter.

(b) The payment of expenses related to an honorarium event to a reporting individual or procurement employee may need to be reported to the recipient within 60 days of the event. Specific rules about this disclosure requirement are contained in Rule 34-13.720, F.A.C. Part VII of this chapter.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.3148, 112.31485, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_\_.

34-13.210 General Definition of “Gift.”

(1) For the purposes of Section 112.3148, F.S., “gift” means that which is accepted by a donee or by another on the donee’s behalf, or that which is paid or given to another for or on behalf of a donee, directly, indirectly, or in trust for his benefit or by any other means, for which equal or greater consideration is not given within 90 days of receipt of the gift.

~~(a)(1)~~ Where the donee has used his official position to render services on behalf of his public agency, such services will not constitute any part of the consideration in determining whether a gift from a person or entity other than the donee’s public agency has been received.

~~(b)(2)~~ Where the donee is being reimbursed or provided by his public agency for travel or expenses incurred in the performance of public duties, the donee has not received a gift when a public purpose for the expense exists. Salary, benefits, services, fees, or other expenses received by a public officer or employee from his or her public agency do not constitute gifts.

~~(c)(3)~~ Substantiation of equal or greater consideration having been given is the responsibility of the donee. In substantiating or justifying whether equal or greater consideration has been given by the donee to the donor, the donee should be able to provide information demonstrating the following factors:

~~1.(a)~~ Where the donee has provided items of merchandise, supplies, raw materials, or finished goods to the donor, the fair market value of the goods shall constitute consideration.

~~2.(b)~~ Where the donee has performed individual labor or effort for the benefit of the donor as consideration, the donee should be able to demonstrate:

~~a.1-~~ The length of time it took to provide the service;

~~b.2-~~ The value of the service provided, if ascertainable, which is reasonable and customarily charged in the community; and

~~c.3-~~ Whether persons performing similar services for the benefit of the donor received a comparable gift from the donor.

~~3.(e)~~ Consideration will not include a promise to repay the donor unless the promise is in writing and enforceable, and is executed within 90 days of receipt of the gift.

(2) For purposes of Section 112.31485, F.S., “gift” means any purchase, payment, distribution, loan, advance, transfer of funds, or disbursement of money or anything of value that is not primarily related to contributions, expenditures, or other political activities authorized pursuant to Chapter 106, F.S.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.3148, 112.31485, 112.3149 FS. History—New 4-16-92, Amended 10-7-04, \_\_\_\_\_.

34-13.214 Specific Examples of What Does Not Constitute a Gift.

The following are specifically excluded from being a “gift,” for purposes of Section 112.3148, F.S.:

(1) through (8) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.3148, 112.3149 FS. History—New 4-16-92, Amended 7-30-00, 10-7-04, \_\_\_\_\_.

## 34-13.250 "Procurement Employee" Defined.

A "procurement employee" is defined in Sections 112.3148(2)(e) and 112.3149(1)(e), F.S.

(1) No change.

(2) "Contractual service" is defined in Section 287.012(9), F.S.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.3148, 112.3149 FS. History—New 4-16-92, Amended 7-30-00, \_\_\_\_\_.

## 34-13.270 "Reporting Individual" Defined.

(1) A "reporting individual" means any individual who is required by law, ~~pursuant to Article II, Section 8, Florida Constitution, or pursuant to Section 112.3145, F.S.~~, to file either full or limited disclosure of his financial interest. The Commission has promulgated CE Form 1, Statement of Financial Interests, for use in making the disclosures required by Section 112.3145, F.S., and CE Form 6, Full and Public Disclosure of Financial Interests, for use in making the disclosures required under Article II, Section 8, Florida Constitution. Lists of persons required to file each form can be found on each form.

(2) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.313, 112.3148, 112.31485, 112.3149 FS. History—New 4-16-92, Amended 10-7-04, \_\_\_\_\_.

## 34-13.300 Prohibition Against Soliciting Gifts.

(1) A reporting individual or procurement employee is prohibited from soliciting any gift, food, or beverage from a lobbyist who lobbies the individual's or employee's agency, from the partner, firm, employer, or principal of such a lobbyist, or from a political committee or vendor doing business with the individual's or procurement employee's agency, committee of continuous existence, where such gift, food, or beverage is for the personal benefit of the individual or employee, another reporting individual or procurement employee, or any parent, spouse, child, or sibling of the individual or employee.

(2) No change.

(3) This prohibition does not apply to gifts solicited from a relative of the reporting individual or procurement employee, regardless of whether the relative is a lobbyist or the partner, employer, or principal of a lobbyist, or a vendor.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.3148 FS. History—New 4-16-92, Amended \_\_\_\_\_.

## 34-13.310 Prohibitions Against Accepting and Giving Gifts.

(1) A reporting individual or procurement employee, or any other person on the individual's or employee's behalf, is prohibited from knowingly accepting, directly or indirectly, a gift from a lobbyist who lobbies the individual's or employee's agency ~~or from a political committee or committee of continuous existence~~, or directly or indirectly on behalf of the partner, firm, employer, or principal of such a lobbyist, or from a vendor doing business with the individual's or employee's agency, if he knows or reasonably believes that the gift has a value in excess of \$100.

(2) A ~~vendor political committee or a committee of continuous existence~~; a lobbyist who lobbies a reporting individual's or procurement employee's agency; the partner, firm, employer, or principal of a lobbyist; or another on behalf of the lobbyist or partner, firm, principal, or employer of the lobbyist or vendor is prohibited from giving, either directly or indirectly, a gift that has a value in excess of \$100 to the reporting individual or procurement employee or any other person on his behalf.

(3) A reporting individual, or his or her parent, spouse, child, or sibling, is prohibited from soliciting or knowingly accepting, directly or indirectly, anything of value that is not primarily related to contributions, expenditures, or other political activities authorized pursuant to Chapter 106, F.S., from a political committee.

(4) A political committee is prohibited from giving anything of value that is not primarily related to contributions, expenditures, or other political activities authorized pursuant to Chapter 106, F.S., to a reporting individual or procurement employee, or his or her parent, spouse, child, or sibling.

(5)(3) The prohibitions expressed in this rule apply as of the time the gift is given by the donor.

(6)(4) Reasonable inquiry shall be made by the reporting individual or procurement employee of the source of the proposed gift to determine whether it is prohibited.

(7)(5) Where a gift is to be provided by multiple donors, the value of the gift provided by any one donor is equal to the portion of the gift's value attributable to that donor based upon the donor's contribution to the gift. The value of the portion provided by any lobbyist, partner, firm, employer or principal of a lobbyist, or vendor political committee, or committee of continuous existence cannot exceed \$100, and the reporting individual or procurement employee cannot accept the gift if the value of that portion of the gift exceeds \$100.

~~(8)(6)~~ Indirect Gifts.

(a) Where a gift is provided to a person other than the reporting individual or procurement employee by a political committee or ~~vendor committee of continuous existence as defined in the campaign financing laws (Chapter 106, F.S.),~~ by a lobbyist who lobbies the agency of the reporting individual or procurement employee, or by the partner, firm, employer, or principal of a lobbyist, where the gift or the benefit of the gift ultimately is received by the reporting individual or procurement employee, and where the gift is provided with the intent to benefit the reporting individual or procurement employee, such gift will be considered an indirect gift to the reporting individual or procurement employee.

(b) Where a gift or the benefit of a gift is provided to a reporting individual or procurement employee by someone other than a political committee or ~~committee of continuous existence,~~ a lobbyist, or the partner, firm, employer, or principal of a lobbyist, or a vendor, but the gift or the expense of the gift has been provided by or paid for by a political committee or ~~committee of continuous existence,~~ a vendor, or a lobbyist, or the partner, firm, employer, or principal of a lobbyist, who intends thereby to benefit the reporting individual or employee, such gift will be considered an indirect gift to the reporting individual or procurement employee.

(c) No change.

(d) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.3148, 112.31485, FS. History—New 4-16-92, Amended 2-27-95, \_\_\_\_\_.

34-13.320 Exceptions to Prohibitions in Section 112.3148, F.S., Against Accepting and Giving Gifts.

Unless prohibited by other law, Section 112.3148, F.S., permits ~~Notwithstanding the prohibitions expressed in Rule 34-13.310, F.A.C.,~~ the following gifts are permitted.

(1) A reporting individual or procurement employee may accept a gift valued in excess of \$100 on behalf of a governmental entity or charitable organization. A political committee, ~~vendor a committee of continuous existence,~~ a lobbyist, the partner, firm, employer, or principal of a lobbyist, or another on their behalf may give a gift valued in excess of \$100 to a reporting individual or procurement employee if the gift is intended to be transferred to a governmental entity or charitable organization.

(a) through (b) No change.

(2) An entity of the legislative or judicial branch, a department or commission of the executive branch, a county, a municipality, an airport authority, a water management district created pursuant to Section 373.069, F.S., the South Florida Regional Transportation Authority, ~~the Technological Research and Development Authority,~~ or a school board may give, either directly or indirectly, to a reporting individual or procurement employee a gift having a value in excess of \$100 if a public purpose can be shown for the gift. The reporting individual or procurement employee may accept such a gift if a public purpose can be shown for the gift.

(a) through (b) No change.

(3) No change.

(4) A relative of the reporting individual or procurement employee may give, and the individual or employee may receive, a gift valued in excess of \$100, regardless of whether the relative is a lobbyist or the partner, employer, or principal of a lobbyist, or a vendor.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.3148 FS. History—New 4-16-92, Amended 2-27-95, 10-7-04, \_\_\_\_\_.

34-13.400 Quarterly Gift Disclosure for Reporting Individuals and Procurement Employees.

(1) No change.

(2) The following gifts are not required to be reported:

(a) No change.

(b) Gifts prohibited by Section 112.3148, F.S. under Rules 34-13.310 and 34-13.320, F.A.C.;

(c) Gifts otherwise required to be disclosed by the reporting individual or procurement employee under Rules 34-13.410 through 34-13.420, F.A.C. Part IV of this chapter; and,

(d) No change.

(3) through (7) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.3148 FS. History—New 4-16-92, Amended 10-7-04, \_\_\_\_\_.

34-13.410 Annual Gift Disclosures for Reporting Individuals and Procurement Employees.

(1) No later than July 1 of each year, each reporting individual or procurement employee shall file a statement listing each gift having a value in excess of \$100 received by the individual or employee, either directly or indirectly, during the previous calendar year from an entity of the legislative or judicial branch, a department or commission of the executive branch, a county, a municipality, an airport authority, a water management district created pursuant to Section 373.069, F.S., the South Florida Regional Transportation Authority, ~~the Technological Research and Development Authority,~~ or a school board, for which a public purpose can be shown as provided in Rule 34-13.320, F.A.C.

(2) through (6) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.3148 FS. History—New 4-16-92, Amended 2-27-95, 10-7-04, \_\_\_\_\_.

34-13.420 Quarterly Gift Disclosure for Lobbyists and Others.

(1) No change.

(2) Each political committee or vendor committee of continuous existence which makes or directs another to make a gift having a value in excess of \$25 but not in excess of \$100 to a reporting individual or procurement employee shall file a report of the gift on or before the last day of the calendar quarter following the calendar quarter in which the gift was made.

(3) through (6) No change.

(7) The reports required under this rule do not apply:

(a) No change.

(b) To any gift from an entity of the legislative or judicial branch, a department or commission of the executive branch, a county, a municipality, an airport authority, a water management district created pursuant to Section 373.069, F.S., the South Florida Regional Transportation Authority, ~~the Technological Research and Development Authority~~, or a school board.

(c) through (d) No change.

(8) A donor is obligated to disclose any gift reportable under this rule that was subject to disclosure at the time it was given, regardless of whether the donor is a lobbyist, is the partner, firm, employer, or principal of a lobbyist, or is a political committee or vendor committee of continuous existence at the time the quarterly disclosure statement should be filed.

(9) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.3148 FS. History—New 4-16-92, Amended 2-27-95, 7-30-00, 10-7-04, Amended \_\_\_\_\_.

34-13.500 Gift Valuation.

In addition to the provisions contained in Section 112.3148(7), F.S., a donee shall use the following rules to determine the value of a gift received from a donor:

(1) through (2) No change.

(3) “Compensation provided by the donee” as stated in Section 112.3148(7)(b), F.S., means payment provided by the donee to the donor within 90 days after receipt of the gift, ~~and excludes personal services rendered by the donee for the benefit of the donor.~~ Where the gift received by a donee is a trip and includes payment or provision of the donee’s transportation, lodging, recreational, or entertainment expenses by the donor, the value of the gift is equal to the total value of the various aspects of the trip paid or provided by the donor, and any consideration paid by the donee for the trip should be subtracted from the total value of the trip. EXAMPLE: Lobbyist X provides reporting individual Y with a trip to New York to see a play. X pays \$300 for Y’s round-trip airfare, \$50 for Y’s ground transportation, \$150 for Y’s hotel room, and \$100 for Y’s ticket to the play. In order to accept the trip from X, Y must pay X at least \$500, so that the value of the gift from X does not exceed \$100.

(4) through (10) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.3148 FS. History—New 4-16-92, Amended 7-5-92, 2-27-95, 7-30-00, 10-7-04, \_\_\_\_\_.

34-13.620 Prohibition Against Accepting Honoraria and Honorarium Event Related Expenses.

(1) Reporting individuals and procurement employees are prohibited from knowingly accepting an honorarium from the following:

(a) A political committee ~~or committee of continuous existence, as defined in Chapter 106, F.S. (campaign financing laws)~~;

(b) A vendor doing business with the individual's or employee's agency;

~~(c)(b)~~ A lobbyist as defined in Section 112.3149(1)(d), F.S.; or

~~(d)(e)~~ The employer, principal, partner, or firm of a lobbyist.

(2) Reporting individuals and procurement employees are prohibited from accepting expenses related to an honorarium event from a political committee unless such expenses are primarily related to contributions, expenditures, or other political activities authorized pursuant to Chapter 106, F.S.

~~(3)(2)~~ Reasonable inquiry shall be made by the reporting individual or procurement employee of the source of the proposed honorarium or honorarium event related expense to determine whether it is prohibited.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_\_.

34-13.630 Prohibition Against Providing Honoraria and Honorarium Event Related Expenses.

(1) The following persons or entities are prohibited from providing an honorarium to a reporting individual or procurement employee:

~~(a)(1)~~ A political committee ~~or committee of continuous existence, as defined in Section 106.011, F.S.;~~

~~(b)~~ A vendor doing business with the individual's or employee's agency;

~~(c)(2)~~ A lobbyist who lobbies the agency of the reporting individual or procurement employee; or

~~(d)(3)~~ The employer, principal, partner, or firm of a lobbyist.

(2) A political committee is prohibited from providing expenses related to an honorarium event to a reporting individual or procurement employee, unless such expenses are primarily related to contributions, expenditures, or other political activities authorized pursuant to Chapter 106, F.S.  
 Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.31485, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_.

34-13.710 Disclosures by Reporting Individuals and Procurement Employees.

(1) By July 1 of each year a reporting individual or procurement employee must disclose the receipt of payment for, or the provision of, expenses related to an honorarium event from a political committee or vendor doing business with the individual's or employee's agency ~~committee of continuous existence, as defined in Section 106.011, F.S.~~, from a lobbyist who lobbies the agency of the reporting individual or procurement employee, or from the employer, principal, partner, or firm of such lobbyist. The Commission shall promulgate CE Form 10, Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses, which shall be used for this purpose.

(2) through (4) No change.

Rulemaking Authority 112.322(9)(b) FS. Law Implemented 112.312, 112.3149 FS. History—New 4-16-92, Amended \_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Grayden Schafer, Senior Attorney, Florida Commission on Ethics, (850)488-7864

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Virindia Doss, Executive Director, Commission on Ethics

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 2, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-3.010  
 RULE TITLE: License Reactivation Education for Brokers and Sales Associates

PURPOSE AND EFFECT: The Commission proposes the rule amendment to modify the rule language to clarify the requirements and procedures for license reactivation education for brokers and sales associates.

SUMMARY: The rule amendment will modify the rule language to clarify the requirements and procedures for license reactivation education for brokers and sales associates.

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

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

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: 475.05 FS.  
 LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 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: Juana Watkins, Executive Director, Division of Real Estate, 400 N. Robinson Street, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-3.010 License Reactivation Education for Brokers and Sales Associates

(1) No change.

(2) A licensee may reactivate a license that has been involuntarily inactive for more than 12 months but less than 24 months by satisfactorily completing 28 hours of a Commission-prescribed education course derived from the Florida Real Estate Commission Salesperson Course Syllabus (FREC Course I). The course shall contain coverage of the following topics: Real Estate License Law and Qualifications for Licensure (Session 2); Real Estate License Law and Commission Rules (Session 3); Authorized Relationships, Duties and Disclosure (Session 4); Real Estate Brokerage Activities ~~and Procedures: Guides for Salespersons~~ (Session 5); Violations of License Law, Penalties and Procedures (Session 6); Federal and State Laws Pertaining to Real Estate (Session 7); Real Estate Contracts (Session 11); Real Estate Related Computations and Closing of Transactions (Session 14); and Real Estate Investments and Business Opportunity Brokerage (Session 17).

(3) through (6) No change.

(7) The Commission will allow an additional 6-month period after the expiration of a license for brokers and sales associates who cannot complete the reactivation requirements due to individual hardship. Individual hardship is defined in Rule 61J2-3.013, F.A.C.

(a) Any licensee requesting a hardship shall make the request to the Commission in writing setting forth the basis of the alleged hardship. The Commission may require said request to be supported by additional documentation.

(b) Any licensee who has received a hardship extension will remain null and void until a valid reinstatement application for is received with proof of renewal fees and reactivation education.

~~Rulemaking-Specific Authority~~ 475.05 FS. Law Implemented 475.04, 475.17, 475.182, 475.183, 475.451 FS. History—New 1-1-80, Amended 8-24-80, 9-16-84, Formerly 21V-3.10, Amended 10-13-88, 6-28-93, Formerly 21V-3.010, Amended 12-30-97, 10-25-98, 1-18-00, 3-15-04, 11-8-06, 12-25-07, 8-18-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Real Estate Commission  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 6, 2015

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-3.013  
RULE TITLE: Distance Education Courses for Hardship Cases

PURPOSE AND EFFECT: The Commission proposes the rule amendment to update the rule title; delete unnecessary language and to add new language to clarify hardship cases; and to renumber the rule accordingly.

SUMMARY: The rule amendment will update the rule title; delete unnecessary language and to add new language to clarify hardship cases; and to renumber the rule accordingly.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

RULEMAKING AUTHORITY: 455.2123, 475.05, 475.17(2) FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17(2), 475.183, 475.451(3), (6) 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: Juana Watkins, Executive Director, Division of Real Estate, 400 N. Robinson Street, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

~~61J2-3.013 Hardship Cases Distance Education Courses for Hardship Cases~~

~~(1) Distance Education courses containing the same subject matter and requiring substantially the same assignment work will be prescribed by the Commission for any person who by reason of hardship cannot attend the place for classroom instruction prescribed in Rules 61J2-3.008, 61J2-3.010 and 61J2-3.020, F.A.C. or does not have access to the distance learning course or courses. The scholastic standards and other related requirements will be substantially the same as the courses offered by classroom instruction, having due regard, however, to the different method of presentation. A copy of the course and all course materials shall be submitted to the Commission for evaluation at least 60 days prior to use. The approval or denial of the course will be based on the extent to which the course complies with the requirements set forth in Rule 61J2-3.008, 61J2-3.009, or 61J2-3.020, F.A.C. Examinations, if required, must test the course material. If course approval is denied, the institution or school may resubmit the course, with the mandated changes.~~

~~(1)(2) A physical hardship case pertaining to post licensing education includes: (a) a licensee’s long term illness or an illness involving a close relative or person for whom the licensee has care-giving responsibilities; (b) the required course is not reasonably available; ~~and~~ or (c) the licensee has an economic or technological, ~~or~~ legal hardship that substantially relates to the ability to complete education requirements.~~

~~(2) An illness or economic hardship case pertaining to reactivation education includes:~~

~~(a) a licensee’s long term illness or an illness involving a close relative or person for whom the licensee has care-giving responsibilities;~~

~~(b) the required course is not reasonably available; or~~

~~(c) the licensee has an economic or technological hardship that substantially relates to the ability to complete education requirements.~~

~~(3) An economic hardship is defined as the inability to meet reasonable basic living expenses.~~

~~(4)(3) Any person requesting such hardship as cited above desiring to complete the education course by means of distance education shall make a request to the Commission in writing, setting forth the basis of the alleged hardship. The Commission may ~~shall~~ require said request to be supported by additional documentation ~~statements of doctors and other persons having knowledge of the facts.~~~~

Rulemaking Authority 455.2123, 475.05, 475.17(2) FS. Law Implemented 455.2123, 475.04, 475.17(2), 475.183, 475.451(3), (6) FS.; Georgia Association of Realtors, Inc., et al. v. Florida Real Estate Commission, et al., Civil Action No. 87-15-Orl-Civ-18 (M. D. Fla. 1987). History—New 1-1-80, Amended 8-24-80, Formerly 21V-3.13, Amended 4-10-88, 10-13-88, 7-20-93, Formerly 21V-3.013, Amended 12-30-97, 9-17-00, 12-6-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Real Estate Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2015

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: RULE TITLE:

61J2-5.018 Vacancies of Office

PURPOSE AND EFFECT: The Commission proposes the rule amendment to update the rule, delete unnecessary language and to add new language to clarify the procedures for filling a vacancy for a broker in a brokerage.

SUMMARY: The rule amendment will update the rule, delete unnecessary language and add new language to clarify the procedures for filling a vacancy for a broker in a brokerage.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will

not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

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

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: 475.05 FS.

LAW IMPLEMENTED: 475.01(3), 475.15, 475.31, 475.42 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: Juana Watkins, Executive Director, Division of Real Estate, 400 N. Robinson Street, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-5.018 Vacancies of Office

(1) A brokerage corporation shall have at all times registered the name(s) of its officer(s) and director(s). In the event that a brokerage corporation has but one active broker, and such broker dies, resigns, or is unexpectedly unable to remain in ~~otherwise removed from~~ the position as the active broker, then, in such event, such vacancy shall be filled within 14 calendar days during which no new brokerage business may be performed by the brokerage corporation or a licensee registered with the brokerage corporation until a new active or temporary broker is appointed and registered with the brokerage corporation. It shall be the duty of the brokerage corporation to immediately notify the Commission of such vacancy and of the steps taken to fill this vacancy.

(2) Failure to appoint another active or temporary broker within 14 calendar days will result in the automatic cancellation of the brokerage corporate registration, and the licenses of all its broker associates officer(s), director(s) and sales associates salesperson(s) will become involuntarily inactive.

(3) If a brokerage corporation has more than one active broker and one such broker dies, resigns, or is unexpectedly unable to remain in ~~otherwise removed from~~ the position as an active broker, neither the brokerage corporate registration nor the licenses of any of its broker associates and sales associates officer(s), director(s) or salesperson(s) are is affected by this vacancy.

(4) If a brokerage has only one active broker and that broker dies, resigns or is unexpectedly unable to remain in the position as active broker, the vacancy may be filled with a temporary broker. A temporary broker may be registered with a brokerage for a period not to exceed 60 days without the need to comply with the Secretary of State registration requirements of Rule 61J2-5.015, F.A.C. Such registration

shall be on a form as prescribed by the department with supporting documentation as prescribed by the form. No later than 60 days after the registration of the temporary broker, such brokerage shall file proof that a new broker is properly registered with the Secretary of State on a form prescribed by the department.

(5) For purposes of qualifying for a temporary broker license, a broker's failure to complete post-licensure education is not an unexpected vacancy.

(6)(4) If an active broker officer or director resigns or is unexpectedly unable to remain in ~~removed from~~ the broker's corporate office, the broker may have a license reissued individually or with a partnership or another corporation. If an active broker officer or director is already licensed as active when the broker takes the corporate office, the broker shall surrender the current license within 7 calendar days, and apply for issuance or reissuance of a license in the corporate capacity. However, surrender of the broker's current license is not required if the broker is holds ~~holder of~~ multiple licenses. Rulemaking Specific Authority 475.05 FS. Law Implemented 475.01(3), 475.15, 475.31, 475.42 FS. History-New 1-1-80, Formerly 21V-5.18, Amended 6-28-93, Formerly 21V-5.018, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 20, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 6, 2015

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

RULE NO.: 65C-17.001  
 RULE TITLE: Authority  
 PURPOSE AND EFFECT: The purpose and effect is to repeal an unnecessary rule.  
 SUMMARY: Rule 65C-17.001, F.A.C., is repealed.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.  
 The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: The 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: 402.17(1)(a)9. (1996 Supp.), 402.33(2), (7)(a) FS.

LAW IMPLEMENTED: 402.17, 402.17(2)(c) (1996 Supp.) 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: Jodi Abramowitz. Jodi can be reached at (850)717-4189 or Jodi.Abramowitz@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-17.001 Authority.

Specific Authority 402.17(1)(a)9. (1996 Supp.), 402.33(2), (7)(a) FS. Law Implemented 402.17, 402.17(2)(c) (1996 Supp.) FS. History—New 4-6-99, Amended 5-18-03, Repealed\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jodi Abramowitz

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 2015

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:

65C-30.001: Definitions

65C-30.002: Early Service Intervention and Case Transfer

65C-30.003: Diligent Search

65C-30.004: Identification of Children

65C-30.005: Family Assessment

65C-30.006: Case Planning

65C-30.007: Case Management Responsibilities

65C-30.008: Services Worker Responsibilities to Parents

65C-30.009: Tiered Services Protocol

65C-30.010: Voluntary Protective Services

65C-30.011: Placement Responsibilities of the Services Worker or Child Protective Investigator

65C-30.012: Permanency Goal Selection

65C-30.013: Judicial Reviews and Court Reports

65C-30.014: Post-Placement Supervision and Services

65C-30.015: New Reports Received, Removal, and Placement of Children

65C-30.016: New Children in Families under Supervision

65C-30.018: Out-of-County Services

65C-30.019: Missing Children

65C-30.020: Child Deaths

65C-30.021: Child Death Reviews

65C-30.022: Termination of Services

PURPOSE AND EFFECT: The Department of Children and Families intends to amend rules within Chapter 65C-30, F.A.C., General Child Welfare Provisions, to accomplish the following tasks: 1) Implement legislative changes; 2) Delete rule language which is either being moved to other departmental administrative rules or repealed; and 3) Simplify wording and resolve ambiguities.

SUMMARY: These rules require safety planning; establish the conditions when safety plans must be developed; identify what must occur at a case transfer conference; clarify when a diligent search must begin and notification requirements; require ongoing family functioning assessments; establish case management responsibilities after case transfer; establish a priority order of least intrusive options; sets forth when a behavior plan is required; establish procedures for missing children; and incorporate a Partnership Plan.

**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:** 39.012, 39.0121, 39.0141, 39.407(1), 39.5075(8), 39.5085(2)(a), (d), 63.233, 394.4781(3)(c), 409.145, 409.175(5), FS.

**LAW IMPLEMENTED:** 39.0141, 39.201, 39.2015, 39.202, 39.301, 39.303, 39.401, 39.402, 39.407, 39.502, 39.503, 39.5075, 39.5085, 39.521, 39.522, 39.6011, 39.6012, 39.6013, 39.604, 39.622, 39.6221, 39.6241, 39.701, 39.702, 63.162, 63.167, 394.9082, 409.145, 409.165, 409.401, 409.175, 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:** Jodi Abramowitz. Jodi can be reached at 850-717-4189 or Jodi.abramowitz@myflfamilies.com.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

**65C-30.001 Definitions.**

This rule includes the definitions for the following rules: Chapters 65C-13, F.A.C., "Licensed Out-Of-Home Care"; 65C-15, F.A.C., "Child-Placing Agencies"; 65C-28, F.A.C., "Out-Of-Home Care"; 65C-29, F.A.C., "Protective Investigations"; and 65C-30, F.A.C., "General Child Welfare Provisions".

~~(1) "Abuse, Neglect or Abandonment" means harm or threatened harm to a child's physical or mental health or welfare by the acts or omissions of the parent or other person responsible for the child's welfare. It includes those acts defined or described in Sections 39.01(1), (2), and (45), and 827.03, F.S.~~

~~(1)(2) "Additional Investigation Report" means a report to the Florida Abuse Hotline, by the same or different reporter, made within thirty days after the date the initial report is received prior to the date of investigation closure and containing information about one (1) or more subjects of an open report, which adds:~~

- ~~(a) New allegations of maltreatment;~~
- ~~(b) New incidents of the same maltreatment contained in the initial report;~~
- ~~(c) Additional victims or alleged perpetrators if they relate to the initial report;~~
- ~~(d) New information alleging that the immediate safety or well-being of the child is threatened thereby changing the investigation response time from a 24-hour response to an immediate response.~~

~~(2)(3) "Adoption Exchange System (AES)" means the Department's statewide information system of children receiving adoption services, and families seeking to adopt special needs children. The system enables adoption counselors and home finders statewide to seek matches on certain traits between prospective families and children. The data base also provides a source for measurement of some adoption performance and outcome indicators and populates the Department's public internet search of children available for adoption.~~

(3) "Adoption process" means any of the following: Recruitment of prospective adoptive parents; recruitment of individuals for the release of a child, including a child not yet born, for the purpose of adoption as part of a plan leading to the eventual placement of a child for adoption; provision of medical care or payment of maintenance costs and expenses during pregnancy in consideration for the release of a child for adoption; assessment and preparation of families before placement as part of a plan leading to the eventual placement of a child for adoption; and supervision of families, after placement and prior to the final adoption, has occurred.

(4) “Adult Household Member” means a person 18 years of age or older who is present in the home on a permanent or indefinite basis or the adult paramour who frequents the home of a household member, regardless of whether the person has unsupervised contact with children.

(5) “Allegation” means a statement by a reporter to the Florida Abuse Hotline that child abuse, neglect or abandonment is known or suspected.

~~(6) “Allegation Matrix” means a document that defines specific types of abuse, neglect or abandonment; guides staff in determining whether abuse, neglect or abandonment has occurred; and assists in ensuring that all factors are considered when assessing each type of maltreatment. The allegation matrix as set forth in Children and Family Services Operating Procedure No. 175-28, is attached hereto and incorporated by reference herein.~~

~~(7) “American Indian or Alaskan Native Child” means any unmarried person who is under age eighteen and is either a member of a federally recognized American Indian tribe or Alaskan village or who is eligible for membership in a federally recognized American Indian tribe or Alaskan village, and who is the biological child of a member of such an American Indian tribe or Alaskan village.~~

~~(6)(8) “Application Packet” means the entire set of completed documents required by the child-placing agency that are provided by attestation or in whole to the Department for review when requesting the issuance of a license as an a licensed out-of-home caregiver.~~

~~(7) “Attestation” means a community-based care lead agency’s certification that supporting documentation for the initial licensure or re-licensure of a family foster home is in compliance with Florida state law and the Florida Administrative Code.~~

~~(9) “Babysitting” means the temporary (less than 24 twenty four hours) and periodic in home care of children by someone other than the foster parent or a licensed child care provider.~~

~~(8) “Behavior Management Plan” means an agreement established with substitute caregivers to assist and supervise specific children that have behaviors that may result in harm.~~

~~(9)(10) “Behavioral Health Multidisciplinary Team” means the group of people brought together by the child welfare professional Services Worker to plan and coordinate behavioral health and related services. Examples of team members are: the child, unless clinically contraindicated; the child’s parents or legal guardian and other caregiver; the Services Worker; the child’s therapists and behavioral analyst; the child’s educational surrogate parent, the guardian ad litem, and other professionals based on the needs of the child and family.~~

~~(11) “Bilateral Service Agreement” means a written agreement between licensed out of home caregivers and the supervising agency representative that specifies each party’s duties and responsibilities to children served and to the department and/or child placing agency.~~

~~(10) “Capacity Waiver” means a documented approval, prior to placement, that authorizes exceptions to the licensed capacity and the total number of children or infants to be cared for in a family foster home.~~

~~(11)(12) “Case” means a group of one (1) or more persons who are associated with one another and for whom the Department provides services and arranges the provision of services.~~

~~(12)(13) “Case File” means all information for a case contained in the Department’s statewide automated child welfare information system (SACWIS), i.e., Florida Safe Families Network (FSFN) HomeSafenet, as well as the supporting paper documentation gathered during provision of services to that family. The “case file” may also refer to a duplicate, paper copy of the electronic case file and the supporting paper documentation. The Department’s SACWIS is the official system of primary record for each intake, investigation, and all subsequent casework to provide a complete, current, accurate and unified case history ease .~~

~~(13) “Case Manager” means a child welfare professional who is responsible for ongoing safety management and service provision of children who, through assessment of a child protective investigator, have been determined to be unsafe.~~

~~(14) “Case Plan” means “case plan” as defined in Section 39.01(11), F.S., which refers to the services plan jointly developed between the family and services worker delineating specific interventions aimed at addressing the contributing factors and underlying conditions that lead to child maltreatment. The case plan shall:~~

~~(a) Be agreed upon by the child’s parent or other legal custodian and the CPI or services worker;~~

~~(b) Be signed by the parents or other legal custodian and the services worker;~~

~~(c) Contain specific tasks to be performed by the family or caretaker of the child and the services worker;~~

~~(d) Be documented in case file;~~

~~(e) Address the permanency goal for the child, and~~

~~(f) Be filed and approved by the court, if the case is a court ordered services case.~~

~~(14)(15) “Case Transfer” means the process of transferring primary responsibility for a case engaging the services of another child welfare service provider for a child/family currently receiving services from a different agency, or transferring a case to a child welfare services provider after an investigation has determined the need for ongoing services.~~

~~(16) “Case Transfer Staffing” means the meeting between child welfare stakeholders that establishes the protective, treatment, and ameliorative services necessary to safeguard and ensure the child’s safety, permanency and well-being.~~

~~(15)(17) “Child Health Check-up” means regular physical exams, growth measurements, immunizations, vision and hearing screenings, dental screenings and, if necessary, other tests, services, and referrals for diagnosis and treatment as outlined in the Florida Medicaid Child Health Check-Up Coverage and Limitations Handbook, October 2003, incorporated by reference, and available at <http://portal.flmmis.com/FLPublic/Portals/0/StaticContent/Public/HANDBOOKS/Child Health Check-UpHB.pdf>, a child health check up as defined in Rule 59G 4.080, F.A.C. This screening shall take place within 72 hours of initial removal unless the child is returned to the home from which he or she was removed within 72 hours of removal. This includes a child removed from his or her home who was placed with relatives or non-relatives in an unlicensed setting. Additional check-ups shall be repeated in accordance with the Medicaid periodicity schedule.~~

~~(18) “Child Exhibiting Sexually Inappropriate Behaviors” means a child having demonstrated some action found under the terms and definitions of an alleged juvenile sexual offender, but without an established pattern of behavior sufficient to define the child as an alleged juvenile sexual offender.~~

~~(16) “Child Maltreatment Index” is a document that defines specific types of abuse, neglect or abandonment; and guides decision making by staff at the Florida Abuse Hotline and Child Protective Investigations regarding screening decisions and investigative findings. The “Child Maltreatment Index”, CF Operating Procedure No. 175-04, October 2015, is incorporated by reference and available at [www.dcf.state.fl.us/admin/publications/policies](http://www.dcf.state.fl.us/admin/publications/policies).~~

~~(17)(19) “Child-on-Child Sexual Abuse” means refers to any sexual behavior between children twelve years or younger, which occurs without consent, without equality, or as a result of coercion, as defined in Section 39.01(7)(b)1. 3., F.S.~~

~~(18)(20) “Child-Placing Agency” means any person, corporation, or agency, public or private, other than the parent or legal guardian of the child or an intermediary acting pursuant to Chapter 63, F.S., that is licensed pursuant to Section 409.175, F.S., and places or arranges for the placement of a child in a family foster home, residential child caring agency, or approved adoptive home, and provides any of the necessary adoptive services listed under subsection (3) of this rule 65C 15.001(2), F.A.C., or any corporation or agency under contract with the Department as a community-based care Lead aAgency.~~

~~(21)(21) “Child Protection/Child Welfare Services” or “Child Welfare Protection Services” means core child protection programs, such as the Florida Abuse Hotline, protective investigations, protective supervision, post-placement supervision, foster care and other out-of-home care, or adoption services.~~

~~(20)(22) “Child Protective Investigator (CPI)” means a child welfare professional who is responsible for investigating alleged child maltreatment and conducting assessments regarding the safety of children an authorized agent in a professional position within the department or designated sheriff’s office with the authority and responsibility of investigating reports of child abuse, neglect, or abandonment received by the Florida Abuse Hotline as defined in Section 39.01(58), F.S.~~

~~(23) “Child Welfare Legal Services (CWLS)” means the unit of the department or a contracted entity that provides legal counsel and representation for the department or contracted service providers in child dependency proceedings.~~

~~(21)(24) “Child’s Resource Record” means a standardized record developed and maintained for every child entering out-of-home care that contains copies of the basic legal, demographic, available and accessible educational, and available and accessible medical and psychological information pertaining to a specific child, as well as any documents necessary for a child to receive medical treatment and educational services. Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information must be in the file. The Child’s Resource Record (CRR) shall be housed where the child is placed and shall accompany the child to every health encounter and shall be updated as events occur. All information in the CRR shall be recorded in the department’s statewide automated child welfare information system.~~

~~(25) “Child’s Well Being” refers to whether a child’s emotional, developmental, educational, social, physical and mental health needs are being consistently met.~~

~~(22) “Child Welfare Professional” means an individual who is primarily responsible for case activities that has met the criteria for Florida Certification as a Child Protective Investigator, Case Manager or a Licensing Counselor.~~

~~(23) “Children’s Legal Services (CLS)” means a program of the Department or a contracted entity that provides legal counsel for the Department in child dependency proceedings.~~

~~(24)(26) “Children’s Multidisciplinary Assessment Team (CMAT)” means an inter-agency coordinated effort of Medicaid in the Agency for Health Care Administration; Family Safety Program and the Developmental Disabilities Program of the Department of Children and Families Family Services; the Agency for Persons with Disabilities; and~~

Children's Medical Services in the Department of Health. The CMAT makes recommendations for medically necessary services for children birth to 21 twenty-one years old who are medically complex or medically fragile.

