

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:       RULE TITLE:

1S-2.034       Polling Place Procedures Manual

**PURPOSE AND EFFECT:** These amendments address problems recently encountered by voters and poll workers. They also incorporate newly enacted statutory changes, including allowance for the use of additional forms of identification at polling places and substitution of the term “vote-by-mail ballot” for the term “absentee ballot” throughout the Election Code.

**SUBJECT AREA TO BE ADDRESSED:** Elections; polling place procedures.

**RULEMAKING AUTHORITY:** 20.10(3), 97.012(1), 102.014(5) FS.

**LAW IMPLEMENTED:** 97.055, 97.061, 98.461, 100.011, 100.061, 101.031, 101.043, 101.045, 101.048, 101.049, 101.051, 101.111, 101.131, 101.23, 101.49, 101.5601, 101.5608, 101.5610, 101.5611, 101.5614, 101.56062, 101.56075, 101.69, 102.012, 102.014, 102.031, 104.20 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:** Thursday, May 5, 2016, 10:00 a.m.

**PLACE:** Room 307, R.A. Gray Building, 500 S. Bronough St., 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 days before the workshop/meeting by contacting: Brandy Hedges, at (850)245-6536, or Brandy.Hedges@dos.myflorida.com If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Lydia Atkinson, Assistant General Counsel, at (850)245-6536 or Lydia.Atkinson@dos.myflorida.com

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

1S-2.034 Polling Place Procedures Manual.

The Department of State, Division of Elections, is required to create a polling place procedures manual to guide election officials and poll workers in the proper implementation of election procedures and laws. Form DS-DE 11 (effective 07/2016 ~~06/2014~~), entitled “Polling Place Procedures Manual,” is hereby incorporated by reference and available at the following link: [insert new hyperlink] <https://www.flrules.org/Gateway/reference.asp?No=Ref-04186>. The form is also available from the Division of Elections, R. A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850) 245-6200, or by download from the Division of Elections’ rules webpage at: <http://dos.myflorida.com/elections/http://election.dos.state.fl.us/index.html>.

Rulemaking Authority 20.10(3), 97.012(1), 102.014(5) FS. Law Implemented 97.055, 97.061, 98.461, 100.011, 100.061, 101.021, 101.031, 101.043, 101.045, 101.048, 101.049, 101.051, 101.111, 101.131, 101.23, 101.49, 101.5601, 101.5608, 101.5610, 101.5611, 101.5614, 101.5617, 101.56062, 101.56075, 101.69, 102.012, 102.014, 102.031, 104.20 FS. History—New 7-4-02, Amended 1-25-04, 3-16-06, 1-1-08, 8-13-08, 8-25-10, 1-18-12, 6-19-14, \_\_\_\_\_.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.:       RULE TITLE:

1S-2.040       Statewide Uniform Voter Registration Application

**PURPOSE AND EFFECT:** These amendments are necessary to reflect amendments made by the legislature to section 101.043, Florida Statutes, which now allow for additional forms of identification at polling places. Additionally, the amendments revise portions of the voter registration form in order to more closely resemble statutory language.

**SUBJECT AREA TO BE ADDRESSED:** Elections; identification required at polls.

**RULEMAKING AUTHORITY:** 20.10, 97.012(1), (2), 97.052 FS.

**LAW IMPLEMENTED:** 97.051, 97.052, 97.053, 97.1031, 98.077, 101.045(2) 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:** Thursday, May 5, 2016, 10:00 a.m.

**PLACE:** Room 307, R.A. Gray Building, 500 S. Bronough St., 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 3 days before the workshop/meeting by contacting: Brandy Hedges, at (850)245-6536, or

Brandy.Hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Atkinson, Assistant General Counsel, at (850)245-6536 or Lydia.Atkinson@dos.myflorida.com  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF STATE**

**Division of Elections**

RULE NO.: 1S-2.054      RULE TITLE: Poll Watcher Designation Form  
 PURPOSE AND EFFECT: The purpose of this rule is to prescribe a form for individuals authorized under section 101.131, Florida Statutes, to utilize when designating poll watchers during the early voting period and on Election Day.  
 SUBJECT AREA TO BE ADDRESSED: Elections; poll watchers.  
 RULEMAKING AUTHORITY: 20.10, 97.012(1), and 101.131(2) FS.  
 LAW IMPLEMENTED: 101.131 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: Thursday, May 5, 2016, 10:00 a.m.  
 PLACE: Room 307, R.A. Gray Building, 500 S. Bronough St., 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 3 days before the workshop/meeting by contacting: Brandy Hedges, at (850)245-6536, or Brandy.Hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Atkinson, Assistant General Counsel, at (850)245-6536 or Lydia.Atkinson@dos.myflorida.com

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Florida Forest Service**

RULE NOS.:	RULE TITLES:
5I-4.002	Purpose and Definitions
5I-4.003	Vehicular, Animal and Pedestrian Control
5I-4.005	Protection of Managed Lands
5I-4.006	Recreational Activities and Facilities
5I-4.008	Vendors; Authorizations; Fees

PURPOSE AND EFFECT: The purpose and effect is to provide guidance and clarity to the public and Florida Forest Service State Forest Managers regarding the use of managed lands. Revisions provide guidance and clarity on the matters of aircraft on managed lands. Additional purposes and effects are to provide clarification regarding camping on managed lands, and to adopt an updated fee schedule.

SUBJECT AREA TO BE ADDRESSED: Florida Forest Service Managed Lands

RULEMAKING AUTHORITY: 570.07(23), 589.011(4), 589.071, 589.12 FS.

LAW IMPLEMENTED: 589.011(3), 589.071 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: Steve Bohl, 3125 Conner Blvd., Tallahassee, FL 32399-1650, (850)681-5871

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

**PUBLIC SERVICE COMMISSION**

RULE NO.:	RULE TITLE:
25-6.0346	Quarterly Reports of Work Orders and Safety Compliance

PURPOSE AND EFFECT: To specify the information that must be included in a work order list.

Undocketed

SUBJECT AREA TO BE ADDRESSED: Electric safety rules.  
 RULEMAKING AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.04(2)(f), 366.05(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: Adria Harper, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**PUBLIC SERVICE COMMISSION**

RULE NOS.:	RULE TITLES:
25-12.005	Codes and Standards Adopted
25-12.008	New, Reconstructed or Converted Facilities
25-12.022	Requirements for Distribution System Valves
25-12.027	Welder Qualification
25-12.040	Leak Surveys, Procedures and Classification
25-12.085	Written Annual Reports Required

PURPOSE AND EFFECT: To streamline, remove obsolete terms, and to incorporate the 2016 edition of the Code of Federal Regulations.

Undocketed

SUBJECT AREA TO BE ADDRESSED: Gas Safety  
RULEMAKING AUTHORITY: 350.127(2), 368.03, 366.05(1), 368.05(2) FS.

LAW IMPLEMENTED: 366.04(2)(f), 366.05(1), 368.03, 368.05, 368.05(2) 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: Adria Harper, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.:	RULE TITLE:
61-35.010	Construction Industry Departmental Forms

PURPOSE AND EFFECT: The purpose and effect is to revise the rule to adopt updated forms relating to application for licensure of construction licensees.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the adoption of the revised forms.

RULEMAKING AUTHORITY: 455.203, 455.213 FS.  
LAW IMPLEMENTED: 455.213(1), 489.109, 489.111, 489.113, 489.1131, 489.1136, 489.114, 489.115, 489.116, 489.117, 489.118, 489.119 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: Andy Janecek, Rules Coordinator, Division of Professions, 1940 North Monroe Street, Tallahassee, Florida 32399-0760, (850)717-1496

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.:	RULE TITLE:
61-35.012	Electrical Contractors' Departmental Forms

PURPOSE AND EFFECT: The purpose and effect is to revise the rule to adopt updated forms relating to application for licensure of electrical contractor licensees.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the adoption of the revised forms.

RULEMAKING AUTHORITY: 455.203, 455.213, 455.2179 FS.

LAW IMPLEMENTED: 455.213(1), 455.271(6), 489.511, 489.513, 489.5161, 489.517, 489.519, 489.521, 489.522 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: Andy Janecek, Rules Coordinator, Division of Professions, 1940 North Monroe Street, Tallahassee, Florida 32399-0760, (850)717-1496

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.:	RULE TITLE:
61-35.030	General Departmental Forms

PURPOSE AND EFFECT: The purpose and effect is to create the rule to adopt forms relating to application for licensure of

military veterans and spouses as well as other general departmental forms.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the adoption of the forms.

RULEMAKING AUTHORITY: 455.203, 455.213 FS.

LAW IMPLEMENTED: 455.02(3), 455.213, 489.1131, 489.5161 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: Andy Janecek, Rules Coordinator, Division of Professions, 1940 North Monroe Street, Tallahassee, Florida 32399-0760, (850)717-1496

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

## Section II Proposed Rules

### AGENCY FOR HEALTH CARE ADMINISTRATION

#### Medicaid

RULE NO.:       RULE TITLE:

59G-4.150       Inpatient Hospital Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.150, Florida Administrative Code, is to incorporate by reference the Florida Medicaid Inpatient Hospital Services Coverage Policy, \_\_\_\_\_.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

#### 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 checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: May 11, 2016, 1:00 p.m. – 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

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: Heather Allman. 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: Heather Allman, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4024, e-mail: Heather.Allman@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received from the date of this notice until May 12, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.150 Inpatient Hospital Services.

