

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NO.: RULE TITLE:

5H-17.001 Purpose; Establishment of Campaign

PURPOSE AND EFFECT: The purpose of this rulemaking is to substantially revise the Florida

Agricultural Promotion Campaign to increase consumer awareness and expand the market for Florida agricultural products.

SUBJECT AREA TO BE ADDRESSED: Implementation of the Florida Agricultural Promotion Campaign

RULEMAKING AUTHORITY: 570.07(23), 571.24(9), FS.

LAW IMPLEMENTED: 571.23, 571.24, 571.25, 571.26, 571.29, 571.301, 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.

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: Christopher Green, Assistant Director, Division of Marketing and Development, 407 South Calhoun Street, Tallahassee, FL 32399, Christopher.Green@FreshFromFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christopher Green, Assistant Director, Division of Marketing and Development, 407 South Calhoun Street, Tallahassee, FL 32399, Christopher.Green@FreshFromFlorida.com

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

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.002 Definitions

PURPOSE AND EFFECT: The purpose is to update definitions to terms used in current operations. The effect will be to simplify and make the rules easier to understand.

SUBJECT AREA TO BE ADDRESSED: Parole, Definitions.

RULEMAKING AUTHORITY: 947.07, 947.20 FS.

LAW IMPLEMENTED: 947.002, 947.16, 947.165, 947.172, 947.173, 947.174, 947.173, 947.1745, 947.1746, 947.21, 947.22, 947.23 FS.

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

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.0051 Full Commission Reviews

PURPOSE AND EFFECT: The purpose of the amendments of this rule is to simplify the language used, to update and remove outdated programs, and to ensure conformity with Rule 23-21.0051, F.A.C. The effect will be that the rules will be more clear and easier to understand.

SUBJECT AREA TO BE ADDRESSED: Commission Operations, Parole, Conditional Release, Control Release, Conditional Medical Release, Addiction Recovery Supervision.

RULEMAKING AUTHORITY: 947.07, 947.20 FS.

LAW IMPLEMENTED: 947.06, 947.07, 947.135, 947.141, 947.172, 947.1745, 947.1746, 947.1, 947.198, 947.23, 947.24 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rana Wallace, General Counsel, Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460 or email: ranawallace@fcor.state.fl.us

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:
23-21.0052 Panel Reviews

PURPOSE AND EFFECT: The purpose of the amendments of this rule is to simplify the language used, to update and remove outdated programs, and to ensure conformity with Rule 23-21.0051, F.A.C. The effect will be that the rules will be more clear and easier to understand.

SUBJECT AREA TO BE ADDRESSED: Commission Operations, Parole, Conditional Release, Control Release, Conditional Medical Release, Addiction Recovery Supervision.

RULEMAKING AUTHORITY: 947.07, 947.20 FS.

LAW IMPLEMENTED: 947.06, 947.07, 947.13, 947.135, 947.1405, 947.141, 947.146, 947.172, 947.173, 947.174, 947.1745, 947.1746, 947.18, 947.19, 947.20, 947.24 FS.

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Commission on Offender Review, 4070 Esplanade Way, Tallahassee, Florida 32399, (850)488-4460 or email: ranawallace@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:
23-21.007 Salient Factor Scoring

PURPOSE AND EFFECT: The purpose is to use consistent language in the rule to help make it more clear and readable. The effect will be a more consistent rule that is easier for the public to understand, and comports with agency practice.

SUBJECT AREA TO BE ADDRESSED: Salient Factor Scoring, Parole.

RULEMAKING AUTHORITY: 947.07, 947.165 FS.