~~(27)~~ "Client Information System (CIS)" means the department's legacy statewide automated system containing all reports, investigations, special conditions referrals, child-on-child sexual abuse reports and cases regarding child abuse, neglect or abandonment and pertinent information regarding all activities involved in investigative and case management functions. The CIS is the state's primary record for each historical investigation and case. Information in CIS will continue to be accessed until all family safety historical data is maintained through the department's SACWIS.

~~(25)~~ (28) "Collateral Contacts" mean means face to face, telephonic or written communication with those persons who provide relevant information for a child protection investigation but who are not subjects of the reports. ~~These persons include school personnel, service providers, neighbors, other relatives and any other significant person in the child's life or in the caregiver's life.~~

~~(26)~~ (29) "Commencement" means the date and time that the investigator attempted or achieved a face-to-face contact with the child victim by actually visiting the site where the victim was reportedly located.

~~(27)~~ (30) "Communicable Disease" means any disease caused by transmission of a specific infectious agent, or its toxic products, from an infected person, an infected animal, or the environment to a susceptible host, either directly or indirectly, ~~including tuberculosis (TB), human immunodeficiency virus (HIV), hepatitis and other sexually transmitted diseases (STDs).~~

~~(28)~~ (31) "Community-Based Care" means the system of care for the provision of all child welfare services – with the exception of child protective investigations and the Florida Abuse Hotline. The delivery model is utilization of privatized contractors that determine the needs and develop the resources for the community being served, in addition to core requirements outlined in Florida Statute or Florida Administrative Code, or as stipulated per contract with the Department.

~~(29)~~ (32) "Comprehensive Behavioral Health Assessment (CBHA)" means an in-depth ~~and detailed~~ assessment of the child's emotional, social, behavioral, and developmental functioning within the family home, school, and community, as well as the clinical setting, ~~which is funded through Medicaid and is performed by a licensed clinician,~~ as outlined specified in the Florida Medicaid Specialized Therapeutic Community Behavioral Health Services Coverage and Limitations Handbook, March 2014, which is incorporated by reference in Rule 59G-4.295 ~~59G 4.080~~, F.A.C.

~~(30)~~ (33) "Concurrent Case Planning" means working toward a primary permanency goal while at the same time establishing an alternative permanency goal for the child to be utilized in the event reunification does not occur within a time period that is reasonable with the child's sense of time.

~~(31)~~ (34) "Conditions for Return" means the specific family conditions or behaviors that must exist or be in place in order to meet the criteria for the child to be returned home safely.

~~(32)~~ (34) "Consent for Medical Treatment" or "Informed Consent for Medical Treatment" means consent voluntarily given after a ~~conscientious and~~ sufficient explanation and disclosure of the purpose of the proposed treatment and the alternative treatments available.

~~(35)~~ "Consular Post" means any consulate general, consulate, vice consulate or consular agency of a foreign country.

~~(33)~~ (36) "Contracted Provider" means any licensed child-placing agency that has entered into a contract with the Department for the purposes of recruitment, training, evaluation and/or supervision of licensed out-of-home caregivers.

~~(34)~~ (37) "Contracted Service Provider" means a private agency that has entered into a contract with the Department or with a community-based care lead agency to provide supervision of and services to dependent children and children who are at risk of abuse, neglect, or abandonment.

~~(35)~~ (38) "County of Jurisdiction" means the county where the court of jurisdiction is located, or, in cases of non-judicial voluntary supervision, the county where the family has resided for 30 consecutive days ~~voluntary supervision agreement was signed.~~

~~(36)~~ (39) "Court Ordered Supervision" means the court has ordered the Department or contracted service provider to supervise the child and family over a period of time ~~to ensure the family is stable; that they comply with the court ordered case plan and that interim status reports are submitted to the court every six months throughout the dependency process.~~

~~(37)~~ (40) "Criminal, Delinquency and Abuse/Neglect History Check" means the act of assessing the history of persons through a criminal records check pursuant to Section 435.045, F.S., ~~in accordance with "screening" in Section 409.175(2), F.S.,~~ and criminal, juvenile and abuse/neglect history checks pursuant to Section 39.0138, F.S., as described in Sections 39.401(3) and 39.521(2)(r), F.S.

~~(38)~~ (41) "Critical Junctures" means ~~refers to those~~ times during an investigation or services case when fundamental decisions are being made for the child ~~or children~~, or when critical events are occurring in the investigation or services case. Critical junctures may include the following:

~~(a) Prior to court hearings (adjudicatory, dispositional, review);~~

~~(b) At the birth or death of a sibling or the addition of a new family member, including paramours;~~

~~(c) Before changing the case plan to include unsupervised visits;~~

~~(d) At case transfer between Services Workers;~~

~~(e) At receipt of a new CPI referral or report of domestic violence in the home;~~

~~(f) Before a child is returned home from substitute care;~~

~~(g) Before the case is closed or dismissal of court jurisdiction is recommended;~~

~~(h) When the case is no longer designated as high risk;~~

~~(i) As needed, based on professional judgment.~~

(39) “Danger Threat” means caregiver behaviors, attitudes, motives, emotions and/or situations posing a specific threat of severe harm to a child.

(42) “District/Region” and “Zone” means a geographical area through which the department and community based care providers plan and administer their programs.

(43) “Early Decision Making” means making an evaluation of the case as soon as appropriate to determine both a primary and concurrent goal.

(44) “Early Service Intervention” means the engagement of an agency or Services Worker following an interagency staffing and putting into place the appropriate core child protection or child welfare services prior to completion of the investigation and disposition of the report to provide necessary services and supports to the family.

(40) “Diligent Search” means the efforts to locate parents or find relatives or other persons who might be considered for assuming caregiving responsibilities.

(41)(45) “Emergency Medical Care and Treatment” means care or treatment of a child who has been injured or is suffering from an acute illness, disease, or condition if, within a reasonable degree of medical certainty, delay in initiation or provision of medical care or treatment would endanger the health or physical well-being of the child.

(42)(46) “Evidence” for the purpose of child protective investigations means any and all materials, documents, legally admissible statements, first party observations and specific facts that are relevant to prove and support specific allegations of abuse, neglect or abandonment.

(43)(47) “Exigent Circumstances” mean means situations in which it is anticipated that a child will be placed with a relative or non-relative within 72 hours.

~~(48) “Extended Family Member” in cases involving American Indian or Alaskan Native children, means those persons established by the tribal law or custom of the American Indian or Alaskan Native child’s tribe to be extended family members or, in the absence of such law or custom, a person who is at least eighteen years of age and who is the child’s grandparent, aunt or uncle, brother or sister, brother in law or sister in law, niece or nephew, first or second cousin or stepparent.~~

~~(44)(49) “Extraordinary Medical Care and Treatment” means care or treatment of a child that is outside of the routine medical and dental care included in the definition of ordinary medical care and treatment, such as any invasive procedures. This includes surgery, anesthesia, and administration of psychotropic medications, and any other procedures not considered routine and ordinary by objective professional standards of medical care for children.~~

(45) “Family Made Arrangement” means a safety action initiated and completed by a parent/legal guardian to temporarily relocate a child from the family’s home to a responsible adult chosen by the parent/legal guardian.

(46)(50) “Family Assessment,” “Family Functioning Assessment,” “Ongoing Family Functioning Assessment” and “Progress Update” mean a decision-making and documentation process conducted in response to a child abuse and/or neglect report or any other instances in which safety needs to be assessed throughout the life of an active investigation or ongoing services case to help evaluate danger threats, child vulnerability, parental protective capacities and to determine the safety response, case outcomes and goals. means a documented evaluation at the initiation of services and updated every six months thereafter, of the family in regard to the determination of the need for services throughout the life of the case. This is a joint effort between the Services Worker and the family to and analyze the family strengths and resources, as well as the contributing factors and underlying conditions that contributed to child maltreatment; the risk of harm to the child; emerging danger or safety issues; case goals; and service needs for the child and family. Such assessment is a collaborative effort between the Services Worker and the child, if developmentally appropriate, the child’s family members, the caregiver, the guardian ad litem, and all relevant service providers.)

(51) “Family foster home” or “foster home” means “foster home” as defined in Section 409.175, F.S. These are licensed settings as defined under “license” in Section 409.175, F.S.

~~(47)(52)~~ “Family Preservation Services” ~~mean~~ means services provided to children (and their families) that have been found to be unsafe and include safety management services, treatment services and child well-being services, families, primarily in the home. Examples are counseling and therapeutic services, as well as the provision of goods or services designed to prevent the removal of a child due to abuse, neglect, or abandonment, or to stabilize an out of home placement.

~~(48)~~ “Family Support Services” ~~mean~~ services provided to children (and their families) who have been found to be safe and at high or very high risk of future maltreatment.

~~(49)(53)~~ “Family Team Meeting Conferencing” means the process that enables families to create and utilize a team of persons and professionals to assist with safety and/or case planning. ~~solve problems by focusing on the family’s strengths, as well as on the family’s underlying needs. The process is highly individualized and relies heavily on input and cooperation from the family, the family’s support system, and community resources. Families are active participants in the process of assessing their own needs, developing an action plan, setting goals, and setting time frames.~~

~~(50)~~ “Family Time” means vistation and other forms of contact between children and parents, siblings who are separated, and grandparents.

~~(51)(54)~~ “Finding” means the investigative determination that there is credible evidence to support or refute the alleged allegations for each child maltreatment reported for investigation.

~~(52)(55)~~ “Florida Abuse Hotline” means the Department’s central abuse reporting intake assessment center, which receives and processes reports of known or suspected child abuse, neglect or abandonment 24 hours a day, seven days a week.

~~(56)~~ “Florida Model Approach to Partnerships in Parenting” (MAPP) means the uniform, statewide, pre-service training provided to prospective out of home caregivers and adoptive parents in accordance with Section 409.175(14)(b), F.S.

~~(53)(57)~~ “Foster Care Referrals” ~~means~~ refers to calls to the Florida Abuse Hotline regarding concerns about the care provided in a licensed foster home, group home or emergency shelter that do not meet the criteria for acceptance of a report of abuse, neglect or abandonment.

~~(54)(58)~~ “Group Care Facility” or “Licensed Group Care Facility” means a “residential child-caring agency” as defined in Section 409.175, F.S. ~~These are licensed settings as defined under “license” in Section 409.175, F.S.~~

~~(55)(59)~~ “Guardianship” means a legally established relationship between a child and adult who is appointed to protect the child’s best interests and to provide the child’s care, welfare, education, discipline, maintenance, and support.

~~(60)~~ “High Risk” means a high likelihood of subsequent verified maltreatment following an initial verified maltreatment.

~~(61)~~ “High Risk Tracking and Review” means a locally developed protocol utilized whenever children in an investigation or case are identified as being at high risk or repeat maltreatment. It is a process intended to identify situations in a timely manner whereby substantive safety and risk factors are present that could affect a child’s safety. The process helps assure close monitoring and oversight activities are in place so that casework activities can be adjusted as necessary when and if changes occur. See subsections 65C-30.001(107) and (108), F.A.C.

~~(56)(62)~~ “Home Study” means the written documentation of an on-site assessment completed prior to the child’s placement that evaluates ~~is meant to evaluate~~ the caregiver’s capacity to provide a safe, stable and supportive home environment, and determines ~~to determine~~ if the physical environment is safe and can meet the child’s needs.

~~(57)(63)~~ “Household” means a common residence shared by two (2) or more individuals, whether related or not.

~~(58)(64)~~ “Household Member” means any person who resides in a household, including the caregiver and other family members residing in the home. Household members include ~~are any additional relatives or persons residing in the home, including but not limited to~~ visitors expected to stay an indefinite length of time ~~or college students expected to return to the home.~~

~~(59)(65)~~ “Immediate” or “immediately” means as soon as possible, but no later than four (4) ~~two~~ hours.

~~(60)~~ “Inappropriate Sexual Behavior” means sexually reactive behaviors of a child including acting-out sexually, engaging in inappropriate sex play for age and maturity or demonstrating a premature understanding of sex.

~~(61)(66)~~ “Independent Living Services” means services to assist older children in foster care and young adults who were formerly in foster care obtain life skills and education for independent living and employment, have a quality of life appropriate for their age, and assume personal responsibility for becoming self-sufficient adults.

~~(62)(67)~~ “Indian Child Welfare Act (ICWA)”, Public Law 95-608 (1978), 92 Stat. 3069, 25 U.S.C. 1901 et seq., means the federal act that governs child custody proceedings involving American Indian or Alaskan Native children in state courts. ICWA protects the best interests of American Indian and Alaskan Native children, preserves the integrity of Indian families and promotes the stability and security of Indian

~~tribes and families by establishing minimum federal standards for the removal of American Indian or Alaskan Native children from their families; placing Indian children in out-of-home care or in adoptive homes that will reflect the unique values of Indian culture; and by providing assistance to Indian tribes in the operation of child and family service programs.~~

~~(68) "Indian Child's Tribe" or "Indian Tribe" means any American Indian tribe, band, nation, or other organized group or community of Indians, recognized as eligible for the services provided to Indians by the Secretary, United States Department of the Interior, Bureau of Indian Affairs, because of their status as Indians, including any Alaska Native village as defined in the Alaska Native Claims Settlement Act [42 USCS §1602(e)]. It does not include Indian or native tribes from foreign nations.~~

~~(69) "Indian Custodian" means any American Indian or Alaskan Native who has legal custody of an American Indian or Alaskan Native child under tribal law or custom or under state law or to whom temporary physical care, custody, and control has been transferred by the parent of such child.~~

~~(63)(70) "Individual Educational Plan (IEP)" means refers to a written assessment statement for a child with a disability or special educational education needs that is developed and implemented in accordance with Section 602(14) of H.R. 1350, the "Individuals with Disabilities Education Improvement Act of 2004 (IDEA)", 20 U.S.C. § 1400 et seq. The IEP identifies treatment and educational objectives in measurable terms and is completed by school personnel.~~

~~(64) "Informal safety service provider" means a responsible adult identified by a parent or legal guardian who agrees to provide safety management services as specified in a safety plan.~~

~~(71) "In-Home Services" means services provided while a child remains in his or her own home and includes those cases where a child was removed, but has now been returned to the home of his or her parent or guardian.~~

~~(72) "Interim Child Welfare Services Information System (ICWSIS)" means the department's automated system containing invoice data pertaining to services provided to children under the department's supervision. The ICWSIS is the state's primary audit record for client specific expenditures until such time that the system's functionality is subsumed by SACWIS.~~

~~(65)(73) "Interstate Compact" or "Interstate Compact on the Placement of Children (ICPC)" means is a uniform law that was enacted verbatim into statutory law in all fifty states, the District of Columbia and the U.S. Virgin Islands. It establishes a contract among the states and jurisdictions that ensures orderly procedures for the interstate placement and post-placement supervision of children and codifies fixes responsibilities for those involved in placing the child.~~

~~(66)(74) "Investigative Search" means making inquiries of written records and electronic databases to locate subjects of a report when reasonable efforts to locate the family have been expended, but failed to locate the family.~~

~~(67)(75) "Lead Agency" means an "eligible lead community-based care provider" as defined in Section 409.986(3)(d) 4671(1)(e), F.S. The functions of a lead agency include:~~

~~(a) Organize and manage a network of service providers;~~

~~(b) Provide case management for any children/families referred;~~

~~(c) Purchase/provide all necessary services to ensure permanency;~~

~~(d) Maintain and report required client and performance data; and~~

~~(e) Assume and manage financial risk (capped budget for all required services).~~

~~(68)(76) "Licensed family foster home" means "family foster home" as defined in Section 409.175, F.S. under Rule 65C 30.001, F.A.C.~~

~~(69)(77) "Licensed Out-of-Home Caregiver" means any person licensed under Section 409.175, F.S., to provide 24 twenty four hour care. This term also refers to foster parents.~~

~~(70)(78) "Licensing Authority" means the Department of Children and Families Family Services.~~

~~(71)(79) "Licensing Service Agreement" means a written agreement signed by licensed out-of-home caregivers that specifies duties and responsibilities over children served.~~

~~(80) "Long term Licensed Custody" means the court approved placement of a child in the long term custody of a foster parent as described in Section 39.623, F.S.~~

~~(72)(81) "Maltreatment" means behavior that is harmful and destructive to a child's cognitive, social, emotional, or physical development. This is referenced in the Child Maltreatment Index, incorporated in subsection (15) of this rule, as the harm that occurred as the result of maltreatment. a specific type of injury or harm, which pursuant to the departmental procedure, as incorporated by the department allegation matrix, is the term used as an inclusive description for all forms of abuse and neglect. The statement made by a reporter to the central abuse hotline of a suspected specific harm or threatened harm to a child is referenced in the report as a maltreatment.~~

~~(82) "Medicaid" means "Medicaid" as defined in Rule 59G 1.010, F.A.C.~~

~~(83) "Medical Neglect" means the failure to provide adequate medical care in the context of the definition of "neglect" found at Section 39.01, F.S. It includes the withholding of medically indicated treatment from a disabled child with a life threatening condition.~~

~~(73)~~(84) “Missing Child Emergency” means situations that require immediate actions when a child appears to be missing. ~~Situations that require immediate action are circumstances where the child’s age (i.e., being under thirteen years of age), physical or mental incapacity, or a developmental or behavioral challenge renders the situation more dangerous than it would be for a child with more maturity or resources; where the child is with others who may endanger his or her welfare; where the child is known or believed to be in a life threatening situation; where the child is missing under circumstances inconsistent with established behaviors; or where there is any other reason to believe that the child is in a dangerous situation.~~

~~(85) “Missing Child Tracking System” means an automated database for storing and transmitting information on missing children.~~

~~(74)~~(86) “No Jurisdiction” means ~~refers to~~ a designation given to abuse reports that have been accepted by the Florida Abuse Hotline, but upon further investigation or after the initial contact, the CPI determines that the ~~D~~department or sheriff’s office does not have the authority to investigate because the allegations and/or facts surrounding the report do not meet statutory criteria, including, ~~but not limited to:~~

~~(a) The alleged perpetrator is a public school official acting in an official capacity;~~

~~(a)~~(b) The alleged perpetrator is a staff member in a general hospital, while acting in an official capacity (excluding a psychiatric ward);

~~(b)~~(c) The alleged perpetrator is a law enforcement officer or employee of a jail, municipal or county detention facilities, Juvenile Bootcamp Facility, or Department of Corrections, while acting in an official capacity;

~~(c)~~(d) The alleged perpetrator is a non-caregiver, except in cases of human trafficking;

~~(d)~~(e) The allegations are of harm or threatened harm to a child who is residing and located in another state at the time of the report; or

~~(e)~~(f) The allegations are of harm or threatened harm to a child who resides on federal property such as an Indian reservation or military base (unless there is an agreement with the appropriate authorities to surrender jurisdiction to the ~~D~~department).

~~(75) “Non-judicial case” means the the children have been determined to be unsafe, a safety plan is required and the family has consented to services and supervision aimed at addressing the conditions that make the child unsafe.~~

~~(76)~~(87) “Non-relative” or “non-relative caregiver” means a ~~stepparent, prospective parent or any other person who does not meet the definition of a relative and who is not being paid as a licensed foster or shelter parent for purposes of caring for a child placed in his or her custody.~~

~~(77)~~(88) “On-Site Visit” means a face-to-face visit by a child welfare professional with the child or other subjects of the report at their reported location, and any other face-to-face visits conducted at sites other than the child welfare professional’s CPI or Services Worker office location locations.

~~(a) For all child protective investigations, an on site visit refers to a visit by the Child Protective Investigator (CPI), or his or her counterpart in another state, to the child victim’s location, in order to attempt a face to face contact with the child. The purpose of the face to face contact is to address the alleged maltreatment allegations and assess for, and ensure, the child’s safety. The date and time that the face to face contact is completed, as defined, is referred to in the Statewide Automated Child Welfare Information System as the “victim seen” date and time.~~

~~(b) For the purpose of an institutional report, an on site visit refers to a face-to-face contact by the Child Protective Investigator (CPI), or his or her counterpart in another state, with the child victim at the institution or facility where the alleged abuse, neglect or abandonment occurred. If the child is no longer located at the institution or facility, the on site visit will occur where the child is located at the time the report is received.~~

~~(78) “Other Parent Home Assessment” means the assessment of a parent and the parent’s household prior to the child’s release or placement, in order to determine if the parent will be able to safely care for the child.~~

~~(79)~~(89) “Ordinary Medical Care and Treatment” means ordinary and necessary medical and dental examinations and treatments. Included in this definition are blood testing, preventive care including ordinary immunizations, tuberculin testing, and well-child care. ~~This does not include surgery, general anesthesia, provision of psychotropic medications, any invasive procedures or other extraordinary medical care and treatment as defined in this rule.~~

~~(80)~~(90) “Out-of-County Services” means supervision and/or services provided when case participants reside in multiple counties by a ~~Services Worker in a county other than the county where jurisdiction is located.~~

~~(81)~~(91) “Out-of-Home Care” means the placement of a child in licensed and non-licensed settings, arranged and supervised by the ~~D~~department or contracted service provider, outside of the home of the parent.

~~(82)~~(92) “Out-of-Town Inquiry (OTI)” means a ~~one time, non-recurring~~ request for assistance that originates from intrastate, interstate or authorized international sources. ~~Requests for assistance may include but are not limited to activities that are part of abuse, neglect or abandonment investigations, intrastate home studies and criminal,~~

~~delinquency and abuse/neglect history checks relating to relative and non relative out of county placements.~~

~~(93) "Owner" means the person or corporation who is licensed to operate the child placing agency, family foster home, or residential child caring agency.~~

~~(83) "Partnership Plan" means a written agreement between licensed out-of-home caregivers and the supervising agency representative that specifies each party's duties and responsibilities to children served and to the Department and/or child-placing agency.~~

~~(84) "Patently Unfounded" means incidents reported in good-faith to the Hotline which, after initial contact with participants, are subsequently determined to have no basis in fact as demonstrated by readily observable and corroborated information. This is not the presence of evidence to refute or the absence of evidence to support the maltreatment, but rather the presence of evidence in direct contrast to what was reported.~~

~~(85)(94) "Permanency" means achieving a permanent home for a child through reunification, adoption, guardianship, placement with a fit and willing long-term custodian (to a relative or non relative), or another planned permanent living arrangement.~~

~~(95) "Permanency Goal" means the case plan goal that is established to ensure the child will receive a permanent, safe and stable setting to grow up in. The permanency goals are reunification, adoption, permanent guardianship of a dependent child, placement with a fit and willing relative or another planned permanent living arrangement.~~

~~(86)(96) "Permanency Hearing" means a judicial review hearing conducted pursuant to Section 39.621(4), F.S. designed to reach a decision about the goal of the case and the permanent living arrangement for a child with a family. The permanency hearing shall occur no later than 12 months after the date the child was removed from his or her home; subsequent permanency hearings will occur at least every 12 months thereafter, or earlier as set by the court, as long as a child remains in an out of home care setting and is being supervised by a contracted service provider.~~

~~(97) "Permanency Plan" means the judicially recognized arrangement to establish the placement intended to continue until the child reaches the age of majority and is not disturbed absent a finding by the court that the circumstances of the permanency placement are no longer in the best interests of the child.~~

~~(87)(98) "Permanency Staffing" means refers to a case review meeting prior to each permanency hearing for the purpose of permanency goal planning for a child. The permanency staffings are to assess progress and barriers toward the achievement of the permanency plan; document reasonable efforts to finalize the permanency plan; determine~~

~~if there are any case plan changes necessary; and develop recommendations for the next judicial review.~~

~~(88)(99) "Personal Profile" means the documents from foster parent MAPP training that provide the participant's personal history and are considered in assessing his or her suitability as a licensed out-of-home caregiver.~~

~~(89)(100) "Placement" means the supervised placement of a child in a setting outside the child's own home.~~

~~(90)(101) "Placement for Adoption" or "To Place for Adoption" means "placement" as defined in subsection 65C-16.001(24)(23), F.A.C.~~

~~(91)(102) "Post-Placement Supervision" means services provided to children and families upon reunification, which aim to support and preserve the family unit during the transition period.~~

~~(92)(103) "Primarily Lives and Works Outside of Florida" means anyone who does not meet the definition of "primary residence and place of employment in Florida."~~

~~(93)(104) "Primary Residence and Place of Employment in Florida" means a person who lives and works in Florida this state at least six (6) months of the year and intends to do so for the foreseeable future or military personnel who designate Florida as their place of residence in accordance with the Servicemembers Civil Relief Act, 50 U.S.C. App. §§501-597b Soldiers' and Sailors' Civil Relief Act of 1940.~~

~~(105) "Primary Worker" means the Services Worker in the county of jurisdiction who has primary responsibility for the following cases involving multiple jurisdictions:~~

~~(a) An ongoing services case, whether voluntary or court ordered, involving a child and/or a family that has relocated from one county in Florida to another and is being supervised by a Services Worker in a county other than the county of jurisdiction. It is the Services Worker from the "sending county" who is also the worker from the "county of jurisdiction" and the "primary worker";~~

~~(b) An ongoing services case involving a child and/or a family that has relocated to Florida through the Interstate Compact on the Placement of Children (ICPC) from another member state; and~~

~~(c) Children who have relocated to Florida from a U.S. territory or a foreign country which are not members of the Interstate Compact on the Placement of Children.~~

~~(94)(106) "Psychotropic Medication" means any medication prescribed with the primary intent to stabilize or improve mood, mental status, behavioral symptomatology, or mental illness.~~

~~(107) "Qualified Evaluator" means a psychiatrist or a psychologist licensed in Florida with at least three years experience in the diagnosis and treatment of serious emotional disturbances in children as set forth in Section 39.407(5)(b), F.S.~~

~~(95)(88)~~ “Reasonable Effort to Locate” means that the overall efforts of a child protective investigative unit have been sufficiently thorough to allow for case closure despite the inability to locate the family within 60 sixty days of receipt of the report. Reasonable efforts to locate include, ~~but are not limited to,~~ contacts to locate the child through the school system, Economic Self Sufficiency records, additional contacts with the reporter or others named in the report, and telephone or city directory checks.

~~(96)(109)~~ “Receiving County” means the county to which a child or family is relocating or has relocated while supervision and services continue.

~~(97)(110)~~ “Receiving Unit” means the staff in a child protective investigations unit to which a request for an out-of-town inquiry (OTI) or a report transfer is made.

~~(98)~~ “Region” means a geographical area through which the Department and community-based care providers plan and administer their programs.

~~(111) “Red Flag Case Review” means a decision making process at critical junctures during the life of a case. It involves an expanded review process that includes all staff who have managed the case and persons external to the department, contracted service providers and Sheriff’s offices who have information pertinent to the decision being made. These persons can include relatives, service providers, schools, medical personnel and the family.~~

~~(112) “Red Flag Screening” means an internal staffing to determine whether or not a case shall be designated for Red Flag Case Review. This staffing, which occurs during the assessment and definition stage of the case, includes the Protective Investigator, the supervisor, other staff indicated by the current case manager required by the departmental district/region or zone, contracted service provider or Sheriff’s office, and a district operational administrator.~~

~~(99)(113)~~ “Relative” or “Relative Caregiver” means a person who meets the definition of a relative as set forth in Section 39.5085(2)(a)1-3, F.S. and who is not being paid as a licensed foster or shelter parent for purposes of caring for a child in his or her custody.

~~(100)(114)~~ “Relative Caregiver Program (RCP)” means a program defined in Section 39.5085(2), F.S., and includes non-relative caregiver financial assistance that provides a monthly payment to a non licensed relative caregiver who is caring full time for an eligible dependent child in accordance with Section 39.5085(2), F.S.

~~(115) “Release” means a child is put in the physical custody of a parent in accordance with Section 39.401(3), F.S., or with Section 39.521(1)(b)3., F.S.~~

~~(101)(116)~~ “Removal Episode” means the entire period of time a child is in out-of-home care, beginning with the child’s removal from his or her primary residence and ending ends

when permanency is achieved, the child becomes 18 eighteen years old, the child is emancipated by marriage or a court order, or the child dies. A new removal episode begins with each reentry into care.

~~(102)(117)~~ “Report” or “Hotline Report” means the document created from an allegation to the Florida Abuse Hotline alleging knowledge or a suspicion that a child has been abused, neglected, or abandoned by a parent, guardian, adult household member or other person responsible for a child’s welfare.

~~(103)(118)~~ “Residential Treatment Center” means “Residential treatment center for children and adolescents” as defined set forth in Section 394.67, F.S.

~~(104)(119)~~ “Respite Care” means the temporary, (over 24 twenty four hours) intermittent care of a foster child by an individual other than the child’s out-of-home caregiver, regardless of whether the respite provider is paid by the lead agency.

~~(105)(120)~~ “Reunification” means the safe return of a child to the child’s home with an in-home safety plan, who has been placed in out of home care to his or her parent as described in “reunification services” in Section 39.01, F.S.

~~(106)(121)~~ “Safe Safety” means the absence of danger threats to a child status of a child relative to danger of imminent or serious.