(1) This rule applies to all ~~hospital~~ providers rendering Florida Medicaid inpatient hospital services to recipients enrolled in the Medicaid program.

(2) All providers described in subsection (1) ~~hospital providers enrolled in the Medicaid program~~ must be in compliance ~~comply~~ with the provisions of the Florida Medicaid Inpatient Hospital Services Coverage Policy \_\_\_\_\_ and Limitations Handbook, incorporated by reference, in Rule 59G 4.160, F.A.C., and the Florida Medicaid Provider Reimbursement Handbook, UB 04, incorporated by reference in Rule 59G 4.003, F.A.C. The policy is ~~Both handbooks are available on from the Agency for Health Care Administration's Florida Medicaid fiscal agent's~~ Both handbooks are available on from the Agency for Health Care Administration's Florida Medicaid Web site Portal at

<http://ahca.myflorida.com/Medicaid/review/index.shtml>, and available at [DOS place holder Ref-\_\_\_\_\_]. ~~http://mymedicaid-florida.com. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at 1(800) 289-7799 and selecting Option 7.~~

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, ~~409.9081, 409.912, 409.913, 409.973~~ FS. History—New 1-1-77, Amended 3-30-78, 1-2-79, 2-3-81, 7-28-81, 7-1-83, 3-1-84, 10-31-85, Formerly 10C-7.39, Amended 10-2-86, 2-28-89, 10-17-89, 10-14-90, 5-21-91, 11-14-91, 3-25-92, 5-13-92, 7-12-92, 8-9-93, 12-21-93, Formerly 10C-7.039, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 6-9-96, 5-12-99, 1-1-01, 2-25-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Heather Allman

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2016

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

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE NO.: RULE TITLE:

59G-4.160 Outpatient Hospital Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.160, Florida Administrative Code, is to incorporate by reference the Florida Medicaid Outpatient Hospital Services Coverage Policy, \_\_\_\_\_.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

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 checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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: 409.919 409.961 FS

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: May 11, 2016, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

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: Heather Allman. 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: Heather Allman, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4024, e-mail: Heather.Allman@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received from the date of this notice until May 12, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.160 Outpatient Hospital Services.

(1) This rule applies to all providers rendering Florida Medicaid outpatient hospital services to recipients ~~all hospital providers enrolled in the Medicaid program.~~

(2) All providers described in subsection (1) ~~hospital providers enrolled in the Medicaid program~~ must be in compliance ~~comply~~ with the provisions of the Florida Medicaid Outpatient Hospital Services Coverage Policy, \_\_\_\_\_ and Limitations Handbook, December 2011, incorporated by reference, available ~~at~~ [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_01232](http://www.flrules.org/Gateway/reference.asp?No=Ref_01232).

The policy handbook is available on from the Agency for Health Care Administration's Medicaid fiscal agent's Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and available at [DOS place holder Ref-\_\_\_\_\_].

~~].www.mymedicaid.florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at 1(800) 289-7799 and selecting Option 7.~~

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, ~~409.9081~~, 409.912, 409.913 FS. 409.973 History—New 1-1-77, Revised 12-7-78, 1-18-82, Amended 7-1-83, 7-16-84, 7-1-85, 10-31-85, Formerly 10C-7.40, Amended 9-16-86, 2-28-89, 5-21-91, 5-13-92, 7-12-92, 1-5-93, 6-30-93, 7-20-93, 12-21-93, Formerly 10C-7.040, Amended 6-13-94, 12-27-94, 2-21-95, 9-11-95, 11-12-95, 2-20-96, 10-27-98, 5-12-99, 10-18-99, 3-22-01, 8-12-01, 2-25-03, 8-14-03, 11-28-04, 8-18-05, 1-10-06, 4-16-06, 2-25-09, 6-25-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Heather Allman  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 16, 2015

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:       RULE TITLE:  
59G-14.001       Definitions

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-14.001, Florida Administrative Code (F.A.C.), is to update the definitions, incorporate the requirements of Rules 59G-14.002-14.007, F.A.C., as appropriate, and revise the rule title.

SUMMARY: The incorporated policy will describe the dispute resolution process, along with requirements to participate in the process. The amendment also revises the title of the rule to Florida Kidcare Dispute Review and Grievance Process.

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 checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of

the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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: 409.818 FS.

LAW IMPLEMENTED: 409.818 FS.

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

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

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

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: Angela Wiggins. 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: Angela Wiggins, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4198, e-mail: Angela.Wiggins@ahca.myflorida.com.

Official comments to be entered into the rule record will be received from the date of this notice until May 12, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-14.001 Florida Kidcare Dispute Review and Grievance Process Definitions.

(1) Purpose. The Florida Kidcare Dispute Review and Grievance Process (Process) is a comprehensive review of disputes relating to eligibility and enrollment for the Title XXI, Children’s Health Insurance Program (CHIP), conducted in accordance with Title 42, Code of Federal Regulations (CFR), sections 457.1130-457.1180.

(2) Definitions. The following definitions are applicable to this rule and the Title XXI, Florida Kidcare Programs (Children’s Medical Services Network, Florida Healthy Kids and MediKids) and to all sections of Florida Kidcare Grievance Procedures, Chapter 59G-14, F.A.C. ~~These definitions do not apply to any dispute or grievance processes issues relating to the Florida Medicaid program for Children eligibility, enrollment or renewal activities. For Medicaid eligibility and enrollment complaint or grievance issues,~~

families must request a Medicaid Fair Hearing by contacting the Department of Children and Family Services (DCF) as referenced in Rule 65-2.045, F.A.C.

(a) Adverse action notice – Letter regarding a premium increase, denial of eligibility, suspension or termination of enrollment, or disenrollment for failure to pay the premium.

(1) “Applicant” refers to a parent or guardian of a child or a child whose disability of nonage has been removed under Chapter 743, F.S., who applies for eligibility under Sections 409.810 .820, F.S. (Florida Kidcare Act).

(2) “Complaint” or “dispute” is a verbal or written expression of dissatisfaction, regarding an eligibility or enrollment decision received within 90 calendar days of the date of the letter indicating the suspension or termination of a child’s enrollment.

(b) (3) “Complainant – An individual listed on the enrollee’s Florida Kidcare account as ” or “grievant” is a parent, caretaker, or an emancipated minor who submits a dispute or grievance. legal guardian, an authorized representative of the parent or legal guardian or a child whose disability of nonage has been removed who submits a complaint or grievance on behalf of an applicant, enrollee or former enrollee of the Florida Kidcare Program. If a parent, legal guardian or a child whose disability of nonage has been removed appoints a representative to discuss the complaint or grievance on their behalf, they must complete and sign an Appointment of Representation Form, AHCA Med Serv Form 017, August 2007, one page, and the Authorization for the Use and Disclosure of Protected Health Information Form, AHCA Med Serv Form 018, August 2007, two pages, which are incorporated by reference. These forms name the representative and give the representative access to medical records in compliance with the Health Insurance Portability and Accountability Act (HIPAA).

(c) Dispute – Written request to review an eligibility or enrollment decision received within 90 calendar days of the date of an adverse action notice.

(d) (4) “Dispute Review File – Documents collected by the Florida Healthy Kids Corporation or provided by the family during the Resolution Hearing” is the complainant’s opportunity to be heard by the Florida Kidcare Dispute Review Panel during the third level of the Florida Kidcare Formal dDispute rReview pProcess. If requested, a professionally transcribed hearing is scheduled between the complainant and the Florida Kidcare Dispute Review Panel in the complainant’s county of residence.

(e)(5) “Enrollee = ” means a Cchild who has been determined eligible for and is receiving CHIP coverage under the Florida Kidcare Act Sections 409.810 .820, F.S.

(f) Florida Healthy Kids Corporation (Corporation) – Designated eligibility processor for the CHIP program. The

Corporation is also responsible for conducting the dispute review process and preparing all written dispute review responses.

(g) Grievance - Written request to review an eligibility or enrollment decision after the dispute review process has been completed.

(6) “Florida Kidcare Partners” includes the Agency for Health Care Administration (MediKids), the Department of Children and Family Services (Medicaid for Children), the Department of Health (Children’s Medical Services Network), and the Florida Healthy Kids Corporation (Healthy Kids). Families with children receiving coverage under the Medicaid for Children Program must request a Medicaid Fair Hearing by contacting the Department of Children and Family Services (DCF) as referenced in Rule 65-2.045, F.A.C.

(7) “Florida Kidcare Formal Dispute Review Process” is a comprehensive review of an eligibility or enrollment complaint. The formal dispute review process begins when a written request to resolve a dispute is received by the Florida Healthy Kids Corporation’s Resolution Coordinator. The entire dispute review process is conducted by the Florida Healthy Kids Corporation, the eligibility processor for the Florida Kidcare, Title XXI Programs.

(8) “Florida Kidcare Informal Dispute Review Process” is the initial contact in writing or telephone to the Florida Healthy Kids Corporation, expressing dissatisfaction with a disputable application or enrollment action.

(9) “Florida Kidcare Grievance Committee” or “committee” is the entity responsible for hearing and resolving grievances related to the Florida Kidcare Program when all avenues of resolutions through the Florida Kidcare Dispute Review Process have been exhausted. For Medicaid eligibility and enrollment grievance issues, families must request a Medicaid Fair Hearing by contacting the Department of Children and Family Services (DCF) as referenced in Rule 65-2.045, F.A.C.