LAW IMPLEMENTED: 947.002, 947.13, 947.165 FS.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: **RULE TITLE:**
 23-21.010 Decisions Outside the Matrix Time Range
PURPOSE AND EFFECT: The purpose is to align rules with agency best practices. The effect will change examples of aggravating and mitigating circumstances, and clarify use of underlying offenses in felony murder cases.
SUBJECT AREA TO BE ADDRESSED: Commission Operations, Parole, Presumptive Parole Release Date Establishment.
RULEMAKING AUTHORITY: 947.07, 947.165 FS.
LAW IMPLEMENTED: 947.002, 947.165 FS.
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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: **RULE TITLE:**
 23-21.011 Calculating Time in Custody
PURPOSE AND EFFECT: The purpose is to use consistent language in the rule to help make it more clear and readable. The effect will be a more consistent rule that is easier for the public to understand, and comports with agency practice.
SUBJECT AREA TO BE ADDRESSED: Parole.
RULEMAKING AUTHORITY: 947.07 FS.
LAW IMPLEMENTED: 947.002, 947.165 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: **RULE TITLE:**
 23-21.0155 Extraordinary Review Procedures
PURPOSE AND EFFECT: The purpose of the amendment top this rule will alter the deadline in which an order must be acted upon by the Commission. The effect is to make sure that there is enough time to complete the order before it must be acted on.
SUBJECT AREA TO BE ADDRESSED: Commission Operations, Parole, Extraordinary Review Procedure.
RULEMAKING AUTHORITY: 947.002 947.07 FS.
LAW IMPLEMENTED: 947.002, 947.07, 947.18 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.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-21.0165 RULE TITLE: Conditions of Parole
 PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by those on Parole. The effect is to make clear to those under supervision that firearm possession is not allowed.
 SUBJECT AREA TO BE ADDRESSED: Parole.
 RULEMAKING AUTHORITY: 947.07, 947.20 FS.
 LAW IMPLEMENTED: 947.1747, 947.20, 947.23 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.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-21.022 RULE TITLE: Revocation of Parole; Preliminary Hearings; Final Hearings
 PURPOSE AND EFFECT: The purpose is to create a procedure for parolees out-of-state who want to waive a

violation hearing. The effect will allow parolees to waive a revocation hearing out-of-state if approved by the commission.

SUBJECT AREA TO BE ADDRESSED: Parole, Revocation.
 RULEMAKING AUTHORITY: 947.07, 947.20 FS.
 LAW IMPLEMENTED: 947.1747, 947.20, 947.23 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.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: 23-22.013 RULE TITLE: Control Release Supervision
 PURPOSE AND EFFECT: The purpose is to emphasize that firearm possession is not allowed by those on control release. The effect is to make clear to those under supervision that firearm possession is not allowed.
 SUBJECT AREA TO BE ADDRESSED: Control release supervision.
 RULEMAKING AUTHORITY: 947.146(6)(i), 947.07, 947.20 FS.
 LAW IMPLEMENTED: 947.146 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.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: **RULE TITLE:**
23-22.014 Revocation of Control Release
PURPOSE AND EFFECT: The purpose is to create a procedure for those who are out-of-state and want to waive a violation hearing. The effect will allow those on release to waive a revocation hearing out-of-state if approved by the commission.
SUBJECT AREA TO BE ADDRESSED: Control Release Revocation.
RULEMAKING AUTHORITY: 947.07, 947.146(7)(h), 947.20 FS.
LAW IMPLEMENTED: 947.141, 947.146 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.

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FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: **RULE TITLE:**
23-23.006 Conditional Release Definitions
PURPOSE AND EFFECT: The purpose is to update definitions to terms used in current operations. The effect will change the term Parole Examiner to Commission Investigator, and do simplify the definition of sexual predator.
SUBJECT AREA TO BE ADDRESSED: Conditional Release, Definitions.
RULEMAKING AUTHORITY: 947.07, 947.1405(9) FS.
LAW IMPLEMENTED: 947.1405(2)(a) FS.
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AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: **RULE TITLE:**
59A-5.032 Transparency and Patient Billing
PURPOSE AND EFFECT: The Agency proposes to open a new section of rule as directed by the recent statutory changes.
SUBJECT AREA TO BE ADDRESSED: The Agency will clarify requirements of price transparency and patient billing as outlined in s. 395.301, Florida Statutes.
RULEMAKING AUTHORITY: 395.301, FS.
LAW IMPLEMENTED: 395.301, FS.

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

DATE AND TIME: Friday, October 14, 2016, 10:00 a.m. – 10:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jessica Munn, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jessica Munn at (850)412-4359 or email at Jessica.Munn@ahca.myflorida.com

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-9.034 Reports

PURPOSE AND EFFECT: The Agency proposes to revise this section of rule to align with recent statutory requirements of 390.0112, FS.

SUBJECT AREA TO BE ADDRESSED: The rule section for reporting by abortion clinics will be revised to align language with statute, clarify requirements, and update a required form.

RULEMAKING AUTHORITY: 390.012, FS.

LAW IMPLEMENTED: 390.0112, FS.