~~(122) “Safety Assessment” means a decision making and documentation process conducted in response to a child abuse and/or neglect report or any other instances in which safety needs to be assessed throughout the life of an active investigation or ongoing services case to help evaluate safety threats, present danger, child vulnerability, family protective capacities and to determine the safety response or safety plan.~~

~~(a) Safety assessment, within the context of an ongoing services case, involves the evaluation of emerging danger that evaluates potential safety threats and likelihood of serious harm before they become immediate, serious and pose a present danger. It also includes an assessment of the underlying conditions and contributing factors and their future likelihood to re-emerge as present danger.~~

~~(b) The identification of the underlying conditions and contributing factors lead to effective case planning.~~

~~(107)(100)~~ “Safety Plan” means the specific course of actions deemed action that is determined necessary for the lead agency to protect a child when a parent is unavailable, unable or unwilling to protect the child. The safety plan shall be implemented immediately when a parent’s protective capacities are not sufficient to manage danger, to control threats of serious harm or supplementing a family’s protective capacities, implemented immediately when a family’s protective capacities are not sufficient to manage immediate or serious harm threats. The safety plan is jointly developed by a

~~child welfare professional CPI and/or a services worker and the family. The plan may include, but is not limited to, interventions aimed at reducing the serious threat of harm or sign of present danger, decreasing the child vulnerability and/or strengthening the family's protective capacities. The safety plan shall:~~

~~(a) Be in response to present or impending danger;~~

~~(b) Be based upon specific danger threat(s) and diminished protective capacities;~~

~~(c) Use the least intrusive means appropriate; and~~

~~(d) Remain in effect as long as a case remains open with a case plan goal of "strengthen and maintain" or "reunifications" and parents do not have the protective capacity necessary to protect the child from identified danger threats.~~

~~(a) Be agreed upon by the child's parent or other legal custodian and the CPI or services worker;~~

~~(b) Be signed by the parents or other legal custodian and CPI or services worker;~~

~~(c) Contain specific tasks to be performed by the family or caretaker of the child and the CPI or services worker;~~

~~(d) Be documented in the investigative and case files; and~~

~~(e) Address both immediate and long term protection planning.~~

~~(108) "Safety Management Services" means services that will manage or control the condition that is making a child unsafe.~~

~~(109)(124) "Second Party Review Tier Consultation" means a consultative process in which additional guidance and feedback related to an open child protective investigation is received from a manager. an administrative review of the automated assessment tool and investigative file, performed by a higher level staff person than the investigator's immediate supervisor, necessitated by high risk and safety factors as indicated in the automated assessment tool. The purpose of the review is to examine the decisions of the supervisor and either validate the supervisor's recommended course of action or determine the need for alternative or additional action by either the supervisor or CPI.~~

~~(110)(125) "Sending County" means the county of jurisdiction that makes a request for supervision or continuation of non-judicial voluntary supervision to a receiving county when a child or family receiving services is relocating or has relocated to another county.~~

~~(111)(126) "Sending Unit" means the staff in a child protective investigations unit initiating a request for an out-of-town inquiry (OTI) or an investigation a report transfer to another unit.~~

~~(128) "Sexually Reactive Child" means a child who, as a consequence of having been sexually abused, may be sexually preoccupied, or engaging in identified sexualized behaviors~~

~~with or without a defined pattern, and thereby demonstrates some level of risk to others.~~

~~(112)(129) "Shelter Status" means the legal status that begins when the child is taken into protective custody of the Ddepartment and ceases when the court grants custody to a parent, or, after disposition of the petition for dependency, the court orders the child released to a parent or placed in the temporary custody of the Ddepartment, a relative, or a non-relative.~~

~~(130) "Siblings" mean children who share at least one parent.~~

~~(131) "Single Point of Access (SPOA)" means the person or entity designated by the local Children's Mental Health program office as the primary point of contact within a specific geographic area to assist the Services Worker in accessing behavioral health services for children in the care or custody of the department.~~

~~(113) "Significant Caregiver Responsibility" means that the specific adult household member has taken responsibility for major caregiving duties.~~

~~(114)(132) "Special Condition Referrals" means requests brought to the attention of the Ddepartment that require a response by the Ddepartment, or the investigating sheriff, or lead agency. These requests do not constitute willful abuse, neglect, or abandonment, but they may result in additional allegations of maltreatment and/or the need to shelter a child upon response.~~

~~These include the following situations when the caregiver:~~

~~(a) When the caregiver hHas been or is about to be incarcerated and plans must be made for the child's immediate care;~~

~~(b) When the caregiver hHas been or is about to be hospitalized and plans must be made for the child's immediate care;~~

~~(c) When the caregiver hHas died and plans must be made for the child's immediate care; or~~

~~(d) When the caregiver iIs having difficulty caring for a child to the degree that it appears very likely that without intervention, abuse, neglect, or abandonment will occur;~~

~~(e) Foster care referrals; or~~

~~(f) Reports of child on child abuse.~~

~~(133) "Specialized Therapeutic Foster Care" means intensive mental health treatment provided in specially recruited foster homes. The program is designed to provide the supervision and intensity of programming required to support children with moderate to severe emotional or behavioral problems and to avoid the need for admission to an inpatient psychiatric hospital or residential treatment center.~~

~~(115)(134) "Statewide Automated Child Welfare Information System (SACWIS)" (i.e., Florida Safe Families Network (FSFN) HomeSafenet), means the Ddepartment's~~

~~comprehensive, statewide automated case tool that supports child welfare practice. A SACWIS holds the state's official case file for all children and families served, system containing all reports, investigations, special conditions referrals, child on child sexual abuse reports and related child safety assessments and safety actions or plans and cases regarding child abuse, neglect or abandonment and pertinent information regarding all activities involved in investigative and some case management functions, including the Child's Resource Record. The SACWIS is the state's primary record for each investigation and case and all documentation requirements of the system shall be met.~~

~~(116)(135) "Subject of a Report" means any person named in an abuse, neglect or abandonment report.~~

~~(136) "Subsidized Independent Living" means a living arrangement that allows a child in foster care, who has reached 16 years of age but is not yet 18 years of age, to live independently of the daily care and supervision of an adult in a setting that is not required to be licensed under Section 409.175, F.S.~~

~~(137) "Substantial Compliance" or "Substantially Complied" means that the circumstances which caused the creation of the case plan have been significantly remedied to the extent that the well being and safety of the child will not be endangered upon the child's remaining with or being returned to the child's parent.~~

~~(117)(138) "Suitable" or "Suitability" for residential treatment means a determination by a Qualified Evaluator that a child with an emotional disturbance as defined in Section 394.492(5), F.S., or a serious emotional disturbance or mental illness as defined in Section 394.492(6), F.S., meets each of the statutory criteria for placement in a residential treatment center.~~

~~(118) "Supervision" means responsibility for managing a safety plan and a case plan to ensure enhancement of diminished protective capacities and/or permanency for unsafe children.~~

~~(119)(139) "Supervising Agency" means any licensed child-placing agency that oversees and supports a family foster home and assists applicants in the licensing process.~~

~~(120)(140) "Supplemental Report" means a report, whether by the same or another reporter, pertaining to the same incident ~~as that~~ currently under investigation, which involves the same subjects and same alleged maltreatments, but improves upon what is already known, such as providing a better address, corrected spelling of names, or other collateral contacts. These reports do not always require additional investigative activity, however upon review may warrant action.~~

~~(141) "Surrogate Parent" refers to surrogate parents as defined in Rule 6A 6.0333, F.A.C. A surrogate parent is an~~

~~individual appointed to act in the place of a parent in safeguarding a child's right in the special education decision-making process. A surrogate parent is appointed by the district school superintendent in the school district where the child resides, or for children served in a special program made available through a contract from the Department of Education shall be appointed by the individual specified in the contract.~~

~~(142) "Temporary Cash Assistance Program (TCA)" refers to the public assistance program under Rule 65A 1.203, F.A.C.~~

~~(143) "Termination Summary" means a written document that explains the reason for agency involvement, progress toward problem resolution, risk reduction, and the rationale for recommending case closure.~~

~~(121)(144) "Therapeutic Foster Care" means a program that provides mental health services for children with emotional and behavioral disturbances living in a family foster home. Each home is managed by trained foster parents who provide specialized care for children needing a therapeutic setting. The child and family receive support services as necessary.~~

~~(122)(145) "Threatened Harm" means a behavior that is not accidental, and which is likely to result in harm to the child.~~

~~(123)(146) "Tribal Agreement" means a formal written agreement between the Department and a federally recognized American Indian tribe that guides interaction between the Department and the tribe in matters pertaining to child welfare, including child protective investigations and proceedings involving American Indian and Alaskan Native children in state courts.~~

~~(124) "Unified Home Study" means an assessment of a potential caregiver residing in Florida to determine if he or she is responsible and capable of providing a physically safe environment and a stable, supportive home for children under his or her care and that he or she will be able to meet the children's well-being needs.~~

~~(125)(147) "Voluntary Licensed Placement" means placement of a child in licensed out-of-home care when a parent or legal guardian requests the assistance of the Department or contracted service provider in planning for the temporary care and supervision of a child.~~

~~(148) "Voluntary Protective Services (VPS)" means the family has consented to accept services and supervision aimed at stabilizing the family, with the understanding that court action may be taken if the family fails to cooperate in fulfilling the requirements of the voluntary case plan.~~

~~(149) "Waiver" means a documented approval, prior to placement, that authorizes exceptions to the licensed capacity and the total number of children or infants to be cared for in a family foster home.~~

(126) "Well-Being" means a child's emotional, developmental, educational, social, physical and mental health needs.

Rulemaking Specific Authority 39.012, 39.0121(3), (6), (7), (12), (13), 39.407(1), 39.5085(2)(a), (d), 63.233, 394.4781(3)(c), 409.175(5), 409.401, FS. Law Implemented 39.001, 39.01, 39.012, 39.401(3), 39.407, 39.5085, 39.521, 39.601, 39.701, 63.167, 394.9082, 409.145(1), 409.165(1), 409.401, 409.175 FS. History—New 5-4-06, Amended

65C-30.002 Safety Planning Early Service Intervention and Case Transfer.

(1) Prior to case transfer, the child protection investigator (CPI) is responsible for development, management and modification of safety plans; after case transfer the case manager is responsible for safety management, including safety plan modifications. The CPI will have access to an array of formal safety management services available through the lead agency. An Early Service Intervention (ESI) staffing shall, whenever possible, be held within 72 hours after the need for services is identified by the Child Protective Investigator (CPI) and his or her supervisor or, if weekly ESI staffings are held, during the next scheduled weekly staffing following the identification of the need for services. Identifying a need for services might occur at any point while the report is being investigated and is documented through the referral for the ESI staffing.

(2)(a) A safety analysis will be completed or updated to ensure that an in-home safety plan will be developed in response to impending danger when all of the following conditions are met: is adequate to manage the identified danger threats.

(a) The parents/legal guardians are willing for an in-home safety plan to be developed and implemented and have agreed to cooperate with all identified safety service providers;

(b) The home environment is calm and consistent enough for an in-home safety plan to be implemented and for safety service providers to be in the home safely;

(c) Safety services are available in order to manage the impending danger that is manifested in the home;

(d) The results of scheduled professional evaluations are not necessary for purposes of safety planning; and

(e) The parents/legal guardians have a physical location in which to implement an in-home safety plan.

(3) The child welfare professional responsible for the safety plan must determine that any informal provider, including relatives or a parent not in the home, is capable of, and has committed to, implementing his or her role in the safety plan.

(a) The child welfare professional responsible shall ensure that child abuse and criminal history checks are completed on all informal providers.

(b) When an out-of-home plan is initiated, the child welfare professional must complete face-to-face contacts with the child and caregiver at least once every seven (7) calendar days.

(4)(b) When an out-of-home a safety plan for impending danger is initiated, involves a family arrangement or placement of a child, the conditions for return and visitation with the parent will be established.

(a) The child welfare professional responsible for the case shall determine the child's supervision and care needs pursuant to 65C-28.004, F.A.C., to ensure that the child is placed with a responsible adult who can meet the child's needs.

(b) The child welfare professional responsible for the case shall complete:

1. An Other Parent Home Assessment if releasing or placing the child with a parent; or

2. The Unified Home Study functionality in FSFN if placing the child with a relative or non-relative caregiver.

(5) Once the investigation and family functioning assessment have been completed, the CPI shall schedule a case transfer conference at which time a case manager will assume responsibility for ongoing safety and case management.

(a) The CPI or cChild pProtective iInvestigator sSupervisor (CPIIS) shall present the case to the lead agency or its designee at the case transfer conference ESI staffing. In all cases involving an American Indian or Alaskan Native child in which the potential

outcome is a dependency action, the parent(s) or Indian Custodian and the child's tribe shall be notified of the staffing and encouraged to participate.

(b) The case transfer conference ESI staffing shall:

1. Address the identification of danger threats, caregiver protective capacities and child vulnerability, including assessment information provided by the Child Protection Team needed services so services can be accessed timely;

2. Share all critical information on the family, including the parent's or legal guardian's level of cooperation in complying with safety actions as part of a lead agency managed safety plan Identify needed up front services to maximize opportunities for success of the services and treatment plan for the child and family;

3. Promote family preservation and prevent unnecessary placement in out-of-home care;

34. If a child has been removed from the home by the Department or voluntarily placed outside the family home by a parent as a part of a family made arrangement, discuss the conditions for return related to the reasons for removal; and Identify and document the roles and responsibilities of involved staff;

~~45. Ensure a smooth transition from one component of the child protection/child welfare system to another.; and~~

~~6. Provide a mechanism for sharing information gathered by one component of the child protection/child welfare system with the other component(s).~~

~~(e) Participants at the ESI staffing shall sign the agreements on the roles and responsibilities of the staff and providers involved in the case. Responsibility for the completion of the pre-disposition study is determined at the local level and during the ESI staffing. Copies of agreements shall be made for all parties to the case and the original signed agreement shall be maintained in the child's case file.~~

~~(c)(d) At the case transfer ESI staffing, the CPI shall ensure that the child's FSFN case file provides provide:~~

~~1. An Up-to-date investigative activities automated investigative file including chronological notes;~~

~~2. A completed family functioning child safety assessment containing sufficient, reconciled and corroborated assessment information. Sufficient means enough information has been gathered to support the identification of danger threats, caregiver protective capacities, and child vulnerability for each child, including any other child related assessments;~~

~~3. The name and location of child's school and/or child care provider, if available;~~

~~4. The nName and location of child's medical provider(s) and any health or medical information, if available;~~

~~5. Any documented diligent efforts to identify and locate all relatives of the child, to include parents of siblings. The results of diligent search efforts, i.e., the identification of potential relative or non relative placement resources and, if removal of the child was necessary, an explanation of all efforts made to place the child with a relative or non relative;~~

~~6. The child's date and location of birth if the child is under court ordered supervision, if available;~~

~~7. A photograph of the child who that was removed or will be placed under court ordered supervision, if available;~~

~~8. Fingerprints of the child placed in out-of-home care, if available;~~

~~9. The status of the inquiry into whether the child may have Native American heritage;~~

~~10. The results of criminal, delinquency and abuse/neglect history checks performed on a relative or non-relative caregiver;~~

~~11. Any court or other documents related to shelter; and~~

~~12. Any recommendations for expedited up front services;~~

~~13. Evidence of establishment of the case in the department's statewide automated child welfare information system; and~~

1214. Any other documentation or actions agreed upon between the Department staff or sheriff's office performing the investigation and the contracted service provider.

(d) Once the case transfer conference has been completed, full responsibility for the case by the case management provider will begin, including monitoring or modifying the safety plan.

(e) In Non Judicial cases, the case manager shall seek court supervision of a case if the parent(s) are not demonstrating efforts to achieve case plan outcomes that address the child's need for safety or if a higher level of intrusiveness is required to manage child safety.

(e) After the ESI staffing, the CPI shall continue to:

1. Complete the remaining investigative tasks;

2. Assist the Child Welfare Legal Services (CWLS) attorney with filing of the shelter and dependency petitions and provide witness testimony;

3. Provide CWLS with information regarding the child's immigration status to determine whether the Department or contracted services provider will need to pursue Special Immigrant Juvenile Status (SIJS) for the child, and whether an early evaluation of the long term likelihood of reunification is a viable option. See subsection 65C 30.007(17), F.A.C., for actions required to establish a child's SIJS;

4. Provide CWLS with information regarding the possibility of Native American heritage so that an evaluation can be made as to whether or not the Indian Child Welfare Act is triggered;

5. Complete all referrals to the Child Protection Team (CPT), provide Services Worker with CPT findings, and forward all other written information that is pertinent to the child protection process;

6. Provide written documentation for completion of identified sections of the pre disposition study;

7. Attend court hearings to provide testimony regarding the case; and

8. Perform any tasks mutually agreed upon during the ESI staffing.

(f) There shall be no discrimination against a child based on the child's immigration status.

(g) After the ESI staffing, the Services Worker shall:

1. Provide or arrange for expedited up front services, such as family preservation services, visitation and/or medical care;

2. Review all assessments provided by the CPI;

3. Conduct or refer for additional assessment(s);

4. Obtain a Comprehensive Behavioral Health Assessment and a health check up for a child who enters out of home care, unless already completed by the CPI per local agreements;

~~5. Engage family in development of case plan, document efforts to mutually negotiate activities and tasks contained in the plan and make all indicated referrals and implement the tasks as scheduled;~~

~~6. Identify alternative sources or funding for medical, dental, vision and psychological services for the child, if the child does not have legal immigration status;~~

~~7. As requested, coordinate with the CPI regarding the compiling and submission of the pre-disposition study; 8. Participate in all court hearings; and~~

~~9. Provide new information known to the Services Worker that may assist the CPI in updating the automated assessment tool.~~

~~(h) The Services Worker shall schedule subsequent staffings or meetings, as necessary, to obtain information not available at previous meetings.~~

~~(2) Case Transfer.~~

~~(a) When a change in contracted service providers is needed within or between districts/regions or zones, a case transfer staffing shall be scheduled.~~

~~1. The referring Services Worker shall arrange the transfer staffing with the staff in the receiving county, provide detailed information about the case, and document the transfer staffing in the case file.~~

~~2. The referring Services Worker shall retain responsibility for the case until the transfer is documented in the child's case file.~~

~~(b) For requirements relating to transfers of supervisory responsibility to another county, see Out of County Services, Rule 65C-30.018, F.A.C.~~

~~Rulemaking Specific Authority 39.012, 39.0121(12), (13), 39.5075(8), FS. Law Implemented 39.402(7), (15), 39.5075, 39.4085(7), (12), (13), (14), 39.521(1)(b)1., 3., (d)4., 39.522(1) FS. History--New 5-4-06, Amended.~~

#### 65C-30.003 Diligent Search.

~~(1) Within 30 calendar days of the removal of When a child is removed from the physical custody of his or her parent or guardian, the cChild pProtective iInvestigator (CPI) shall initiate a diligent search to identify and locate any absent parent. An affidavit of diligent search shall be included in the predisposition report. Diligent search efforts shall continue until released by the court.~~

~~(a) If the child remains in out-of-home care following closure of an investigation by a CPI, the case manager Services Worker shall continue diligent search activities until released by the court.~~

~~(b) In addition, tThe CPI shall also initiate and the case manager shall continue diligent efforts to locate and provide notice to the following relatives: all adult grandparents, all parents of a sibling of the child, where such parent has legal custody of such sibling, and other adult relatives of the child~~

~~(including any other adult relatives suggested by the parents), in accordance with 42 U.S.C §671(a)(29) (2014). an adult relative, legal custodian or other appropriate adult willing and able to care for the child. After an initial search has been deemed sufficient by the CPI supervisor, these activities are no longer required. A description of the efforts made to locate the child's relatives or prospective placement resource shall determine whether diligent efforts were made.~~

~~(2) When a dependency petition is filed with the court for the purpose of seeking in home court ordered supervision, the CPI shall initiate a diligent search to identify and locate any absent parent.~~

~~(3) When a child is under court ordered in home supervision, the Services Worker shall initiate diligent efforts to identify and locate any relatives who would be willing and able to care for the child in the event that the in home supervision arrangement fails.~~

~~(4) When a child is placed in out-of-home care, for the purpose of concurrent planning, the Services Worker shall initiate or continue diligent efforts to identify and locate any relatives who would be willing and able to care for the child.~~

~~(5) The diligent search shall include, at a minimum, all inquiries required in Sections 39.502(8), (9) and 39.503(5), (6), F.S.~~

~~(2)(6) Other Diligent Search Activities.~~

~~(a) When a child is in an out-of-home placement with a relative or non-relative and the placement disrupts, the child welfare professional Services Worker shall make diligent efforts to locate an adult relative, legal custodian or other appropriate adult willing and able to care for the child. After an initial search has been deemed sufficient by the Services Worker Supervisor, these activities are no longer required. An affidavit of diligent search must be included in the predisposition report. A description of the efforts made to locate the child's relatives or prospective placement resource shall determine whether diligent efforts were made.~~

~~(b) When the diligent search involves an American Indian or Alaskan Native child, documentation of written correspondence with the child's tribe and to the Secretary of the Interior through the Eastern Regional Office of the Bureau of Indian Affairs shall be included documented in the case file by the case manager Services Worker and included in the court record.~~

~~(c) When the diligent search involves a child adjudicated dependent who is not a U.S. citizen or does not have legal residency status and has been removed from his or her parents or who is an unaccompanied minor, the Services Worker shall take actions specified in subsection 65C-30.007(17), F.A.C., to ensure that all requirements of Section 39.5075, F.S. are met. This assists in determining whether there is a parent or other relatives in the child's country of origin who should be~~

~~considered as a placement option. This information shall be documented in the case file and included in the court record.~~

~~Rulemaking Specific Authority 39.012, 39.0121(12), (13), 39.5075(8) FS. Law Implemented 39.01(22), 39.502(8), (9), (10), 39.503(5), (6), (7), (8), 39.5075, 39.521(1)(d)8.a., b. FS. History—New 5-4-06. Amended \_\_\_\_\_~~

65C-30.004 Identification of Children.

(1) Photographing of Children.

(a) Children to be photographed:

1. All children under court ordered ~~in-home~~ supervision in-home shall be photographed within 15 fifteen days after the case has been staffed and transferred ~~to a service unit.~~

2. All children placed in out-of-home care shall be photographed within 72 seventy-two hours of the beginning of a removal episode.

3. Upon return to care, any child who has been on runaway status shall have his or her photograph taken immediately. ~~The exception to this requirement is when concerns a child's appearance has not significantly changed since a prior photograph was taken.~~

4. ~~All children and sibling groups available for adoption who are required to be registered on the Adoption Exchange System.~~

(b) The child's identity shall be verified by the child welfare professional ~~Child Protective Investigator, Services Worker,~~ or other staff person familiar with the child. The photograph and identifying information shall be maintained in FSFN the statewide photo database.

(c) Photographs shall be updated as follows:

1. For children under the age of five (5) years ~~fifty-nine months or less of age,~~ every six (6) months; and

2. For all other children, annually.

(2) Fingerprinting of Children.

(a) The fingerprints of each child age three (3) years or older who is placed in out-of-home care shall be obtained within 15 fifteen days after initial placement. The record of the fingerprints shall be maintained in the child's case file. If the child is under age three (3), a means of obtaining the child's footprints shall be explored.

(b) Fingerprints are not required for children under ~~in-home~~ supervision in-home.

(c) These fingerprints shall be used only to identify a child who is ~~has gone~~ missing.

(3) Birth Verification of Children.

(a) A copy of a birth certificate or birth verification shall be obtained for each child ~~All children~~ under court ordered in-home supervision ~~shall have documentation of birth verification of the child's birth~~ within 15 fifteen days after the case transfer conference ~~has been staffed and transferred to a services unit.~~

(b) A copy of a birth certificate or birth verification shall be obtained for each child ~~All children~~ entering out-of-home care ~~shall have documentation of verification of the child's birth~~ within 15 fifteen days of ~~from~~ initial placement. ~~Refer to paragraph 65C-30.004(3)(c), F.A.C., for children born out of state or out of country.~~

(c) For children born out-of-state or out-of-country, verification of the child's birth shall be requested within 15 fifteen days from initial placement and documented in the case file. Refer to subsection 65C-30.007(11) ~~(17)~~, F.A.C., regarding the necessary actions when it is determined that a child was born in another country and has not established legal alien status.

(4) ~~Identifying Information in Adoption Records.~~

(a) At the time of adoption finalization, it is the responsibility of the case manager ~~Services Worker~~ to coordinate with the adoptive parents to determine whether the child will have a new Social Security Number (SSN) or retain ~~be retaining~~ the same SSN after adoption. ~~To avoid variations in practice for handling the problem, one of the two following alternatives shall be used, as appropriate:~~

1. ~~Child Retains the Old SSN. If the child will retain the same SSN after adoption, the client demographic record associated with the child during adoptive placement in the Statewide Automated Child Welfare Information System (SACWIS) or in the Client Information System (CIS) and the Interim Child Welfare Services Information System (ICWSIS) shall have an additional client identification number (ID) of a pseudo identification number (initials of child's birth name and date of birth). The child's birth name shall remain in this demographic record and this pseudo ID shall be recorded as an additional ICWSIS ID type for the child in SACWIS. The Services Worker is responsible for recording the pseudo ID as an additional ICWSIS ID type before the case is closed at the time of finalization. The old SSN shall remain associated with the SACWIS record. All adoption subsidy payments after finalization shall continue to be recorded in ICWSIS under the pseudo ID. No split of demographics is necessary for purposes of making subsidy payments. New services that are provided and recorded in SACWIS (e.g., new abuse report in the adoptive home or provision of post adoption services), CIS (e.g., ongoing Children's Medical Services), and/or in ICWSIS after adoption finalization shall be associated with a new demographic record with the child's adoptive name and with the SSN as the client identification number. In no case shall the pre- and post-adoptive names both appear on the same SACWIS record.~~

2. ~~Child Receives a New SSN. If the child will receive a new SSN after adoption, the old SSN shall be left in the SACWIS, CIS and ICWSIS records during the adoptive placement with the child's birth name and shall continue to be~~

~~used to record ongoing subsidy payments in ICWSIS. New services shall be recorded under a new demographic record with the new SSN and the child's adoptive name (though a pseudo client identification number may be used after the adoption finalization while the new SSN is being obtained, and updated to the new SSN as soon as it is received).~~

~~(b) If the child is receiving public assistance or Medicaid, the Services Worker shall notify Economic Self Sufficiency about the new SSN.~~

~~Rulemaking Specific Authority 39.012, 39.0121(3), (13), 39.5075(8), 63.233 63.202 FS. Law Implemented 39.4085(6), 39.5075, 63.162(2) FS. History--New 5-4-06. Amended~~

65C-30.005 Ongoing Family Functioning Assessment

(1) ~~The case manager Services Worker shall complete an ongoing initial family functioning assessment within 30 calendar fifteen working days following the case transfer ESI staffing.~~

~~(a) The progress update ongoing family assessment shall be updated completed at least every three (3) six months or at critical junctures until termination of services.~~

~~(b) Ongoing family functioning assessments and progress updates will be documented using FSFN functionality.~~

(2) ~~The ongoing family functioning assessment involves the case manager Services Worker and the family in a joint effort to identify and analyze the family strengths and resources, child well-being, as well as the contributing factors and underlying conditions that contribute to the child's safety and risk of maltreatment. The ongoing family functioning assessment should include information from the Initial Health Care Assessment and Comprehensive Behavioral Health Assessment.~~

~~(3) The initial family assessment shall include:~~

~~(a) A risk assessment analysis;~~

~~(b) A determination as to whether the child is able to currently live safely in the current home or placement;~~

~~(c) A determination of the family's ability to provide a permanent and stable home;~~

~~(d) A determination of the changes, if any, the family must make to provide a safe home for the child;~~

~~(e) An assessment of the needs of the family that hinder provision of a safe and stable home; and~~

~~(f) An identification of the family's unique resources, strengths and protective capacities that will contribute to improving the child's and family's well-being.~~

~~(4) The six month family assessment shall include a summary of casework activities during the past six months that addresses:~~

~~(a) Any changes that have occurred in family conditions or circumstances;~~

~~(b) All factors affecting family strengths or protective capacities;~~

~~(c) Identified risks to the child;~~

~~(d) Signs of emerging danger;~~

~~(e) Case plan goals that have been met and are remaining; and~~

~~(f) Services that are needed to meet case plan goals.~~

~~(5) The Judicial Review Social Study Report (JRSSR) shall make reference to the six month family assessment.~~

~~Rulemaking Specific Authority 39.012, 409.145(5) (6) FS. Law Implemented 39.01, 409.145(1), (2), 827.04 FS. History--New 5-4-06. Amended~~

65C-30.006 Case Planning.

(1) ~~Each child under Department or contracted service provider's supervision shall have a case plan developed and documented using the case plan functionality in FSFN using the Ongoing Family Functioning Assessment to guide case plane outcomes. The case file shall contain copies of all case plans.~~

~~(2) The case manager shall seek court supervision of a case when the parent(s) are not demonstrating efforts to achieve case plan outcomes that address the child's need for safety.~~

~~(a) At a minimum, the case plan document shall meet the requirements of Section 39.601, F.S.; 42 USC § 675(1) and 42 USC § 675(5)(b). The case plan shall address services provided to address the contributing factors and underlying conditions that lead to maltreatment, to ensure the safety, permanency and well being of each child. Tasks shall be incremental and individualized action steps toward the achievement of measurable outcomes. Tasks shall specify the nature, extent and timing of the services so the expectations for child, parent, and caregiver are clearly communicated.~~

~~(b) Principles of family team conferencing or other family inclusive case planning models shall be applied. These principles may include an individualized array of appropriate services; involvement of formal and informal family supports; full disclosure; building upon strengths while assessing needs; timely provision of services; and recognizing and respecting cultural differences and language barriers.~~

~~(c) Case plan development meetings shall begin as soon as possible in order to afford the parents adequate time to complete the required tasks that contribute to their child's permanency.~~

~~(d) Whenever a parent, child or guardian ad litem, if appointed, is not included in a case planning conference, the case plan shall document a valid reason for the exclusion. When a child does not participate in development of the initial case plan, the child, if of sufficient maturity, understanding, and experience to reliably engage in the planning process,~~

~~shall be given the opportunity to participate in all future case planning activities.~~

~~(e) The case plan shall be written simply and clearly in English and, if English is not the principal language of the parent or child, to the extent possible a copy of the case plan shall be prepared in the language of the parent or child.~~

~~(f) The case plan shall be negotiated with and signed by the child's parents, the Services Worker, the Services Worker's supervisor, and, if appointed, the guardian ad litem within thirty days of the Early Service Intervention (ESI) staffing. If there is no parent with intact parental rights, the child's legal custodian shall negotiate and sign the case plan.~~

~~(g) If the parent or legal custodian does not choose to participate in the development of the case plan, does not agree with the case plan, or refuses to sign the case plan, the department or contracted service provider shall comply with the provisions of Section 39.602, F.S.~~

~~(h) A paramour or other adult residing in the home shall be given the opportunity to voluntarily participate in case planning activities, when such participation is appropriate and does not endanger the child. If the paramour or other adult refuses to participate, the case plan shall specify the actions to be taken by the parent to protect the child.~~

~~(2) The ongoing assessment of the family provide a basis for the permanency goal and development of the case plan and amendments. All available evaluations and information regarding family members shall be considered when determining the family's strengths, safety and risk factors.~~

~~(3) When developing and updating the case plan, the Services Worker shall consider information provided in the:~~

~~(a) Automated assessment tool;~~

~~(b) Comprehensive Behavioral Health Assessment (CBHA);~~

~~(c) Independent living life skills assessments and any life skills plans which shall be incorporated into the overall case plan;~~

~~(d) Case planning conference summaries, such as Family Team Conferencing, Individual Course of Action or Family Group Decision Making;~~

~~(e) Court facilitation summaries;~~

~~(f) Available therapeutic treatment summaries;~~

~~(g) Child Health Check Up, medical and dental records;~~

~~(h) Family assessment;~~

~~(i) Educational assessments and educational records for the past two years, such as the Individual Educational Plans;~~

~~(j) Child Protection Team health services referrals; and~~

~~(k) Pre-disposition study.~~

~~(3)(4) Concurrent Case Planning.~~

~~(a) Every case involving a child in an out-of-home placement shall be evaluated to determine if concurrent case planning is appropriate. Determining the appropriateness of concurrent goals shall occur in the early stages of the case and concurrent case planning shall be performed if determined appropriate. In making these determinations, the child shall be involved depending on his or her age and developmental level. Also, information from others involved with the child shall be obtained, such as the child's therapist and school personnel. Medical, educational, emotional, developmental, and child safety issues shall be considered when making determinations regarding concurrent case planning.~~

~~(b) Concurrent case plans require early decision making and front loading of services. Front loading represents an effort to provide immediate, meaningful and individualized services with intensive follow up in order to make determinations as to the most appropriate permanency goal in a timely manner.~~

~~(c) When there are concurrent goals, the Services Worker shall ensure that the case plan includes services and tasks addressing both goals.~~

~~(d) The case plan shall provide participants a clear understanding of which services and tasks are related to each goal.~~

~~(e) When a case has concurrent goals, the participants shall be provided an explanation of the purpose of concurrent planning and how it impacts the case.~~

~~(f) The case plan, all updates, and attachments required by state and federal law shall be filed with the court and served on all parties. Examples of such documents are: medical and educational records, and quarterly accounting statements for Master Trust accounts.~~

~~(g) For children thirteen and over who are in an out-of-home placement, the case plan shall include a description of the independent living services regardless of the goal of the plan.~~

~~(h) Translation services shall be provided for families or children who are not able to fully understand the discussion during development and explanation of the case plan either because of a lack of proficiency in English or due to deafness.~~

~~(5) The Services Worker has specific tasks in regard to a child's case plan. The Services Worker shall:~~

~~(a) Participate in the case plan development and document a detailed case plan that addresses all tasks and services identified in the family's assessments. These tasks and services shall address the child's safety, permanency and well-being in order to achieve the case plan goal.~~

~~(b) Make referrals, arrange, and provide services for all parties included in the case plan.~~

~~(c) Follow up with service providers to ensure that services are engaged.~~

~~(d) Assess the participation in and effectiveness of each service recommended for the case participants. Services provided shall promote outcomes that lead to behavioral changes rather than mere compliance in the achievement of the case plan goal.~~

~~(e) Explain to the parent when a child is in an out-of-home placement that:~~

~~1. The opportunity to complete the tasks listed in the case plan for reunification is limited to twelve months or fewer from the date the child was removed from the home. When there are compelling reasons that the parent is not actively participating in his or her case plan tasks, the court can order an extension to the time frame for reunification and a change in the permanency goal.~~

~~2. His or her compliance with tasks and services in the case plan shall be evaluated at every case plan meeting, judicial review and permanency hearing.~~

~~3. The family has the right to ask the court to find the Services Worker in contempt for failing to comply with the case plan, if, in their view, the worker is not in compliance, as well as the right to request a modification of the plan.~~

~~(4)4. The case manager Services Worker shall:~~

~~(a) Meet with the parent(s) him or her to discuss plan progress, eliminate barriers to case progress, resolve conflicts or disagreements and discuss the expected frequency of such meetings.~~

~~(b)(f) Ensure that tasks and services necessary to meet the child's well-being physical health needs as identified in the Family Functioning Assessment are documented in the case plan and that services are obtained to meet these needs, including are met through and referral for and follow up to medical care:~~

~~1. The Child Health Check-Up at time of removal and according to the periodicity schedule, unless already completed by the CPI per local agreements;~~

~~2. Any preventive health care and treatment necessary for health, or dental needs;~~

~~3. Any preventive health care and treatment necessary for vision, hearing, and speech problems;~~

~~4. Developmental evaluation and treatment for infants or pre-school age children who are developmentally delayed; and~~

~~(g) Ensure that tasks and services necessary to meet the child's mental health needs are documented in the case plan and in any amended or modified case plans, unless prevented by the court, and that these needs are met through referral for and follow up to ensure the provision of:~~

~~4. a referral within seven (7) days of removal for a CBHA for any child who is in out-of-home care and has been determined to be Medicaid enrolled, as per Rule 65C-28.014, F.A.C.;~~

~~2. Any assessments, evaluations and treatment necessary for;~~

~~3. Any assessments, evaluations and treatment necessary for drug and/or alcohol abuse; ; and~~

~~(h) Ensure that the child's educational needs are being addressed needed and documented in the current case plan by through:~~

~~1. Obtaining copies of the child's current school records on an ongoing basis for use in case planning activities. The current school records shall be incorporated into the child's judicial review and case plan updates;~~

~~2. Referring the child for a psycho-educational evaluation and other necessary evaluations by the school if there is an indication that the child is eligible for special education services, and following up on the results of that referral;~~

~~3. Referring the child who is in an out of home placement to the school foster care liaison for the appointment of a surrogate parent if the child appears eligible for such appointment. Child Welfare Legal Services has the option to motion the court directly to appoint a surrogate parent as an alternative to seeking the appointment through the school;~~

~~4. Requesting services for identified educational needs, such as tutoring;~~

~~5. Requesting Early Intervention Services for pre-school age children;~~

~~6. Referring the child for developmental evaluations, where appropriate;~~

~~7. Assisting the child in pursuing vocational educational services;~~

~~8. Obtaining child care for pre-school or young school age children;~~

~~9. Providing or obtaining educational counseling, in conjunction with the school and other local agencies, regarding the options and consequences of differing educational paths, such as the differences between GED, regular diploma and special diploma, and the post-secondary educational options available through the Road to Independence scholarships, tuition waivers, and aftercare services for young adults formerly in foster care;~~

~~10. Ensuring the child's enrollment in school; and~~

~~11. Documenting these tasks and services in the current case plan, unless prevented by the court.~~

~~12. Referring to Interagency Agreement between the department, contracted service providers and the local school board to determine the correct protocol for interacting with the child's school.~~

~~(c)(i) Ensure that visitation between a child in an out-of-home placement and his or her separated siblings, parents, relatives and other people of significance in the child's life is addressed in the case plan.~~

~~(5)(6) Case Plan Updates and Amendments.~~

(a) The case plan shall be updated or amended as necessary in the following circumstances:

1. The court orders a change or makes decisions that affect the case plan;
2. There is a change in the child's placement which affects the case plan;
3. A ~~significant~~ change occurs with the parents protective capacities in the family's situation;
4. The child's permanency goal changes; or
5. ~~New information concerning the child's safety, health or well-being is obtained that~~ was not available at the time the previous case plan was prepared.

(b) Prior to amending the case plan, the ~~case manager Services Worker~~ shall:

1. Discuss the changes with the parents, guardian ad litem, current caregivers, ~~appropriate~~ service providers, the ~~CLS (CWLS)~~ attorney and ~~the child~~, when appropriate, ~~the child~~;
2. ~~Update all necessary documentation in the child's case file;~~
3. ~~Obtain and review updates of all required documentation and incorporate necessary additions;~~
4. ~~Document specific, reasonable efforts to obtain required documentation that is not immediately available;~~
5. ~~Schedule and participate in a case staffing, if necessary;~~
26. Provide the ~~CLS CWLS~~ attorney with modifications to the case plan for filing with the court.

(c) Extraordinary Circumstances. If circumstances are so extraordinary that an extension of the case plan beyond 12 months is warranted and is in the child's best interests, the reasons for the extension shall be specifically ~~and factually~~ documented and presented to the court. The request for extension, ~~if applicable~~, shall be made no later than at the 12-month permanency review hearing with supportive documentation contained in the Judicial Review Social Study Report.

Rulemaking Specific Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.01(1)(m), (11), 39.4085(4), (6), (7), (17), (23), 39.521(1)(f), 39.6011, 39.6012, 39.6013, 39.601, 39.602, 39.603, 39.701(8)(c), 39.806(1)(c), 409.175(3)(b) FS. History—New 5-4-06. Amended

65C-30.007 Case Management Responsibilities After Case Transfer

(1) Contacts with Children ~~under Supervision~~.