(10) “Grievance” means a formal written complaint initiated to challenge an eligibility or enrollment decision only after all other forms of resolution have been exhausted through the Florida Kidcare Formal Dispute Review Process.

(11) “Health Services ” means the medical, behavioral and dental benefits provided by an individual’s health or dental coverage (e.g., hospital services, physician services, prescription drugs and laboratory services).

(12) “Resolution Coordinator” is the person responsible for supervising the dispute review process and preparing a written response to the complainant explaining the Florida Healthy Kids Corporation or Florida Kidcare Dispute Review Process decision regarding eligibility or enrollment.

(13) “Third Party Administrator” is the entity contracted by Florida Healthy Kids Corporation that is responsible for

administrative services for the Florida Kidcare Program, Title XXI Programs as authorized by Sections 624.91(5)(b)8., F.S.

(3) Dispute Review Process.

(a) The dispute review process is conducted in accordance with time frames specified in 42 CFR 457.1160.

(b) The dispute review process begins when the Corporation receives a dispute from a complainant. For disputes received within ten calendar days of an adverse action notice, the Corporation will take the following actions when requested by the complainant:

1. Continue or reinstate health coverage retroactive to the first day of the month in which the request for continuation was received.

2. Restore the former premium amount. All premium payments must be paid in a timely manner to maintain coverage during the continuation period.

(c) The Corporation must explain the complainant's liability to repay all premiums and cost of benefits received if the original adverse action decision is upheld.

(d) The Corporation must comply with the following time frames:

1. Send written acknowledgement to the complainant, within three calendar days of receipt of the dispute.

2. Render a written decision within 15 calendar days of receipt of the dispute.

(e) The Corporation may request additional information from the complainant and extend the dispute review period for up to 30 calendar days. Additional information requested by the Corporation must be provided within ten calendar days; if requested information is not provided, the Corporation will render a decision based on the available information.

(f) The complainant will be notified of the decision by the Corporation.

(g) The complainant may appeal the dispute review process decision to the Corporation's Chief Executive Officer (Officer) or designee. The Officer will notify the complainant of the decision in writing within ten calendar days of the complainant's dispute review decision appeal request, and provide information regarding additional appeal rights as described in paragraph (h).

(h) The complainant may appeal the Officer's decision by submitting a grievance request through the Corporation to the Agency for Health Care Administration (AHCA), within ten calendar days of the Officer's decision. The Corporation must forward the grievance request and the dispute review file to AHCA within five calendar days of receipt of the grievance request.

(4) Grievance Process.

(a) The Agency for Health Care Administration will send a letter to the complainant within five calendar days of receiving the grievance request:

1. Acknowledging receipt of the grievance.
2. Requesting additional information, if needed.
3. Instructing how a complainant may request a copy of the dispute review file and appoint a representative.

(b) Complainants must submit any requested additional information to AHCA within 10 calendar days.

(c) The Agency for Health Care Administration will render its final decision in writing based on the available information within 30 calendar days of receiving the grievance request.

(d) MediKids, Healthy Kids, and Title XXI Children's Medical Services Managed Care Plan are bound by AHCA's final decision.

Rulemaking Authority 409.818 FS. Law Implemented 409.818 FS. History--New 2-27-08, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Angela Wiggins

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: April 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: February 10, 2016

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:

59G-14.002 Confidentiality

PURPOSE AND EFFECT: Rule 59G-14.002, Florida Administrative Code (F.A.C.), is being repealed. Necessary requirements contained within this rule have been updated and moved to Rule 59G-14.001, F.A.C.

SUMMARY: This rule establishes confidentiality requirements for the Florida Kidcare program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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: 409.818 FS.

LAW IMPLEMENTED: 409.818 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: Angela Wiggins, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4198, e-mail: Angela.Wiggins@ahca.myflorida.com

Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, or to request a hearing in accordance with Section 120.54(3)(c)1, FS., please contact the person specified below.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-14.002 Confidentiality.

Rulemaking Authority: 409.818 FS. Law Implemented 409.818 FS. History-New 2-27-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Angela Wiggins

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2016

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:

59G-14.003 Federal Compliance

PURPOSE AND EFFECT: Rule 59G-14.003, Florida Administrative Code (F.A.C.), is being repealed. Necessary requirements contained within this rule have been updated and moved to Rule 59G-14.001, F.A.C.

SUMMARY: This rule establishes federal compliance requirements for the Florida Kidcare program.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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: 409.818 FS.

LAW IMPLEMENTED: 409.818 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: Angela Wiggins, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4198, e-mail: Angela.Wiggins@ahca.myflorida.com.

Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, or to request a hearing in accordance with Section 120.54(3)(c)1, FS., please contact the person specified below.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-14.003 Federal Compliance.

Rulemaking Authority: 409.818 FS. Law Implemented 409.818 FS. History-New 2-27-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Angela Wiggins

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2016

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:

59G-14.004 Florida KidCare Dispute Review Process

PURPOSE AND EFFECT: Rule 59G-14.004, Florida Administrative Code (F.A.C.), is being repealed. Necessary requirements contained within this rule have been updated and moved to Rule 59G-14.001, F.A.C.

SUMMARY: This rule establishes dispute review process requirements for the Florida Kidcare program.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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:** 409.818 FS.

**LAW IMPLEMENTED:** 409.818 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:** Angela Wiggins, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4198, e-mail: Angela.Wiggins@ahca.myflorida.com.

Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, or to request a hearing in accordance with Section 120.54(3)(c)1, FS., please contact the person specified above.

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

59G-14.004 Florida KidCare Dispute Review Process.  
 Rulemaking Authority: 409.818 FS. Law Implemented 409.818 FS.  
 History-New 2-27-08, Repealed \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
 Angela Wiggins

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

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** April 12, 2016

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

**RULE NO.:** 59G-14.005 **RULE TITLE:** Florida KidCare Grievance Committee

**PURPOSE AND EFFECT:** Rule 59G-14.005, Florida Administrative Code (F.A.C.), is being repealed. Necessary requirements contained within this rule have been updated and moved to Rule 59G-14.001, F.A.C.

**SUMMARY:** This rule establishes grievance committee requirements for the Florida Kidcare program.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not 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:** 409.818 FS.

**LAW IMPLEMENTED:** 409.818 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:** Angela Wiggins, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4198, e-mail: Angela.Wiggins@ahca.myflorida.com

Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, or to request a hearing in accordance with Section 120.54(3)(c)1, FS., please contact the person specified above.

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

59G-14.005 Florida KidCare Grievance Committee.  
 Rulemaking Authority: 409.818 FS. Law Implemented 409.818 FS.  
 History-New 2-27-08, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Angela Wiggins  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Elizabeth Dudek  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: April 12, 2016

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
 59G-14.006 Florida KidCare Grievance Procedures  
 PURPOSE AND EFFECT: Rule 59G-14.006, Florida  
 Administrative Code (F.A.C.), is being repealed. Necessary  
 requirements contained within this rule have been updated and  
 moved to Rule 59G-14.001, F.A.C.

SUMMARY: This rule establishes grievance procedure  
 requirements for the Florida Kidcare program.

SUMMARY OF STATEMENT OF ESTIMATED  
 REGULATORY COSTS AND LEGISLATIVE

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

The Agency has determined that the proposed rule is not  
 expected to require legislative ratification based on the  
 statement of estimated regulatory costs or if no SERC is  
 required, the information expressly relied upon and described  
 herein: A checklist was prepared by the Agency to determine  
 the need for a SERC. Based on this information at the time of  
 the analysis and pursuant to section 120.541, Florida Statutes,  
 the rule will not 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: 409.818 FS.

LAW IMPLEMENTED: 409.818 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: Angela Wiggins, Bureau of Medicaid  
 Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida  
 32308-5407, telephone: (850)412-4198, e-mail:  
 Angela.Wiggins@ahca.myflorida.com

Comments may be e-mailed to  
 MedicaidRuleComments@ahca.myflorida.com. For general  
 inquiries and questions about the rule, or to request a hearing

in accordance with Section 120.54(3)(c)1, FS., please contact  
 the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-14.006 Florida KidCare Grievance Procedures.  
 Rulemaking Authority: 409.818 FS. Law Implemented 409.818 FS.  
 History-New 2-27-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Angela Wiggins

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

DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: April 12, 2016

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
 59G-14.007 Health Services Complaints and Disputes  
 PURPOSE AND EFFECT: Rule 59G-14.007, Florida  
 Administrative Code (F.A.C.), is being repealed. Necessary  
 requirements contained within this rule have been updated and  
 moved to Rule 59G-14.001, F.A.C.

SUMMARY: This rule establishes health services complaint  
 requirements for the Florida Kidcare program.

SUMMARY OF STATEMENT OF ESTIMATED  
 REGULATORY COSTS AND LEGISLATIVE

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

The Agency has determined that the proposed rule is not  
 expected to require legislative ratification based on the  
 statement of estimated regulatory costs or if no SERC is  
 required, the information expressly relied upon and described  
 herein: A checklist was prepared by the Agency to determine  
 the need for a SERC. Based on this information at the time of  
 the analysis and pursuant to section 120.541, Florida Statutes,  
 the rule will not 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: 409.818 FS.