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

DATE AND TIME: Friday, October 14, 2016, 10:30 a.m. – 11:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.002 Licensing and Inspection Requirements

PURPOSE AND EFFECT: To amend the culinary education programs' risk level to level 1.

SUBJECT AREA TO BE ADDRESSED: The culinary education program license type created by Chapter 2016-120, Laws of Florida.

RULEMAKING AUTHORITY: 509.032, 509.241, 509.2112 FS.

LAW IMPLEMENTED: 213.0535, 509.032, 509.221, 509.241, 509.242, 509.251, 559.79, 509.2112 FS.

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DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-25.001 Examination Requirements

PURPOSE AND EFFECT: The board proposes this rule amendment to update the rule language and the incorporated application and implement Laws of Florida 2016-230.

SUBJECT AREA TO BE ADDRESSED: Update language and application, implement Laws of Florida 2016-230.

RULEMAKING AUTHORITY: 456.013(7), 456.017(1)(c), 480.035(7), 480.041(2), 480.042(1), 480.044 FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1)(c), 456.0635, 480.041, 480.042 , 480.044 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: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-25.004 Endorsements

PURPOSE AND EFFECT: The board proposes this rule amendment to update the rule text.

SUBJECT AREA TO BE ADDRESSED: Update rule text.

RULEMAKING AUTHORITY: 456.013(2), 480.035(7), 480.041(4)(c) FS.

LAW IMPLEMENTED: 456.013(2), 480.035(7), 480.041(4)(c) 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: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-26.002 Licensure of Massage Establishments

PURPOSE AND EFFECT: The board proposes this rule amendment to update the rule language and the incorporated application and implement Laws of Florida 2016-230.

SUBJECT AREA TO BE ADDRESSED: Update rule language and application and implement Laws of Florida 2016-230.

RULEMAKING AUTHORITY: 480.035(7), 480.043(2), 480.044 FS.

LAW IMPLEMENTED: 480.043, 480.044, 456.0635 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: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-29.002 Qualification

PURPOSE AND EFFECT: The board proposes this rule amendment to update the rule text and incorporate application.

SUBJECT AREA TO BE ADDRESSED: Update rule text and incorporate application.

RULEMAKING AUTHORITY: 480.035(7), 480.041(4)(a) FS.

LAW IMPLEMENTED: 480.041(4)(a), 480.047(1) 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: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-29.007 Colonics Training through Apprenticeship

PURPOSE AND EFFECT: The board proposes this rule amendment to update the rule language and incorporate application.

SUBJECT AREA TO BE ADDRESSED: Update rule text and incorporate application.

RULEMAKING AUTHORITY: 480.035(7), 480.041(4)(a) FS.

LAW IMPLEMENTED: 480.041(4)(a) 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: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-32.003 Minimum Requirements for Board Approved Massage Schools

PURPOSE AND EFFECT: The board proposes this rule amendment to clarify the rule text and increase efficiency.

SUBJECT AREA TO BE ADDRESSED: Clarify rule text and increase efficiency.

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) 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: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NO.: RULE TITLE:

5H-23.002 Application for Fair Permit

PURPOSE AND EFFECT: To update and clarify a form to be incorporated by reference

SUMMARY: Specify the required board members contact information for form FDACS-06100

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. This rule only updates incorporated materials.

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: 570.07(23), 616.12, 616.165, FS.

LAW IMPLEMENTED: 616.12, 616.15, 616.242, FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Karla Black, Administrative Assistant I, 407 S Calhoun St, Tallahassee, FL 32399; (850)617-7386. 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: Karla Black, Administrative Assistant I, 407 S Calhoun St, Tallahassee, FL 32399; (850)617-7386

THE FULL TEXT OF THE PROPOSED RULE IS:

5H-23.002 Application for Fair Permit.

(1) through (4) No change.

(5) The following documents are hereby adopted and incorporated by reference. Copies of these forms may be obtained from the Florida Department of Agriculture and Consumer Services, Division of Marketing and Development, Suite 209, Mayo Building (M-37), Tallahassee, FL 32399-0800 or online as indicated.

(a) Application for Fair Permit, FDACS-06100, (Rev. 06/16 ~~08/13~~), <http://www.flrules.org/Gateway/reference>.

(b) through (e) No change.