(a) The ~~case manager Services Worker~~ shall make face-to-face contact with every child ~~children~~ under supervision and living in Florida no less frequently than every 30 ~~thirty~~ days in the child's residence. If the child lives in a county other than the county of jurisdiction, this shall be accomplished as provided in Rule 65C-30.018, F.A.C.

(b) Initial contact shall occur within two (2) working days of ~~the case transfer being accepted for supervision. The date accepted for supervision is the date of the ESI staffing or the date of the court order for supervision, whichever occurs first.~~

(c) Contacts shall include observations and private discussion with the child as to the child's safety and well-being.

(d) The safety plan shall establish the frequency of visitation by the case manager, but in no case shall the contact be less frequently than every 30 days.

(e) Face-to-face contacts with the child and caregiver shall occur at least once every seven (7) days as long as the child remains in shelter status.

(f) After disposition, the frequency of contacts may be modified, but in no case shall contacts be less frequently than every 30 days for a child.

1. The case manager must document all contacts in FSFN, including case plan and safety plan monitoring, no later than 2 business days from the contact.

2. Contact with a child outside the child's current place of residence shall occur in an environment in which the child is comfortable, such as an early education or child care program, school setting, or child's therapeutic setting.

(g) At least every 30 days, the case manager shall make an unannounced visit to the child's current place of residence. When a child is with a parent in a certified domestic violence shelter or a residential treatment program, visitation arrangements shall be coordinated with program staff and may occur outside of the facility.

(2) Contacts with Parent or Legal Guardian, and ~~or~~ Caregiver Living in Florida.

(a) The ~~case manager Services Worker~~ with case responsibility shall establish and maintain regular face-to-face contact a minimum of every 30 ~~thirty~~ days with the custodial parents or legal guardians and caregiver of any child unless parental rights have been terminated or the court rules otherwise. If the parent, legal guardian, or caregiver lives in a county other than the county of jurisdiction, this shall be accomplished as provided by rule 65C-30.018, F.A.C. under in-home supervision.

~~(b) The Services Worker shall make a face to face contact a minimum of every thirty days if the case plan goal is reunification with the parent who is a party to the case. If the parent lives in a county other than the county of jurisdiction, this shall be accomplished as provided in Rule 65C 30.018, F.A.C.~~

~~(c) The Services Worker shall make a face to face contact a minimum of every thirty days with the child's caregiver if the child is in an out of home placement.~~

~~(b)(d)~~ During these contacts case manager Services Worker shall discuss with parents, legal guardians or and caregiver the safety plan, the case plan progress and the child's progress in terms of , development, health, and well-being education.

~~(c)(e)~~ If the case manager Services Worker learns that a new adult has moved into the child's home, a state and local criminal, juvenile and abuse/neglect history check shall be performed and documented as part of the ongoing family functioning assessment or progress update and the judicial review and the Unified Home Study will be updated. as part of the family assessment. When a new adult moves into the home of a child's relative or non relative out of home caregiver, the requirements of subsection 65C 28.001(7), F.A.C., shall be met. The new adult household member and the required checks must be documented in the Judicial Review Social Services Report and the six month family assessment.

~~(3)~~ The Services Worker or Child Protective Investigator (CPI), depending on the ESI agreement who has lead responsibility for the case, shall make periodic contact with children in shelter status as follows:

~~(a)~~ Face to face contacts with the child and caregiver are to occur at least once every seven days as long as the child remains in shelter status in a licensed home or facility.

~~(b)~~ Face to face contacts with the child and caregiver are to occur at least once every seven days during the first thirty days after removal for children placed with a relative or non-relative. After the first thirty days, the frequency of contacts may be modified to no less frequently than every thirty days for a child placed with a relative or non relative. The Services Worker must document a safety plan and related monitoring, to include frequency of contacts, and seek approval of the safety plan by the Services Worker's supervisor.

~~(3)(4)~~ Child and parent or caregiver living out of Florida. The office of the Florida Interstate Compact on the Placement of Children shall ensure that the child welfare staff in the receiving state is notified of the Florida requirement for face-to-face contact a minimum of every 30 thirty days with the child and the parent or legal guardian caregiver.

~~(a)~~ The case manager Services Worker shall maintain contact a minimum of every 30 thirty days with the supervising worker in the other state to obtain updates regarding the child and family's progress.

~~(b)~~ Documentation of the contact and progress by the child and family shall be entered in FSFN the case file.

~~(5)~~ The Services Worker shall make the face to face contacts with each child under supervision a minimum of once every thirty days at the child's current place of residence or other location. Contact with a child outside the child's current place of residence shall occur in an environment that is critical

to the life of the child, such including early education or child care program, school setting, or child's therapeutic setting.

~~(a)~~ The contacts by the Services Worker shall be purposeful and focused on the reasons for supervision and progress with tasks and services in the case plan or safety plan.

~~(b)~~ At least once every three months the Services Worker shall make an unannounced visit to the child's current place of residence. See the exception to not allowing the parent to reside in the home at Rule 65C 28.010, F.A.C., "Minor Parents in the Custody of the Department".

~~(4)(6)~~ If a face-to-face visit with a child or parent or legal guardian is not completed, the case manager Services Worker shall document in FSFN the case file alternate contacts completed or attempted. The case manager's Services Worker immediate supervisor shall review the circumstances surrounding the attempted visit and expectations as to further efforts to complete the visit. failure to make a required contact with a child, parent or caregiver to determine if the failure is excusable. Justification for failure to make a face to face contact at least every thirty days shall be limited to situations in which the Services Worker or CPI has made all appropriate efforts to complete the contact.

~~(7)~~ Face to face contacts shall occur more frequently than every thirty days when the child's situation dictates more frequent contact, as determined by the Services Worker's supervisor based on a review of the case and assessed safety and risk level or as determined by the court.

~~(5)(8)~~ If a child is on runaway status or his or her whereabouts are unknown, the case manager Services Worker shall meet the requirements of Rule 65C-30.019 8, F.A.C.; "Missing Children" Documentation of the efforts to locate the child shall be documented in FSFN in the child's case file.

~~(6)(9)~~ All contacts and attempted contacts shall be documented in the case file within two (2) business working days of the contact or attempted contact. The documentation shall provide evidence of the following:

~~(a)~~ Sufficiency of current safety plan and whether it is the least intrusive;

~~(b)~~ Progress towards completion of case plan outcomes objectives within the required timeframes;

~~(c)(b)~~ Effectiveness of current services and identification of additional services needed;

~~(d)(e)~~ Observations of the child's development, physical condition and interaction with the parent or caregiver and household members;

~~(e)(d)~~ Assessment of progress in tasks and services aimed at ensuring the child's health, safety and well-being including educational, emotional, developmental, physical or mental health needs; and

~~(e) When the child is scheduled for a Child Health Check-up according to the periodicity schedule and whether steps are being taken to ensure the child receives this service; and~~

~~(f) For children in an out-of-home placement:~~

~~1. Age 13 ~~thirteen~~ and older, documentation shall include comments from the child and caregiver concerning progress in learning identified life skills;~~

~~2. Frequency of visitation between the child, siblings and parents, any reason visitation is not occurring, and efforts to facilitate visits.~~

~~(10) Normalecy for Adolescents and Teenagers in the Custody of the Department. Adolescents and teenagers who are in the custody of the department shall, as appropriate based on age and maturity level, be allowed and encouraged by the licensed out of home caregiver, to engage in appropriate social and extracurricular activities to promote the child's social development and maturity. The Services Worker and the licensed out of home caregiver shall work together to ensure the following for the child:~~

~~(a) Support of school attendance and participation and to encourage and support educational planning, i.e., college, vocational or technical programs.~~

~~(b) Assistance in preparing the child to develop living skills that shall assist him or her as he or she grows toward adulthood. The child shall be provided opportunities in the home and through life skills classes and other departmentally-organized activities to learn and practice skills needed for independent living, such as food management, money management, consumer awareness, personal hygiene and appearance, housekeeping and personal belongings, transportation, job seeking, education, study skills and interpersonal relationship building.~~

~~(c) Permission and encouragement of the child, dependent on his or her age and maturity level, to engage in appropriate social and extracurricular activities in order to promote social development, obtain employment, have contact with family members, have access to phone usage, have reasonable curfews, and travel with other youth or adults.~~

~~(d) Support of the child's efforts to learn to drive a car and obtain a learner's permit and driver's license as appropriate for his or her age, maturity level, and availability of insurance.~~

~~1. If opportunities for driver's education are not available through the school district, the licensed out of home caregiver and Services Worker shall assist the child in finding a driver's education program.~~

~~2. Efforts shall be made to obtain automobile insurance for the child if he or she is to be allowed to drive.~~

~~(e) Provision of training and information, as appropriate to the child's age and maturity level, concerning drug and alcohol use and abuse, teen sexuality issues, runaway~~

~~prevention, health services, community involvement, knowledge of available resources, and in identifying legal issues, understanding his or her legal rights and accessing specific legal advice pertinent to him or her. These opportunities shall not be withheld as a form of discipline.~~

~~(f) Encouragement and assistance in participating in activities such as the child having his or her picture taken for publication in a newspaper or yearbook; receiving public recognition for accomplishments; participating in school or after school organizations or clubs; and participating in community events. The child shall be able to participate in activities that promote personal and social growth, self-esteem and independence as long as he or she is not identified as a foster child. Confidentiality requirements for Department records shall not restrict the child's participation in customary activities appropriate for the child's age and developmental level.~~

~~(g) Affording the child every opportunity for social development, recreation and to have normal life experiences. The child may attend overnight or planned outings if the activity is determined by the licensed out of home caregiver to be safe and appropriate. The Services Worker shall be available for consultation, and shall be notified of the activity.~~

~~1. The decision process for determining approval for such events shall take into account the provision for adult supervision appropriate to the child's age and development level.~~

~~2. Criminal, delinquency and abuse/neglect history checks for dating, outings and activities with friends, families and school and church groups are not necessary for participation in normal school or community activities.~~

~~3. In determining whether or not the child may participate in such activities, the licensed out of home caregiver shall:~~

~~a. Be as diligent in determining approval for such events as he or she would for his or her own children, and~~

~~b. Use his or her parenting skills to familiarize himself or herself with the individual or group that the child wishes to spend time with and evaluate the child's maturity level and ability to participate in the activity appropriately.~~

~~(h) Allowing the child to experience circumstances without direct supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out of home caregiver's familiarity with the child and the circumstances in which the child shall be unsupervised shall be the primary factors in the decision making.~~

~~1. The licensed out of home caregiver is ultimately responsible for the supervision of the child. Therefore the licensed out of home caregiver shall be prudent and conscientious about circumstances where the child is granted independence, including trips to the movies, mall, athletic events and work.~~

~~2. Dating, part time employment, baby sitting, arriving home after school and social outings with friends are examples of such activities.~~

~~(i) Knowledge by the licensed out of home caregiver of where and with whom the child is staying and the type of supervision and care the child shall be receiving before approving an outing or overnight activity.~~

~~(j) Inclusion, when appropriate and available, of the birth family in the decision making process.~~

~~(k) Receipt of an allowance no less frequently than each month, with the amount to be determined by the current board rate schedule.~~

~~1. The out of home caregiver shall not expect the child to use this allowance for purchasing personal hygiene items, school supplies, clothing or other necessities.~~

~~2. Allowances are not to be withheld as a form of discipline.~~

~~(7)(11) In addition to the contacts required every 30 thirty days, the case manager Services Worker shall maintain ongoing communication with all service providers involved with the child child's and family family's service providers to determine the sufficiency as well as the effectiveness of any safety management or treatment services the service in helping the child, parent and caregiver reach the case plan goal. Both progress in and problems with service delivery shall be documented and steps shall be taken to resolve any delays or problems in service delivery or client participation.~~

~~(8)(12) While service intervention is in progress, the case manager Services Worker shall gather information from the parent(s), children and other family members, providers, and other relevant persons to:~~

~~(a) Request information to Determine whether or not the service is addressing the identified diminished caregiver protective capacities problems/issues;~~

~~(b) Monitor and document whether the safety management servies are still sufficiently managing the danger.~~

~~(c)(b) Share information with the provider, such as changes in the family situation, changes with the child, any feedback from the family regarding the service and its effectiveness for them;~~

~~(d)(e) Request timely progress reports and updates on problems and successes regarding the treatment; and~~

~~(e)Take actions to modify the case plan when activities are no longer sufficient to support the achievement of case plan outcomes.~~

~~(f) Document all contacts with service providers.~~

~~(9) A safety plan must be modified to provide the least intrusive safety actions when any of the following changes occur:~~

~~(a) Conditions for Return of the child have been met.~~

~~(b) A new danger threat has been identified.~~

~~(c) Danger threats have been eliminated.~~

~~(d) There is any change in the required criteria for an in-home safety plan:~~

~~1. The parent's willingness to cooperate with safety service providers.~~

~~2. The family conditions or behaviors associated with a calm and consistent home environment.~~

~~3. The availability of safety service provider(s).~~

~~4. Results of a professional evaluation are necessary or have been received which inform changes to the current safety plan.~~

~~5. The parents have a home location which is adequate for implementation of an in-home safety plan.~~

~~(d) Document all contacts with service providers.~~

~~(10)(13) If the case manager Services Worker becomes aware of conditions or activities in the child's home, current living arrangement placement home or another location that threaten the safety of the child, the case manager Services Worker shall take such steps as are necessary to protect the child and shall immediately report allegations of abuse, neglect or abandonment to the Florida Abuse Hotline. If the child is in a licensed home or facility, the Services Worker shall also contact the licensing unit. All concerns shall be relayed to the caregiver and to licensing staff, as appropriate. The case manager shall notify Children's Legal Services (CLS) of the new placement and CLS shall notify the court.~~

~~(a) If the child is in a licensed home or facility, the Services Worker is authorized to change the placement of the child to ensure the immediate safety of the child. The Services Worker shall cooperate with the CPI assigned for timely completion of the investigation. All concerns noted shall be relayed to the caregiver and to licensing staff, as appropriate.~~

~~(b) If the child is on emergency shelter status and is in a non licensed home, the Services Worker shall take such steps as are necessary to protect the child and shall immediately report allegations of abuse, neglect or abandonment to the Florida Abuse Hotline. The Services Worker shall cooperate with the CPI assigned for timely completion of the investigation. If the child is removed from a non licensed placement pursuant to this paragraph, an emergency shelter hearing shall be scheduled within twenty four hours of the removal.~~

~~(c) If the child is in a non licensed placement as the result of a court order following disposition of the case, Services Worker is authorized to take the child to a safe place if necessary to protect the child pending the arrival of a CPI. The CPI shall investigate the allegations and determine the need for the removal of the child. If the child is removed from a non licensed placement pursuant to this paragraph, an emergency shelter hearing shall be scheduled within twenty four hours of the removal.~~

~~(11)(14)~~ The case manager is responsible for knowing if a child is at risk of disruption and working with the caregiver to avoid such disruption. Should a placement change be necessary, the child will continue to be placed in the least restrictive setting. The case manager shall notify CLS of the new placement and CLS shall notify the court. If the placement of a child disrupts or there are issues unrelated to a new incident of abuse, neglect or abandonment that warrant a change of placement, the Services Worker shall take such steps as are necessary to remove the child from the placement and place him or her in another placement. If abuse, neglect or abandonment is known or suspected, the Services Worker shall immediately report allegations to the Florida Abuse Hotline. If the child is in a licensed home or facility, the Services Worker shall also contact the licensing unit.

~~(a)~~ If the child is under emergency shelter status with a relative or non relative or in an emergency shelter home or facility, he or she shall be placed with a relative or non relative under shelter status or another emergency shelter home or facility. The court shall be notified of the change in placement within twenty four hours of the removal.

~~(b)~~ If the child is in a foster home or group care facility, he or she shall be placed with a relative or non relative under shelter status or in another licensed setting. If the child is placed with a relative or non relative, an emergency change of placement hearing shall be scheduled within twenty four hours of the removal.

~~(c)~~ If the child is in the court ordered custody of a relative, he or she shall be placed with a another relative or non relative under shelter status or in a shelter home or facility. An emergency shelter hearing shall be scheduled within twenty four hours of the removal.

~~(15)~~ "High Risk Tracking and Review" is a protocol that shall be locally developed by child protective investigations and contracted service provider staff and shall be utilized whenever children in a case are identified as being at high risk of repeat maltreatment. The protocol is intended to ensure that all child and parental risk and safety factors are thoroughly reviewed and considered in the process of decision making at all critical case planning junctures in the life of the case.

~~(a)~~ The protocol must include a supervisory review.

~~(b)~~ The process must ensure that there is documented seamless review of safety and risk throughout the life of the case.

~~(c)~~ Cases to be considered for a High Risk Case Review are those cases in which, at a minimum, critical injuries have occurred, a permanent or serious impairment is alleged or has occurred, or there has been a death or critical injury to another child in the family.

~~(12)(16)~~ Determination of Citizenship and Required Actions for Children Who Are Not U.S. Citizens.

(a) For each child adjudicated dependent due to abuse, neglect or abandonment, the case manager Services Worker shall determine whether the child is a U.S. citizen. ~~In other words, the Services Worker must determine whether the child has a birth certificate, passport, naturalization certificate or other evidence of U.S. citizenship.~~

1. If the child is not a U.S. citizen, the case manager Services Worker shall determine whether the permanency plan for the child will include remaining in the United States or ~~This shall include the determination of whether there is an option for a safe reunification with the parent or legal guardian who may be located in another country.~~ This includes a consideration of whether the parents or legal guardian can successfully complete a case plan.

2. If the permanency plan will include the child remaining in the United States, and the child is in need of documentation to effectuate this plan, the case manager Services Worker shall refer the case to an authorized legal services immigration provider for a determination as to whether the child "may be eligible" for special immigrant juvenile (SIJ) status [see 8 CFR 204.11(a)] or other immigration relief. ~~A child may be eligible for this status when:~~

~~a. The child has been declared a dependent of the juvenile court or the court has placed the child under (or legally committed the child to) the custody of an agency or department of a State;~~

~~b. The child has been deemed eligible for long term foster care due to abuse, neglect, or abandonment; and~~

~~c. The court has also found that it is not in the child's best interest to return to his/her country of nationality or last habitual residence [or the juvenile's parents' country of nationality or last habitual residence (home country)].~~

3. Within 60 ~~sixty~~ days of an order finding that the child is eligible for SIJ status, the case manager Services Worker shall assure that contracted or pro bono legal services have ~~has~~ sufficient documentation to file a petition for SIJ status and the application for adjustment of status to the appropriate federal authorities on behalf of the child.

a. The case manager Services Worker shall give the legal services provider ~~some~~ proof of the child's age. This proof may include a passport or some other official foreign identity document issued by a foreign government. Any foreign document must be translated into English. If such a document is not available, the case manager Services Worker must discuss with either the legal services provider or CLS CWLS the possibility of obtaining a ~~Circuit c~~ Court Order with specific findings regarding the child's age.

b. If a child has also been adjudicated delinquent, the case manager Services Worker shall obtain all DJJ records and give them to the legal service provider to submit with the federal

application for SIJ status. These records must be certified copies of the records of disposition.

(b) Requirement to Inform the Court.

1. During the first judicial review regarding the case, the ~~Department, or CBC or contracted service provider~~ shall report to the court as to whether the child is a U.S. citizen.

2. ~~At the first judicial review, if the child is not a U.S. citizen, then the Department, CBC or contracted service provider shall inform the court of the steps that have been taken to address the child's citizenship or residency status. In other words, the department or contracted service provider must let the court know whether a determination by an authorized legal services immigration provider has been made that the child may be eligible for SIJ status or other appropriate immigration benefits.~~

3. The information ~~delineated in subparagraphs 1. and 2. above~~ shall be provided to the court through a Judicial Review Social Study Report or testimony of the ~~case manager Services Worker~~, or it may be provided through both means.

4. ~~Legal residency or citizenship status shall be pursued as soon as possible. Because the process of applying for and obtaining lawful immigration status can be lengthy, the child shall be referred to an authorized immigration legal service provider as soon as it is clear that there may be an issue regarding the child's immigration status.~~

(c) Provision of Needed Services. Regardless of the citizenship or immigration status of the child, he or she must be provided any needed services.

1. ~~Under the Alien Child Rule at subsection 65C-9.003(1), F.A.C., Florida has already decided that "the immigration status of a child has no bearing on either the care or service rendered by Department of Children and Family Services to a child or on judicial proceedings undertaken by Department of Children and Family Services on behalf of the child."~~

2. If federally funded programs, such as Medicaid, are dependent on citizenship or a qualified alien status, the benefits and services must be provided with state general revenue funds or with the funding provided to the supervising ~~CBC community-based care provider~~.

(d) Case Plan Requirements: ~~If the child is not a U.S. citizen or legal immigrant, the Services Worker must include in the case plan a recommendation as to whether the child's permanency plan will include remaining in the United States.~~

(e) ~~Retention of Court Jurisdiction Beyond Age Eighteen. The Court May Retain Jurisdiction Beyond the Child's Eighteenth Birthday:~~

~~1. If the petition and application have been filed but not granted by federal authorities by the time the child reaches 18 years of age, the court is authorized to continue jurisdiction over the dependency case. If the child's petition and application have not been granted sixty days before the child's eighteenth birthday, the Services Worker will request that CWLS file a motion to extend jurisdiction.~~

~~2. This continued jurisdiction is solely to allow the consideration of the petition and application by federal authorities.~~

~~a. Review hearings for the child shall be solely for determining the status of the petition and application made to the federal authorities.~~

~~b. The jurisdiction terminates upon the final decision by the federal authorities or upon the young adult reaching 22 years of age, whichever is earlier.~~

~~3. The court's retention of jurisdiction beyond a child's eighteenth birthday shall have no effect on the young adult's eligibility for Independent Living Transition Services under Section 409.1451, F.S., including Road to Independence Scholarships. A young adult who is otherwise eligible for these services remains eligible though the court has retained jurisdiction for purposes of establishing "special immigrant juvenile status under federal law" for the young adult.~~

~~(17) Rule 65C 12.005, F.A.C., Medicaid Eligibility Procedures.~~

~~(a) All children in shelter status are immediately Medicaid eligible.~~

~~(b) No later than the end of the next working day following the placement of a child in an emergency shelter home or facility, the CPI or Services Worker making the placement shall check the Florida Medicaid Management Information System to determine if the child is currently Medicaid eligible. This check shall be performed as soon as possible following the child's removal from home and before the receipt of any medical care by the child. If the child is Medicaid eligible, documentation of the child's proof of eligibility shall be prepared. The change in the child's circumstances shall be reported to the public assistance worker responsible for the case or, for Supplemental Security Income recipients, to the appropriate Social Security Administration office. This is to be done as soon as possible but no later than five working days following the child's removal. When Medicaid coverage based on receipt of public assistance ends, the child shall retain eligibility due to his emergency shelter status for up to two months pending determination of the child's ongoing eligibility for Medicaid.~~

~~(c) If a child receives medical treatment before being assigned a Medicaid number, once a Medicaid number has been assigned, the CPI or Services Worker shall contact providers who rendered service and provide them with the Medicaid number so the providers may bill Medicaid for any Medicaid compensable services they have provided.~~

~~(d) Specialized Medicaid Reimbursable Services. For any Medicaid eligible child who requires specialized Medicaid reimbursable services (such as physical, occupational, speech or respiratory therapy; private duty nursing; personal care; durable medical equipment/medical supplies; orthotics and prosthetics), the CPI or Services Worker must contact or arrange for contact of the service authorization nurse in the district Medicaid office. These services must be pre-authorized by the Medicaid program in order to be Medicaid reimbursable.~~

Rulemaking Specific Authority 39.012, 39.0121(13), 39.5075(8), 409.026(8), 409.401, Article VII FS. Law Implemented 39.001(1)(f), 39.401(1), (3), 39.402(2), (8)(d)1., 39.4085(14), 39.5075, 39.601(1)(c), 322.09(4), 409.165(3), 409.175(13), 409.401, 409.903(4), Article V, (a), 627.746 FS. History—New 5-4-06. Amended \_\_\_\_\_

65C-30.008 Case Manager Services—Worker Responsibilities to Parents.

(1) For children remaining in the home, the case manager Services Worker shall assist the parents in order to:

(a) Resolve ~~and help prevent~~ the situation that resulted in the need for a lead agency managed safety plan; in-home supervision;

(b) Understand and meet their child’s needs, including the child’s need for safety;

(c) Maintain contact with the family’s children’s service providers, including medical and educational providers; and

(d) Work toward the a realistic and timely case outcomes goal.

(2) For a child children in an out-of-home placement, the case manager Services Worker shall assist the parents in maintaining to maintain continuing contact with the child through visitation, letters, phone calls, and any other reasonable and appropriate methods to maintain contact, when in the best interest of the child. All contact shall be in accordance with any order of the court.

(3) For a child children in an out-of-home placement with a case plan goal of reunification, the case manager Services Worker shall ensure the parents are provided with reunification services. Reunification services shall:

(a) Identify and remedy the problems that have resulted in the removal of the child.

(b) Assist the parents in making changes that will permit a safe reunification of the family ~~whenever possible and as quickly as possible~~ and recommend services to ameliorate such problems.

(c) Focus on the specific problem areas related to conditions for return that make it unsafe to return the child home.

(d) Help the parent understand the possibility of permanent separation from the child if that becomes necessary.

(4) The case manager Services Worker shall document services offered, services utilized and the effects of these services, and shall communicate at least ~~once~~ every 30 thirty days with the parents on progress made or lack of progress. This information shall provide the basis for casework decisions and recommendations to the court.

(5) If the court-approved goal of the case plan for a child in an out-of-home placement is not reunification, the case manager must continue reunification services until either released by the court or parental rights are terminated. The case manager Services Worker has no obligation to offer or provide reunification services to the parents, unless it is necessary for the child’s well-being or is otherwise court ordered.

Rulemaking Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.01(21), 39.01(61), 39.6012(1) 39.601(1)(c), (5), 39.701(6)(a), (7)(a), (8)(e), 39.521(1)(d)9., (1)(f)1., 4., (2), 39.601(5), 39.621 FS. History—New 5-4-06. Amended \_\_\_\_\_

65C-30.009 Least Intrusive Interventions Tiered Services Protocol

(1) When the child welfare professional determines the protective, treatment and remedial services necessary to ensure the child’s safety, well-being and need for permanency, the following shall be the priority order of least intrusive options considered and shall be informed by the safety analysis:

(a) Child remains in home with no judicial actions.

(b) Child remains in home with judicial actions.

(c) Child is placed out of home temporarily.

~~(2)(1)~~ Prior to a child being removed from the home, the Department or its authorized agent shall determine if, with the provision of appropriate and available safety management services early intervention or prevention, including services provided in the home, the child could safely remain at home. If at any time it is determined the child’s safety and well-being are in danger, the safety plan shall be modified to control for the danger, which may include increasing the level of intrusiveness ~~child shall be removed from the home location and placed where he or she is no longer considered to be in danger.~~

~~(3)(2)~~ The following outlines the tiered protocol to services that allows the Department or its agent to diligently support family continuity prior to placing children in out-of-home care foster care. ~~All staff shall use this protocol when considering the services that best meet the needs of the child. The final decision regarding the service intervention to be pursued shall be made at the Early Service Intervention (ESI) staffing held as required by subsection 65C 30.002(1), F.A.C.~~

(a) ~~In-home Non-Judicial Voluntary Protective Services (VPS)~~. In this initial tier, the child will remain at home and the Department or contracted service provider shall manage the safety plan and work in partnership with the family, without judicial intervention, to develop a case plan based on the identified needs in the Family Functioning Assessment. If, during the course of In- Home Non Judicial Services, there is no progress in increasing the diminished protective capacities or the safety plan is no longer sufficiently controlling the danger, the case manager shall increase the level of intrusiveness of the safety management services and pursue judicial intervention, assist the family where issues of risk exist and where a decision has been made that the authority of the court is not necessary to ensure the safety of the child or the cooperation of the family in complying with the case plan. Prior to offering VPS to a family, the Child Protective Investigator (CPI) shall first determine, in consultation with his or her supervisor, whether the child is at high risk. If the child is determined to be at high risk, then court ordered services shall be recommended to ongoing service staff. Once VPS is agreed to at the ESI staffing and has been accepted by the family, a case plan shall be negotiated with the parents or legal custodians and signed as set forth in Rule 65C 30.006, F.A.C.

(b) In-home Judicial Court Ordered In-Home Services. In-home Judicial Court Ordered In-Home Services occur occurs when it has been determined through safety analysis that the child can remain in the home with safety management services while receiving in-home services under the supervision of the court. Judicial oversight is needed for the family to engage in treatment services and to achieve the case plan outcomes. The CPI shall first determine, in consultation with his or her supervisor, whether the level of risk to the child indicates that court ordered supervision must be recommended based on the factors contained in subsection 65C 30.010(2), F.A.C. If the child is determined to be at high risk, then court ordered services shall be recommended to ongoing service staff at the ESI staffing. If the level of risk is determined to not constitute high risk based on the requirements of subsection 65C 30.010(2), F.A.C., then the CPI and his or her supervisor shall determine whether court ordered or voluntary supervision shall be recommended based on the needs of child and family and identified risks to the child.

~~(4)(e)~~ Court Ordered Relative/Non-Relative Placements. When a child is removed from his or her parents or legal guardian due to abuse, neglect or abandonment, the Department or contracted service provider ~~its authorized agent~~ shall request the names, relationships and addresses of both parents, maternal and paternal relatives, and any non-relatives who are known to the family and who may be able to provide for the health and safety of the child and have an established relationship with the child and will make diligent efforts to identify and locate relatives and any parents of siblings.

~~appropriate for placement.~~

~~(a)1-~~ Prior to making an emergency placement with a relative or non-relative, an on-site check of the safety and appropriateness of the caregiver's home and initial criminal, delinquency and abuse/neglect history check activities shall be performed, followed by the fingerprinting of all adult household members in the caregiver's home and further criminal, delinquency and abuse/neglect history check activities as set forth in ~~r~~Rule 65C-28.011, F.A.C.

~~(b)2-~~ Prior to the child's placement ~~Within thirty working days following the Early Service Intervention staffing, in order to make a recommendation to the court regarding the placement, the child welfare professional CPI or Services Worker shall complete a home study of the selected caregiver's home, as set forth in r~~Rule 65C-28.012, F.A.C. When more than one (1) caregiver is being considered for placement, the rationale for the placement decision must be documented in FSFN. When a caregiver is denied placement, a home study will need to be completed to document the reason for denial. A home study will be performed on more than one prospective placement when the CPI or the Services Worker determines that there is more than one placement alternative for consideration.

~~(c)3-~~ The child welfare professional CPI or Services Worker shall inform the caregiver, in writing, about the:

1a. Temporary Assistance for Needy Families (TANF) funded Temporary Cash Assistance Program (TCA) grant through the Office of Economic Self-Sufficiency Program (ESS) for relatives within the fifth degree of relationship by blood, marriage or adoption to the child, which would include Medicaid eligibility for the child. If the caregiver is a relative of the child, he or she shall be referred to ESS to apply for a TCA grant immediately upon the child's placement.

2b. Relative Caregiver Program (RCP) payment available for relatives through ESS, post-disposition, if the caregiver is a relative who is within the fifth degree by blood or marriage to the parent or stepparent of the child (this is a broader degree of relationship than for TCA), in accordance with the criteria outlined in Section 39.5085(2)(a)1., F.S. Where there is a half-sibling of the related child whose parent or stepparent does not

meet the degree of relationship to the caregiver required for eligibility, the half-sibling shall also be referred in accordance with the criteria outlined in Section 39.5085(2)(a)2., F.S. See paragraph 65C-28.008(1)(c), F.A.C., regarding the degree of relationship requirements for RCP eligibility.

3. Non-Relative Caregiver financial assistance available after adjudication and disposition.

4. The option of becoming a licensed caregiver.

~~e. Once the child is adjudicated dependent and the court approves the placement with a relative caregiver based on the home study, the CPI or Services Worker shall notify ESS, as required by paragraph 65C-28.008(2)(e), F.A.C., to make a determination of the relative caregiver's eligibility for RCP funds.~~

~~d. It shall be explained to non relative caregivers that they are not eligible for cash assistance and that the child's eligibility for Medicaid is established through ESS based upon the child's dependent status. Food Stamps are available for eligible households at ESS if the caregiver chooses to apply and meets the eligibility criteria. It shall be explained to the non relative caregiver that he or she may pursue licensure as a foster parent to receive payments in support of the placement. If the non relative caregiver expresses interest in receiving Medicaid for the child, Food Stamps or foster care licensure, the CPI or Services Worker shall explain the process for applying for these benefits.~~

~~(d) Foster Care. The department or its agent shall petition the court to place the child in foster care, as defined in Section 39.01, F.S., if the child remains in shelter status and a suitable relative or non relative is not located to serve as a placement for the child.~~

Rulemaking Specific Authority 39.012, 39.0121(1), (7), (12), (13) FS. Law Implemented 39.001(1)(b), (f), (i), (m), 39.01(33), (48), 39.301(9) (8) (b), (14), 39.401(3)(b), (4), 39.4085(5), (13), 39.5085, 39.521(1)(b)3., (2), (3) 39.6012(1) FS. History–New 5-4-06. Amended \_\_\_\_\_.

65C-30.010 Voluntary Protective Services.

Specific Authority 39.012, 39.0121 FS. Law Implemented 39.301 FS. History–New 5-4-06, Repealed \_\_\_\_\_.

65C-30.011 Placement Responsibilities of the Child Welfare Professional Services Worker or Child Protective Investigator.

(1) The person making the placement shall provide or arrange for the transport of ~~whenever possible~~ the child to the placement, advise the caregiver as to the reason or circumstances that caused the child to be placed and facilitate the adjustment of the child to the placement. The person making the placement shall also be aware of, and attend to, the child's emotional needs.

(2) The person making the placement shall ensure that the child's special physical, medical, developmental, educational or emotional needs are met as specified in Rule subsection 65C-28.004(7), F.A.C. A behavior management plan is required for children with the following behaviors:

- (a) Juvenile sexual abuse;
- (b) Aggressive behaviors;
- (c) Wounding or killing animals; or
- (d) Property destruction.

(3) Continuation of Medical Care and Treatment. The child's medical care and treatment shall not be disrupted by change of placement. To the extent possible, the person making the placement shall arrange for transportation in order to continue the child with his or her existing treating physicians for any on-going medical care. If this is not possible, then the person making the placement shall secure a copy of the child's medical records from the treating physician within three (3) working days of the change to a new provider. The person making the placement is responsible for the following tasks relating to on-going medical care and treatment:

- (a) Discuss with the caregiver all known health care facts regarding the child;
- (b) Review with the caregiver all health care and Medicaid information contained in the child's resource record;
- (c) Obtain any prescription medication currently taken by the child. To continue medication as directed, the person making the placement shall obtain the medication in labeled medication bottles, inventory the medications provided, and transport the medications to the child's caregiver. The inventory shall include, ~~at a minimum:~~
  - 1. The child for whom the medication is prescribed;
  - 2. The condition and purpose for which the medication is prescribed for this child;
  - 3. The prescribing physician's name and contact information;
  - 4. The pharmacy from which the prescription was obtained and the contact information;
  - 5. The prescription number;
  - 6. The drug name and dosage;
  - 7. The times and frequency of administration, and if the dosages vary at different times;
  - 8. Any identified side effects;
  - 9. Any other specific instructions regarding the medication; and
  - 10. A space for the caregiver to sign and date the medication inventory to indicate receipt of the child's medication.

(d) If the child is taking unlabeled medications or prescription information is insufficient, the person making the placement shall contact the prescribing physician, if available, to ensure the proper identification and labeling of the medication or to arrange for a medical evaluation in order that treatment not be interrupted; and

(e) If a child uses medically assistive devices, the person making the placement shall ensure that these devices are taken with the child to the out-of-home placement. The person making the placement shall also ensure that the caregiver receives the appropriate information and instruction concerning the use of the devices from the child's health care provider.