LAW IMPLEMENTED: 409.818 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: Angela Wiggins, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4198, e-mail: Angela.Wiggins@ahca.myflorida.com.

Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, or to request a hearing in accordance with Section 120.54(3)(c)1, FS., please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-14.007 Florida KidCare Health Services Complaints. Rulemaking Authority: 409.818 FS. Law Implemented 409.818 FS. History-New 2-27-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Angela Wiggins  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 12, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: RULE TITLE:

61A-3.0141 Special Restaurant Licenses

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address changes necessary to remove obsolete and/or redundant language and to clarify certain provisions of the rule pertaining to qualifications of the special restaurant license.

SUMMARY: The subject area to be addressed is the license requirements for a special restaurant license.

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 economic review conducted by the Agency.

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: 561.11 FS.

LAW IMPLEMENTED: 20.165, 561.01(11), 561.17, 561.18, 561.19, 561.20(2)(a)4, 561.20(4), 561.29 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: Renita Walton-Hayes, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 26, Tallahassee, Florida 32399, (850)717-1118, renita.walton-hayes@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 61A-3.0141 Special Restaurant Licenses follows. See Florida Administrative Code for present text.

61A-3.0141 Special Restaurant Licenses.

(1) A qualifying food service establishment must meet and continually comply with the requirements of this rule and the Beverage Law as a condition of holding a special restaurant license.

(2) A special restaurant license shall be issued only to an applicant that is engaged in the sale and service of food and non-alcoholic beverages and that meets the criteria set forth herein.

(a) A qualifying food service establishment receiving a special restaurant license after April 18, 1972, must have a service area occupying 2,500 or more square feet. The required square footage shall include only the food service establishment's building and other outside areas which are contiguous to the building. The square footage shall be under the management and control of a single licensed food service establishment and be exclusively used in the operation of the food service establishment. Measurements of the required square footage will be taken from the outside of qualifying structures and outdoor spaces.

(b) A qualifying food service establishment receiving a special restaurant license after April 18, 1972, must have sufficient equipment and accommodations to serve and seat 150 or more patrons at tables at one time. The tables and seats must be for the exclusive use of the food service establishment and located within the service area meeting the criteria of paragraph (2)(a) of this rule. Seating at counters where food service is available at all times shall be included in the minimum table service requirements.

(c) An applicant for a special restaurant license must hold the appropriate food service establishment license issued by

the Division of Hotels and Restaurants or the Department of Health prior to issuance of a temporary or permanent special restaurant license by the Division of Alcoholic Beverages and Tobacco.

(d) Food service must be available at all times when the food service establishment is serving alcoholic beverages. Alcoholic beverage service may continue until food service is completed to the final seating of patrons, provided that the time of sale is permitted under Section 562.14, F.S.

(3) A qualifying food service establishment receiving a special restaurant license after April 18, 1972, must maintain the required revenue percentage and the required records, as set forth in paragraph (a) below. Administrative action will be initiated by the division when audit findings determine that a special restaurant license failed to meet the required revenue percentage applicable to the license during the audit period.

(a) For the first 60-day operating period and for each 12-month operating period thereafter, at least 51 percent of gross food and beverage revenue must be derived from the retail sale of food and non-alcoholic beverages on the licensed premises.

1. Separate records of all purchases and all retail sales shall be maintained on the licensed premises, or other designated place approved in writing by the division, for a period of 3 years. The required records shall be legible and clear and shall be made available within 14 days upon request of the division.

2. The required revenue percentage shall be computed as the sum of gross food and non-alcoholic beverage revenue divided by the sum of gross food and beverage revenue. Proceeds of catering sales shall not be included in the calculation of gross food and beverage revenue. Catering sales include any sale of food or non-alcoholic beverages prepared by the licensee on the licensed premises for service by the licensee outside the licensed premises. For purposes of determining food and beverage revenue, an alcoholic beverage means the retail price of a serving of beer, wine, straight distilled spirits, or a mixed drink.

(4) When a special restaurant license is issued or governed by special act or general law that differs from the Beverage Law, the standards and methodology herein shall be used to determine compliance with the requirements of the special act or general law. Any license issued under or governed by a local or special act shall be subject to all requirements and restrictions contained in the Beverage Law. Rulemaking Authority 561.11 FS. Law Implemented 20.165, 561.01(11), 561.17, 561.18, 561.19, 561.20(2)(a)4, 561.20(4), 561.29 FS. History—New 8-23-90, Amended 5-19-91, 10-22-91, 7-1-2016, Formerly 7A-3.014.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Thomas Philpot, Director, Division of Alcoholic Beverages and Tobacco

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 12, 2014

## **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

### **Board of Professional Engineers**

RULE NO.: RULE TITLE:

61G15-18.011 Definitions

PURPOSE AND EFFECT: The purpose of the amendment is to incorporate the Florida Building Code.

SUMMARY: Incorporate Florida Building Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

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

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

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

RULEMAKING AUTHORITY: 471.008, 471.013(1)(a)10, 2, FS.

LAW IMPLEMENTED: 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 471.025(3), 471.033(1)(j) 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, (850)521-0500

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-18.011 Definitions.

As used in Chapter 471, F.S., and in these rules where the context will permit the following terms have the following meanings:

(1) through (5) No change.

(6) The term "Florida Building Code" shall mean the Florida Building Code, 5th Edition, (2014), and which is incorporated herein by reference. The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.

Rulemaking Authority 471.008, 471.013(1)(a)1., 2. FS. Law Implemented 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 471.025(3), 471.033(1)(j) FS. History—New 6-23-80, Amended 12-19-82, 11-22-83, Formerly 21H-18.11, Amended 1-16-91, 4-4-93, Formerly 21H-18.011, Amended 12-22-99, 4-19-01, 10-16-02, 9-15-04, 6-5-08, 6-2-09, 2-2-12,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 1, 2016

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NOS.:	RULE TITLES:
64B13-3.002	Responsibility to Patient
64B13-3.006	Licenses and Signs in Office
64B13-3.008	Corporate, Lay, and Unlicensed Practice of Optometry Prohibited
64B13-3.009	False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure
64B13-3.010	Standards of Practice
64B13-3.012	Prescriptions
64B13-3.015	Performance of Delegated Tasks by Non-Licensed Personnel

PURPOSE AND EFFECT: The Board proposes the rule amendment to 64B13-3.002, F.A.C. to delete language that is

a restatement of subsection 456.057(2), F.S., and to renumber the rule accordingly; the proposed amendment to Rule 64B13-3.006, F.A.C. is to delete language that is a restatement of subsection 463.011, F.S. from the rule and to renumber the rule accordingly; the proposed amendment to Rule 64B13-3.008, F.A.C., is to delete language from the rule that is a restatement of subsections 463.001, 463.002, 463.014, and 483.002, F.S., and to renumber the rule accordingly; The proposed amendment to Rule 64B13-3.009, F.A.C. is to delete language that is a policy statement and does not constitute a rule, restates subsection 463.016, F.S., and delete language that contradicts Florida Statutes and to renumber the rule accordingly; the proposed amendment to Rule 64B13-3.010, F.A.C. is to delete language that restates subsections 463.016, 463.0135, and 463.072, F.S. and to add language to clarify administration and prescription of ocular pharmaceutical agents, and to renumber the rule accordingly; the proposed amendment to Rule 64B13-3.012, F.A.C. is to delete unnecessary language from the rule and renumber the rule accordingly; the proposed amendment to Rule 64B13-3.015, F.A.C. is to delete language from the rule that is a restatement of subsection 463.009, F.S. and renumber the rule accordingly. SUMMARY: The rule amendment to Rule 64B13-3.002, F.A.C. will delete language that is a restatement of section 456.057(2), F.S., and renumber the rule accordingly; the proposed amendment to Rule 64B13-3.006, F.A.C. will delete language that is a restatement of subsection 463.011, F.S. from the rule and renumber the rule accordingly; the proposed amendment to Rule 64B13-3.008, F.A.C., will delete language from the rule that is a restatement of subsections 463.001, 463.002, and 463.014, F.S., and renumber the rule accordingly; The proposed amendment to Rule 64B13-3.009, F.A.C. will delete language that is a policy statement and does not constitute a rule, restates subsection 463.016, F.S., and delete language that contradicts Florida Statutes and renumber the rule accordingly; the proposed amendment to Rule 64B13-3.010, F.A.C. will delete language that restates subsections 463.016, 463.0135, and 463.072, F.S., add language to clarify administration and prescription of ocular pharmaceutical agents, and renumber the rule accordingly; the proposed amendment to Rule 64B13-3.012, F.A.C. will delete unnecessary language from the rule and renumber the rule accordingly; the proposed amendment to Rule 64B13-3.015, F.A.C. will delete language from the rule that is a restatement of section 463.009, F.S. and 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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.058, 463.005(1) FS.