Rulemaking Authority 570.07(23), 616.12, 616.165 FS. Law Implemented 616.11, 616.12, 616.15, 616.242 FS. History--New 8-17-93, Amended 2-13-14 Amended, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Darica Smith, Division Director

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 9/1/2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 9/13/2016

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-4.161
 RULE TITLE: Public Notice of Pollution

PURPOSE AND EFFECT: The Department of Environmental Protection (Department) is developing a new rule in Chapter 62-4, F.A.C., to require owners and operators of installations to provide notice to the Department, local governments and public when there is an incident resulting in pollution.

SUMMARY: The new rule will require owners and operators of any installation to provide notices to the Department, local government officials, and the public whenever there is an incident or discovery of pollution at an installation within 24 hours. In addition, the owner and operator would be required to provide a subsequent notice within 48 hours that describes any potentially affected areas beyond the property boundary of the installation, and the potential risk to public health, safety, or welfare. The owners and operators are required to notify the Department, local government officials, and the property owner within 24 hours of becoming aware that pollution from an installation has affected areas beyond the property boundaries of the installation.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule requiring owners and operators of installations to notify the Department, local government officials and the public of an incident resulting in pollution does not adversely affect small business or increase regulatory costs. The rule only requires owners and operators to inform the proper entities of the incident and does not create an obligation that it pay for publication of a notice.

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

RULEMAKING AUTHORITY: 377.22(2), 403.061(7), 403.061(8), 403.062, 403.855(1), 403.861(9), FS.

LAW IMPLEMENTED: 377.21, 377.371, 403.061(16), 403.061(17), 403.061(18), 403.062, 403.855(3), 403.861(9)

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: Robert A. Williams, Chief Deputy General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., MS-35, Tallahassee, FL 32399, robert.a.williams@dep.state.fl.us; (850)245-2233

THE FULL TEXT OF THE PROPOSED RULE IS:

62-4.161 Public Notice of Pollution

Any owner or operator of any installation who has knowledge of any pollution at such installation shall provide notice of the pollution as follows:

(1) Within 24 hours of the occurrence of any incident at an installation resulting in pollution, or the discovery of pollution, the owner or operator shall notify the Department and the following persons, in writing, of such pollution:

(a) The mayor, the chair of the county commission, or the comparable senior elected official representing the affected area.

(b) The city manager, the county administrator, or the comparable senior official representing the affected area.

(c) The general public by providing notice to local broadcast television affiliates and a newspaper of general circulation in the area of the contamination.

(2) Within 48 hours of the occurrence of any incident at an installation resulting in pollution, or the discovery of pollution, the owner or operator shall notify the Department and persons identified in (1)(a) through (1)(c), in writing, of any potentially affected areas beyond the property boundaries of the installation, and the potential risk to the public health, safety, or welfare.

(3) Within 24 hours of becoming aware of pollution from an installation that has affected areas beyond the property boundaries of the installation, the owner or operator shall notify, in writing, the property owner of any affected area, the Department, and the persons identified in (1)(a) through (1)(b).

(4) Such notification to the Department shall be accomplished by submitting an email to pollution.notice@dep.state.fl.us.

(5) Failure to provide this notification shall be considered a violation and subject to penalties for purposes of Section 403.161, Florida Statutes.

Rulemaking Authority 377.22(2), 403.061(7), 403.061(8), 403.062, 403.855(1), 403.861(9) FS. Law Implemented 377.21, 377.371, 403.061(16), 403.061(17), 403.061(18), 403.062, 403.855(3), 403.861(9) FS. History-New XX-XX-XXXX.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert A. Williams, Chief Deputy General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 26, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 27, 2016

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-210.201
RULE TITLE: ADA Provisions for Inmates
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. 42 No. 135, July 13, 2016 issue of the Florida Administrative Register.

The changes are in response to comments made by the Joint Administrative Procedures Committee in a letter dated August 1, 2016.

The changes to the proposed rule are as follows:

33-210.201 ADA Provisions for Inmates.

(1) No change.

(2) Definitions.

(a) through (j) No change.

(k) Qualified inmate with a disability – ~~refers to an inmate with a disability physical or mental impairment that substantially limits one or more life activities and who, with or without reasonable accommodations or the provision of auxiliary aids and services, meets the essential eligibility requirements of the department for the department program(s), service(s), or activity/activities at issue, and Title II of the ADA of 1990 and whose access to the department’s programs, services or activities can be accomplished by reasonable accommodation.~~

(l) through (m) No change.

(3) Accommodation Request Procedure.

(a) No change.