(4) The Child's Resource Record. A child's resource record shall be developed for every child entering out-of-home care. The child welfare professional person making the initial placement is responsible for the initial development, monitoring, updating and transporting of the child's resource record.

~~(a)~~The person making the placement shall review confidentiality requirements with each caregiver, ~~who shall be provided a child's resource record.~~ The caregiver is responsible for maintaining confidentiality of the child's resource record documents.

(b) The resource record shall accompany the child during any change of placement.

~~(c)~~(a) Since some of the information necessary in the child's resource record is not available immediately upon initial removal, the documents required in the child's resource record shall be placed in the record as available. The child's resource record shall include the following information:

1. Medical, dental, psychological, psychiatric and behavioral history;

2. Copies of documentation regarding all on-going medical, dental, psychological, psychiatric and behavioral services, including child health check-ups provided through Medicaid;

3. Parental consent for treatment or court order;

4. Copy of the Medicaid card;

5. Copy of the Shelter Order;

6. Copy of the court order or "Voluntary Placement Agreement" placing or accepting the child into out-of-home care. The "Voluntary Placement Agreement," CF-FSP 5004, October 2005, is incorporated by reference and available at [www.dcf.stat.fl.us/dcfforms/](http://www.dcf.stat.fl.us/dcfforms/);

~~7. Copy of Predisposition Report;~~

~~78.~~ Copy of the Case Plan;

~~89.~~ Copy of the most recent Judicial Review Social Study Report;

940. All available school records; ~~including, as available,~~

~~a. Report cards;~~

~~b. FCAT results;~~

~~e. Any psycho-educational evaluations or other evaluations of the child made to determine the child's educational needs and/or eligibility for special educational services;~~

~~d. All disciplinary records;~~

~~e. All Individual Educational Plans, including meeting notes;~~

~~f. Any consents or communications from the child's parents; and~~

~~g. Any notes or information from the guidance counselor/guidance office.~~

~~1011.~~ An envelope for storing pictures;

~~1112.~~ The most recent photograph available;

~~1213.~~ Copy of the child's birth certificate or birth verification certified by the Office of Vital Statistics, as appropriate;

~~1314.~~ Documentation of immigration status, including certificate of citizenship, if available; and

~~1415.~~ The names and phone numbers of staff to be contacted in emergencies.

~~(b) The child's resource record shall be provided to the initial out of home caregiver within 72 hours of placement and shall accompany the child during any change of placement. If the child's resource record does not accompany the child at the time of a placement change, it shall be provided to the out of home caregiver within 72 hours of placement.~~

~~(c) The child's resource record shall accompany the child to medical and therapist visits and shall accompany the child or caregiver to all school meetings.~~

~~(f)~~(d) Where the Department or contracted service provider has originals of documents required to be included in the child's resource record, the original documents shall be placed in the child's case file and the copies shall be kept in the child's resource record.

~~(g)~~(e) Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information shall be documented in FSFN placed in the case file.

~~(5) Child's Resource Records in Licensed Placements.~~

~~(h)~~(a) The child's resource record shall be physically located with the caregiver, whether the child is in licensed care or placed with a relative or non-relative. The child's licensed caregiver shall ensure that the child's resource record is updated after every health care, psychological, psychiatric, behavioral and educational service or assessment provided to the child.

~~(i)(b)~~ The ~~case manager Services Worker~~ shall ensure that medical and court-related documentation are kept current at each visit that is made at least every ~~30~~ thirty days. If additional information is needed in the child's resource record, the ~~case manager Services Worker~~ and the licensed caregiver shall work together to ensure that the child's resource record is promptly updated.

~~(6)~~ Child's Resource Record in Relative and Non-Relative Placements.

~~(a)~~ The ~~Services Worker~~ shall ensure the upkeep of the child's resource record in relative and non relative placements. The child's resource record shall be physically located with the relative or non relative.

~~(b)~~ The ~~Services Worker~~ shall assist the relative or non relative to update the child's resource record after every health care, psychological, psychiatric, behavioral and educational service or assessment provided to the child.

~~(c)~~ The ~~Services Worker~~ shall ensure that medical and court related documentation are kept current at each visit. If additional information is needed in the child's resource record, the ~~Services Worker~~ shall provide copies of needed documents to the relative/ non relative for updating of the child's resource record.

~~(7)~~ Continuation of School Attendance.

~~(a)~~ The ~~Services Worker~~ and the caregiver shall work in partnership to minimize the impact on school attendance as a result of the removal from the child's home.

~~(b)~~ The ~~Services Worker~~ and the child's caregiver shall explore the ability to maintain the child in the school that the child was attending at the time of removal in accordance with the federal McKinney Vento Homeless Assistance Act, referenced in subsection 65C-28.004(3), F.A.C. If this is not possible, the ~~Services Worker~~ and caregiver shall, together with school personnel, coordinate a transition plan that shall be the least disruptive to the child. See paragraph 65C-28.004(3)(c), F.A.C., regarding the federally required dispute resolution process for the child when he or she is dissatisfied with a failure to allow him or her to remain in the school of origin.

~~(5)~~~~(8)~~ Transportation. The caregiver shall have the primary responsibility for ensuring the transportation of children in out-of-home care to and from hearings, visitation and other ~~transportation~~ activities. If the caregiver cannot arrange or provide transportation, he or she shall contact the child welfare professional Services Worker who shall be responsible for developing contingency transportation plans. When the licensed caregiver refuses to perform these required transportation responsibilities, the child welfare professional Services Worker shall notify licensing staff of the refusal.

~~(6)~~~~(9)~~ Review of Licensed Caregiver Performance. At the time of license renewal for a licensed out-of-home caregiver, ~~at the request of contracted providers,~~ the case manager Services Worker shall complete a "Case Manager/ Case Worker Review of Foster Parent", CF-FSP 5223, March 2013, incorporated by reference and available at [www.dcf.stat.fl.us/dcf/forms/questionnaire](http://www.dcf.stat.fl.us/dcf/forms/questionnaire) regarding the caregiver as required by paragraph 65C-13.006(4)(s), F.A.C.

~~(7)~~~~(10)~~ Completion and Review of the Partnership Plan Child Service Agreement. The person making the placement shall complete the "Partnership Plan for Children in Out-of-Home Care Child Service Agreement", CF-FSP ~~5226~~ 5227, January 2015 ~~June 2002~~, incorporated by reference and available at [www.dcf.stat.fl.us/dcf/forms/](http://www.dcf.stat.fl.us/dcf/forms/), and review with licensed out-of-home caregivers the information provided on the form and its relevance to their responsibilities ~~in regard to the Bilateral Service Agreement.~~

~~(8)~~~~(11)~~ When a child is placed in a relative's or non-relative's home, the child welfare professional Child Protective Investigator or Services Worker shall inform the relative or non-relative that he or she may seek licensure as a caregiver in accordance with Chapter 65C-13, F.A.C., to be eligible for payment as a shelter or foster parent and provide information regarding the Relative Caregiver Program, including non-relative financial assistance.

Rulemaking Specific Authority 39.012, 39.0121(6), (13), 409.145(5) 409.165(3) FS. Law Implemented 39.4085(3), (7), (10), (12), (17); 409.145(2)(6), 409.165(3) FS. History—New 5-4-06, Amended .

65C-30.012 Permanency Goal Selection.

(1) Permanency Goals. Permanency goals, as set forth ~~Section in Part IX, Chapter 39.621(2), F.S.,~~ shall be selected based on the best interest of the individual child. The primary permanency option is to maintain a child with his or her parents or legal custodian followed by reunification of the child with his or her parents or legal custodian whenever possible.

~~(a)~~ All information regarding the child, the child's immediate and extended family and the current placement of the child shall be provided to the court with a recommendation of the permanency option that is determined to be in the child's best interest.

~~(b)~~ The child's permanency goal is the primary factor used in the development of the case plan.

(2) Permanency Goals for Children in Out of Home Care.

~~(a)~~ Reasonable efforts to achieve ~~finalize~~ the permanency goal plan shall be made during the first 12 ~~twelve~~ months following the date the child was removed from his or her home. ~~The Services Worker shall document in the Judicial Review Social Study Report (JRSSR) his or her efforts to achieve the permanency goal. To assure the court is provided~~

~~with all available information from which to make a judgment, the JRSSR shall address all assessments, referrals, diligent searches and services being provided to a child and his or her family. The court shall make a finding that the department or contracted service provider has made sufficient reasonable efforts to finalize the permanency plan in effect in a timely manner. When the court does not make such a finding in effect Child Welfare Legal Services shall immediately schedule a hearing to obtain the finding.~~

~~(b) Unless there is a compelling reason for an exception, a petition for termination of parental rights shall, at a minimum, be filed when a child has been in out of home care fifteen out of the previous twenty two months.~~

~~1. Compelling reasons for an exception to achieving the permanency goal when a child has been in out of home care for twelve are:~~

~~a. If the child is being cared for by a relative or non-relative who is willing and able to serve as a long term legal custodian until the child reaches the age of majority and the custodian is not interested in adopting the child; and~~

~~b. If there is a determination that the family has not been provided, consistent with the time period in the case plan, the services necessary to safely reunify the child.~~

~~2. A request to extend the case plan with a permanency goal of reunification will only be made when it is reasonable to expect that the goal of reunification will be achieved within fifteen months from initial removal. If a request is to be made to extend the case plan, an amended case plan, developed with the involvement of the parents, shall be provided to the court and, if approved, be immediately provided to the parties involved as set forth in Section 39.601(9)(b), F.S.~~

~~a. The amended case plan shall include the efforts by the department or contracted service provider to assess the need for changing the permanency goal.~~

~~b. The case documentation and petition to the court shall provide the compelling reasons for requesting an extension and address how the extension is in the child's best interest.~~

~~c. The request to extend the case plan shall address previous visits between parent and child and make recommendations as to the future visitation schedule as set forth in Section 39.701 (8), F.S.~~

~~(3) At a minimum, Tthe following items shall be assessed in determining the best permanency goal option for a child in out-of-home care:~~

~~(a) Safety and risk of re maltreatment. Whether interventions provided will ensure safety and risk of re maltreatment and alleviate the causes of removal, allowing the child to be returned to the home. If not, the Services Worker shall assess risk and safety of the child regarding those permanency options being considered;~~

~~(b) Attachments. Current family relationships and other significant relationships that shall provide the child stability and a sense of connection and provide possible permanent living options. This includes connections with family members from the child's home of removal;~~

~~(c) Physical, Medical, Emotional, Psychological, Developmental and Educational Needs. The child welfare professional Services Worker shall give consideration to matching the child with caregivers able to provide for the child's needs on a long-term basis. The child welfare professional Services Worker shall ensure that the caregivers are provided the education, training and support necessary to enable them to meet the child's needs;~~

~~(d) Placement options that provide the most family-like and least restrictive settings. The child welfare professional Services shall explore the current caregiver's ability and willingness to provide a permanent home for the child;~~

~~(e) Child's Preferences. The child welfare professional Services Worker shall provide youth of sufficient age, maturity, and understanding with the child information and education regarding permanency goal options to assist the child in making an informed decision as to his or her preference in achieving permanency.~~

~~(4) Permanency Goal Requirements for Children in Out-of-Home Care. The particular situation of each child and family shall be considered by the child welfare professional Services Worker in determining the best permanency goal for a particular child. Youth of sufficient age, maturity, and understanding shall The child is to be informed of the availability of long-term caregivers or an older child's opportunities for independence. Reunification shall be ruled out as an option prior to changing the permanency goal to any other option. The case documentation shall provide justification that the permanency option recommended to the court is the most appropriate one for the child.~~

~~(a) Reunification. Reunification with the child's family is the preferred permanency goal for children entering out of home care.~~

~~1. If the court makes a determination that reasonable efforts to reunify are not required, a permanency hearing shall be held within thirty days and a permanency staffing shall be held prior to the hearing to determine the permanency plan and goal for the child.~~

~~2. The frequency of the visitation schedule between family and child shall, when permitted by the court, be accelerated prior to reunification to allow the family to adjust and to observe parent and child interactions.~~

~~(b) Adoption. Adoption must be considered by the court as a permanency option when a child cannot be safely returned home or provided permanency within the family through long-term custody with a relative.~~

~~1. The case documentation shall provide justification that adoption and not reunification is the most appropriate permanency option.~~

~~2. Adoption by relatives or other significant persons in the child's life shall be considered prior to exploring placing the child with a new family. This includes exploration of the child's previous placements.~~

~~3. The appropriateness of this option shall be assessed in accordance with subsection 65C 30.012(3), F.A.C., and meet the requirements of Chapter 63, F.S.~~

~~(c) Guardianship is a formal legal arrangement that transfers custody of a minor child from the parent to the guardian. It includes the transfer of certain parental rights, which include: protection, education, care and control, custody of the person, and decision making.~~

~~1. Guardianship caregivers shall be committed to care for the child until the child becomes eighteen years of age. However, guardianship does not require the termination of parental rights.~~

~~2. The case documentation shall provide justification that neither reunification nor adoption are appropriate permanency options.~~

~~3. The Services Worker shall:~~

~~a. Evaluate the likelihood of the child to attend post-secondary education in Florida and:~~

~~i. Inform the prospective guardian and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided pursuant to Section 1009.25, F.S., for former foster youth who age out of the system or for children who have been adopted from the Department of Children and Family Services after May 5, 1997.~~

~~ii. Inform any prospective guardian who is a non-relative and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided children who are in relative placement pursuant to Section 39.5085, F.S.~~

~~iii. Inform any prospective guardian who is a relative and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided children who are in relative placement pursuant to Section 39.5085, F.S., unless the child has already been placed in the custody of the relative by the court pursuant to Section 39.521 or 39.622, F.S.~~

~~b. Inform the prospective guardian that the child will not be eligible for any Independent Living programs or post age 18 benefits. If the child is age 16 or older, the Services Worker shall determine if the child is potentially eligible for Subsidized Independent Living, and, if so, discuss with the child and prospective guardian this option to preserve actual and potential continued financial assistance both up to and beyond the child's adulthood.~~

~~4. The appropriateness of this option shall be assessed in accordance with subsection 65C 30.012(3), F.A.C., and meet the requirements of Chapter 39, Part XI, F.S.~~

~~(d) Long term Custody. Long term custody applies to a relative or other adult approved by the court and provides permanency through legal custody.~~

~~1. The case documentation shall provide justification that neither reunification nor adoption, whether by a relative or another person, are appropriate permanency options.~~

~~2. Judicial review hearings shall be discontinued and the department or contracted service provider may be relieved of supervising the placement after the court determines that supervision is no longer needed. The court, at its discretion, may or may not retain jurisdiction.~~

~~3. The Services Worker shall:~~

~~a. Evaluate the likelihood of the child to attend post-secondary education in Florida and:~~

~~i. Inform the caregiver and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided pursuant to Section 1009.25, F.S., for former foster youth who age out of the system or for children who have been adopted from the Department of Children and Family Services after May 5, 1997.~~

~~ii. Inform any non relative caregiver and the child, if age 16 or older, that this option does not qualify for the fee and tuition exemption that is provided children who are in relative placement pursuant to Section 39.5085, F.S.~~

~~b. Inform the non relative caregiver that the child will not be eligible for any Independent Living programs or post age 18 benefits. If the child is age 16 or older, the Services Worker shall determine if the child is potentially eligible for Subsidized Independent Living, and, if so, discuss with the child and custodian this option to preserve actual and potential continued financial assistance both up to and beyond the child's adulthood.~~

~~4. The appropriateness of this option shall be assessed as set forth in subsection 65C 30.012(3), F.A.C., and meet the requirements of Section 39.622, F.S.~~

~~(e) Long Term Licensed Custody. Long Term Licensed Custody applies to a licensed out of home caregiver who has cared for a child age fourteen or above for a period of no less than twelve months and provides permanency through legal custody.~~

~~1. A minimum of semiannual visits by the department or contracted service provider is required. The court retains jurisdiction until the child becomes an adult.~~

~~2. The appropriateness of this option shall be assessed as set forth in subsection 65C 30.012(3), F.A.C., and meet the requirements of Section 39.623, F.S.~~

3. The case documentation shall provide justification that reunification, adoption or long term custody to a relative or non-relative are not appropriate permanency options.

(f) ~~Independent Living.~~ This goal involves the court approved placement of a child in a subsidized independent living arrangement as permanency for a child 16 years of age or older, if it can be clearly established that this type of alternate care arrangement is the most appropriate plan and that the health, safety, and well being of the child will not be jeopardized by such an arrangement.

1. ~~The appropriateness of this option shall be assessed as set forth in subsection 65C 30.012(3), F.A.C., and shall meet the requirements of Sections 39.624 and 409.1451, F.S.~~

2. ~~The case documentation shall provide justification that it is not in the child's best interest to pursue any of the other permanency options.~~

Rulemaking Specific Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.621, 39.622, 39.6221, 39.6241 39.623, 39.624 FS. History--New 5-4-06. Amended \_\_\_\_\_

65C-30.013 Judicial Reviews and Court Reports.

(1) Judicial Review Social Study Report.

(a) The case manager will develop Judicial Review Social Study Reports (JRSSR) using the JRSSR functionality in FSFN.

(b) When a combined report is prepared for children who are referenced in court by the same case number, each child shall be addressed individually in the report.

(c) Any event that may impact the child's placement and educational stability; and Department or contracted service provider actions relating to the child shall be included in the JRSSR.

(d) In addition to the requirements of Section 39.701(27)(a), F.S., the JRSSR shall also include a recommendation to the court as to the child's placement and supervision until the next review. This recommendation shall be supported by the other information provided in the report.

(e) The JRSSR requirements are the same whether the JRSSR is prepared for a Citizen's Review Panel, General Magistrate pursuant to rule 8.257, Florida Rules of Juvenile Procedure, or for a hearing held by a judge.

~~The Services Worker shall comply with all department requirements for judicial reviews in Section 39.701, F.S., including requirements for the Judicial Review Social Study Report (JRSSR) and the use of citizen review panels as specified in Sections 39.701 and 39.702, F.S.~~

(2) ~~Regularly Scheduled Judicial Reviews. Every child under the jurisdiction of the court shall have judicial reviews at least every six months as long as the department or contracted service provider is responsible for supervising the child.~~

~~(a) If a child receives a regularly scheduled judicial review prior to disposition having been reached in the child's case, it is permissible to schedule the review hearing in conjunction with any other hearing occurring in the case. The review hearing must occur within six months of the previous judicial review or of the child's removal from his or her home, whichever is earlier. Adequate notice and reports shall be prepared for the review hearing.~~

~~(a)(b) If a child who has been removed is returned to the home of removal, or some other placement is made, judicial reviews shall continue until the court terminates supervision.~~

~~(b)(c) Regularly scheduled judicial reviews shall continue for any missing child until the child reaches the age of majority or the court terminates supervision. At each judicial review the court shall be informed of the child's status and the efforts of the Department or contracted service provider to locate the child.~~

~~(d) For children who remain in licensed out-of-home care to age seventeen and beyond, the following judicial reviews are required:~~

~~1. Pursuant to Section 39.701(6)(a) and (b), F.S., a judicial review hearing shall be held within ninety days after a child's seventeenth birthday.~~

~~2. Pursuant to Section 39.013(8), F.S., a judicial review hearing shall be conducted within the month that begins the six month period before the child's eighteenth birthday to review the child's progress while in the custody of the department and continue to evaluate the child's needs as he or she transitions from care.~~

~~(e) Additional judicial review hearings are scheduled as needed at the request of any party and at the discretion of the court.~~

~~(3) Child Participation. Unless the court has dispensed with the attendance of the child at judicial review hearings pursuant to Section 39.701(2)(a), F.S., the child has the right to be present in court for all judicial reviews and the Services Worker shall ensure transportation for the child to attend.~~

~~(a) If either the Services Worker or the court determines that the child need not attend, or if the child declines to attend, the Services Worker shall document in the case file how this decision was made. If the Services Worker excuses the child from attending a judicial review hearing, the Services Worker shall inform the court of the reason for excusing the child.~~

~~(b) A decision regarding whether a child is to attend a judicial review shall be made for each judicial review, unless the decision is based upon a persistent condition of the child that prevents his or her attendance.~~

~~(4) Judicial Review Social Study Report.~~

~~(a) A Judicial Review Social Study Report (JRSSR) shall be prepared for each regularly scheduled judicial review for a child.~~

~~(b) When a combined report is prepared for children who are referenced in court by the same case number, each child shall be addressed individually in the report.~~

~~(c) All significant events and department or contracted service provider actions relating to the child shall be included in the JRSSR. The most critical element of the JRSSR is the degree to which each of the parties have substantially complied with his or her case plan requirements, including an assessment of the performance of the Services Worker and service providers in arranging and providing all services, as specified in the case plan, for which they are responsible. Supportive documentation regarding tasks and services that address the child's safety, permanency and well being shall accompany the JRSSR.~~

~~(d) In addition to the requirements of Section 39.701(7)(a), F.S., the JRSSR shall also include a recommendation to the court as to the child's placement and supervision until the next review. This recommendation shall be supported by the other information provided in the report.~~

~~(e) The JRSSR shall set forth the specific tasks and services necessary to achieve the permanency goal established in the case plan and provide details on the progress being made toward achieving that goal.~~

~~(f) For teenagers in licensed out of home care:~~

~~1. Starting with the judicial review following a child's thirteenth birthday, the JRSSR shall provide the court with information regarding the results of independent living assessments, specific services that the child needs, and the status of the delivery of the services. This information shall be updated for each JRSSR hearing. For the judicial review scheduled six months prior to the child's eighteenth birthday, the JRSSR shall provide the court with the transition plan as the child prepares to leave out of home care.~~

~~2. The child's caregiver shall be given an opportunity to address the court with any information relevant to the best interests of the child regardless of whether the caregiver has provided information in writing.~~

~~(5) Permanency Hearings for Children in Out of Home Care.~~

~~(a) Prior to a permanency hearing, a permanency staffing shall be held as set forth in Rule 65C 28.006, F.A.C.~~

~~(b) There are four instances in which a permanency hearing occurs:~~

~~1. Within thirty days of a judicial determination that reasonable efforts to reunify are not required;~~

~~2. No later than twelve months from the date the child was removed from his or her home;~~

~~3. No less frequently than every twelve months thereafter if the child remains in out of home care and remains under court ordered supervision; and~~

~~4. When a child has been in out of home care for the past fifteen out of twenty two months. This hearing specifically addresses termination of parental rights.~~

~~(3)(6) Other Requests for Court Action.~~

~~(a) Whenever a need arises for court action outside the regular review period, the Department or contracted service provider shall, through Children's Child Welfare Legal Services (CLS) (CWLS), request such action from the court. The need for petitioning the court for such action shall include, but not be limited to:~~

~~1. When the danger threat to the child can be managed through an in-home safety plan or has been ameliorated;~~

~~2. When the child's custodian or caregiver or a service provider is failing to perform actions as required and the performance is necessary for reunification and/or the welfare of the child (e.g., when visitation is not happening because of the custodian's actions or a lack of supervision when that is required).~~

~~3. When requesting a modification to visitation, such as frequency or change from supervised to unsupervised for a child in out-of-home care.~~

~~4. When the conditions for return have been met, parent has substantially complied with the case plan and reunification should occur prior to the next regularly scheduled review.~~

~~(b) The Department or contracted service provider shall, through CLS CWLS, request such action from the court and provide the court sufficient information to make an informed decision on the request.~~

~~(c) Copies of any petition or report shall be provided by the CLS CWLS attorney to the parties as required for any judicial review.~~

~~(d) Except in the case of an emergency, A motion or pleading shall be prepared by the CLS CWLS attorney for each request for court action. The motion or pleading shall contain the information needed by the court to make a decision as to the request.~~

~~(e) Except in the case of an emergency, all pleadings and attachments shall be provided by the CLS CWLS attorney to the parties and others as required for a judicial review.~~

~~(f) If emergency request is made, notice to the parties and copies of the request shall be furnished by the CLS CWLS attorney by the means most likely to provide actual notice, including those notifications required for American Indian and Alaskan Native children under the provisions of the Indian Child Welfare Act.~~

~~(7) Citizen's Review Panels and General Magistrates.~~

~~(a) The JRSSR requirements are the same whether the JRSSR is prepared for a Citizen's Review Panel, General Magistrate pursuant to Rule 8.257, Florida Rules of Juvenile Procedure, or for a hearing held by a judge.~~

~~(b) The recommended order issued by a Citizen's Review Panel or General Magistrate is not a final order until approved by the court.~~

~~(c) The judicial review order in a case heard by a Citizen's Review Panel or General Magistrate is the order issued by the court approving, rejecting, or modifying the recommended order of the Citizen's Review Panel or General Magistrate.~~

~~Rulemaking Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.521(1)(b)3., (3)(d), 39.701, 39.702, FS. History—New 5-4-06, Amended \_\_\_\_\_.~~

#### 65C-30.014 Post-Placement Supervision and Services.

~~In a case where reunification has been attained, post-placement supervision shall continue for at least six months. When requesting an extension of supervision from the court, specific details explaining safety, risks, service needs and the parent's case plan accomplishments shall be provided to the court.~~

(1) The child's best interest and safety considerations, including conditions of return, shall be evaluated prior to recommending reunification and throughout the post-placement supervision period. The child's adjustment shall be evaluated throughout the post-placement supervision period.

(2) The case plan for post-placement supervision shall be completed, filed with the court and served on all parties at least 72 hours prior to the court hearing in which reunification is recommended. If the court returns custody to the parent contrary to the Ddepartment or contracted service provider's recommendation, the post-placement supervision case plan shall be completed, filed with the court and served on all parties within 14 fourteen working days of the court hearing. The effective date is the date custody changed to the parent.

(3) ~~At a minimum,~~ The case plan for post-placement supervision shall include:

(a) Case plan outcomes that are informed by the ongoing family functioning assessment or progress update assessment ~~An of family strengths, protective capacities, safety and risk with recommendations that aim to alleviate possible risks;~~

(b) An in-home safety plan ~~Services and activities necessary to remedy any of the initial problems that remain;~~

(c) Routine health care, as well as follow-up care for physical health, mental health or substance abuse service needs that have been identified if related to identified diminished caregiver protective capacities;

(d) Specific provisions regarding the need for child-care or early education programs; and

~~(e) Specific provisions regarding visitation by the Services Worker in accordance with Rule 65C 30.007, F.A.C. Frequency for contacts by child welfare professional Services Worker shall be based on the conditions in the home, needs of the child, level of safety and risk to the child or the level of cooperation of the parents or relatives warrant additional safeguards.~~

(4) Post-placement services. Services to be provided by the case manager ~~Services Worker~~ in reunification cases include, ~~at a minimum:~~

(a) Continuous monitoring of the in-home safety plan, and modification of the safety plan if necessary ~~Regular Services Worker contacts;~~

(b) Exchange of information with parents;

(c) Support, guidance and referrals, as needed;

(d) Return to the parents of original documents, including ~~but not limited to~~ the child's social security card and birth certificate;

(e) Determine in accordance with Section 402.17(7), F.S., and subsection 65C-17.006(3), F.A.C., of the disposition of any of Master Trust moneys being held for the child;

(f) Provide a copy of the child's resource record contents, including any Individual Educational Plans that were approved while the child was in out-of-home care.

(g) Assistance in using community and other family resources;

(h) Coordination with the school district regarding educational stability so, whenever possible, the child can continue attending the same school following reunification;

(i) Evaluation of the family's progress as a unit; and

(j) Evaluation of the child's progress. The case manager ~~Services Worker~~ shall be aware of the child's development, school attendance and adjustment, health and medical care, child-care arrangements, treatment plans, nutrition, recreation, community activities and family dynamics.

(5) If not already enrolled in a licensed child care program or licensed early education program, children from birth to age of school entry five and under shall be assessed by the case manager ~~Services Worker~~ regarding the need for child care services ~~to help ensure their safety following reunification and a recommendation made to the court.~~

~~(a)~~ If additional oversight of the child is determined by the case manager ~~Services Worker~~ to be needed, intensive in-home services may be recommended to the court as an alternative to a licensed child-care program or licensed early education program.

~~(b) If the child is between three years of age and school age and already enrolled in a licensed early education or a child care program or has this service court ordered following reunification, the requirements provided in Section 39.604, F.S., shall be followed.~~

(6) At every ~~three (3) six~~-month period of post-placement supervision, the ~~case manager Services Worker~~ shall:

(a) Evaluate with the family their adjustment following the return of the child and their progress toward completion of ~~outcomes tasks~~ in the case plan;

~~(b) Assess any continuing safety concerns by considering all records relating to the child and completing a family assessment; and~~

~~(c) Update the family functioning assessment through the progress update; and~~

~~(d)(e) Prepare, file with the court and serve on all parties a report that addresses the issues noted in the post-placement supervision case plan and the outcome of the current family functioning assessment with input from service providers. There shall also be provided a recommendation for case termination or extension of supervision.~~

~~(7) When requesting an extension of post-placement supervision from the court, specific details explaining safety, risks, service needs and the parent's case plan accomplishments shall be provided to the court. Post-placement supervision cases shall not be terminated until ordered by the court in accordance with Rule 65C 30.022, F.A.C., Termination of Services.~~

(8) Reunification with a parent outside of Florida requires approval through the Interstate Compact on the Placement of Children, Section 409.401, F.S.

~~Rulemaking Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.521(3)(a) ~~(d), (5), (6), (7), 39.522(2), 39.701(1)(b) 409.145(1) FS. History--New 5-4-06, Amended~~~~

65C-30.015 New Reports Received, Removal and Placement of Children.

(1) The ~~c~~Child ~~p~~Protective ~~i~~nvestigator (CPI) shall, within one ~~(1) business working~~ day, notify the ~~case manager Services Worker~~ of any new reports of abuse, neglect or abandonment received on active cases.

(2) When cause for the immediate removal of the child is discovered during contact with the child or family, the ~~case manager Services Worker~~ shall call 911 immediately if a dangerous situation is transpiring in the presence of the child and shall remain with the child until the child can be removed by a law enforcement officer or a CPI.

(a) The ~~case manager Services Worker~~ is not required to remain with the child if the situation threatens the personal safety of the ~~case manager Services Worker~~.

(b) In situations involving immediate or life threatening danger to the child, the ~~case manager Services Worker~~ is authorized to physically remove the child from the situation until physical custody of the child can be given to a CPI or a law enforcement officer.

(3) If the decision is made to leave the child in the home even though other children are currently placed in out-of-home care, written approval of a contracted service provider administrator shall be obtained and documented in ~~FSFN the case file~~.

(4) In all cases, the new child ~~information~~ shall be ~~added to the family functioning assessment in FSFN entered into the statewide automated child welfare information system~~.

~~(5) A new child born to a child in foster care.~~

~~(a) When a minor child in foster care is becomes pregnant, the case manager Services Worker shall assist her in arriving at a suitable and realistic plan for her own future and for that of her infant and in making the choice whether to keep and care for her infant or to relinquish the infant for adoptive placement.~~

~~(a)1. The case manager Services Worker shall staff any decision not to remove the infant from the mother (foster child) with his or her supervisor and document maintain a written copy of the staffing with the staffing decision in FSFN the child's record.~~

~~2. If the Services Worker or supervisor determines there is risk for neglect or abuse of the infant, a report must be made to the Florida Abuse Hotline immediately and the CPI shall determine the placement of the infant, either with the mother with the provision of services, or removal and placement elsewhere.~~

(b) If the mother chooses to keep her child or is uncertain, placement of the mother and her child shall be, unless contrary to the best interests of the infant, in the same foster home or ~~group home residential program~~ in order to strengthen attachment and provide the mother with the opportunity to learn child-caring skills from the foster ~~parent mother~~ or residential program staff.

(c) If the mother decides to place the infant for adoption, the ~~case manager Services Worker~~ shall refer the mother to a licensed child-placing agency.

(d) In cases where the mother's emotional or mental capacity to parent are in question or the mother has a juvenile delinquency history involving acts of violence, the ~~case manager Services Worker~~ shall secure a psychological evaluation of the mother to assess coping skills, mental health issues and abilities to protect the child. The findings and recommendations set forth in the evaluation shall be considered in determining if the mother can provide a safe environment for the child.

Rulemaking Specific Authority 39.012, 39.0121(2) 39.401, 39.402 FS., Chapter 10 F.A.C. Law Implemented 39.401 FS. History–New 5-4-06, Amended \_\_\_\_\_.

65C-30.016 New Children in Families under Supervision.

(1) The case manager Services Worker shall immediately report to the supervisor a pending birth, a child born into a family, or any other circumstance adding a new child who is living in a home that is under supervision, ~~including those cases where other children in the family are currently under in-home protective supervision (including voluntary supervision and post placement supervision) or where other children in the family are in an out of home placement (including licensed placements and relative or non relative placements).~~

(2) The case manager Services Worker shall visit the home where the new child will or already resides and conduct an assessment to determine the safety of the new child in the home.

(3) ~~If the Services Worker is concerned about the safety, risk or long term well being of the new child, The case manager Services Worker shall staff the case with his or her supervisor to determine if any actions are needed, including a consultation with Children's Child Welfare Legal Services is needed regarding the filing of a petition on the new child.~~

(4) In all cases, modifications to the existing safety plan shall be made to address the new child.

(5) The new child's name and demographics shall be entered into FSFN as part of the existing case immediately upon learning of the child's presence. A new child born to a child in foster care.

~~(a) When a minor child in foster care becomes pregnant, the Services Worker shall assist her in arriving at a suitable and realistic plan for her own future and for that of her baby and in making the choice whether to keep and care for her child or to relinquish the child for adoptive placement. (See Rule 65C 28.010, F.A.C., regarding minor parents in the custody of the department.)~~

~~(b) If the mother chooses to keep her child or is uncertain, placement of the mother and her child shall be, unless contrary to the best interests of the infant, in the same foster home or residential program in order to strengthen attachment and provide the mother with the opportunity to learn child caring skills from the foster mother or residential program staff. (See Rule 65C 28.010, F.A.C., regarding minor parents in foster care.)~~

~~(c) In cases where the mother's emotional or mental capacity to parent are in question or the mother has a juvenile delinquency history involving acts of violence, the Services Worker shall secure a psychological evaluation of the mother to assess coping skills, mental health issues and abilities to protect. The findings and recommendations set forth in the evaluation shall be considered in determining if the mother can provide a safe environment for the child.~~

Rulemaking Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.401, 39.6013 FS. History–New 5-4-06, Amended \_\_\_\_\_.

65C-30.018 Out-of-County Services.

(1) When a child, an intact family or a child and caregiver under supervision or involved in a child protective investigation is to relocate to a county other than the county of jurisdiction or when supervision services are needed in another county for any other case participant, ongoing safety management, supervision and services specific actions are required to ensure the safety and well-being of the child and to coordinate the request for supervision and services. Such actions are required whether or not the child has been adjudicated dependent, ~~including children in cases under voluntary supervision.~~

(2) If, following the completion of a home study, the court in the sending county orders the child into the placement, the contracted service provider in the sending county shall immediately send a referral for out-of-county supervision to the contracted service provider in the receiving county.

(3) The case manager Primary Worker in the county of jurisdiction has the option of continuing to perform all necessary case supervision activities rather than request services from the contracted service provider in another county if there is a protocol, either statewide or between the contracted providers in the two counties, that allows supervision services in the other county.

(a) As stipulated in the protocol, these activities may include performing a home study and making a placement in the other county, as well as continuing ~~the provision of~~ supervision services. If supervision services are to be requested following the initiation of the placement and the home study:

1. The receiving contracted service provider shall be provided an opportunity to visit the placement and review the home study prior to a recommendation being made to the court in the sending county.