LAW IMPLEMENTED: 456.058, 456.062, 456.072(1)(a), (j), (m), (p), 463.005(1), 463.002(3), 463.009, 463.011, 463.012, 463.014, 463.016(1)(f), (g), (k) 463.0135(1) 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: Anthony Spivey, D.B.A., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-3.002 Responsibility to Patient

(1) No change

~~(2) A licensed practitioner shall give notice to the patient when he or she relocates his or her practice or withdraws his or her services so that the patient may make arrangements for his or her eye care. Notice to the patient shall specifically identify the new location of the licensed practitioner's practice or the location at which the patient may obtain his or her patient record, and shall be in compliance with Rule 64B13-3.003, F.A.C.~~

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

Rulemaking Specific Authority 456.058, 463.005(1) FS. Law Implemented 456.058, 463.005(1), 463.0135 FS. History—New 11-13-79, Formerly 21Q-3.02, Amended 12-16-86, Formerly 21Q-3.002, Amended 3-16-94, Formerly 61F8-3.002, Amended 12-31-95, Formerly 59V-3.002, Amended \_\_\_\_\_.

64B13-3.006 Licenses and Signs in Office

~~(1) Every licensed practitioner shall keep the Board office advised of each office from which he or she practices optometry. If a licensed practitioner or certified optometrist~~

~~engages in the practice of optometry at more than one location, he or she shall keep his or her current license conspicuously displayed at any locations where he or she practices at all times and shall, whenever required, exhibit the license to any authorized representative of the Department.~~

~~(2) A licensed practitioner who is not a certified optometrist shall display at every location at which he or she practices optometry a sign in at least Times New Roman 40 point font size or Courier New 44 point font size which states:~~

~~“I am a Licensed Practitioner, not a Certified Optometrist, and I am not able to prescribe topical ocular pharmaceutical agents.”~~

~~Rulemaking Authority 463.005(1) FS. Law Implemented 463.002(3), 463.011 FS. History—New 11-13-79, Amended 3-13-81, 6-29-82, Formerly 21Q-3.06, Amended 12-16-86, 2-13-90, Formerly 21Q-3.006, 61F8-3.006, 59V-3.006, Amended 11-13-06, 4-17-13,~~

64B13-3.008 Corporate, Lay, and Unlicensed Practice of Optometry Prohibited

~~(1) By its enactment of Chapter 463, Florida Statutes, the legislature has determined that the public health and welfare is best protected when only those individuals who have graduated from an accredited school or college of optometry approved by the Board, and who have been tested and licensed as meeting the minimum requirements for safe practice, are permitted to engage in the practice of optometry.~~

~~(2) No corporation, lay body, organization, or individual other than a licensed practitioner shall engage in the practice of optometry through the means of engaging the services, upon a salary, commission, or other means or inducement, of any person licensed to practice optometry in this state.~~

~~(3) No licensed practitioner shall engage in the practice of optometry with any corporation, organization, group or lay individual.~~

~~(4) Notwithstanding subsections (2) and (3) above, a licensed practitioner may associate with a multidisciplinary group of licensed health care professionals, the primary objective of which is the diagnosis and treatment of the human body. A licensed practitioner may also employ, or form a partnership or professional association with, other Florida licensed practitioners, or with other licensed health care professionals, the primary objective of whom is the diagnosis and treatment of the human body. A licensed practitioner may also be a contract provider for health maintenance organizations.~~

~~(1)(5) No change~~

~~(6) For the purposes of this rule, “licensed practitioner” shall mean a person who is a primary health care provider licensed to engage in the practice of optometry under the authority of Chapter 463, Florida Statutes.~~

~~(2)(7) For the purposes of this rule, “Other means or inducement” shall include the provision of equipment or leased space to a licensed practitioner, if the provision of such equipment or leased space is dependent upon the licensed practitioner’s agreement to or forbearance of any term or condition relative to his/her practice of optometry.~~

~~(3)(8) No change~~

~~(4)(9) No change~~

~~(5)(10) No change~~

~~(a) through (i) No change~~

~~(6)(11) No change~~

~~(12) For the purposes of this rule, “optometric services” shall mean any professional service included within the meaning of “optometry” as defined in Section 463.002(5), Florida Statutes.~~

~~(13) Provided he/she is otherwise in compliance with Section 463.014, Florida Statutes, and the Board rules promulgated thereunder, a licensed practitioner may, pursuant to Section 463.014(1)(c), Florida Statutes, physically locate his/her professional practice in or on the premises of a commercial or mercantile establishment.~~

~~(7)(14) No change~~

~~(15) The following shall constitute evidence that the licensed practitioner has violated Section 463.014, Florida Statutes:~~

~~(a) Holding him/herself out to the public, or allowing him/herself to be held out to the public, as available to render professional services in any manner which states, implies, or suggests that the licensed practitioner is professionally associated or affiliated with, or employed by, an entity which itself is not a licensed practitioner;~~

~~(b) Entering into any agreement (whether written or oral) which allows, permits, or facilitates any entity which itself is not a licensed practitioner to practice optometry, to offer optometric services to the public, or to control through any means whatever any aspect of the practice of optometry;~~

~~(c) Failing to maintain full and independent responsibility and control over all files and records relating to patients and the optometric practice as prescribed by Rule 64B13-3.003, F.A.C.;~~

~~(d) Agreeing not to compete in the provision of optometric services with any entity which is not itself a licensed practitioner, or which is not licensed or otherwise permitted by law to provide the services which are the subject of the agreement not to compete;~~

~~(e) Failing to maintain full and independent responsibility and control over information disseminated to the public regarding optometric services provided by the licensed practitioner, except in the case of an association, partnership, or employment relationship permitted pursuant to Sections 463.014(1)(a) and (b), Florida Statutes;~~

~~(f) Allowing, permitting, encouraging, forbearing, or condoning any advertisement, including those placed in a newspaper, magazine, brochure, flier, telephone directory, or on television or radio, which implies or suggests that the licensed practitioner is professionally associated or affiliated with an entity which itself is not a licensed practitioner;~~

~~(g) Occupying or otherwise using professional office space in any manner which does not clearly and sufficiently indicate to the public that his/her practice of optometry is independent of and not associated or affiliated with an entity which itself is not a licensed practitioner;~~

~~(h) Using or employing office staff in any manner that implies or suggests that the licensed practitioner is professionally associated or affiliated with an entity which itself is not a licensed practitioner;~~

~~(i) Occupying or otherwise using professional office space where the entrance to the commercial or mercantile area in which the licensed practitioner’s practice is located fails to sufficiently identify that the licensed practitioner is practicing his or her profession independent of, and not associated or affiliated with, an entity which itself is not a licensed practitioner;~~

~~(j) Failing to have a telephone listing and number that is separate and distinct from that of an entity which itself is not a licensed practitioner;~~

~~(k) Answering the telephone, or allowing the telephone to be answered, in a manner that does not clearly and distinctly identify his/her independent optometric practice, or in a manner that implies or suggests that the licensed practitioner is professionally associated or affiliated with an entity which itself is not a licensed practitioner;~~

~~(l) Agreeing to any provision of a lease or space agreement (whether oral or written) that in any way impairs, limits, or restricts the licensed practitioner’s full and independent professional judgment and responsibility;~~

~~(m) Accepting reduced rent or lease payments based upon the number of patients examined or treated or based upon the number of prescriptions written;~~

~~(n) Agreeing to any arrangement for the furnishing of equipment, supplies, or office staff that in any way impairs, limits, or restricts the licensed practitioner’s full and independent professional judgment and responsibility;~~

~~(o) Failing to maintain full and independent control and discretion over fees charged to patients for optometric services and materials, including billing methods, except in the case of an association, partnership, or employment relationship permitted pursuant to Sections 463.014(1)(a) and (b); Florida Statutes, or~~

~~(p) Accepting a commission for the writing or filling of any optometric prescription.~~

~~(8)(16) No change~~



Rulemaking Specific Authority 463.005(1) FS. Law Implemented 456.072(1)(a), (j), (m), (p), 463.014, 463.016(1)(f), (g), 463.0135 FS. History—New 11-13-79, Amended 4-24-80, 12-19-84, Formerly 21Q-3.08, Amended 12-16-86, 3-25-91, 1-27-92, Formerly 21Q-3.008, 61F8-3.008, Amended 2-14-96, Formerly 59V-3.008, Amended

64B13-3.009 False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure

~~(1) It is the policy of the Board of Optometry that advertising by licensed practitioners in this state shall be regulated so as to effectuate the duty of the State of Florida to protect the health, safety, and welfare of its residents, while not abridging any rights guaranteed to practitioners or to the public by the constitutions of the United States and the State of Florida, as construed by the United States Supreme Court and the Florida courts. To that end, the dissemination to the public of information regarding the practice of optometry and where and for whom optometric services may be obtained is authorized so long as such information is in no way fraudulent, false, deceptive or misleading.~~

~~(2) A licensed practitioner shall not disseminate or cause the dissemination of any advertisement or advertising which is in any way fraudulent, false, deceptive or misleading. Any advertisement or advertising shall be deemed by the Board to be fraudulent, false, deceptive, or misleading, if it:~~

~~(a) Contains a misrepresentation of facts; or~~

~~(b) Has the capacity or tendency to mislead or deceive because in its content or in the context which it is presented makes only a partial disclosure of relevant facts; or~~

~~(c) Has the capacity of tendency to create false, or unjustified expectations or beneficial treatment or successful cures; or~~

~~(d) Contains false, fraudulent, deceptive, or misleading representations relating to the quality or quantity of the optometric services offered; or~~

~~(e) Contains any representations or claims which the licensed practitioner referred to in the advertising fails to perform; or~~

~~(f) Contains any other representation, statement, or claim which has the capacity or tendency to mislead or deceive.~~