(b) All department and privately operated facilities shall furnish to any inmate, upon request, a Reasonable Modification or Accommodation Request, Form DC2-530A. Form DC2-530A, Reasonable Modification or Accommodation Request, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of this form is _____.

(c) No change.

(d) Upon receipt of Form DC2-530A, the warden or intake officer shall review the inmate’s accommodation request. The warden or intake officer shall, as necessary, utilize Form DC2-530B to request additional information from the appropriate program head in order to verify the inmate’s disability or to otherwise assist with the review of the request. Form DC2-530B, Reasonable Accommodation or Accommodation Request Institutional Evaluation/Disposition, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 501 South Calhoun Street, Tallahassee, Florida 32399-2500,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of this Form is _____.

(e) through (i) No change.

(4) through (9) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 8-19-01, Amended 2-8-06, 11-22-06, 1-23-13, 9-30-13,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-210.201 ADA Provisions for Inmates
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 135, July 13, 2016 issue of the Florida Administrative Register.

Section 120.54(3)(a)1., Florida Statutes, requires the notice of proposed rule to include whether “based on the statement of the estimated regulatory costs or other information expressly relied upon and described by the agency if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification.” (Emphasis added). A statement of estimated regulatory costs was not prepared. Therefore, the notice should have included a statement as to what information was relied upon in reaching the stated conclusions. The proposed rule is hereby corrected with the following statement:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the SERC or, if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.193 Statewide Medicaid Managed Care Long-term Care Waiver Program Prioritization and Enrollment
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. 186, September 24, 2015 issue of the Florida Administrative Register.

Substantial rewording of Proposed Rule 59G-4.193 Florida Administrative Code, follows. See the Florida Administrative Register for present text.

59G-4.193 Statewide Medicaid Managed Care Long-term Care Waiver Program Prioritization and Enrollment.

(1) This rule applies to individuals living in their home, or a community setting, who are seeking Florida Medicaid coverage for home and community-based services (HCBS) through the Florida Medicaid Statewide Medicaid Managed Care Long-term Care (LTC) program.

(2) Definitions. The following definitions are applicable to this policy.

(a) Aging Out – When an individual who is enrolled in the Department of Children and Families’ (DCF) Community

Care for Disabled Adults or Home Care for Disabled Adults program reaches the maximum age for the program and is referred for screening and prioritization for the LTC program.

(b) Authorized Representative – As defined in section 409.962, Florida Statutes (F.S.).

(c) Enrollment - When the Agency for Health Care Administration (AHCA) places a recipient in a Florida Medicaid managed care plan.

(d) Imminent Risk – When individuals living in their home or a community setting meet all of the following:

1. Unable to perform self-care because of deteriorating mental or physical health condition(s).

2. There is no capable caregiver.

3. Placement in a nursing facility is likely within a month, or very likely within three months.

(e) Priority Rank - Automatically generated number indicating an individual’s assessed need for LTC services and to determine placement on the wait list, based on the priority score.

(f) Priority Score - Automatically generated number based on a Department of Elder Affairs’ (DOEA) screening completed in accordance with Rule 58A-1.010, Florida Administrative Code (F.A.C.).

(g) Rescreening – As defined in section 409.962, F.S.

(h) Screening – As defined in section 409.962, F.S.

(i) Significant Change – As defined in section 409.962, F.S.

(j) Wait List – A list, maintained by DOEA, of individuals who have been screened and assigned a priority rank by an Aging and Disability Resource Center (ADRC).

(3) Process.

(a) The Department of Elder Affairs will prioritize individuals determined eligible for the LTC program pursuant to section 409.979, F.S., in accordance with the priority score determined using the methodology, incorporated by reference and available at http://elderaffairs.state.fl.us/does/SMMCLTC/2014_Priority_Score_Calculation.pdf.

(b) Priority scores are grouped into frailty-based levels or categories (referred to as “ranks”) as follows:

1. Rank 1: 0–15.

2. Rank 2: 16–29.

3. Rank 3: 30–39.

4. Rank 4: 40–45.

5. Rank 5: Greater than or equal to 46.

6. Rank 6: Aging Out Referral.

7. Rank 7: Imminent Risk.

8. Rank 8: Adult Protective Services High Risk Referral.

(c) Individuals eligible for prioritization on the wait list must live in a LTC program waiver service area.