2. Once the Primary case manager Worker in the county of jurisdiction begins the provision of supervision, he or she shall fully document his or her involvement in FSFN the statewide automated child welfare information system so he or she will be clearly identified should any new reports or future incidents arise.

3. The Primary case manager in the county of jurisdiction Worker shall perform all case management and service provision activities without requiring the involvement with a contracted service provider in the county where the child or family resides.

(b) In order to perform these activities in another county, the following additional requirements shall be met:

1. The contracted service provider shall be licensed as a child-placing agency to provide placement and supervision services in the county where the child or family has relocated, and

2. The contracted service provider's contract with the Department shall identify the county where the child or family has relocated as a county where the contracted service provider may provide placement and supervision services.

(4) Procedures shall be developed through a statewide working agreement that is updated annually between the cCommunity-bBased cCare (CBC) lLead aAgencies regarding the request, processing, approval or denial and coordination of any services required for unsafe children and/or their parents and caregivers, including for county-to-county and district-to-district requests for home studies and referrals for out-of-county services.

(a) ~~Each zone shall designate a liaison in the Family Safety Program Office to perform any activities necessary to ensure the timely and accurate processing of requests for home studies, referrals for out of county services and other types of out of town inquiries.~~

1. ~~The liaison shall be the recipient of any information provided by the Community Based Care Lead Agencies or other contracted services providers in regard to requests for actions sent to or from other counties.~~

2. ~~The liaison shall assist in reconciling any disagreements regarding the handling of a request, both for requests from within the zone and by coordinating with liaisons in other zones.~~

(b) ~~The procedures shall ensure that all activities required for requesting and arranging for supervision services are performed as quickly as possible to avoid a delay in making a safe and appropriate placement.~~

(c) ~~If the procedures allow the requests for home studies and referrals for out of county services to be sent and received directly between the CBC Lead Agencies, the zone Family Safety Program Offices shall be provided monthly activity logs by each Lead Agency in the zone of the requests for~~

~~home studies and referrals for out of county services received and sent by the Lead Agency.~~

1. ~~These logs may also be used to document other out of town inquiries, such as a request for case plan assistance,; a criminal, delinquency and abuse/neglect history checks or information needed in regard to a child protective investigation in another county,~~

2. ~~At a minimum, these logs shall provide the following information:~~

a. ~~The date the request or referral is sent or received,~~

b. ~~Whether the request or referral is incoming or outgoing,~~

c. ~~Whether the action involves a request for a home study or a referral for out of county services,~~

d. ~~Any explanatory notes regarding the nature of the requested action,~~

e. ~~The name and date of birth of each child involved in the requested action,~~

f. ~~The name of any adult to whom the requested action relates,~~

g. ~~The name of the Lead Agency or other contracted service provider assigned to perform the activity and the name of the assigned Services Worker and Services Worker sSupervisor in the receiving unit,~~

h. ~~The name of the Lead Agency or other contracted service provider requesting the action and the name of the assigned Services Worker and Services Worker sSupervisor in the sending unit,~~

i. ~~The date a response is sent in regard to the requested action,~~

j. ~~The lLead aAgency or other contracted services provider and the name of the person to whom the response is sent,~~

k. ~~A means to indicate for each log entry, whether in regard to an incoming or outgoing request or referral, when the requested activity has become inactive, such as a child or family relocating to another county, a child reaching age 18 or the completion of a one time activity.~~

l. ~~Progress notes regarding activities performed in regard to the requested action. These notes shall be updated with each monthly submission of the log by providing new entries to the existing commentary.~~

(5) ~~A request for a home study, a referral for out of county services or the initiation of supervision in another county is required when:~~

(a) ~~A child's emergency placement in another county is being considered;~~

(b) ~~There are plans to place a child outside the sending county, including placement in a shelter;~~

~~(c) There are plans to release a child to a parent outside the sending county and continued supervision is needed toward meeting the case plan goal;~~

~~(d) A family under supervision (either court ordered or voluntary) has plans to move to another county;~~

~~(e) The parent or caregiver with whom reunification is planned, the other parent or other case participant who is central to meeting the case plan goal lives in or is planning to move to another county, regardless of whether the child is residing in the same county;~~

~~(f) An adoptive placement is planned in another county;~~

~~(g) A child who is placed in a Department of Juvenile Justice (DJJ) secure detention facility or residential program or other non Family Safety program in another county requires continued supervision while in the facility or program; or~~

~~(h) When it becomes known that a child, family or parent under the supervision of the department or a contracted service provider has relocated to another county prior to the Primary Worker in the county of jurisdiction requesting a home study or case supervision by the contracted service provider in the other county.~~

~~(6) Requests for supervision services to be provided by a Services Worker in another county shall be requested by the Primary Worker in the county of jurisdiction in advance of a child's relocation.~~

~~(7) When placement of a child in a relative or non relative home is being considered, the criminal, delinquency and abuse/neglect history check and home study requirements of Rules 65C 28.011 and 65C 28.012, F.A.C., shall be met. The sending county shall request that these be completed by the contracted service provider in the receiving county in advance of making the request for supervision services, unless a protocol, either statewide or between the contracted service providers in the two counties, allows the sending contracted service provider to perform this function.~~

~~(8) If a child's removal from his or her home involves an emergency removal and placement of the child in shelter status with a relative or non relative, a criminal, delinquency and abuse/neglect history check in accordance with Section 39.401(3), F.S., and an on site inspection of the proposed placement home shall be requested by the Primary Worker or CPI in the county of jurisdiction and performed by a case manager Services Worker or CPI in the receiving county prior to placing the child.~~

~~(9) At the time services are requested, the Primary Worker or CPI in the county of jurisdiction is responsible for providing the Services Worker or CPI in the receiving county with:~~

~~(a) The child's name and case number;~~

~~(b) The prospective caregiver's name, address and telephone number;~~

~~(c) The name of the sending county's Primary Worker or CPI and supervisor; and~~

~~(d) A copy of the case plan and all case materials necessary to determine the appropriateness of the request and for providing supervision and services.~~

~~(5)(10) When disputes arise regarding a request for a home study, a referral for out-of-county supervision or any activities related to the activities and duties involved, if the individual contracted service providers or CBC Lead a Agencies cannot reach a resolution, the regional zone liaison within the region zone or the liaisons in the two regions zones involved shall assist in reaching a resolution. If necessary, the Family and Community Service Director or designee Safety Program Administrator within the region zone or the Family and Community Service Directors or designees Program Administrators in the two (2) regions zones involved shall assist in reaching a resolution. If necessary, the Office of Child Welfare Family Safety Program Central Office shall be consulted in seeking a resolution.~~

~~(6)(11) Once a child has relocated or services for any other case participant have been accepted by the contracted service provider in the receiving county, the case manager Services Worker in the receiving county shall perform all case supervision and related documentation requirements upon notification of the placement, including the provision of information for case planning and judicial review activities to the case manager Primary Worker or CPI in the county of jurisdiction.~~

~~(a) The responsibility to perform these duties shall continue until the child's case is closed, the person receiving services is no longer a case participant or the child and family move from the service area.~~

~~(b) The case manager Primary Worker in the county of jurisdiction shall retain continue to be the primary case manager and retains primary responsibility and accountability for the case as long as the case remains open in that jurisdiction.~~

~~(7)(12) The final decision regarding whether the recommendation to be made to the court is for or against the placement of the child is to be made by the case manager Services Worker and his or her supervisor in the receiving county, or by other contracted service provider designated staff in the receiving county, unless the placement is court ordered without an opportunity for the receiving contracted service provider to provide input prior to the placement decision. Once the court in the sending county (county of jurisdiction) has ordered the placement of a child, the contracted service provider in the receiving county shall accept the placement as approved.~~

~~(8)(13)~~ Once a case has been accepted for supervision services, communication regarding the case is made directly between the contracted service provider service units in the two (2) counties involved.

~~(9)(14)~~ Cases shall not be closed and jurisdiction shall not be transferred to the contracted service provider in the receiving county prior to specified actions being taken:

(a) Prior to recommending case closure to the court or closing a non-judicial voluntary supervision case, the case manager Primary Worker in the county of jurisdiction shall inform the case manager Services Worker in the receiving county of the planned action and ensure that the case manager Services Worker in the receiving county has an opportunity to comment on the advisability of the planned action.

(b) Cases involving court ordered supervision shall not be terminated without court approval. The case manager Services Worker in the receiving county shall be provided with a copy of the court's termination order.

(c) A recommendation to the court to transfer jurisdiction shall not be considered unless the family has reunified in the receiving county, is expected to remain in that county and the contracted service provider in that county agrees to the transfer. In cases under non-judicial voluntary supervision, jurisdiction shall not be transferred to the receiving county unless the contracted service provider in the receiving county is in agreement with the transfer.

(d) When a contracted service provider has chosen to perform court ordered supervision services in another county and termination of supervision is being recommended to the court of jurisdiction, the contracted service provider requesting the termination shall also request that the court stipulate that jurisdiction over any future dependency involvement with the family will be retained by that court.

Rulemaking Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.521, 39.6011, 39.6012, 39.701 39.4085(10), 39.601 FS. History--New 5-4-06. Amended

65C-30.019 Missing Children.

(1) When the whereabouts of a child in an investigation or under judicial supervision is unknown or the child welfare professional responsible for the case or designee has obtained, or intends to obtain, a Take into Custody or Pickup Order, the child welfare professional or designee shall report the child as missing with local law enforcement and obtain a missing child report, under supervision or in an active child protective investigation is believed to be missing, caregivers shall make the efforts to locate the child.

(a) Local law enforcement shall be contacted immediately when:

1. The child is under age 13;

2. The child has a physical or mental incapacity, or a developmental or behavioral challenge that renders the situation more dangerous than it would be for a child with more maturity or resources;

3. The child is with others who may endanger his or her safety;

4. The child is known or believed to be in a life-threatening situation;

5. The child is missing under circumstances inconsistent with established behaviors; or

6. There is any other reason to believe that the child is in a dangerous situation.

(b) When the whereabouts of a child who does not fall under one of the categories in subsection (1)(a)1-6 above are unknown, the caregiver or child welfare professional, or designee can take up to four (4) hours to actively search for and make reasonable efforts to locate the child prior to contacting local law enforcement. Reasonable efforts include:

1. Searching the child's belongings.

2. Calling/texting the child's cell phone.

3. Checking the child's computer, social media accounts, or other online accounts.

4. Contacting the child's friends, relatives, or known associates.

5. Searching areas that the child is known to frequent.

6. Contacting the child's school.

7. Contacting the child's employer.

~~(a) If missing under child emergency circumstances, request local law enforcement to open a missing child report and obtain a case number;~~

~~(b) Notify the Services Worker or Child Protective Investigator (CPI), who will contact the parents, and provide the case number if a missing child report was made;~~

~~(c) Inspect the child's personal belongings to determine what items are missing;~~

~~(d) Contact the child's parents, relatives, known family members, school teachers, friends, or companions of the child, and if appropriate, the child's place of employment;~~

~~(e) Check places the child is known to frequent; and~~

~~(f) Document all information obtained, including the names, addresses and phone numbers of persons contacted.~~

(2) When a child welfare professional protective investigator, Services Worker or CPI is informed that a child under supervision ~~or in an active child protective investigation~~ is missing, the child welfare professional protective investigator, Services Worker or PI shall:

(a) Immediately ~~Ce~~contact law enforcement within the time frames set forth in subsection (1) of this rule, if the caregiver has not already done so;

(b) Complete and submit a FSFN Missing Child Report form.

1. The Missing Child Report form shall be completed and submitted within FSFN within one (1) business day of the child welfare professional learning that a child is or was considered to be missing.

2. Submission of the completed Missing Child Report form shall initiate internal DCF reviews of the missing child report so as to ensure that it meets reporting criteria for case opening with the FDLE/Missing and Endangered Person Information Clearinghouse, and the National Center for Missing and Exploited Children. Gather the information required in paragraphs (1)(e) (f), above, unless already completed by the caregiver and satisfactory to the Services Worker or CPI;

(c) Notify the child's parents or legal custodian, guardian ad litem and/or, attorney ad litem, if appointed, and attorney for the child and therapist of the missing status of the child if the whereabouts of the child remain unknown ; and

(d) Notify Children's Legal Services or the contracted legal provider within one (1) business day for the purposes of filing a File notice with the court regarding the missing child. Children's Legal Services or the contracted legal provider must file the notice within one (1) business day of receiving notice of the missing child, so long as the child remains missing.

(3) Notification to law enforcement includes local law enforcement, the Florida Department of Law Enforcement Missing Children Information Clearing House and the National Center for Missing and Exploited Children.

(4) The Services Worker or CPI shall ensure that the Missing Child Report Form, which is located in the Missing Child Tracking System, is completed and entered into the Missing Child Tracking System per district/region, zone or contracted service provider policies and procedures.

(5) The child welfare professional Services Worker or CPI shall actively continue to search for the child and shall document all efforts on a weekly basis for the first three (3) months the child is missing and monthly thereafter. All efforts to locate the child shall be documented as a Missing Child – Attempt to Locate note type in FSFN within one (1) business day of the effort to locate.

(4)(6) When the child is located, the child welfare professional Services Worker or CPI shall:

(a) Immediately notify the following:

1. Law enforcement; the child's parents, legal custodian, out of home caregivers, guardian ad litem, law enforcement, the court, and any other person or agency contacted as part of the search for the missing child.

2. All persons notified of the child's missing status pursuant to subsection (2)(c) of this rule; and

3. The court.

(b) Complete and submit a FSFN Missing Child Recovery form immediately, and in no case later than 24 hours, upon learning that a missing child has been located. Submission of the completed Missing Child Recovery form shall initiate internal DCF reviews of the missing child report so as to ensure that it meets case closure criteria with the FDLE/Missing and Endangered Person Information Clearinghouse; and

(c)(7) The Services Worker or CPI shall Attempt to interview the child within 24 twenty four hours of the child welfare professional learning that the child has been located child's return to determine the child's need for further services and/or change in placement.

1. The interview shall determine the primary factors that contributed to the child running away; the child's experience while absent from care, including screening the child to determine if the child is a possible victim of sexual trafficking; and

2. All efforts to interview the child shall be documented in FSFN as a Missing Child – Debriefing note type within one (1) business day of the attempted interview.

Rulemaking Specific Authority 39.012, 39.0121(16) (43), 39.0141 FS. Law Implemented 39.0141, 39.202(4), 39.301(16), 39.604(4)(b) FS. History–New 5-4-06. Amended \_\_\_\_\_

65C-30.020 Child Deaths.

(1) Any employee of the Department, the contracted service providers or sheriffs' offices who conduct child protective investigations, who has knowledge of a child's death and who has reasonable cause to suspect that the child died as a result of abuse, neglect or abandonment shall immediately report the death to the Florida Abuse Hotline. A report is required even when there are no surviving children living in the home.

(2) Whenever a case manager Services Worker learns that a child under supervision has died, that case manager Services Worker shall ensure that the regional managing director District/Region Administrator or Lead Agency eExecutive dDirector or designee is orally notified immediately upon learning that a death may be due to abuse, neglect or abandonment and in writing within 24 hours of the death.

(3) The Hotline Director or designee shall provide wWritten notification of all child deaths alleged to have occurred in Florida as a result of abuse, neglect or abandonment or of the deaths of children who are the subjects of an open abuse, neglect or abandonment investigation or currently ongoing services, regardless of whether there are allegations of death due to abuse, neglect or abandonment, shall be given to the following individuals within two (2) hours one working day of the oral notification:

(a) Secretary of the Department;

- ~~(b) Deputy Secretary for Operations and Technology;~~
- ~~(c) Assistant Secretary for Child Welfare;~~
- ~~(d) Director of Child Welfare Operations;~~
- ~~(e) Director of Child Welfare Practice;~~
- ~~(f) Assistant Secretary for Operations;~~
- ~~(g) Regional Managing Director;~~
- ~~(h) Regional Family and Community Services Director or designee;~~

- ~~(i) Statewide Child Fatality Prevention Specialist;~~
- ~~(j) Regional Child Fatality Specialist; and~~
- ~~(k) Deputy Secretary for Community Based Care and Family Self Sufficiency;~~
- ~~(l) Legal Services General Counsel;~~
- ~~(m) Director for the Office of Communications;~~
- ~~(n) Inspector General;~~
- ~~(o) Director for the Office of Family Safety;~~
- ~~(p) Chief of Family Safety Quality Management;~~
- ~~(q) Local Death Review Coordinator; and~~
- ~~(r) Statewide Child Death Review Coordinator.~~

(4) Upon receipt of a call concerning a child death, Florida Abuse Hotline staff shall:

(a) Screen the call to determine whether the allegation meets the statutory requirement for accepting a report of death due to abuse, neglect or abandonment;

(b) Enter the maltreatment type of aAbuse or nNeglect, as well as any other maltreatment type that indicates how the child is suspected to have died as a result of abuse, neglect or abandonment;

(c) Enter an additional report when a child died during the investigation of a report that initially alleged an abuse, neglect or abandonment incident that later resulted in the child's death. If the reporter is repeating information already received in a previous call, a supplemental information report shall be entered. In all other cases, an initial report shall be entered;  
~~and~~

~~(d) Notify the central office Chief for Family Safety Quality Assurance and the statewide Child Abuse Death Review Coordinator of all child deaths, which result in an abuse, neglect or abandonment report and provide these individuals with the correct abuse report number.~~

(5) Whenever it appears that a child died as a result of abuse, neglect or abandonment, or when a child dies for reasons unrelated to abuse, neglect or abandonment during the course of an active child protective investigation, ~~a safety assessment and high risk designation per Rule 65C 29.012, F.A.C., shall be conducted to ensure the safety of any surviving children. In addition to completing this assessment,~~ a cChild protective investigator (CPI) shall conduct a thorough investigation of the circumstances surrounding the death. The investigation shall consist of:

(a) Gathering all ~~relevant~~ information necessary to determine whether the death was due to abuse, neglect or abandonment, including, ~~but not limited to:~~

1. The child's death certificate;
2. A copy of the medical examiner's final report, if an autopsy was conducted;
3. A copy of any law enforcement investigation of the death;
4. All criminal history records and abuse, neglect or abandonment reports pertaining to the caretaker responsible for the child's death; and
5. All prior child protection records pertaining to the child and the caregiver ~~caretaker~~ responsible for the child's death.

(b) Reviewing information entered into FSFN ~~the statewide automated child welfare information system~~ for accuracy and completeness prior to closure. For the purposes of documenting the "victim seen" time in FSFN ~~the statewide automated child welfare information system~~, the date and time of the professional collateral contact with medical staff or law enforcement personnel attesting to the child's death shall suffice to record the "First Seen" date and time for the victim. Appropriate findings shall be entered for maltreatment.

~~(c) Reviewing information entered into the statewide automated child welfare information system for accuracy and completeness prior to closure. Entering appropriate findings shall be entered for the maltreatment finding "Death Due to Abuse or Neglect" and for the maltreatment type or description (e.g., Abandonment) that best describes the cause of death;~~

(d) Ensuring that the automated investigative file clearly reflects the cause and circumstances surrounding the child's death. The date of death and findings from the medical examiner and law enforcement (including the status of criminal prosecution, if applicable) shall be included in the automated investigative file to the extent that information is available prior to closing the report;

(e) Keeping the regional Child Fatality Prevention Specialist ~~local death review coordinator~~ informed of significant developments during the investigation and ensuring that the specialist ~~coordinator~~ receives copies of all pertinent documentation, such as autopsy and law enforcement reports;  
~~and~~

(f) Ensuring that the report is not closed until the death has been reviewed by the regional Child Fatality Prevention Specialist ~~local death review coordinator~~ and he or she ~~the coordinator~~ has advised the supervisor that the death report has been approved for closure; ~~and-~~

(g) Notifying the regional Child Fatality Prevention Specialist when a child dies during an open investigation in which there were no allegations of abuse or neglect.

(6) If the death involved a child receiving services, the case manager Services Worker shall:

(a) Follow Department or contracted service provider procedures to ensure the child's parents are notified as soon as possible;

(b) Refer any press inquiries to the appropriate regional district/region or zone public information office; and

(c) Follow Department or contracted service provider procedures to ensure that the emotional needs of the child's family and siblings, caregiver, and other children in the home are addressed; and -

(d) Notify the regional Child Fatality Prevention Specialist.

(7) The Department or contracted service provider shall cooperate with any law enforcement requests related to an investigation of the child's death.

(8) Any Department employee, community-Based Care provider or sheriff's department staff member providing child protection services shall cooperate with the Department of Children and Families, Family Services Critical Incident Rapid Response Team, and participate as needed on the Department of Health local Cehild Abuse Ddeath Review team processes.

(9) If the child is in licensed out-of-home care, the case manager Services Worker shall determine whether the family has resources available to pay for the funeral expenses. If resources are not available, the Department or lead agency shall contact the Florida Funeral Director's Association in Tallahassee, Florida, to arrange for funeral services.

Rulemaking Specific Authority 39.012, 39.0121(13) FS. Law Implemented 39.201(3), 39.2015, 39.301(16)(45), 39.303(2)(g); 383.402, 409.165(4) FS. History--New 5-4-06, Amended

65C-30.021 Child Death Reviews.

(1) In accordance with Section 383.402, F.S., each district administrator shall appoint a death review coordinator for the district. The coordinator shall have knowledge and expertise in the area of child abuse, neglect and abandonment and oversee the completion of child death reviews.

(1)(2) The Department shall conduct multidisciplinary reviews of all child deaths where there was a prior report with a verified finding to the Department within the previous 12 months in accordance with Section 39.2015, F.S. Child death reviews shall be regarded as extraordinary investigations and are necessary for the prevention of subsequent child abuse, neglect or abandonment. The regional Child Fatality Prevention Specialist shall conduct A child a death review shall be conducted on all child deaths in which it is alleged that abuse, neglect or abandonment was or may have been a factor in the child's death, and in situations where a child died while receiving ongoing services.

(2)(3) The Child Fatality Prevention Specialist will not conduct a death review in the following This procedure does not apply to deaths that occur under the following circumstances unless either abuse, neglect or abandonment is suspected or the child was receiving ongoing services:

(a) Fetal deaths;

(b) Deaths due to accidents or diseases; and

(c) Deaths of children who are involved in other Department of Children and Family Services (DCF) programs, such as mental health or developmental services, and no abuse, neglect or abandonment was suspected in the death; and -

(d) Deaths of children that occurred during an active services case or open investigation in which abuse or neglect is not alleged.

(4) Comprehensive Review. A "comprehensive review" is a detailed review of the facts and circumstances surrounding the death of a child alleged to have died as a result of abuse, neglect or abandonment. The review includes an evaluation by the local child abuse death review coordinator of all prior and current services provided to the child and family by the department, community based care provider or sheriff's office. A comprehensive review is required when the review by the local death review coordinator shows the child's death is or is likely to be either "verified" or with "some indicator" findings that of the death occurred due to abuse, neglect or abandonment, and one or more of the following is also true:

(a) The child or other children in the home were the subjects of one or more prior reports of abuse, neglect or abandonment;

(b) The statewide or zone death review coordinator determines an in depth review of the case is necessary due to special circumstances or at the request of other parties, such as the Child Protection Team, child protection staff, district administration, or law enforcement;

(c) For comprehensive reviews, documentation shall include:

1. A list of all material that was reviewed during the review process, including prior abuse reports or ongoing services case records;

2. A list of all individuals interviewed during the death review process;

3. Notes of any meetings that occurred during the death review process. The notes shall reflect who was invited to participate, who attended the review, when the review was held and any important review findings or major issues, concerns or recommendations;

~~4. A summary of all department and community based care provider involvement with the child and family prior to the child's death. This shall also include an evaluation of the appropriateness and effectiveness of the prior involvement; and~~

~~5. A copy of the "Review of Child Death" report shall be provided to the central office Chief of Quality Management, the local Quality Management office and the State Child Abuse Death Review Coordinator. Districts/regions shall complete all relevant sections of the report.~~

~~(d) The report shall be completed no later than ten working days after case closure, or seventy days after receipt of the child death report to the Florida Abuse Hotline or of learning of the child's death, whichever occurs first; or~~

~~(e) If the responsibility for the child death review has been assigned to another agency, a comprehensive review by the local death review coordinator is not required provided that documentation requirements are met.~~

~~(5) Limited Review. A "limited review" includes a basic review of the facts and circumstances surrounding the death of a child alleged to have died as a result of abuse, neglect or abandonment. Limited reviews are accomplished by the completion and update, if necessary, of the death section of the department's Incident Reporting System. A limited review shall be conducted by the zone death review coordinator in the following situations:~~

~~(a) The death does not meet the criteria for comprehensive review; or~~

~~(b) The death was alleged to have occurred as a result of abuse, neglect or abandonment and the deceased child and the child's siblings have never been the subjects of abuse, neglect or abandonment reports to the Florida Abuse Hotline.~~

~~(6) In limited reviews by the zone child death review coordinator, documentation shall include:~~

~~(a) The date of the final review and approval of the investigative findings; and~~

~~(b) A copy of the limited review report shall be sent by the local death review coordinator to the Chief of Quality Management, the local Quality Management office and the State Child Abuse Death Review Coordinator. The format for the limited child death review report is the death section of the department's Form. Local death review coordinators shall complete all relevant sections of the report.~~

~~(7) The report shall be completed within ten working days of case closure, or seventy days after receipt of the child death report by the Florida Abuse Hotline or of learning of the child's death, whichever occurs first.~~

~~Rulemaking Specific Authority 39.012, 39.0121(12) FS. Law Implemented 39.01, 39.012, 39.2015 383.402 FS. History—New 5-4-06. Amended \_\_\_\_\_~~

65C-30.022 Termination of Services.

~~(1) Supervision of a child shall not be terminated unless: while supervision is court ordered unless the child has reached age 18. However, a child in licensed out of home care may elect to petition the court for continued court jurisdiction until age 19 (see subsection 65C 31.009(2), F.A.C., for more information regarding continued jurisdiction beyond age 18.)~~

~~(a) A lead agency-managed safety plan is still necessary;~~

~~(b) Supervision is court ordered; or~~

~~(c) The child has reached age 18 and remains in extended foster care.~~

~~(2) Prior to terminating any services case, the case manager shall complete a progress update in FSN and/or a Judicial Review Social Study Report (JRSSR). The case manager Services Worker shall also determine whether there is not an open or pending child protective investigation or whether within the previous three (3) months a child abuse, neglect or abandonment report has been received on any child in the case. For both court ordered and non-judicial voluntary cases, if any of these situations apply, the supervisor of the case manager Services Worker's supervisor shall be required to review and approve the case closure before a non-judicial voluntary case may be closed or a recommendation may be made to the court to close a court ordered case.~~

~~(3) Prior to requesting the termination of a case, the Services Worker shall prepare a termination summary or Judicial Review Social Study Report (JRSSR) as specified below:~~

~~(a) For Voluntary Protective Services cases, the termination summary shall be provided to the Services Worker's supervisor for approval and determination if a petition is needed for court ordered supervision.~~

~~(a)(b) For court ordered supervision cases, the case manager Services Worker shall complete a progress update prepare a termination summary for review by the case manager Services Worker's supervisor and submission to the court through CLS CWLS. However, when a JRSSR is prepared at the time of the request to terminate supervision, it may be used as in lieu of a termination summary to provide the information needed by the court supervisor to make the termination decision.~~

~~(b)(c) The termination summary or JRSSR shall include:~~

~~1. Reason for Department agency involvement;~~

~~2. Progress toward resolving the issues that resulted in Department agency intervention; current status of safety and risk assessment, and an explanation of case plan outcomes objectives that were met and those that were not; and~~

~~3. The reason for termination.~~

~~(3)(4) For court ordered in-home protective supervision, supervision shall not be terminated until authorized by court order.~~

~~Rulemaking Specific~~ Authority 39.012, 39.0121(12), (13) FS. Law Implemented ~~39.701 409.145(4)~~ FS. History—New 5-4-06, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Alissa Cross  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2015  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 30, 2015

**Section III**  
**Notice of Changes, Corrections and Withdrawals**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:	RULE TITLES:
61G15-22.0001	Renewal of Active Licenses.
61G15-22.001	Continuing Education Requirements.
61G15-22.002	Definitions.
61G15-22.003	Qualifying Activities for Area of Practice Requirement.
61G15-22.004	Conversion of Education Units to PDH.
61G15-22.005	Non-Qualifying Activities.
61G15-22.008	Record Keeping.
61G15-22.010	Qualifying Activities for Laws and Rules Requirements.
61G15-22.011	Board Approval of Continuing Education Providers.
61G15-22.012	Obligations of Continuing Education Providers.

**NOTICE OF CORRECTION**

NOTICE IS HEREBY GIVEN that the following correction has been made to the proposed rule published in Vol. 41, No. 167, August 27, 2015, issue of the Florida Administrative Register – the third paragraph should read:

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

herein: The rule amendments update, clarify, and streamline existing Board rules, as well as implement the provisions of Chapter 2014-125, §4. The Board determined any adverse impact or regulatory costs imposed from the rule amendments result directly from the legislation, while amendments not directly required by the legislation will not result in any adverse impact or increased regulatory costs. Accordingly, the Board determined legislative ratification will not be required.

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.

The person to be contacted regarding the rule is: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, (850)521-0500

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NOS.:	RULE TITLES:
65C-43.001	Initial Screening Instrument
65C-43.002	Reporting
65C-43.003	Criteria for Certification of Safe Foster Homes and Safe Houses
65C-43.004	Training for Foster Parents of Safe Foster Homes and Staff of Safe Houses
65C-43.005	Specialized Training in Serving Sexually Exploited Children
65C-43.006	Administrative Actions

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 149, August 3, 2015 issue of the Florida Administrative Register.

65C-43.001

(1) Any child or young adult suspected of being sexually exploited shall be assessed using the “Human Trafficking Screening Tool Administration Guide (HTST),” CF-FSP 5406, February 2015, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). A young adult is defined as someone who has reached 18 years of age but is not yet 23 years of age. As defined in the list of indicators in the HTST. The following children or young adults must be assessed using the HTST:

(1)(a) through (1)(e) No change.

(2) Any professional administering the HTST must meet the training requirements set forth in 65C-43.005, F.A.C., and must have completed the Department approved training for the HTST prior to administering the tool instrument.

(3) The HTST shall be ~~initiated administered~~ within 24 hours of identifying one or more of the conditions set forth in subsection (1)(a)-(e) of this rule. ~~For a If the child or young adult whose adult's whereabouts are unknown, the HTST shall be initiated administered within 24 hours of the debriefing of a recovered as soon as contact with the child or young adult if the debriefing results in indicators of human trafficking as outlined in subsection (1) of this rule is made.~~

(4) If the HTST was previously administered by one of the shared agencies as listed in the HTST, incorporated in subsection (1) of this rule ~~another agency~~, the results of the HTST that assessment shall be used in determining the most appropriate placement for the child or young adult included in an updated assessment.

~~(5) The results of the HTST shall be used in determining the most appropriate placement and services for the child or young adult.~~

65C-43.002

(1) through (6)(a) No change.

(6)(b) The outcome of the screening assessment;

(6)(c) The placement that resulted from the screening assessment, including whether a safe foster home or safe house placement was made. If a safe foster home or safe house placement was not made, an explanation of why it was not made must be provided;

(6)(d) through (6)(f) No change.

(7) The information specifically for each child and young adult required in subsection (6) of this rule shall be captured utilizing Part 1 of the "Screening, Placement and Services Checklist for Sexually Exploited Children and Young Adults," CF-FSP 5413, September 2015, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). The information required in subsections (1) through (5) of this rule shall be captured utilizing Part 2 of the "Screening, Placement and Services Checklist for Sexually Exploited Children and Young Adults."

65C-43.003

(1) through (1)(b)4. No change.

(1)(b)5. The child or young adult's behavior management safety plan that assesses safety;

(1)(b)6. thorough (1)(b)10. No change.

(1)(b)11. A "Services Plan for Sexually Exploited Children and Young Adults Transition Plan," CF-FSP 5405, April 2015, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), and progress reports; and

(1)(b)12. through (1)(c) No change.

(2) Approval Process for Certification of Safe Foster Homes

(a) Upon receipt of a safe foster home certification application, the Regional Licensing Authority shall request from the CBC any supporting documentation that is needed within 10 business days of receipt of the recommendation.

(b) The CBC shall have 30 business days to provide the supporting documentation to the Regional Licensing Authority. If no additional information is provided, or if it is provided after 30 business days, the certification application shall be denied.

(c) The Regional Licensing Authority shall have 90 days following receipt of a certification application packet to approve or deny the application.

(d) If the application for certification is denied, the Regional Licensing Authority shall, within 10 business days of the denial decision, send the foster home applicant a letter specifying the certification standards that were not met.

(e) If the application for certification is approved, the Regional Licensing Authority shall amend the license to include language that the foster home is certified as a safe foster home.

(2) is renumbered (3). No change through (a)9.a.

(a)9.b. The admission plan shall outline the intake and discharge procedures and require the completion of the "Services Plan for Sexually Exploited Children and Young Adults Transition Plan," incorporated by reference in subparagraph (1)(b)11. of this rule, for each child or young adult.

(a)10. No change.

(b) Prior to approval, the Regional Licensing Authority shall review pPolicies and procedures for all services and security plans to ensure they meet minimum standards as set forth in Section 409.1678 (2), F.S., including an emergency response plan with local law enforcement agencies shall be approved by the Regional Licensing Authority. Approval shall occur during the initial certification process.

(c) Changes made to any policies and procedures shall be submitted to the Regional Licensing Authority within 10 business days of the proposed change. Changes shall be reviewed require approval prior to implementation to ensure they meet minimum standards as set forth in Section 409.1678 (2), F.S.

(d) The child-caring agency shall include the "Services Plan for Sexually Exploited Children and Young Adults Transition Plan," incorporated by reference in subparagraph (1)(b)11. of this rule, in the child or young adult's case file.

(4)(3) Approval Process for Certification of Safe Foster Homes and Safe Houses

(a) Upon receipt of a safe house certification application, ~~The Regional Licensing Authority shall request from the child-caring child-placing agency any supporting documentation that is needed within 10 business days of receipt of the recommendation.~~

(b) The child-caring agency CBC shall have 30 business days to provide the supporting documentation to the Regional Licensing Authority. If no additional information is provided, or if it is provided after 30 business days, the certification application shall be denied.

(c) No change.

(d) If the application for certification is denied, the Regional Licensing Authority shall, within 10 business days of the denial decision, send the child-caring agency applicant a letter specifying the certification standards that were not met.

(e) No change.

Rulemaking Authority 409.1678(2)(c) ~~7~~, (2)(e) F.S. Law Implemented 409.1678 F.S. History – New

65C-43.004

(1) through (2) No change.

(3) Specialized intensive curriculum about ~~for~~ sexually exploited children must be approved by the Department. In determining whether a curriculum will be approved, the Department will consider whether the curriculum addresses the subjects specified in subsection (4) of this rule and whether the instructor has met the following criteria:

(3)(a) No change.

(3)(b) Has a master’s degree in social work or a related area of study; or a master’s degree in psychology, sociology, counseling, special education, education, human development, child development, family development, marriage and family therapy, criminal justice, adult learning or nursing; ~~or-~~

(3)(c) Has specialized knowledge in sexual exploitation and child welfare.

(3)(~~d~~)(~~e~~) In addition, all instructors must have received training on the following topics: in-treatment modalities, including Human Trafficking, Motivational Interviewing, Trauma-focused Trauma-Focused Cognitive Behavioral Therapy, and Co-occurring Disorders.

(4) The specialized intensive training on ~~for~~ sexually exploited children shall include:

(4)(a) through (4)(l) No change.

(4)(m) Behavior management activities Safety planning.

(5) Once certified, foster parents of safe foster homes and direct care staff of safe houses must complete eight (8) hours of ~~sexual-exploitation-focused~~ continuing education annually focused on sexual exploitation.