~~(3) When determining what constitutes fraudulent, false, deceptive, or misleading advertisement, the Board shall be guided by applicable federal and state status, rules and court decisions.~~

~~(1)(4) No change~~

~~(5) A licensed practitioner may practice under practice identification names, trade names, or service names, so long as any dissemination of information, including signs, by the practitioner, to consumers contains the name under which the practitioner is licensed or that of the professional association~~

~~in which the practitioner practices and so long as the information identifies the practitioner of the professional association as being engaged in the practice of optometry. However, a licensed practitioner may not adopt and publish or cause to be published any practice identification name, trade name, or service name which is, contains, or is intended to serve as an affirmation of the quality or competitive value of the optometric services provided at the identified practice. Any licensed practitioner who is practicing or intends to practice under a practice identification name, trade name or service name must register with the Board of Optometry identifying the specific name as registered under applicable Florida law.~~

~~(6) All advertisements which advertise services available at branch office locations shall state the hours that a licensed practitioner is practicing at each location mentioned in the advertisement, or shall advise the reader to secure information as to the availability of the licensed practitioner. Excepted from this requirement are:~~

~~(a) White page telephone book listings;~~

~~(b) Yellow page telephone book advertising which lists only the name, address(es) and phone number(s) of the licensed practitioner;~~

~~(c) Advertising such as business cards, which are distributed by the licensed practitioner personally or at her or his premises; and~~

~~(d) Advertising posted at or in the immediate vicinity of the office advertised.~~

~~(2)(7) No change~~

~~(3)(8) No change~~

~~(4) When determining what constitutes fraudulent, false, deceptive, or misleading advertisement, the Board shall be guided by applicable federal and state statutes, rules and court decisions.~~

Rulemaking Authority 463.005 FS. Law Implemented 456.062, 456.072(1)(a), (m), 463.014, 463.016(1)(f), (g) FS. History—New 11-13-79, Amended 4-17-80, 8-20-81, Formerly 21Q-3.09, Amended 1-8-86, 12-16-86, Formerly 21Q-3.009, 61F8-3.009, 59V-3.009, Amended 1-2-02, 11-13-06, 11-5-07, 4-21-10, 10-13-10, \_\_\_\_\_.

64B13-3.010 Standards of Practice

~~(1) Section 463.016(1)(g), F.S., authorizes the Board to take disciplinary action against an optometrist who is found guilty of “fraud, deceit, negligence, incompetence, or misconduct in the practice of optometry.” Conduct which deceives, or defrauds the public and which is thereby prohibited by Section 463.016(1)(g), F.S., shall include, but not be limited to, accepting and performing an optometric practice or procedure which the optometrist knows or has reason to know that he or she is not competent to undertake.~~

~~(1)(2) No change~~

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

~~(3)(4)~~ Certified optometrists employing the topical ocular pharmaceuticals listed in subsection 64B13-18.002~~(8)(9)~~, F.A.C., Anti-Glaucoma Agents, shall comply with the following:

(a) No change

1. No change

2. In the event the certified optometrist cannot otherwise comply with the requirements of subsections 463.016(1)(s), 463.0135(1), F.S. and ~~64B13-3.010(1)(3), F.A.C.~~, a co-management plan shall be established with a physician skilled in the diseases of the human eye and licensed under Chapter 458 or 459, F.S.

(b) through (c) No change

~~(4)(5)~~ No change

~~(5)(6)~~ No change

~~(6)(7)~~ No change

~~(7)(8)~~ No change

(8) Only a certified optometrist may administer and prescribe ocular pharmaceutical agents. A licensed Practitioner who is not certified may use topically applied anesthetics solely for the purpose of glaucoma examinations, but is otherwise prohibited from administering or prescribing ocular pharmaceutical agents. Certified optometrists may administer and prescribe only those ocular pharmaceutical agents identified by the rule of the Board and oral ocular pharmaceutical agents listed in the statutory formulary.

(9) Only certified optometrists who have successfully completed the Board approved pharmaceutical course and examination specified in paragraph 463.0055(1)(b), F.S. provided proof of such to the Department are authorized to administer and prescribe the oral ocular pharmaceutical agents or their therapeutic equivalents specified in subsection 463.0055(3), F.S.

(10) Controlled substances listed on the statutory formulary of oral pharmaceutical agents may only be administered or prescribed by a certified optometrist who has successfully completed the board approved oral drug course and examination specified in paragraph 463.0055(1)(b), F.S., provided proof of such to the Department, and after the certified optometrist has acquired a United States Drug Enforcement Administration registration number

~~(9) Engaging or attempting to engage in the possession, sale, or distribution of controlled substances as set forth in Chapter 893, F.S., for any other than legitimate purposes, constitutes grounds for disciplinary action by the Board.~~

(11)(a) Any prescription for an ocular pharmaceutical agent written by a certified optometrist shall contain the following information:

1. Name of the person for whom the pharmaceutical agent is prescribed;

2. Full name and address of the prescribing certified optometrist;

3. Name of the ocular pharmaceutical agent prescribed and the strength, quantity, and directions for use thereof; and

4. Prescriber number and signature of the prescribing certified optometrist.

(b) All written prescriptions must comply with the requirements of Sections 456.42 and 893.04, F.S.

(12) When an ocular pharmaceutical agent is either administered or prescribed to a patient by a certified optometrist, such shall be documented in the patients record.

Rulemaking Specific Authority 463.005(1) FS. Law Implemented 463.005(1), 463.0135(1), 463.016(1) FS. History—New 9-16-80, Amended 12-20-82, Formerly 21Q-3.10, Amended 7-11-88, 6-18-92, 1-28-93, Formerly 21Q-3.010, Amended 3-16-94, Formerly 61F8-3.010, Amended 8-24-94, 9-21-94, 2-13-95, 12-31-95, Formerly 59V-3.010, Amended 6-15-00, 2-7-01, 11-16-05, 11-5-07, 11-4-08.

64B13-3.012 Prescriptions

(1) No change

~~(2) A spectacle prescription shall be considered valid for a period of five (5) years, and a licensed practitioner shall make available to the patient or his or her agent any spectacle prescription or duplicate copy determined for that patient.~~

(3) A prescription for daily wear soft contact lens shall be considered valid for a period of two (2) years and a licensed practitioner shall make available to the patient or his or her agent any daily wear soft contact lens prescription or duplicate copy determined for that patient. This subsection applies only to contact lenses determined by the Food and Drug Administration Federal Drug Administration to be daily wear lenses.

(4) through (5) No change

Rulemaking Specific Authority 463.005 FS. Law Implemented 463.005, 463.012, 463.0135, 463.016(1)(k) FS. History—New 4-10-84, Formerly 21Q-3.12, Amended 3-4-86, 8-30-87, Formerly 21Q-3.012, 61F8-3.012, Amended 2-5-96, Formerly 59V-3.012, Amended 1-2-02, 6-5-06, 3-11-09,\_\_\_\_\_.

64B13-3.015 Performance of Delegated Tasks by Non-Licensed Personnel

~~(1) Non licensed supportive personnel may not be delegated diagnosis or treatment duties under any circumstances.~~

~~(1)(2) Non licensed personnel, who need not be employees of the licensed practitioner, may perform ministerial duties, tasks and functions assigned to them by and performed under the general supervision of a licensed practitioner, including obtaining information from patients for the purpose of making appointments for the licensed practitioner.~~ Tasks and functions that may be performed shall include, but not be limited to, delivery of eyeglasses, selection of frames, adjustment of frames, and instruction for the

insertion, removal and care of contact lenses. However, to ensure patient confidentiality of examination records in accordance with Section 456.057(5), Florida Statutes, a non-employee shall not be allowed to perform any task or function which would require or give them access to patient records or examination reports of any person without prior written authorization of that patient.

~~(3) The licensed practitioner shall be responsible for all delegated acts performed by persons under his or her direct and general supervision.~~

~~(2)(4) Direct supervision means supervision to an extent that the licensee remains on the premises while all procedures are being done and gives final approval to any procedures by non-licensed supportive personnel.~~ Such non-licensed supportive personnel may perform data gathering, preliminary testing, prescribed visual therapy and related duties under the direct supervision of the licensed practitioner.

Rulemaking Specific Authority 463.005(1) FS. Law Implemented 463.009 FS. History–New 10-23-88, Formerly 21Q-3.015, 61F8-3.015, 59V-3.015, Amended 11-16-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2016

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:  
64B14-2.002 Biennial Renewal Fee  
PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce the Biennial Renewal Fee.  
SUMMARY: The rule amendment will reduce the Biennial Renewal Fee.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and

experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.025, 456.036, 468.802, 468.806 FS.

LAW IMPLEMENTED: 436.025, 456.036, 468.806 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: Anthony Spivey, D.B.A., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-2.002 Biennial Renewal Fee

The biennial renewal fee for all licensure categories in Chapter 468, F.S., Part XIV, for active or inactive licenses, is \$400.00 ~~\$500.00~~.

Rulemaking Specific Authority 456.025, 456.036, 468.802, 468.806 FS. Law Implemented 436.025, 456.036, 468.806 FS. History–New 2-25-99, Amended 3-18-01, 5-30-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Optometry  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 30, 2016

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:  
64B14-2.0015 Application, Examination and Initial Licensure Fees  
PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce the application, examination, and initial licensure fees.  
SUMMARY: The rule amendment will reduce the application, examination, and initial licensure fee.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will

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

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

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

RULEMAKING AUTHORITY: 456.013(2), 468.803(2)(a) FS.