(d) When the screening process is complete, DOEA will provide the individual, or their authorized representative, a notification of wait list placement including all of the following:

1. The individual’s priority rank.
2. Contact information for the ADRCs.
3. Instructions for requesting an administrative fair hearing in accordance with Title 42, Code of Federal Regulations (CFR), section 431, Subpart E.
4. Instructions for requesting a copy of the completed screening tool, which includes the priority score.
5. Instructions for requesting a rescreening. The individual, or their authorized representative, may request a rescreening due to a significant change.

(e) If DOEA is unable to contact the individual, or their authorized representative, to schedule an initial screening or rescreening; or if the individual does not keep an appointment for a screening or rescreening, DOEA will send written correspondence to the individual’s, or to their authorized representative’s, last documented address:

1. Requesting the individual, or their authorized representative, to contact DOEA within 30 calendar days of the date of the notice.
2. Notifying the individual, or their authorized representative, that the individual may be removed from the initial screening process or wait list if no contact is made.
3. Providing instructions for re-initiating the screening process, requesting a rescreening, and contacting the ADRCs.
4. Providing instructions for requesting an administrative fair hearing.

(f) The Department of Elder Affairs will send written notice to the individual’s, or to their authorized representative’s, last documented address about submission requirements for a completed and signed AHCA Form 5000-3008, (JUN 2016), Medical Certification for Medicaid Long-term Care Services and Patient Transfer Form, incorporated by reference in Rule 59G-1.045, F.A.C. The individual, or their authorized representative, must return the completed form to DOEA within 30 calendar days of the date of the notice.

(g) The Department of Elder Affairs will contact the individual, or their authorized representative, to determine clinical eligibility for the LTC program in accordance with Rule 58A-1.010, F.A.C.

(h) The Agency for Health Care Administration will enroll individuals in the LTC program who have been released from the waitlist and meet the eligibility criteria specified in section 409.979, F.S.

(4) Exclusion. This rule is not applicable to Institutional Care Program (ICP) applicants or ICP recipients residing in nursing facilities.

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.978, 409.979(3) FS. History–New_____.

DEPARTMENT OF CHILDREN AND FAMILIES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-1.205	Eligibility Determination Process
65A-1.701	Definitions
65A-1.702	Special Provisions
65A-1.703	Family-Related Medicaid Coverage Groups
65A-1.705	Family-Related Medicaid General Eligibility Criteria
65A-1.716	Income and Resource Criteria

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 42 No. 54, March 18, 2016 issue of the Florida Administrative Register has been withdrawn.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

NONE

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Florida Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2016, 10:00 a.m. – 11:30 a.m.

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-in-the-Hills, FL 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida LP Gas Advisory Board and the Florida Propane Gas Education, Safety and Research Council to discuss industry related issues.

A copy of the agenda may be obtained by contacting: Ms. Susan Coxen, Bureau of Standards at (850)921-1545.

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. Susan Coxen at (850)921-1545. 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. Susan Coxen, Bureau of Standards at (850)921-1545.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 9, 2016, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call - 1(888)670-3525 and code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Executive Conference Call General Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or at (850)245-3317.

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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or at (850)245-3317. 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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or at (850)245-3317.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 16, 2016, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call - 1(888)670-3525 and code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Legislative Committee General Legislative Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or at (850)245-3317.

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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or at (850)245-3317. 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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or at (850)245-3317.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 10, 2016, 9:00 a.m. – 10:00 a.m.

PLACE: Conference Call 1(888)670-3525, Code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Evaluation Conference Call General Evaluation Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or (850)245-3317.

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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or (850)245-3317. 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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or (850)245-3317.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 15, 2016, 2:30 p.m. – 4:30 p.m.

PLACE: Conference Call 1(888)670-3525 and Code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Planning and Coordination Committee General Planning Business.

A copy of the agenda may be obtained by contacting: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or (850)245-3317.

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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or (850)245-3317. 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: Roy Cosgrove at roy.cosgrove@vr.fldoe.org or (850)245-3317.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles, Office of Motorist Modernization announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2016, 1:00 p.m. – 3:00 p.m., ET

PLACE: Neil Kirkman Building, Training Room B130, 2900 Apalachee Parkway, Tallahassee Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization Program. System functionality and requirements will also be presented to the group for consideration and input.