65C-43.005

(1) Child protective investigators and case managers, and their supervisors, must receive a minimum of six (6) hours of specialized training on ~~in~~ sexual exploitation approved by the Department prior to accepting cases with sexually exploited children or young adults. The specialized training in sexual exploitation shall consist of:

(1)(a) through (1)(c) No change.

(2) Child protective investigators and case managers must each year receive a minimum of one (1) hour of ongoing training per quarter on sexual exploitation of children. The training curriculum and any revision to the training curriculum must be approved by the Department every three (3) months.

(3) No change.

Rulemaking Authority 409.1678 ~~1754~~(2)(e) F.S. Law Implemented 409.1754(2)(a)1 F.S. History – New

65C-43.006 No change.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER15-63 Holiday MILLIONAIRE RAFFLE™

SUMMARY: This emergency rule describes the on-line game “Holiday MILLIONAIRE RAFFLE™, for which the Department of the Lottery will sell tickets beginning November 15, 2015.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-63 Holiday MILLIONAIRE RAFFLE™.

(1) Holiday MILLIONAIRE RAFFLE™ is a number-match online terminal game with a limited number of tickets available that will be sold within a limited sales period.

(2) Each Holiday MILLIONAIRE RAFFLE ticket sells for \$20.

(3) Holiday MILLIONAIRE RAFFLE tickets will go on sale November 15, 2015. Sales of Holiday MILLIONAIRE RAFFLE tickets will cease immediately after the 750,000<sup>th</sup> ticket is sold or at 11:59:59 p.m. ET on December 30, 2015, whichever occurs first.

(4) Each Holiday MILLIONAIRE RAFFLE ticket will contain a unique raffle ticket number that will be automatically entered into the New Year's Eve drawing on December 31, 2015. Tickets purchased by December 23, 2015, will also be entered into one of five weekly drawings based upon the date of purchase. Drawings will be held from tickets sold before midnight ET on the last day of the raffle ticket sales period for each drawing. The drawing schedule is as follows:

<u>Drawing</u>	<u>Drawing Date</u>	<u>Raffle Ticket Sales Period</u>
Week 1	November 24, 2015	November 15, 2015 - November 23, 2015
Week 2	December 3, 2015	November 24, 2015 - December 2, 2015
Week 3	December 10, 2015	December 3, 2015 - December 9, 2015
Week 4	December 17, 2015	December 10, 2015 - December 16, 2015
Week 5	December 24, 2015	December 17, 2015 - December 23, 2015
New Year's Eve	December 31, 2015	November 15, 2015 - December 30, 2015

(5) Prize Structure.

(a) The prizes, number of winners and estimated odds in each of the five weekly drawings are as follows:

<u>Weekly Drawing Prize Structure</u>			
<u>Prize</u>	<u>Prize Amount</u>	<u>Number of Winners per Weekly Drawing</u>	<u>Estimated Odds*</u>
First	\$10,000	1	1:150,000
Second	\$500	200	1:750
			Overall 1:746

\* The estimated odds are based on the presumptions that Holiday MILLIONAIRE RAFFLE tickets are sold proportionally throughout the Holiday MILLIONAIRE RAFFLE sales period and all Holiday MILLIONAIRE RAFFLE tickets are sold by December 23, 2015. The actual odds of winning a weekly prize depend on the number of tickets sold for each weekly drawing.

(b) The prizes, number of winners and estimated odds in the New Year's Eve drawing are as follows:

<u>New Year's Eve Drawing Prize Structure</u>			
<u>Prize</u>	<u>Prize Amount</u>	<u>Number of Winners</u>	<u>Estimated Odds**</u>
First	\$1,000,000	7	1:107,143
Second	\$50,000	15	1:50,000
Third	\$5,000	25	1:30,000
Fourth	\$500	500	1:1,500
			Overall 1:1,371

\*\*The estimated odds of winning a prize in the New Year's Eve drawing are based on the presumption that all Holiday MILLIONAIRE RAFFLE tickets are sold.

(6) Holiday MILLIONAIRE RAFFLE tickets will automatically print from the terminal with raffle ticket numbers issued in sequential order from 000001 to 750000 as they are sold throughout the state. Each Holiday MILLIONAIRE RAFFLE ticket will contain only one raffle ticket number. Players cannot select their own raffle ticket numbers.

(7) Holiday MILLIONAIRE RAFFLE tickets cannot be canceled.

(8) Holiday MILLIONAIRE RAFFLE Drawings. Drawings shall be conducted using a certified random generation process.

(a) Weekly Drawings. In each weekly drawing, only raffle ticket numbers purchased during the corresponding sales period will be included in the drawing. The first raffle ticket number drawn will win the first prize. The second through the two hundred and first raffle ticket numbers drawn will each win a second prize. A total of 1,005 prizes will be available in the five weekly drawings.

1. In the event that all 750,000 Holiday MILLIONAIRE RAFFLE tickets sell out during a weekly drawing sales period in which there are fewer tickets in the weekly drawing than weekly prizes to be awarded, a two-part drawing for that weekly sales period will be held on the date scheduled. Part one of the drawing will include only those raffle ticket numbers sold during the sales period. One raffle ticket number will be drawn to determine the \$10,000 weekly winner. All remaining raffle ticket numbers sold during the sales period will each win a second prize. Part two of the drawing will include all 750,000 raffle ticket numbers, except that, raffle ticket numbers that were included in part one of the drawing and raffle ticket numbers selected in the prior weekly drawings will be excluded and ineligible for a prize. The number of eligible raffle ticket numbers drawn in part two of the drawing will be equal to the number of second prizes remaining after part one of the drawing is conducted. Each

raffle ticket number drawn will win a second prize. The overall odds of winning a prize in part one of the drawing are 1:1. The overall odds of winning a prize in part two of the drawing are (201 minus the number of raffle tickets included in part one of the drawing) in (750,000 minus the number of raffle tickets included in part one of the drawing and the number of raffle tickets selected in the prior weekly drawings).

2. In the event that all 750,000 Holiday MILLIONAIRE RAFFLE tickets sell out and there are no ticket sales during a weekly sales period, the prizes for that sales period will be awarded in a drawing on the date scheduled. The drawing will include all 750,000 raffle ticket numbers, except that, raffle ticket numbers selected in the prior weekly drawings will be excluded and ineligible for a prize. Prizes will be awarded in the order the raffle ticket numbers are drawn. The overall odds of winning a prize are 201 in 750,000 minus the number of raffle tickets selected in the prior weekly drawings.

(b) New Year's Eve Drawing. In the New Year's Eve drawing, all raffle tickets sold during the New Year's Eve drawing sales period will be included in the drawing. The first through seventh raffle ticket numbers drawn will each win a first prize. The eighth through the twenty-second raffle ticket numbers drawn will each win a second prize. The twenty-third through the forty-seventh raffle ticket numbers drawn will each win a third prize and the forty-eighth through the five hundred and forty-seventh raffle ticket numbers drawn will each win a fourth prize. A total of 547 prizes will be available in the New Year's Eve drawing.

(c) Holiday MILLIONAIRE RAFFLE drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. Winning raffle ticket numbers will be available after each drawing on the Florida Lottery's website at flalottery.com. The top prize winning raffle ticket number(s) will be available after each drawing at Florida Lottery retailers.

(9) Upon validation of a winning weekly drawing Holiday MILLIONAIRE RAFFLE ticket valued at greater than \$500, the terminal will produce "player claim instructions" and a "continuation ticket" for the New Year's Eve drawing. The Holiday MILLIONAIRE RAFFLE continuation ticket automatically issued for the claimant shall be the instrument from which a claim on the New Year's Eve drawing will be paid. Holiday MILLIONAIRE RAFFLE tickets and Holiday MILLIONAIRE RAFFLE continuation tickets are the only valid receipts to redeem a prize.

(10) Winning Holiday MILLIONAIRE RAFFLE tickets valued at \$500 may be presented to a Florida Lottery retailer, Florida Lottery district office or Florida Lottery Headquarters for payment. Winning Holiday MILLIONAIRE RAFFLE tickets valued at \$5,000, \$10,000 and \$50,000 must be presented to a Florida Lottery office for payment. Winning Holiday MILLIONAIRE RAFFLE tickets valued at \$1,000,000 must be presented at Florida Lottery headquarters for payment. Information about procedures for filing a claim can be obtained at flalottery.com or by calling (850) 487-7787 (TDD (850) 487-7784).

(11) Holiday MILLIONAIRE RAFFLE prizes must be claimed within 180 days from the date of the drawing.

(12) From November 15, 2015, through 11:59:59 p.m. ET on December 30, 2015, Holiday MILLIONAIRE RAFFLE tickets will be available for purchase daily between the hours of 6:00 a.m. and midnight, subject to a retailer's hours of operation, on-line system availability and Holiday MILLIONAIRE RAFFLE ticket availability.

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

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

(15) Payment of all federal, state and/or local taxes will be the responsibility of the winner. Applicable Federal withholding taxes will be withheld from \$1,000,000, \$50,000 and \$10,000 cash prize payments.

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1), FS. History – New 11-12-15.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 12, 2015

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:  
53ER15-64 Playoff Bonus Drawing

SUMMARY: This emergency rule sets forth the specifics for entry into the Playoff Bonus Drawing on December 10, 2015, in which players will have the chance to win Playoff Bonus Drawing prize packages which include tickets to the College Football Playoff Semifinal at the Capital One Orange Bowl on New Year's Eve and a chance to win up to \$25,000 in an on-field prize reveal event during a break in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32301

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-64 Playoff Bonus Drawing.

(1) Beginning on November 15, 2015, and continuing through December 8, 2015, players who purchase a Holiday MILLIONAIRE RAFFLE™ ticket as described in Rule 53ER15-63, F.A.C., Holiday MILLIONAIRE RAFFLE™, will receive a Playoff Entry voucher that can be entered into the Playoff Bonus Drawing (or "drawing") that will be held on December 10, 2015. Players who enter the drawing will have a chance to win a Playoff Bonus Prize Package that includes tickets to the College Football Playoff Semifinal at the Capital One Orange Bowl on New Year's Eve and a chance to win up to \$25,000 in an on-field prize reveal event during a break in the game.

(2) How to Enter.

(a) To enter a Playoff Entry voucher number into the Playoff Bonus Drawing, players must enter on the Lottery's website at flalottery.com. On the home page of the Lottery's website, players can click on the Playoff Bonus Drawing banner and follow the directions.

(b) The Playoff Entry voucher will be attached to the bottom of the Holiday MILLIONAIRE RAFFLE™ ticket. The Playoff Entry voucher number is located at the bottom on the front of the Playoff Entry voucher. Players are to enter the first 13-digits of the 19-digit voucher entry number. Each Holiday MILLIONAIRE RAFFLE ticket purchase will produce a Playoff Entry voucher from the beginning of the promotion period until 10:00 p.m. ET on December 8, 2015. A player will be able to enter his or her Playoff Entry voucher numbers beginning at the top of the hour after the Holiday MILLIONAIRE RAFFLE ticket is purchased. A player entering a Playoff Entry voucher number prior to the top of the hour after purchase will be directed to return at a later time to enter his or her Playoff Entry voucher number into the

drawing. Holiday MILLIONAIRE RAFFLE tickets cannot be used for entry into the drawing. The odds of winning depend on the number of entries received. Playoff Entry vouchers should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Playoff Entry vouchers or tickets received in the mail by the Florida Lottery will not be entered into the drawing and will not be returned. All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(c) Players may enter as many times as they wish during the contest period. However, each valid Playoff Entry voucher number may only be used one (1) time, for one (1) entry in the drawing.

(3) Drawing. One drawing will be held on December 10, 2015, and will include entries submitted during the entry period of November 15, 2015, through 11:59:59 p.m. ET on December 8, 2015. The Florida Lottery will draw a total of twenty entries using a certified random number generation process and award each of the first ten valid entries drawn with the prize described in subsection (6) below. The eleventh through twentieth valid entries drawn will serve as alternates in the order in which they were drawn to select an alternate prizewinner under the circumstances described in subsections (4) and (5) hereof.

(4) Winner Notification.

(a) The prizewinners in the drawing will be posted on flalottery.com after the drawing. The Florida Lottery will attempt to notify each winner by telephone, U.S. mail or email using the contact information provided in the winner's registration data no later than twenty-four hours after the winners are posted on the Florida Lottery's website. The Florida Lottery deems the winner's registration data as the winner's official contact information, including the physical mailing address, and will not attempt to further locate a winner if attempts to reach the winner using the winner's registration data are unsuccessful. If the Florida Lottery is unable to have personal contact with a prizewinner within two business days of the date of the drawing, the winner will forfeit his or her right to claim the prize, and the prize will be awarded to the first available alternate winner. If the Florida Lottery is unable to contact the first available alternate winner within two business days, the first alternate winner will forfeit his or her right to claim the prize, and the Florida Lottery will award the prize to the second available alternate winner. This notification process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates, except that no notification attempts will be made after December 21, 2015. If the Florida Lottery is unable to have personal contact with a prizewinner or an

alternate prizewinner by December 21, 2015, the prize will not be awarded.

(b) The Florida Lottery will notify each alternate in the Playoff Bonus Drawing by email using the contact information provided in the alternate's registration data no later than twenty-four hours after the drawing. The email notification will notify the alternate of his or her alternate status and instruct the alternate to retain the original valid Playoff Entry voucher that is required to claim a prize, until further notified by the Florida Lottery that either he or she is an alternate winner of a prize or that the prizes have been fulfilled.

(5) How to Claim a Prize.

(a) To claim a prize in the Playoff Bonus Drawing, the winner must submit to the Florida Lottery the original valid Playoff Entry voucher bearing the unique number selected in the drawing. Without such Playoff Entry voucher, the winner will forfeit his or her right to claim a prize. The Playoff Entry voucher should be detached from the Holiday MILLIONAIRE RAFFLE ticket prior to submission of the Playoff Entry voucher and the ticket retained by the Playoff Bonus Drawing winner. The Florida Lottery will not return a Holiday MILLIONAIRE RAFFLE ticket that is inadvertently submitted with the Playoff Entry voucher. The winner must submit the valid Playoff Entry voucher along with a completed Winner Claim Form DOL-173-2, revised 09/13, or DOL-173-2S, revised 09/13 (Spanish version of the Winner Claim Form) and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. A prizewinner must also submit a completed Release and Authorization form DOL-474, effective 8/13, or Spanish Release and Authorization form DOL-474S, effective 8/13. The required claim documents must be received by the Florida Lottery no later than three business days after the winner is notified by the Lottery that he or she is a winner. If the Florida Lottery has not received the required forms by the third day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner in accordance with subsections (3) and (4) above. An alternate winner's required forms must be received by the Florida Lottery by the second business day after notification or the winner will forfeit his or her right to claim the prize. If the Florida Lottery does not receive the required forms from a winner or an alternate winner in a timely manner and the Florida Lottery is unable to notify an alternate after exhausting the notification procedures described in subsection (4) above, the prize will not be awarded.

(b) Forms DOL-173-2, DOL-173-2S, DOL-474, and DOL-474S are hereby incorporated by reference and can be obtained from any Lottery office, or by writing to: Florida Lottery, Customer Service Division, 250 Marriott Drive, Tallahassee, Florida 32399-4016. Forms DOL-173-2 and DOL-173-2S can also be obtained from the Lottery's website, flalottery.com.

(6) Award of Prizes.

(a) Upon the Florida Lottery's receipt of a prizewinner's required documentation, the Florida Lottery will award a Playoff Bonus Drawing Prize Package (or "Prize Package") consisting of the following:

1. two club level game tickets to the College Football Playoff Semifinal at the Capital One Orange Bowl on New Year's Eve;

2. two nights' double occupancy hotel accommodations (taxes included) for two persons;

3. one parking pass at Sun Life Stadium;

4. two tickets to the Capital One Orange Bowl Fan Fest;

5. \$500 for related travel expenses; and

6. an opportunity to win a cash prize as one of ten contestants in an on-field prize reveal event during a break in the game.

The Florida Lottery will mail each prizewinner a check for the \$500 cash portion of the prize, game tickets, Fan Fest tickets, parking pass and a certificate with details regarding the \$25,000 on-field prize reveal event and the necessary contact information to make hotel reservations. The value of the Prize Package, including the \$500 cash portion, is \$1,478. Prizewinners will be required to provide a credit card upon check-in to the hotel. A Prize Package does not include travel, parking fees (except as specified above), any items not expressly specified, meals or per diem for meals, incidentals, tips, and personal expenses such as telephone calls, room service, valet service or laundry, etc., fees associated with revision, rebooking, or cancellation or other fees that may be charged by the hotel.

(b) \$25,000 On-Field Prize Reveal Event. On December 31, 2015, the ten prizewinners selected in the Playoff Bonus Drawing will participate in a \$25,000 on-field prize reveal event ("prize reveal"), in which the winner of the \$25,000 prize will be determined during a break in the game. Each of the ten finalists will scratch off an oversized symbol to reveal his or her prize of \$25,000, \$10,000, \$5,000, \$2,500 or \$1,000. A total of ten cash prizes will be awarded; one \$25,000 prize, one \$10,000 prize, two \$5,000 prizes, three \$2,500 prizes and three \$1,000 prizes. Each prizewinner will be required to complete a Winner Claim Form DOL-173-2 or DOL-173-2S and provide a copy of acceptable identification. Upon receipt of the required documentation, the Florida Lottery will mail each prizewinner a check for the prize amount won in the

prize reveal. Applicable federal income tax withholding will be withheld on cash prizes of \$10,000 and \$25,000.

(c) In the event one or more Prize Package is not awarded pursuant to the circumstances described in subsection (4) or paragraph (5)(a) above, the number of finalists and the number of prizes in the prize reveal will be equally reduced by the number of Prize Packages that were not awarded. In such instance, the lowest valued prize or prizes will not be offered in the prize reveal.

(d) A Prize Package is not transferable or assignable without the express written consent of the Florida Lottery. If the prizewinner advises the Lottery at least three days prior to the event that he or she is unable to attend in the prize reveal, the prizewinner may designate a proxy to use non-cash portions of the Prize Package in his or her stead and participate in the prize reveal; in such event, the prizewinner shall receive the cash prize won by the proxy and the Prize Package and cash won by the proxy in the prize reveal will be taxable to the prizewinner.

(e) In the event that a prizewinner is unable to attend the prize reveal due to unforeseen circumstances, and there is insufficient time (less than three business days prior to the event) to designate a person to attend the prize reveal in his or her stead, the Prize Package portion of the prize, excluding the \$500 in cash, shall be forfeited; however, the entire value of the Prize Package shall remain taxable to the prizewinner. The Florida Lottery will appoint a proxy to participate in the prize reveal for the prizewinner. Any prize won by the proxy shall be received by and taxable to the prizewinner.

(f) If a prizewinner fails to arrive at the prize reveal venue for his or her scheduled participation in the prize reveal, the prizewinner forfeits the right to personally participate in the prize reveal; however, a proxy appointed by the Lottery shall participate in the prizewinner's place and the cash prize won by the proxy shall be awarded and taxable to the prizewinner.

(g) If it is determined that a proxy is necessary under the circumstances set forth in paragraph (6)(d), (e) or (f) above, a Proxy Designation and Acknowledgement form DOL-490, Effective 11/15, must be completed by the appropriate parties prior to the prize reveal. Form DOL-490 is hereby incorporated by reference and can be obtained from any Lottery office, or by writing to: Florida Lottery, Customer Service Division, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

#### (7) Taxes.

(a) Except as provided herein, all federal, state and/or local taxes or other fees will be the responsibility of the prizewinner.

(b) Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the

Internal Revenue Code. Thirty percent (30%) federal income tax withholding will be withheld from the cash portion of the nonresident alien claimant's Prize Package and from any cash prize won in the prize reveal. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(8) State Owed Debt. Each prizewinner will be analyzed twice for State Owed Debt. The first analysis will occur at the time the Prize Package is claimed. If the winner of the Prize Package is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with Section 24.115, Florida Statutes. If the debt is an amount of less than the cash portion of the Prize Package prize (\$500), the non-cash portion of the Prize Package and the cash portion of the Prize Package less the amount owed shall be awarded. If the winner is identified as owing such a debt in an amount greater than the cash portion of the Prize Package, the winner's entire cash portion of the Prize Package will be applied toward the outstanding debt as provided in Section 24.115, Florida Statutes, and the winner will receive the remaining non-cash portion of the Prize Package. The second analysis will occur after the prize reveal has concluded and each winning amount has been revealed. If the winner is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with Section 24.115, Florida Statutes.

#### (9) Other Restrictions and Provisions.

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

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

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

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

(e) By entering into the Playoff Bonus Drawing, a player gives his or her permission for the Florida Lottery to provide the player's address and telephone number to the fulfillment entity for prize fulfillment purposes.

(f) A player entering into the Playoff Bonus Drawing is deemed to have granted permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph,

videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(g) The Playoff Bonus Drawing shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1), FS. History – New 11-12-15.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: November 12, 2015

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:  
53ER15-65 Holiday MILLIONAIRE RAFFLE™  
Retailer Drawings

SUMMARY: The Florida Lottery will conduct eighteen Holiday MILLIONAIRE RAFFLE™ Retailer Drawings on January 8, 2016, in which Florida Lottery retailers will have a chance to win \$5,000.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-65 Holiday MILLIONAIRE RAFFLE™ Retailer Drawings.

(1) During the Holiday MILLIONAIRE RAFFLE™ game sales period of November 15, 2015, through December 30, 2015, for every fifth Holiday MILLIONAIRE RAFFLE ticket sold at their retailer location, Florida Lottery retailers will earn one entry into one of eighteen drawings, determined by district and retailer category (corporate or independent), for a chance to win \$5,000.

(2) The Florida Lottery will conduct the Holiday MILLIONAIRE RAFFLE Retailer Drawings on January 8, 2016.

(3) In the eighteen drawings, entries will be drawn and prizes will be awarded in accordance with the following table:

<u>Lottery Sales District</u>	<u>Prize Per Retailer</u>	<u>Number of Corporate Retailer Prizes</u>	<u>Number of Independent Retailer Prizes</u>
<u>District 1- Tallahassee</u>	<u>\$5,000</u>	<u>1</u>	<u>1</u>
<u>District 3- Pensacola</u>	<u>\$5,000</u>	<u>1</u>	<u>1</u>
<u>District 4- Jacksonville</u>	<u>\$5,000</u>	<u>1</u>	<u>1</u>
<u>District 5- Gainesville</u>	<u>\$5,000</u>	<u>1</u>	<u>1</u>
<u>District 6- Orlando</u>	<u>\$5,000</u>	<u>2</u>	<u>2</u>
<u>District 9- Tampa</u>	<u>\$5,000</u>	<u>2</u>	<u>2</u>
<u>District 10- Ft. Myers</u>	<u>\$5,000</u>	<u>1</u>	<u>1</u>
<u>District 11- West Palm Beach</u>	<u>\$5,000</u>	<u>1</u>	<u>1</u>
<u>District 13- Miami</u>	<u>\$5,000</u>	<u>2</u>	<u>4</u>

For retailer categories in which there is more than one prize, the prizes will be awarded in the order entries are drawn. An individual retailer location may only win one prize. Alternate entries will be drawn in each drawing. The number of alternate entries drawn will be twice the number of prizes to be awarded. Alternate entries will be used as needed in the order in which they are drawn to award a prize in the event a retailer’s entry is disqualified because the retailer has already been awarded a prize in the drawing, or due to non-compliance with Florida Lottery laws, rules or terms of the retailer contract.

(4) A total of twenty-six \$5,000 prizes will be awarded in the drawings.

(5) Retailers will receive their Holiday MILLIONAIRE RAFFLE Retailer Drawing prize check within approximately three weeks of the drawing.

(6) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the prize award shall be paid the prize provided the termination or inactivation was not due to non-compliance with Florida Lottery laws, rules or terms of the retailer contract.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History – New 11-12-15.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 12, 2015

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER15-66  
 RULE TITLE: Retailer Holiday MILLIONAIRE RAFFLE™ Bonus Commission

SUMMARY: The Florida Lottery will conduct the Retailer Holiday MILLIONAIRE RAFFLE™ Bonus Commission Program in which bonus commissions will be awarded to the retailer(s) that sells a winning \$1 million Holiday MILLIONAIRE RAFFLE ticket.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER15-66 Retailer Holiday MILLIONAIRE RAFFLE™ Bonus Commission Program.

(1) Beginning on November 15, 2015, and continuing through December 30, 2015, the Florida Lottery will conduct, as a retailer sales incentive, a Retailer Holiday MILLIONAIRE RAFFLE™ Bonus Commission Program (“Program”) in which the Florida Lottery will award bonus commissions to Florida Lottery retailers who sell a winning \$1 million Holiday MILLIONAIRE RAFFLE ticket in the Holiday MILLIONAIRE RAFFLE New Year’s Eve drawing on December 31, 2015.

(2) The bonus commission for selling a winning \$1 million Holiday MILLIONAIRE RAFFLE ticket is \$5,000.

(3) Award of a bonus commission is not dependent upon a winning \$1 million Holiday MILLIONAIRE RAFFLE ticket being claimed by the winner.

(4) Retailers will receive their bonus commission within approximately three weeks of the drawing.

(5) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Fla. Admin. Code, or terms of their retailer contract.

(6) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus commission earned against a retailer’s outstanding debt to the Florida Lottery, and to award the remaining balance of the bonus commission, if any.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History – New 11-12-15.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 12, 2015

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

RULE NO.: 5N-1.140  
 RULE TITLE: Security Officer, Recovery Agent and Private Investigative Intern School Curriculum; Examinations; Retention of Records

5N-1.140 Security Officer, Recovery Agent and Private Investigative Intern School Curriculum; Examinations; Retention of Records

NOTICE IS HEREBY GIVEN that on November 6, 2015, the Department of Agriculture and Consumer Services, Division of Licensing, received a petition for variance from Rule 5N-1.140, F.A.C., filed by Invictus. Rule 5N-1.140, F.A.C., requires, in part, that a minimum one hour final examination be given at the end of each course, with Course A’s examination consisting of 100 questions and Course B’s examination consisting of 70 questions. Petitioner requests a permanent variance be granted allowing them to administer examinations at various intervals, with such examinations still subject to Department approval, and consisting of not less than a total of 2 hours and 170 questions with a minimum passing score of 128 correct answers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: John Roberts, Department of Agriculture and Consumer Services, Division of Licensing, P.O. Box 5708, Tallahassee, Florida 32314, (850)245-5441, John.Roberts@freshfromflorida.com.

Comments on the Petition should be filed with the Division within 14 days of publication of this notice.

#### WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-4.302 Additional Conditions for Issuance of Permits (Repealed)

The St. Johns River Water Management District hereby gives notice of its intent to grant a variance from the provisions of paragraph 40C-4.302(1)(c), Florida Administrative Code, (F.A.C.), and Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c) of the District's APPLICANT'S HANDBOOK: MANAGEMENT AND STORAGE OF SURFACE WATERS (February 16, 2010) to the St. Augustine –St. Johns County Airport Authority. Pursuant to Section 373.414(17), Florida Statutes, the St. Augustine –St. Johns County Airport Authority is seeking the variance with respect to Environmental Resource Permit No. 4-109-28307-49. The proposed activity is to construct a lighting system at the St. Augustine –St. Johns County Airport to guide incoming aircraft to the runway during periods of low visibility. The lighting system will bring the runway into compliance with current Federal Aviation Administration safety requirements. The Project site is located approximately four miles north of the City of St. Augustine on the west side of the Tolomato River in St. Johns County, Florida. The activity is proposed to occur within Class II surface waters that are classified by the Department of Agriculture and Consumer Services as conditionally restricted for shellfish harvesting. The petition for variance has been assigned F.O.R. Number 2015-07.

#### NOTICE OF RIGHTS

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by email with the District Clerk at Clerk@sjrwmd.com or within fourteen (14) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 5 below.

2. If the District takes action that substantially differs from the notice of intended District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106, Florida Administrative Code, the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described in paragraph no. 1 above, within fourteen (14) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code.

3. Please be advised that if you wish to dispute this intended District decision, mediation may be available and that choosing mediation does not affect your right to an administrative hearing. If you wish to request mediation, you must do so in a timely-filed petition. If all parties, including the District, agree to the details of the mediation procedure, in writing, within 10 days after the time period stated in the announcement for election of an administrative remedy under Sections 120.569 and 120.57, Florida Statutes, the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, shall be tolled to allow mediation of the disputed intended District decision. The mediation must be concluded within 60 days of the date of the parties' written agreement, or such other timeframe agreed to by the parties in writing. Any mediation agreement must include provisions for selecting a mediator, a statement that each party shall be responsible for paying its pro-rata share of the costs and fees associated with mediation, and the mediating parties' understanding regarding the confidentiality of discussions and documents introduced during mediation. If mediation results in settlement of the administrative dispute, the District will enter a final order consistent with the settlement agreement. If mediation terminates without settlement of the dispute, the District will notify all the parties in writing that the administrative hearing process under Sections 120.569 and 120.57, Florida Statutes, is resumed. Even if a party chooses not to engage in formal mediation, or if formal mediation does not result in a settlement agreement, the District will remain willing to engage in informal settlement discussions.

4. A person whose substantial interests are or may be affected also has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

5. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by email is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at [www.sjrwmd.com](http://www.sjrwmd.com). These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.

6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).

7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, and Chapter 28-106, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.

8. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action (i.e., the final order on the petition for variance). A District action is considered rendered after it is signed on behalf of the District and is filed by the District Clerk. Failure to observe the relevant timeframes for filing a petition for judicial review will result in waiver of that right to review.

A copy of the Order or additional information may be obtained by contacting: Sandra Bertram, District Clerk, St. Johns River Water Management District, P.O. Box 1429, Palatka, Florida 32178-1429.

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DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on November 5, 2015, the Board of Massage Therapy received a petition for Natalia M. Sablina, seeking a variance or waiver of paragraph 64B7-32.002(2)(a), F.A.C., regarding the requirements for proof of graduation. 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: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, [claudia.kemp2@flhealth.gov](mailto:claudia.kemp2@flhealth.gov).

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DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on November 5, 2015, the Board of Massage Therapy received a petition for Sarah Marie Westervelt, seeking a variance or waiver of Rules 64B7-32.002 and 64B7-32.003, F.A.C., regarding the requirements for proof of graduation and the 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: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, [claudia.kemp2@flhealth.gov](mailto:claudia.kemp2@flhealth.gov).

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DEPARTMENT OF HEALTH

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on November 2, 2015, the Board of Massage Therapy received a petition for Kelley Williams seeking a variance or waiver regarding the requirements for proof of graduation. 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: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, [Claudia.Kemp2@flhealth.gov](mailto:Claudia.Kemp2@flhealth.gov).

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## DEPARTMENT OF HEALTH

## Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on November 4, 2015, the Board of Massage Therapy received a petition for Violet R. Kaminski, seeking a variance or waiver of Rule 64B7-32.002, F.A.C., regarding the requirements for proof of graduation. 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: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4588, Claudia.Kemp2@flhealth.gov.

## FLORIDA HOUSING FINANCE CORPORATION

## RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on November 10, 2015, the Florida Housing Finance Corporation, received a petition for Waiver from SP BP Apartments, LLC, requesting a Waiver from paragraph 67-48.004(3)(g), F.A.C., which would allow it to change the Site of Lake Worth Commons Development.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition has also been posted on Florida Housing's website at [floridahousing.org](http://floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

## Section VI

## Notice of Meetings, Workshops and Public Hearings

## PUBLIC SERVICE COMMISSION

The Florida Public Service Commission will consider at its December 3, 2015, Commission Conference, Docket No. 150231-GU, Application of Florida City Gas for authority to issue debt security. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to finance its on-going cash requirements through its participation and borrowings from and investments in AGL Resources Inc.'s (AGLR) Utility Money Pool. In addition, the Company seeks approval to make short-term borrowings not to exceed \$800 million (aggregate for the Company's three utilities) annually from the Utility Money Pool according to limits that are consistent, given the seasonal nature of the Company's business and its anticipated cash demands, with the Company's capitalization. The Company's share of these borrowings will not exceed \$250 million.

DATE AND TIME: Thursday, December 3, 2015. The Commission Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No. 150231-GU.

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

**WATER MANAGEMENT DISTRICTS****South Florida Water Management District**

The South Florida Water Management District is participating in a US Army Corps of Engineers (USACE) event and announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, November 20, 2015, 9:00 a.m.

**PLACE:** C-44 Reservoir, Project Access Road off of SW Citrus Blvd., Indiantown, FL 34117, approximately 3.5 miles north of SW Citrus Blvd.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The USACE will hold a public event to celebrate the groundbreaking for the reservoir component of the Indian River Lagoon-South C-44 Reservoir and Storm Water Treatment Area project. Attendees will learn more about the project and hear remarks from the USACE and District staff. Note: One or more members of the District's Governing Board and Water Resources Advisory Commission may be in attendance at the event.

For more information, contact Jenn Miller at [jennifer.s.miller@usace.army.mil](mailto:jennifer.s.miller@usace.army.mil) or (904)232-1613.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the District Clerk at (561)682-6805.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Monday, November 16, 2015, 5:00 p.m. – 6:00 p.m.

**PLACE:** Teleconference; to join the meeting dial 1(877)809-7263 and enter participant code: 309 331 99#. If you have any difficulty joining the meeting, please call the Florida Center's main number at (850)412-3730.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This is a meeting of the Commission on Healthcare and Hospital Funding. The Commission was created by the Governor's Executive Order Number 15-99, to investigate and advise on the role of taxpayer funding for hospitals, insurers, and health care providers, and the affordability, access, and quality of healthcare services they provide to Florida families as a return on taxpayer investment.

Please note that this meeting will be recorded.

The agenda will be posted at the Commission on Healthcare and Hospital Funding website, at: <http://healthandhospitalcommission.com>. You may also contact us at [FLHospitalCommission@ahca.myflorida.com](mailto:FLHospitalCommission@ahca.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Betty Schmidt, Florida Center for Health Information and Policy Analysis at [Betty.Schmidt@ahca.myflorida.com](mailto:Betty.Schmidt@ahca.myflorida.com) or (850)412-3770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Betty Schmidt, Florida Center for Health Information and Policy Analysis at [Betty.Schmidt@ahca.myflorida.com](mailto:Betty.Schmidt@ahca.myflorida.com) or (850)412-3770.

**AGENCY FOR HEALTH CARE ADMINISTRATION****Medicaid**

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

**DATE AND TIME:** November 20, 2015, 1:30 p.m. – 3:30 p.m.

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

A conference number will be available for those unable to attend in person. Dial-in number: 1(888)670-3525, conference code: 906-716-2866

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Agency is hosting a public meeting regarding Hospital Outpatient Prospective Payment Reimbursement Methodology for use in determining payment for hospital outpatient services.

During the 2015 Legislative Session (Special Session A), the Agency was directed to contract with a vendor to develop a plan to convert to a prospective payment system for outpatient hospital reimbursement. The Agency has entered into a contract with Navigant Healthcare to support the completion of this initiative. Navigant will work with the Agency to develop a hospital outpatient prospective payment policy design resulting in a final policy design document for submission to the Governor's Office and the State Legislature on November 30, 2015.

You can access information and details about the hospital outpatient prospective payment reimbursement public meetings, including schedules for upcoming meetings, and meeting agendas materials and recordings, through our website:

<http://ahca.myflorida.com/medicaid/Finance/finance/institutional/hopppts.shtml>.

A copy of the agenda may be obtained by contacting: Lauren Pigott at Lauren.Pigott@ahca.myflorida.com or by calling 1(850)412-4671.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lauren Pigott at Lauren.Pigott@ahca.myflorida.com or by calling 1(850)412-4671. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lauren Pigott at Lauren.Pigott@ahca.myflorida.com or by calling 1(850)412-4671.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

The Florida Barbers' Board announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2016, 9:00 a.m.