LAW IMPLEMENTED: 456.013(2), 468.803(2)(a), (5)(a), (b), (c), (d), (e) 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: Anthony Spivey, D.B.A., Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-2.0015 Application, Examination and Initial Licensure Fees

The following fees are established by the Department:

(1) An applicant for licensure by examination shall remit an application fee of ~~\$400.00~~ ~~\$500.00~~, an examination fee of ~~\$400.00~~ ~~\$500.00~~, and an initial licensure fee of ~~\$400.00~~ ~~\$500.00~~ at the time the application is submitted.

(2) An applicant for licensure without examination shall remit an application fee of ~~\$400.00~~ ~~\$500.00~~ and an initial licensure fee of ~~\$400.00~~ ~~\$500.00~~ at the time the application is submitted.

(3) An applicant for a residency or an internship shall remit an application fee of ~~\$200.00~~ ~~\$250.00~~ and a registration fee of ~~\$200.00~~ ~~\$250.00~~ at the time the application is submitted.

(4) No change

Rulemaking Authority 456.013(2), 468.803(2)(a) FS. Law Implemented 456.013(2), 468.803(2)(a), (5)(a), (b), (c), (d), (e) FS. History--New 9-2-98, Formerly 64B-3.003, Amended 2-8-01, 5-30-02, 5-27-09.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 30, 2016

### Section III Notice of Changes, Corrections and Withdrawals

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.015      RULE TITLE: Ambulance Transportation Services

**NOTICE OF PUBLIC HEARING**

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 28, February 11, 2016 Florida Administrative Register. DATE AND TIME: April 28, 2016, 9:30 a.m. – 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a public hearing for the purpose of discussing proposed revisions to this rule and the Emergency Transportation Services Coverage Policy, incorporated by reference.

Official comments to be entered into the rule record will be received from the date of this notice until April 29, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified below.

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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
59G-4.318 Occupational Therapy Services  
NOTICE OF PUBLIC HEARING

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 41 No. 36, February 23, 2015 Florida Administrative Register.

DATE AND TIME: April 29, 2016, 10:00 a.m. – 10:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Agency is scheduling a public hearing for the purpose of discussing proposed revisions to this rule and the Occupational Therapy Services Coverage Policy, incorporated by reference.

Official comments to be entered into the rule record will be received from the date of this notice until May 2, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified below.

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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
59G-4.320 Therapy Services  
NOTICE OF PUBLIC HEARING

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 36, February 23, 2016 Florida Administrative Register.

DATE AND TIME: April 29, 2016, 10:30 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Agency is scheduling a public hearing for the purpose of discussing proposed revisions to this rule and the Physical Therapy Services Coverage Policy, incorporated by reference.

Official comments to be entered into the rule record will be received from the date of this notice until May 2, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general

inquiries and questions about the rule, please contact the person specified below.

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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
59G-4.322 Respiratory Therapy Services  
NOTICE OF PUBLIC HEARING

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 36, February 23, 2016 Florida Administrative Register.

DATE AND TIME: April 29, 2016, 11:00 a.m. – 11:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Agency is scheduling a public hearing for the purpose of discussing proposed revisions to this rule and the Respiratory Therapy Services Coverage Policy, incorporated by reference.

Official comments to be entered into the rule record will be received from the date of this notice until May 2, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified below.

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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
59G-4.324 Speech-Language Pathology Services  
NOTICE OF PUBLIC HEARING

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 36, February 23, 2016 Florida Administrative Register.

DATE AND TIME: April 29, 2016, 11:30 a.m. – 12:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Agency is scheduling a public hearing for the purpose of discussing proposed revisions to this rule and the Speech-Language Pathology Services Coverage Policy, incorporated by reference.

Official comments to be entered into the rule record will be received from the date of this notice until May 2, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified below.

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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:        RULE TITLE:  
59G-4.330        Transportation Services

**NOTICE OF PUBLIC HEARING**

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 28, February 11, 2016 Florida Administrative Register.

DATE AND TIME: April 28, 2016, 10:00 a.m. – 10:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Agency is scheduling a public hearing for the purpose of discussing proposed revisions to this rule and the Non-Emergency Transportation Services Coverage Policy, incorporated by reference.

Official comments to be entered into the rule record will be received from the date of this notice until April 29, 2016. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified below.

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: Derica Smith, Bureau of Medicaid Policy, (850)412-4239. If you are hearing or speech impaired, please

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NO.:        RULE TITLE:  
61B-29.001        Definitions

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 76, April 19, 2016 issue of the Florida Administrative Register.

The Summary of the Statement of Estimated Regulatory Costs and Legislative Ratification approved by the agency is corrected to state:

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 cost, or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency. Any person, who wishes to provide information regarding a statement of estimated regulatory cost, or a proposal for a lower cost regulatory

**AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

**Office of Information Security**

RULE NOS.:	RULE TITLES:
71A-1.001	Purpose and Scope
71A-1.002	Definitions
71A-1.003	Agency Information Security Program
71A-1.004	Agency Information Technology Workers
71A-1.005	Agency Contracts, Providers, and Partners
71A-1.006	Confidential and Exempt Information
71A-1.007	Access Control
71A-1.008	Awareness and Training
71A-1.009	Audit and Accountability
71A-1.010	Certification, Accreditation, and Security Assessments
71A-1.011	Configuration Management
71A-1.012	Contingency Planning
71A-1.013	Identification and Authentication
71A-1.014	Incident Response
71A-1.015	Maintenance
71A-1.016	Media Protection
71A-1.017	Physical and Environmental Protection
71A-1.018	System and Application Security Planning
71A-1.019	Personnel Security and Acceptable Use
71A-1.020	Risk Assessment
71A-1.021	Systems, Applications and Services Acquisition and Development
71A-1.022	Systems and Communications Protection
71A-1.023	System and Information Integrity

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 54, March 18, 2016 issue of the Florida Administrative Register.

The Summary of Statement of Estimated Regulatory Costs and Legislative Ratification should have stated as follows:

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this repeal 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 repeal is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The economic review conducted by the Agency.

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.

**AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

**Office of Information Security**

RULE NOS.:	RULE TITLES:
71A-2.001	Purpose; Definitions; Policy; Applicability; Agency Security Programs; Roles and Responsibilities; Risk Management
71A-2.002	Control of Computers and Information Resources
71A-2.003	Physical Security and Access to Data Processing Facilities
71A-2.004	Logical and Data Access Controls
71A-2.005	Data and System Integrity
71A-2.006	Network Security
71A-2.007	Backup and Disaster Recovery
71A-2.008	Personnel Security and Security Awareness
71A-2.009	Systems Acquisition, Disposal, Auditing, and Reporting
71A-2.010	Standards Adopted

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 54, March 18, 2016 issue of the Florida Administrative Register.

The Summary of Statement of Estimated Regulatory Costs and Legislative Ratification should have stated as follows:

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this repeal 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 repeal is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The economic review conducted by the Agency.

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.

**Section IV  
Emergency Rules**

**NONE**

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

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

RULE NO.: RULE TITLE:

6M-4.630 Statewide Provider Contract Monitoring Tool for the School Readiness Program

NOTICE IS HEREBY GIVEN that on April 15, 2016, the Office of Early Learning received a petition for Variance from or Waiver of Rule 6M-4.630, F.A.C., which adopts a statewide provider contract monitoring tool for the school readiness program wherein Attachment B provides the minimum annual sample size for providers that must be monitored determined by the number of providers. In particular, Form OEL-SR 20 M, section C. “Tier 2 Compliance” requires that “for multi-county coalitions, the sample size is calculated using the total number of contracted providers in each county.” The Petition seeks waiver of this requirement as it alleges the result of such requirement is a greater number of required provider monitoring than would be required of a single coalition will the same total number of providers. The Petition was filed by Amy W. Schrader, Esq. on behalf of the Association of Early Learning Coalitions, Inc.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Margaret O’Sullivan Parker, General Counsel, Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399, Maggi.Parker@oel.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On March 4, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from T&G Bakery & Restaurant located in North Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers only.

The Petition for this variance was published in Vol. 42, No. 50, F.A.R., on March 14, 2016. The Order for this Petition

was signed and approved on March 29, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Blessing Barber Shop are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of T&G Bakery & Restaurant or Blessing Barber Shop (Lifene Jeanty) changes, an updated signed agreement for use of the bathroom facilities will be required immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On March 24, 2016, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from Iwanna Healthy Kid’s Fast Food located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Petition for this variance was published in Vol. 42, No. 60, F.A.R., on March 28, 2016. The Order for this Petition was signed and approved on April 5, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and three-compartment sinks is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must



come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash and three-compartment sinks are provided with hot and cold running water under pressure; the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

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

On March 28, 2016, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Taqueria Los Primos located in Ocoee. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 42, No. 62, F.A.R., on March 30, 2016. The Order for this Petition was signed and approved on April 5, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly

adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On March 11, 2016 the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, from KCH Orchestra Center (and Left) located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 42/56 on March 22, 2016. The Order for this Petition was signed and approved on April 05, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing

sign. The dishwashing and food storage areas within Arsht Center Concession ZIFF1 must be maintained in a clean and sanitary manner. These areas must also be available to KCH Orchestra Center (and Left) during all hours of operation. If the ownership of Arsht Center Concession ZIFF1 and KCH Orchestra Center (and Left) (Ovations Food Services LP) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On March 11, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, from ZBOH Orchestra Left (and Center) located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 42/56 on March 22, 2016. The Order for this Petition was signed and approved on April 05, 2016. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is

emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing and food storage areas within Arsht Center Concession ZIFF1 must be maintained in a clean and sanitary manner. These areas must also be available to ZBOH Orchestra Left (and Center) during all hours of operation. If the ownership of Arsht Center Concession ZIFF1 and ZBOH Orchestra Left (and Center) (Ovations Food Services LP) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On March 11, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, from ZBOH 2nd Tier (and 4th Tier) located in Miami. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premises.