AGENDA

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Stakeholder Outreach Update
- Policy and Decisions Review
- MM Phase I Program Update
 - o Status Update and Financial Review
 - o Change Request Review
 - o Project Update
- Q&A
- Adjourn

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/630034677>

You can also dial in using your phone

United States: +1(646)749-3129

United States (toll-free): 1(877)309-2073

Access Code: 630-034-677

Audio PIN: Shown after joining the meeting

A copy of the agenda may be obtained by contacting: The agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100, terrencesamuel@flhsmv.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).

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: October 11, 2016, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The Florida Public Service Commission Conference’s Notice, Agenda, related documents, and contact information may be obtained from www.floridapsc.com. Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission’s Web site.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council Executive Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 10, 2016, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd. Suite 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular business of the Executive Budget Committee.

A copy of the agenda may be obtained by contacting: Wren Krahl, wren@tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, wren@tbrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, wren@tbrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The Water Resource Advisory Commission Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: October 6, 2016, 9:30 a.m., Water Resource Advisory Commission Meeting

PLACE: North Collier Regional Park, Exhibit Hall Room A, 15000 Livingston Road, Naples, FL 34109

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, ybonilla@sfwmd.gov or at our website: <http://www.sfwmd.gov/wrac>

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: District Clerk, (561)682-6805. 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: Yvette Bonilla, (561)682-6286.

DEPARTMENT OF VETERANS' AFFAIRS

The Florida Department of Veterans' Affairs, Florida Veterans' Hall of Fame Class of 2016 Induction Ceremony announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 9, 2016, 2:30 p.m. – 4:00 p.m.

PLACE: Cabinet Room, State Capitol Building - Lower Level, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Veterans Hall of Fame Class of 2016 Induction Ceremony.

For more information, you may contact: Jessica Kraynak, Deputy Legislative and Cabinet Affairs Director, at (850)487-1533, ext. 7712. Click here to RSVP to the ceremony: <https://fvhofclassof2016.eventbrite.com>.

DEPARTMENT OF HEALTH

Board of Dentistry

Department of Health, Board of Dentistry, announces an official meeting of the Council on Dental Hygiene to be held via telephone conference call. All interested parties are invited to attend the telephone conference call, which is open to the public.

DATE AND TIME: December 7, 2016, 6:00 p.m., ET

PLACE: Telephone conference; number: 1(888)670-3525 when prompted enter participant code: 4552635641#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters related to dental hygiene.

A copy of the agenda may be obtained by visiting: www.floridasdentistry.gov.

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

Persons requiring special accommodations due to disability or physical impairment should contact: the Board Office at (850)245-4474. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771.

NATIONAL COUNCIL ON COMPENSATION INSURANCE

The Florida Workers Compensation Appeals Board announces a public meeting to which all persons are invited.

DATE AND TIME: October 25, 2016, 9:00 a.m.

PLACE: Doubletree by Hilton Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Workers Compensation Premium Disputes.

A copy of the agenda may be obtained by contacting: No Agenda Prior to Meeting.

For more information, you may contact: Maureen Longanacre, Underwriting Dispute Consultant, Ncci, (915)261-7999.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation has received the petition for declaratory statement from Michael Fernando Sierra Miranda through his authorized Representative, Cody Pellicer, Esq. The petition seeks the agency's opinion as to the applicability of part VII, Chapter 468, F.S., as it applies to the petitioner.

Petitioner asks for the Department's interpretation as to whether part VII of Chapter 468, F.S., violates or voids the contract between petitioner and Pacheco Entertainment Production Enterprises, Inc.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Chevonne Christian, Assistant General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202, (850)488-0062.

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filed 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
DISTRICT BOARD OF TRUSTEES
MIAMI DADE COLLEGE
PUBLIC ANNOUNCEMENT
REGARDING SOLICITING QUALIFICATIONS

Scope of Services: Pursuant to sections 255.0525, 255.20 and 1013.45 Florida Statutes the District Board of Trustees of Miami Dade College (the "Board") is soliciting applications for remodeling, renovation and selective restoration and preservation of the National Historic David W. Dyer U.S. Court House.

The Dyer Federal Courthouse Building sits across the Miami Dade College Wolfson Campus Building 1000 on NE 1st Avenue between NE 3rd Street and NE 4th Street. The Dyer Federal Courthouse Building was completed in 1933 in the

Neo Classical Style with strong influences from the Mediterranean Revival Style. The building listed in the National Register of Historic Places in 1983. Dyer Federal Courthouse was originally designed by the firm of Phineas Paist and Harold Stewart, one of the premier architectural firms in Miami at the time.