PLACE: Mission Inn Resort, 10400 County Road 48, Howey-in-the-Hills, Florida 34737, (352)324-3101

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

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: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", FIRE Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2015, 10:00 a.m. until completion

PLACE: Meeting to be conducted using teleconference for audio access only and webinar for video access only.

1. Please join our meeting, December 2, 2015 at 10:00 a.m., <https://global.gotomeeting.com/join/830035117>

2. Join the conference call: United States (toll-free): 1(866)899-4679; access code: 830-035-117; audio PIN: shown after joining the meeting; meeting ID: 830-035-117

Public point of access: Office of Codes and Standards, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and accept draft report for research project titled "Evaluating the Economic Impacts of the Legislatively Delayed Provisions of the 5th Edition (2014) Florida Building Code:

- A second fire service access elevator as contained in Section 403.6.1 of the Florida Building Code, 5th Edition (2014) Building Volume

To Consider and discuss the following Declaratory Statement: DS 2015 – 113 by David Galassi of Marion County Building Safety Department.

A copy of the agenda may be obtained by contacting: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824 or visiting our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824, fax: (850)414-8436. 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 Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Roofing Technical Advisory Committee, announces a public meeting to which all persons are invited.

**DATE AND TIME:** December 2, 2015, 1:30 p.m. until completion

**PLACE:** Meeting to be conducted using teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings. To join the online meeting (now from mobile devices):

1. Please join the meeting at <https://global.gotomeeting.com/join/529467429>
2. Join the conference call: United States (toll-free): 1(866)899-4679; access code: 529-467-429; audio PIN: shown after joining the meeting; meeting ID: 529-467-429

Public point of access: Florida Building Commission, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To Consider and discuss the following Declaratory Statements: DS 2015 -109 by Robin Davies of Bracken Engineering, Inc., DS 2015 -135 by Robin Davies of Bracken Engineering, Inc., and other business for the Commission as stated on the agenda.

A copy of the agenda may be obtained by contacting: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824 or visiting the calendar on our website at: <http://floridabuilding.org/c/default.aspx>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824, fax: (850)414-8436. 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: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://floridabuilding.org/c/default.aspx>.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Code Administration Committee, announces a public meeting to which all persons are invited.

**DATE AND TIME:** December 7, 2015, 10:00 a.m. until completion

**PLACE:** Meeting to be conducted using teleconference number for audio only and the webinar for visual only. GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings. To join the online meeting (now from mobile devices):

Code Administration TAC 7

1. Please join the meeting: <https://global.gotomeeting.com/join/968410349>
2. Join the conference call: United States (toll-free): 1(866)899-4679; access code: 968-410-349; audio PIN: shown after joining the meeting; meeting ID: 968-410-349

Public point of access: Florida Building Commission, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statements: DS 2015 - 112 by David Galassi of Marion County Building Safety Department, DS 2015 – 134 by Joseph Hetzel of Door & Access Systems Manufacturers Association International (DASMA), and other business for the Commission as listed on the agenda.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)717-1824 or visiting the calendar on our website at: <http://www.floridabuilding.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824, fax: (850)414-8436. 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: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)717-1824 or visit the calendar on our website at: <http://www.floridabuilding.org>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission  
The Florida Building Commission, “THE COMMISSION”, Electrical Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2015, 9:00 a.m. until completion

PLACE: Meeting to be conducted using teleconference and webinar; you must access both the teleconference number for audio only and the webinar for visual only. To join the online meeting (now from mobile devices)

Electrical TAC 7:

1. Please join the meeting: <https://global.gotomeeting.com/join/225160357>

2. Join the conference call: United States (toll-free): 1(866)899-4679; access code: 225-160-357; audio PIN: shown after joining the meeting; meeting ID: 225-160-357

Public point of access: Florida Building Commission, Northwood Centre, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statement: DS 2015 - 125 by Gary R. Beaumont of Beaumont Electric Co., and other business for the Commission as reflected on the agenda.

A copy of the agenda may be obtained by contacting: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824 or visiting our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824, fax: (850)414-8436. 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: Mr. Joe Bigelow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission  
The Florida Building Commission, “THE COMMISSION”, Product Approval Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2015, 10:00 a.m. until completion

PLACE: Meeting to be conducted using teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings. To join the online meeting (now from mobile devices):

Product Approval 8:

1. Please join the meeting:  
<https://global.gotomeeting.com/join/707440157>

2. Join the conference call: United States (toll-free) 1(866)899-4679; access code and meeting ID: 707-440-157; audio PIN: shown after joining the meeting.

Public point of access: Florida Building Commission, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and discuss the following items for the Commission: Product Approval and Entities Statistical Report; Report on conditional approval from the October 2015 Meeting; Review of product approval and entity applications; and other business for the Commission as listed on the agenda.

A copy of the agenda may be obtained by contacting: Ms. Zubeyde Binici, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824 or visiting the calendar on our website at: <http://www.floridabuilding.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824, fax: (850)414-8436. 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: Ms. Zubeyde Binici, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://www.floridabuilding.org>.

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Energy Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2015, 1:00 p.m., Eastern Standard Time until completion

PLACE: Meeting to be conducted using teleconference and webinar: GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings. To join the online meeting (now from mobile devices):

1. Please join the meeting:  
<https://global.gotomeeting.com/join/450366541>

2. Join the conference call: United States (toll-free): 1(877)309-2073; access code: 450-366-541; audio PIN: shown after joining the meeting; meeting ID: 450-366-541.

Public point of access: Office of Codes and Standards, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and accept draft report for research project titled "Evaluating the Economic Impacts of the Legislatively Delayed Provisions of the 5th Edition (2014) Florida Building Code: - Mandatory blower door testing for residential buildings or dwelling units as contained in Section R402.4.1.2 of the Florida Building Code, 5th Edition (2014) Energy Conservation Volume; -Mechanical ventilation for residential buildings or dwelling units as contained in Section R303.4 of the Florida Building Code, 5th Edition (2014) Residential Volume. Also, to consider and discuss the following requests for Declaratory Statement: DS2015 - 125 by Gary R. Beaumont of Beaumont Electric Co.; and DS 2015 - 134 by Joseph Hetzel of Door & Access Systems Manufacturers Association International (DASMA), to review and provide recommendation to the Commission on possible submittals for approval of energy compliance software for the 5th Edition (2014) Florida Building Code, Energy Conservation. and other business on behalf of the Commission as per agenda.

A copy of the agenda may be obtained by contacting: Mr. Norman Bellamy, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824, or visiting our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824, fax: (850)414-8436. 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: Mr. Norman Bellamy, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Building Commission

The Florida Building Commission, "THE COMMISSION", announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2015, 1:00 p.m. until completion

PLACE: Public meeting to be held at the University of Florida Hilton, 1714 SW 34th Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a public meeting for the purpose of receiving public input regarding the recommendations from the report titled "Florida Accessibility for Building Construction Review and Recommendation".

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, calling (850)487-1824 or visiting our website at: <http://floridabuilding.org/c/default.aspx>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824, fax: (850)414-8436. 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).

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For more information, you may contact: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Accessibility Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2015, 2:00 p.m. until completion

PLACE: Meeting to be conducted via webinar for visual ability only and teleconference for audio ability only.

1. Go to <https://global.gotomeeting.com/join/485715821>; if requested, enter your name and email address. If a password is required, enter the meeting password: (This meeting does not require a password.) Click "Join".

2. Call-in toll-free number: 1(877)309-2073, attendee access code: 485-715-821.

Once you are logged in, the system will provide you with a caller ID number; please enter the ID number provided followed by the # sign. It is usually a two-digit number. This will identify you as the caller on the webinar system.

Public point of access: Florida Building Commission, Office of Codes and Standards, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and provide recommendations to the Commission regarding requests for waivers (as listed below) and other business for the Commission in accordance with the Council's agenda.

- 1 Tavern on Tennessee, 1717 West Tennessee Street, Tallahassee
- 2 FloorMasters, Hwy 301, Wildwood
- 3 NYZ Apocalypse, 5250 International Drive, Orlando
- 4 Fidelity National Financial Hangar, Floor 2 Interior Improve, 14601 Whirlwind Ave., Jacksonville
- 5 Around the Clock Fitness, 935 N Beneva Road, Suite 501, Sarasota

6 The Mimosa Hotel Addition, 6525 Collins Ave., Miami Beach

7 Sanibel Historical Museum and Village (Shore Haven Home), 950 Dunlop Road, Sanibel

8 SJM By the Sea, LLC., 256 Commercial Blvd., Lauderdale by the Sea

A copy of the agenda may be obtained by contacting: Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or visiting our website at [www.floridabuilding.org](http://www.floridabuilding.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or fax: (850)414-8436. 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 Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or visit our website at [www.floridabuilding.org](http://www.floridabuilding.org).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

The Board of Accountancy announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 11, 2015, 9:00 a.m.

PLACE: Department of Business & Regulations, 1940 North Monroe Street, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)333-2505.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Denise Graves. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Denise Graves, (352)333-2505.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

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

DATE AND TIME: November 30, 2015, 1:00 p.m. until all business is concluded

PLACE: Conference call, dial-in number: 1(888)670-3525, pass code number: 1368986679#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Budget Task Force will meet to discuss the board's quarter financials.

A copy of the agenda may be obtained by contacting: Denise Graves, (352)333-2505.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Denise Graves, (352)333-2505. 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 ENVIRONMENTAL PROTECTION**

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

DATE AND TIME: November 20, 2015, 9:00 a.m.

PLACE: Leesburg Community Building, West Room, 109 East Dixie Avenue, Leesburg, FL 34748

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Upper Ocklawaha Basin Working Group will hold a meeting, open to the public, on November 20 in Leesburg at the Leesburg Community Building. This is a technical meeting to discuss proposed methods for partitioning the reduction of nutrient loadings for the priority waterbodies Lake Harris, Lake Carlton, Trout Lake, Lake Yale, and the Palatlakaha River. The revised loading calculations for the priority waterbodies will also be presented. The Upper Ocklawaha Basin Working Group was formed to provide a forum for stakeholders to discuss issues related to the basin's nutrient Total Maximum Daily Loads (TMDLs) for the Harris Chain of Lakes, Palatlakaha River, and Lake Apopka. The Second

Phase of the Upper Ocklawaha Basin Management Action Plan (BMAP) was adopted in 2014 to address nutrient problems in the previously listed waterbodies.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

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. Mary Paulic, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Mary Paulic, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF CANCELLATION:** - The Florida Department of Environmental Protection, Division of Recreation and Parks announces the cancellation of a public hearing:

**DATE AND TIME:** Formerly: Tuesday, November 17, 2015, 5:00 – 8:00 p.m. (ET)

**PLACE:** Hillsborough Community College, Ybor Campus, Ybor Building, Room 124, 2001 North 14th Street, Tampa, Florida 33605

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The public hearing scheduled for November 17, 2015, and noticed on November 10, 2015, for presentation of the proposed unit management plan update for Ybor City Museum State Park has been cancelled.

For more information, you may contact: Brian Pinson, Park Manager, Ybor City Museum State Park, 1818 East 9th Avenue, Tampa, Florida 33605, (813)247-6323 or email: Brian.Pinson@dep.state.fl.us.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**NOTICE OF CANCELLATION:** - The Florida Department of Environmental Protection, Division of Recreation and Parks announces the cancellation of an advisory group meeting:

**DATE AND TIME:** Formerly: Wednesday, November 18, 2015, 9:00 a.m. (ET)

**PLACE:** Hillsborough Community College, Ybor Campus, Ybor Building, Room 124, 2001 North 14th Street, Tampa, Florida 33605

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The advisory group meeting scheduled for November 18, 2015, and noticed on November 10, 2015, for presentation and discussion of the proposed unit management plan update for Ybor City Museum State Park with the advisory group members has been cancelled.

For more information, you may contact: Brian Pinson, Park Manager, Ybor City Museum State Park, 1818 East 9th Avenue, Tampa, Florida 33605, (813)247-6323 or email: Brian.Pinson@dep.state.fl.us.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

The Board of Osteopathic Medicine – Council on Physician Assistants announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, December 3, 2015, 1:00 p.m.

**PLACE:** Hyatt Regency Jacksonville Riverfront, 225 East Coastline Drive, Jacksonville, Florida 32202, (904)588-1234

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FloridasOsteopathicMedicine.gov](http://www.FloridasOsteopathicMedicine.gov) for cancellations or changes to meeting dates or call the Board of Osteopathic Medicine at (850)245-4161 for information. The hotel public block deadline is Sunday, November 15, 2015.

A copy of the agenda may be obtained by contacting: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov). 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: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov).

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

The Board of Osteopathic Medicine – Telemedicine Subcommittee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, December 3, 2015, immediately following the Probation Committee meeting

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coastline Drive, Jacksonville, Florida 32202, (904)588-1234

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FloridasOsteopathicMedicine.gov](http://www.FloridasOsteopathicMedicine.gov) for cancellations or changes to meeting dates or call the Board of Osteopathic Medicine at (850)245-4161 for information. The hotel public block deadline is Sunday, November 15, 2015.

A copy of the agenda may be obtained by contacting: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov). 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: Alexandra Alday at [Alexandra.Alday@flhealth.gov](mailto:Alexandra.Alday@flhealth.gov).

**DEPARTMENT OF HEALTH**

**Council of Licensed Midwifery**

The Council of Licensed Midwifery announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 10, 2015, 9:00 a.m.

PLACE: 1(800)670-3525, participant passcode: 3608975369

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the council. Meetings may be cancelled prior to the meeting date. Please check the Council website at <http://www.floridahealth.gov/licensing-and-regulation/midwifery/index.html> for cancellations or changes to meeting dates or times.

A copy of the agenda may be obtained by contacting: Claudia Kemp, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Claudia Kemp. 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: Daisy King at (850)245-4588.

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

The Board of Respiratory Care announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2016, 8:00 a.m., ET

PLACE: Radisson Resort Orlando-Celebration, 2900 Parkway Boulevard, Kissimmee, Florida 34747

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting.

A copy of the agenda may be obtained by contacting: The Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, by calling the board office at (850)245-4373, ext. 3481 or by visiting the website at [www.floridasrespiratorycare.gov](http://www.floridasrespiratorycare.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Department of Health at (850)245-4444, ext. 3418. 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).

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**DEPARTMENT OF CHILDREN AND FAMILIES**

**Substance Abuse Program**

The Board of Directors of the Florida Civil Commitment Center Financing Corporation (the "Corporation") whose sole member is the State of Florida Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: November 23, 2015, 10:00 a.m.

PLACE: 800 Fairway Drive, Suite 490, Deerfield Beach, FL 33441; call-in number: 1(888)354-0094, participant code: 5421695

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For the purpose of conducting the annual meeting of the directors and electing the officers of the Corporation.

The following have been proposed for election to serve as officers of the Corporation for the offices set forth opposite their names until the next annual meeting of the directors of the Corporation or until the election and qualification of their successors or until their earlier death, resignation, or removal:

Manuel Fernandez, Chairman and President

Marta Prado, Secretary and Treasurer

Craig Jenkin, Vice President, Assistant Secretary, and Assistant Treasurer

A copy of the agenda may be obtained by contacting: [Dineen.Cicco@myflfamilies.com](mailto:Dineen.Cicco@myflfamilies.com).

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

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For more information, you may contact: [Dineen.Cicco@myflfamilies.com](mailto:Dineen.Cicco@myflfamilies.com).

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**DEPARTMENT OF CHILDREN AND FAMILIES**

**Substance Abuse Program**

The Board of Directors of the South Florida State Hospital Financing Corporation (the "Corporation") whose sole member is the State of Florida Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: November 23, 2015, 10:10 a.m.

PLACE: 800 Fairway Drive, Suite 490, Deerfield Beach, FL 33441; call-in number: 1(888)354-0094, participant code: 5421695

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For the purpose of conducting the annual meeting of the directors and electing the officers of the Corporation.

The following have been proposed for election to serve as officers of the Corporation for the offices set forth opposite their names until the next annual meeting of the directors of the Corporation or until the election and qualification of their successors or until their earlier death, resignation, or removal:

Manuel Fernandez, Chairman and President

Marta Prado, Secretary and Treasurer

Craig Jenkins, Vice President, Assistant Secretary, and Assistant Treasurer

A copy of the agenda may be obtained by contacting: [Dineen.Cicco@myflfamilies.com](mailto:Dineen.Cicco@myflfamilies.com).

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For more information, you may contact: [Dineen.Cicco@myflfamilies.com](mailto:Dineen.Cicco@myflfamilies.com).

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**DEPARTMENT OF CHILDREN AND FAMILIES**

**Substance Abuse Program**

The Board of Directors of the South Florida Evaluation and Treatment Center Financing Corporation (the "Corporation") whose sole member is the State of Florida Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: November 23, 2015, 10:05 a.m.

PLACE: 800 Fairway Drive, Suite 490, Deerfield Beach, FL 33441; call-in number: 1(888)354-0094, participant code: 5421695

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** For the purpose of conducting the annual meeting of the directors and electing the officers of the Corporation.

The following have been proposed for election to serve as officers of the Corporation for the offices set forth opposite their names until the next annual meeting of the directors of the Corporation or until the election and qualification of their successors or until their earlier death, resignation, or removal:

Manuel Fernandez, Chairman and President

Marta Prado, Secretary and Treasurer

Craig Jenkins, Vice President, Assistant Secretary, and Assistant Treasurer

A copy of the agenda may be obtained by contacting: [Dineen.Cicco@myflfamilies.com](mailto:Dineen.Cicco@myflfamilies.com).

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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: [Dineen.Cicco@myflfamilies.com](mailto:Dineen.Cicco@myflfamilies.com).

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a hearing to which all persons are invited.

**DATE AND TIME:** December 1, 2015, 9:00 a.m. (Tallahassee local time)

**PLACE:** The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Garden Trail, a 76-unit multifamily residential rental development located on Eldridge Street at the corner of N. Garden and N. Spruce Avenues, Clearwater, Pinellas County, FL. The owner and operator of the development is Garden Trail Apartments 2013 LLC, 5403 W. Gray Street, Tampa, FL 33609 or such successor in interest in which Garden Trail Apartments 2013 LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is Cambridge Management, Inc., 5403 W. Gray Street, Tampa, FL 33609. The tax-exempt bond amount is not to exceed \$7,425,000.00.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), November 30, 2015, and should be addressed to the attention of Brantley Henderson, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Brantley Henderson, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: Brantley Henderson, Assistant Director of Multifamily Programs.

**AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC.**

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. announces a hearing to which all persons are invited.

**DATE AND TIME:** November 30, 2015, 2:00 p.m.

**PLACE:** 4400 North Congress Avenue, West Palm Beach, FL 33407

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Area Agency on Aging of Palm Beach/Treasure Coast, Inc. public hearing.

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAPB/TC) is holding a public hearing on November 30, 2015. The purpose of the public hearing is to ensure that the community is informed of the services the AAPB/TC is proposing to provide directly and to offer the opportunity to comment on the AAPB/TC's intention to provide these services directly. The AAPB/TC intends to include in its 2016 Area Plan Direct Service Waiver Requests for Title III E services of Financial Risk Reduction Assessment, Financial Risk Reduction Maintenance and Stress Busting Program for Family Caregivers and for Title III D services of Pearl, Enhance wellness, Otago and Cancer Thriving and Surviving in Martin, Indian River, St. Lucie, Okeechobee counties and Palm Beach County Areas A and B. In addition, the AAPB/TC will be requesting a Direct Service Waiver for the Title III E service of Powerful Tools for Caregivers in Martin, Indian River, St. Lucie, Okeechobee counties and Palm Beach Area B. The hearing will begin at 2:00 p.m. on Monday, November 30, 2015 at the Agency's offices at 4400 North Congress Avenue, West Palm Beach, FL 33407. It will end at 4:00 p.m. that same date.

The public is encouraged to attend and to comment on the AAPB/TC's intention to provide these services directly.

Persons that wish to offer comment at the hearing are asked to limit their presentations to three minutes and to restrict their remarks to issues related to the services mentioned above. Those persons wishing to speak at the public hearing should contact Nancy Yarnall at (561)684-5885. It is also requested that you submit a written copy of your testimony to Nancy Yarnall, Director of Consumer Care and Planning, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407 or NYarnall@YourADRC.org by November 23, 2015. The AAAPB/TC may at times experience technical difficulties receiving email correspondence. For this reason, we request that persons wishing to speak at the hearing call Nancy Yarnall to confirm that she has received a written copy of your testimony.

Applicable portions of the Direct Service Waiver Requests for the 2016 Area Plan revision can be viewed on the Agency website at [www.YourADRC.org](http://www.YourADRC.org). To obtain a hardcopy, please contact Nancy Yarnall.

A copy of the agenda may be obtained by contacting: Nancy Yarnall, NYarnall@YourADRC.org, by calling: (561)684-5885 or by visiting the AAAPB/TC website at [www.YourADRC.org](http://www.YourADRC.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nancy Yarnall, NYarnall@YourADRC.org or by calling (561)684-5885. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nancy Yarnall, NYarnall@YourADRC.org, (561)684-5885.

**FLORIDA SELF-INSURERS GUARANTY ASSOCIATION**  
The Florida Self-Insurers Guaranty Association, Inc. Board of Directors announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, December 1, 2015, 12:00 Noon

**PLACE:** JTS Enterprises of Tampa, Ltd, 4908 W. Nassau Street, Tampa, Florida 33607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General Business.

A copy of the agenda may be obtained by contacting: Brian Gee, Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida 32308, (850)222-1882.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jane Strickland, Administrative Assistant, Florida Self-Insurers Guaranty Association at (850)222-1882. 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).

**ABLE TRUST**

The Able Trust announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** December 11, 2015, 9:00 a.m. – 12:00 Noon, ET

**PLACE:** Telephone conference call; for more information contact The Able Trust, (850)224-4493, [info@abletrust.org](mailto:info@abletrust.org)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) will hold its quarterly Board of Directors meeting. The agenda will include review of financial reports, review and approval of grants to assist in creating successful employment opportunities for persons with disabilities; reviewing committee reports; and other business that may come before the organization.

A copy of the agenda may be obtained by contacting: The Able Trust at (850)224-4493 or at [info@abletrust.org](mailto:info@abletrust.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: The Able Trust at (850)224-4493 or at [info@abletrust.org](mailto:info@abletrust.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact The Able Trust.

**FLORIDA DEVELOPMENT FINANCE CORPORATION**  
The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, November 18, 2015, 2:00 p.m. – 3:00 p.m.

**PLACE:** Offices of Enterprise Florida, Inc., South Conference Room, 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
a. October 21 meeting minutes  
b. Tuscan Isle ChampionsGate Holdings, LLC - presentation  
c. VOANS SW Florida Healthcare, Inc. (The Colonnade of Estero) - presentation

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Bill Spivey at (407)956-5695. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION, INC.

The Florida Workers' Compensation Insurance Guaranty Association's Board announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2015, 10:00 a.m.

PLACE: Orlando, Florida; for more information contact Cathy Irvin at (850)386-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet for its Annual Meeting to discuss the general business of the Association. The agenda will include, but not be limited to: Minutes, Receiver's report, Legal report, Audit and Investment Committee reports, Claim, Operation and Financial reports and Board Officer Elections.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. 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).

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

The Audit Committee of the FWCIGA announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2015, 2:30 p.m.

PLACE: Orlando, Florida; for more information contact Cathy Irvin at (850)386-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee will meet to discuss the general business of the Committee. The agenda will include, but not be limited to: Minutes, 2015 Audit Engagement Letter, Charter and Checklist.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Cathy Irvin, (850)386-9200. 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).

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

The Investment Committee of the FWCIGA announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2015, 9:00 a.m.

PLACE: Orlando, Florida; for more information contact Cathy Irvin at (850)386-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Investment Committee will meet to discuss general business of the Committee. The agenda will include, but not be limited to: Minutes, Investment report an Investment Policy review.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Cathy Irvin, (850)386-9200. 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).

QUEST CORPORATION OF AMERICA, INC.

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

DATE AND TIME: Tuesday, November 17, 2015, 10:00 a.m. – 12:00 Noon

PLACE: Disney Wilderness Preserve, Conservation Learning Center, 2700 Scrub Jay Trail, Kissimmee, Florida 34759

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Management No. 433693-1-22-01

Federal Aid Project ID Number: 7777 246 A

ETDM No.: 13961

Project Description: Southport Connector Project Development and Environment Study

The Florida Department of Transportation is currently wrapping up the Alternative Corridor Evaluation (ACE) process. The ACE process is conducted to evaluate corridors and recommend those that should move forward for additional analysis as part of the National Environmental Policy Act (NEPA). A Methodology Memorandum (MM) was developed as part of the ACE process. The MM outlined the analysis methodology that would be used to refine and eliminate corridor alternatives. The project team met with various federal, state and local agencies to review the document and obtain comments. Following Federal Highway Administration (FHWA) approval of the MM, an Alternative Corridor Evaluation Report (ACER) was prepared, which recommends that three alternative corridors be considered for further evaluation. The ACER is currently being reviewed by the environmental agencies and FHWA through the Efficient Transportation Decision Making (ETDM) Environmental Screening Tool (EST), as ETDM Number 134961.

This is the third Agency Project Advisory Group (APAG) meeting for the Poinciana Parkway Southport Connector (Southport Connector) Project Development and Environment (PD&E) Study. This meeting is being held to present the results of the ACER and obtain comments on the three corridors that are recommended for further evaluation. We encourage your participation in this effort by attending this meeting. Please RSVP to Eileen LaSeur, Public Involvement Coordinator, at (407)883-8257 or Eileen.Laseur@QCAusa.com if you (or a representative) are planning to attend this meeting.

A copy of the agenda may be obtained by contacting: Eileen LaSeur, Public Involvement Coordinator, (407)883-8257, Eileen.LaSeur@QCAusa.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Eileen LaSeur, (407)883-8257 or Eileen.Laseur@QCAusa.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation services (free of charge) should contact: Ms. Eileen LaSeur at the phone number or email address above.

For more information, you may contact: Mr. Alex Hull, Consultant Project Manager, at (407)971-8850 or AHull@inwoodinc.com. Additional information on the project is also available on the website at [www.southportconnector.com](http://www.southportconnector.com).

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

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on November 6, 2015, the Construction Industry Licensing Board has received the petition for declaratory statement from Seth G. Simmons. The petition seeks the agency's opinion as to the applicability of Sections 489.105(3)(a), 489.105(n) and 489.113(3)(d), FS, as they apply to the petitioner.

The petitioner seeks a declaratory statement as to whether pursuant to Sections 489.105(3)(a), 489.105(n) and 489.113(3)(d) a Certified General Contractor and/or a Certified Underground Utility & Excavation Contractor can install pre-engineered and pre-fabricated PVC or fiberglass ductwork integral and connected to an odor control system at a municipal treatment and/or collection facility without having to subcontract the work to a mechanical, plumbing, or air conditioning contractor. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395 or by email: [Amanda.Wynn@myfloridalicense.com](mailto:Amanda.Wynn@myfloridalicense.com).

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on November 6, 2015, the Construction Industry Licensing Board received a Petition for Declaratory Statement from James Bifulco. The petitioner seeks a declaratory statement to clarify whether a general contractor's license is required to construct temporary structures such as outrigger safety netting, perimeter guardrails and netting systems, protection decks and scaffolds used to stage significant material loads, and shaft and floor hold opening protections used in the course of constructing residential and commercial buildings greater than 1, 2, or 3 family dwellings, and greater than 3 stories in height.. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. Copies of the Petition may be obtained from Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395 or by email: [Amanda.Wynn@myfloridalicense.com](mailto:Amanda.Wynn@myfloridalicense.com).

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Judith Bergstrom on February 27, 2015. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 41, No. 43, of the March 4, 2015, Florida Administrative Register. Petitioner seeks a Declaratory Statement from the Board concerning the scope of practice of licensed practical nurses. The Board’s Order, filed on October 1, 2015, dismissed the Petition stating that: (1) the Petition was not in substantial compliance with the provisions of Section 120.565, Florida Statutes, and Rule 28-105, Florida Administrative Code; and (2) a Petition for Declaratory Statement may not seek guidance on the scope of practice of other licensees.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, info@floridasnursing.gov, (850)245-4125.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Brian Simmons on August 12, 2015. The following is a summary of the agency’s disposition of the petition:

The petition seeks a declaratory statement from the Office on whether Petitioner’s business activities (of selling mortgage leads to lenders on a flat fee) falls within Florida’s Mortgage Brokerage and Lending Act, Chapter 494, Florida Statutes. Based on the foregoing Findings of Fact and Conclusions of Law, Petitioner is not required to obtain a mortgage broker license in order to engage in the activities described in the Petition; and, based on the information received from Petitioner, the Office cannot make a determination at this time as to whether an individual mortgage loan originator license is required. Therefore, the Office denies Petitioner’s request for declaratory statement as to only this portion of its Petition. Done and Ordered, November 10, 2015.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643 or online at <https://real.flofr.com/ConsumerServices/SearchLegalDocuments/LDSearch.aspx#/searchLegalDocuments>.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has declined to rule on the petition for declaratory statement filed by Wells Fargo Advisors, LLC., on August 26, 2015. The following is a summary of the agency’s declination of the petition:

The petition seeks a declaratory statement from the Office on whether (the Limited Activities conducted by Petitioner and the Financial Advisors in the course of Petitioner’s securities-related business require either Petitioner or the Financial Advisor to obtain mortgage broker and loan originator licensing), Florida Mortgage Brokerage and Mortgage Lending Act, Chapter 494, Florida Statutes, In the instant matter a declaratory statement is not available to Petitioner because Petitioner is seeking a determination as to acts which have already occurred, or which are now occurring. Any further analysis is unnecessary and the Office therefore makes no determination regarding the merits of Petitioner’s arguments. Therefore, Wells Fargo Advisors, LLC’s Petition for Declaratory Statement is DENIED.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643 or online at <https://real.flofr.com/ConsumerServices/SearchLegalDocuments/LDSearch.aspx#/searchLegalDocuments>.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643.

Section VIII

Notice of Petitions and Dispositions  
Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

DEPARTMENT OF EDUCATION

School Districts

Intercom System Replacement and New Camera Installation at William Raines High School No. 165/DCSB No. M-83970/M-83980/OFDC-ITB-002-16

**DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS-Invitation to Bid for an Electrical Contractor/Publish Date – November 13, 2015. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. BIDS ARE DUE ON OR BEFORE December 15, 2015 AND WILL BE ACCEPTED UNTIL 2:00 P.M. OFFICIAL PROJECT TITLE: Intercom System Replacement and New Camera Installation at William Raines High School No. 165/DCSB Project No. M-83970/M-83980/OFDC-ITB-002-16. SCOPE OF WORK: The project consists of replacement of intercom system and installation of new cameras. The estimated construction cost is not to exceed \$475,000.00. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held November 24, 2015 from 1:30 p.m. – 2:30 p.m. at William Raines High School, 3663 Raines Avenue, Jacksonville, FL 32209. Failure to attend the pre-bid conference shall result in disqualification of that firm’s proposal. Attendees will be required to sign an attendance register. Project funding is subject to availability of funds as authorized by the Owner.**

The District reserves the right to reject any and all bids. Contract documents for bidding may be obtained at the office of: ARC Document Solutions, 4613 Phillips Highway, Suite 202, Jacksonville, FL 32207, (904)399-8946. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: Haddad Engineering, Inc., 2955 Hartley Road, Suite 205, Jacksonville, FL 32257, telephone: (904)262-5066. OEO Participation Goal: Encouragement. All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools. Prequalification forms and information may be obtained at [www.duvalschools.org](http://www.duvalschools.org) under Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Procedures. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD**  
**REQUEST FOR STATEMENTS OF QUALIFICATIONS for**  
**GENERAL CONTRACTING WORK**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the installation of a new invasive radiology/angiography biplane imaging room within an existing radiology suite located on Sarasota Memorial Hospital’s Main Campus (East Tower/Level One), 1700 S. Tamiami Trail, Sarasota, FL.

Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of your current/valid Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.

5. A CURRENT list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel who would be used on this project.
7. Past construction/design experience on a biplane angiography room and associated support functions within an existing hospital radiology department.
8. Construction building experience with AHCA and within the City of Sarasota, FL.
9. Location of the firm's main office and location of the proposed project team members.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm's experience with the local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team, construction management experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed to Jim Bugyis, Director of Operation of Plant (941)917-1802.

Submissions shall be titled

Statement of Qualifications  
for  
GENERAL CONTRACTING WORK

The Sarasota Memorial Hospital #3 Biplane Angiographic Room

5. Submittals must be received by the Hospital no later than 1:30 p.m. on Friday, December 4, 2015. Mail statements to the attention of Tom Perigo, Director of Architecture and Construction, 1515 Osprey Ave., Suite A3, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pickup.
6. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Operation of Plant.
7. Interested persons should contact Jim Bugyis at (941)917-1802 with any project-related questions.
8. The selection committee will meet in a public meeting in Sarasota Memorial's 4th floor conference room 4A&B (next to Window's Cafeteria), 1700 S. Tamiami Trail, Sarasota, FL 34239, on Friday, December 11, 2015 from 8:00 a.m. to 11:00 a.m. to discuss and announce the top three ranked firms with whom the hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
REQUEST FOR STATEMENTS OF QUALIFICATIONS for  
PROFESSIONAL ARCHITECTURAL AND  
ENGINEERING SERVICES

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants' Competitive Negotiation Act. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the installation of a new invasive radiology/angiography biplane imaging room within an existing radiology suite located on Sarasota Memorial Hospital's Main Campus (East Tower/Level One), 1700 S. Tamiami Trail, Sarasota, FL.

Services required by qualified firms include architectural design, mechanical, electrical, plumbing, fire protection and structural design and engineering, and construction administration. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of current/valid Florida Architecture/Engineering licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability/Errors and Omissions Insurance.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes.
5. A current list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience on a biplane angiography room and associated support functions within an existing hospital radiology department.
7. Design and permitting experience within the City of Sarasota, FL and other applicable permitting agencies.
8. Location of the design firm's main office, and location of the proposed team for this project.
9. An explanation of how the firm intends to respond expeditiously on urgent project matters.
10. Illustrate the project team including resumes for each.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.

2. The basis for selecting candidates includes, but is not limited to the firm’s experience with local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team design criteria experience as stated above, ability to quickly respond, and the firm’s proposed project approach.

3. The Hospital reserves the right to request additional information beyond the data set forth above.

4. Questions regarding submissions shall be directed to Jim Bugyis, (941)917-1802

Submissions shall be titled

Statement of Qualifications  
for  
PROFESSIONAL ARCHITECTURAL AND  
ENGINEERING SERVICES

The Sarasota Memorial Hospital #3 Biplane Angiographic Room

1. Submittals must be received by the Hospital no later than 1:30 p.m. on Friday, December 4, 2015. Mail statements to the attention of Tom Perigo, Director of Architecture and Construction, 1515 Osprey Ave., Suite A3, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

2. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Operation of Plant.

3. Interested persons should contact Jim Bugyis at (941)917-1802 with any project-related questions.

4. The selection committee will meet in a public meeting in Sarasota Memorial’s 4th floor conference room 4A&B (next to Window’s Cafeteria), 1700 S. Tamiami Trail, Sarasota, FL 34239, on Friday, December 11, 2015 from 1:00 p.m. to 3:00 p.m. to discuss and announce the top three ranked firms with whom the hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

## Section XII Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Office of the Secretary

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments deadlines and the address for providing comments is available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2170. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development

Final Order No.: DEO-15-188

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-188 on November 10, 2015, in response to an application submitted by Plum Lake Estates Homeowner’s 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](mailto: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.