The Dyer Court House Building is composed of a three story structure with a partial basement and a partial Mezzanine. The footprint of the Building is approximately 256'x228' with approximately 171,500 GSF. The basement has an approximate area of 32, 500 GSF of which approximately 9,250 will be separated by a security wall to continue to serve the adjacent Atkins facility. The remaining 23,250 GSF will be incorporated into the MDC Dyer Facility. The first level has approximately 56,500 GSF, the Mezzanine has approximately 7,500 GSF, the second level has approximately 46,000 GSF and the third level has approximately 29,000 GSF. The total approximate area to be remodeled/renovated for the MDC Dyer Project is approximately 162,250 GSF. The work shall include completion of the secure separation of Dyer from the Atkins Federal Building, new and separate utility systems including HVAC, Electrical including lighting/power and low voltage, IT, communications, security, and the disconnect and removal of the existing systems not designated to be reused. The installation of two new exit stairs and one elevator core if required within the building. The construction of a skylight system over the interior open courtyard. The renovation/remodel of approximately 162,250 GSF into classrooms, large event venues, library spaces, open student collaboration spaces, offices and other related college spaces including the structural modifications required to achieve the new program spaces. The repairs, cleaning and waterproofing of the exterior historical wall system. The repairs of the existing window. Any other work deemed to be required to achieve the MDC programs. The A/E and the CM selected will assist the MDC Wolfson Campus & Facilities Staff in developing the Educational Specifications and Facilities list for the programs to be housed at the Dyer Federal Courthouse Building.

Dyer Building Construction Budget

The initial Construction Budget for Phase II and Phase III of the Dyer Building is \$40,000,000.00

Application Packet: Interested parties can obtain application materials by visiting Miami Dade College Purchasing website at <http://www.mdc.edu/purchasing/bids.asp>

Please direct questions to:

Ramon S. Bristol Castrillon, MA, CPPO, FCCN

Assistant Purchasing Director,

Facilities/Plant Maintenance

Tel: (305)237-0011

Email: rbristol@mdc.edu

VISIT FLORIDA

VISIT FLORIDA posted an ITN for Digital Media Buying The Florida Tourism Industry Marketing Corp. dba VISIT FLORIDA has issued an invitation to negotiate (ITN) and is accepting proposals from agency or agencies to perform digital media planning, buying, trafficking and optimization services on behalf of VISIT FLORIDA; including, but not limited to display, native, video, mobile placements and Pay Per Click Media. It may also include: Search Engine Marketing (SEM); direct email; and/or paid content distribution from time to time. Creative services is not included in this ITN.

For more information, please click here.

The due date for submissions is 5 PM, on Friday, October 14, 2016.

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Motorcycle Management Concepts LLC for the establishment of PIAG motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Piaggio Group Americas, Inc., intends to allow the establishment of Motorcycle Management Concepts LLC, as a dealership for the sale of motorcycles manufactured by Piaggio Group Americas, Inc. (line-make PIAG) at 8509 Gunn Highway, Odessa, (Hillsborough County), Florida 33556, on or after October 31, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Management Concepts LLC, are dealer operator(s): Aaron Spague, 8509 Gunn Highway, Odessa, Florida 33556; principal investor(s): Aaron Spague, 8509 Gunn Highway, Odessa, Florida 33556.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael J. Babich, Piaggio Group Americas, Inc., 257 Park Avenue South, 4th Floor, New York, New York, 10010.

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

DEPARTMENT OF THE LOTTERY

Notice of Publication of 2016-2017 Regulatory Plan

NOTICE IS HEREBY GIVEN that on September 26, 2016, the Department of the Lottery published its 2016-2017 Regulatory Plan in accordance with Section 120.74(2), F.S. The Regulatory Plan is available on the Florida Lottery's website at <http://www.flalottery.com/exptkt/FY2016-17RegulatoryPlan.pdf>.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan for home health visit services. This amendment includes technical and editorial changes, deletes obsolete language, and updates the fee schedule. This amendment will not have a federal fiscal impact or change services to eligible Medicaid recipients.

Interested parties may contact the following staff for further information: Shameria Davis, Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4235 or by email at: Shameria.Davis@ahca.myflorida.com

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On September 26, 2016, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of John Francis Sessa, III, L.P.N., License # PN 986221. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On September 26, 2016, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Roy Norene Dano Marikit, R.N., License # RN 9301256. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.