The Petition for this variance was published in Vol. 42, No. 56, F.A.R., on March 22, 2016. The Order for this Petition was signed and approved on April 5, 2016. After a complete

review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing and food storage areas within Arsht Center Concession ZIFF1 must be maintained in a clean and sanitary manner. These areas must also be available to ZBOH 2nd Tier (and 4th Tier) during all hours of operation. If the ownership of Arsht Center Concession ZIFF1 and ZBOH 2nd Tier (and 4th Tier) (Ovations Food Services LP) changes, a signed agreement between the two establishments for the use of the shared facilities must be provided to the division immediately.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Professional Engineers

NOTICE IS HEREBY GIVEN that on April 18, 2016, the Board of Professional Engineers, received a petition for Henry C. Hillman, Jr. for variance or waiver of paragraph 61G15-35.003(1)(b), F.A.C., regarding the requirement that applicants have a minimum of 3 years experience conducting threshold inspections pursuant to a threshold inspection plan under the supervision of a Special Inspector. The Board will consider this petition on its May 20, 2016 telephone conference call. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Zana Raybon, Executive Director, at the above address or telephone: (850)521-0050.

**DEPARTMENT OF HEALTH**

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that on April 19, 2016, the Board of Physical Therapy Practice, received a petition for variance or waiver, filed by MilaLynn B. Bagasan. The Petitioner is seeking a variance or waiver of Rule 64B17-

5.001, F.A.C., regarding the requirements for reactivation of an inactive or retired license.

Comments on this petition should be filed with the Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, at the above address or telephone: (850)245-4373.

**DEPARTMENT OF HEALTH**

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-3.003 Licensure by Endorsement

NOTICE IS HEREBY GIVEN that on April 05, 2016, the Board of Physical Therapy Practice, received a petition for seeking a variance or waiver of Rule 64B17-3.003, F.A.C., filed by Ashwini Sheth, which requires a foreign educated applicant attempting to demonstrate minimum qualifications to submit a certified copy of the credentialing evaluation used by the licensing board of another state.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255. Comments on this petition should be filed with the Board of Physical Therapy Practice at the above address within 14 days of publication of this notice.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Food Safety

The Florida Food Safety and Food Defense Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 11, 2016, 10:00 a.m. – 12:00 Noon

PLACE: Eyster Auditorium, The Conner Building, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A general meeting of the Florida Food Safety and Food Defense Advisory Council will be held to discuss topics including: Food Defense - Overview of State and Federal responses to food supply threats, FSMA - Updates from FDA and FDACS and, other general organizational matters of the Advisory Council.

A copy of the agenda may be obtained by contacting: Darcy Poole, Division of Food Safety, 3125 Conner Building, Mail Stop C-18, Tallahassee, Florida 32399-1650, (850)245-5595.

For more information, you may contact Darcy Poole, Division of Food Safety, 3125 Conner Building, Mail Stop C-18, Tallahassee, Florida 32399-1650, (850)245-5595.

**DEPARTMENT OF EDUCATION**

State Board of Education

The Blind Services Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 4, 2016, 3:00 p.m.

PLACE: Telephone number: 1(888)670-3525, participant code: 1242528392 then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Regular Board Meeting.

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.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 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.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 Division of Blind Services, 325 West Gaines Street, Turlington Building, Room 1114, Tallahassee, FL 32399, (850)245-0329, email: Selena.Sickler@dbs.fldoe.org.

**DEPARTMENT OF LAW ENFORCEMENT**

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces a workshop to which all persons are invited.

DATE AND TIME: May 4, 2016, 3:00 p.m. – 5:00 p.m.

PLACE: Wyndham Grand Jupiter at Harbourside Place; 122 Soundings Avenue; Jupiter, Florida 33477. Front Desk Telephone: 561-273-6600; Reservation Number: (561)273-6666 or 1(800)996-3426; Fax Number: (561)273-6699; Guestroom Rate: \$119.00/night plus applicable taxes for single or double; Available from 5/1/2016 – 5/6/2016; Check-in: 4:00 p.m. and Check-out: 11:00 a.m.; Cancellation Policy: By 4:00 p.m., at least 72 hours prior to the date of arrival. No shows and no calls would acquire a 1-day room fee, including taxes that will be charged to the guest's credit card. Group Name: Criminal Justice Standards & Training Commission; Reservation website:

[http://www.wyndham.com/groupevents2016/47553\\_CRIMINALJUSTICESTDSANDTRAINCOMM/main.wnt](http://www.wyndham.com/groupevents2016/47553_CRIMINALJUSTICESTDSANDTRAINCOMM/main.wnt) Reservation Deadline: April 10, 2016; Parking: On-site complimentary

self-parking: Indoor/Garage Parking. Valet parking is available for a fee.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Commission Workshop Discussions: 1) Department of Justice, Office of Civil Rights Inquiry; 2) Proposed Rule Language for Prejudicial Behavior Issue. The workshop will be held in conjunction with the meeting of the Criminal Justice Standards and Training Commission (CJSTC) during the week of May 2-5, 2016.

A copy of the agenda may be obtained by contacting: Joyce Gainous-Harris at (850)410-8615 or e-mail at JoyceGainous-Harris@fdle.state.fl.us if you have questions about the above meetings.

If you have questions about the Officer Discipline Agenda, please contact Anjani Torres at (850)410-8625 or e-mail at AnjaniTorres@fdle.state.fl.us.

If you have questions about hotel accommodations, please contact Cheryl Taylor at (850)410-8657 or e-mail at cheryltaylor@fdle.state.fl.us

The Commission packet can be viewed or downloaded after April 19, 2016, at: <http://www.fdle.state.fl.us/cms/CJSTC/Commission/CJSTC-Home.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 5 days before the workshop/meeting by contacting: Joyce Gainous-Harris at (850)410-8615 or e-mail at JoyceGainous-Harris@fdle.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).

**DEPARTMENT OF TRANSPORTATION**

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

DATE AND TIME: April 28, 2016, 4:30 p.m. – 6:00 p.m., Open House

PLACE: Cultural Center of Charlotte County, 2280 Aaron Street, Port Charlotte, Florida, 33952

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Florida Department of Transportation (FDOT), District One, is holding a public meeting about improvements to US 41/Tamiami Trail from Cross Street to Cochran Boulevard in Charlotte County. FDOT will hold this meeting to give interested people the opportunity to review displays and talk one-on-one with staff. The Department's contractor, AJAX Industries of Florida, LLC, is making improvements to 5.8-miles of US 41/Tamiami Trail from Cross Street to Cochran Boulevard. This project also includes signal upgrades at various intersections, milling and resurfacing, miscellaneous

shoulder widening and bike lanes. The project will also improve pedestrian access at multiple intersections. The \$14.5 million project begins in May and estimated completion is fall 2017.

A copy of the agenda may be obtained by contacting: Brianna Wagner, Public Information Officer at Cella Molnar & Associates, Inc. on behalf of FDOT, (239)337-1071 or bwagner@cella.cc.

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: Shelly Smith, District One Title VI Coordinator, at (863)519-2761 or by email at shelly.smith@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brianna Wagner, Public Information Officer at Cella Molnar & Associates, Inc. on behalf of FDOT, (239)337-1071 or bwagner@cella.cc.

**DEPARTMENT OF TRANSPORTATION**

**RULE NO.: RULE TITLE:**

14-46.001 Utilities Installation or Adjustment

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

**DATE AND TIME:** Tuesday, May 10, 2016, 3:00 p.m.

**PLACE:** Department of Transportation, Executive Conference Room, 605 Suwannee Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public comments on proposed changes to Rule Chapter 14-46.001, Florida Administrative Code, Utilities Installation or Adjustment incorporating revisions to the Utility Accommodation Manual.

A copy of the agenda may be obtained by contacting: Susan Schwartz, Assistant General Counsel, Department of Transportation, 605 Suwannee Street, Tallahassee, FL 32399, (850)414-5392, susan.schwartz@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Susan Schwartz, susan.schwartz@dot.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).

**DEPARTMENT OF CITRUS**

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

**DATE AND TIME:** April 27, 2016, 9:00 a.m.

**PLACE:** Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Commission will convene to address issues pertaining to contracts and any other matter addressed during regular meetings of the Florida Citrus Commission.

A copy of the agenda may be obtained by contacting: Heather Facey, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831 or hfacey@citrus.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at dscrews@citrus.myflorida.com or (863)537-3984. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF CITRUS**

The Florida Department of Citrus announces a workshop to which all persons are invited.

**DATE AND TIME:** April 27, 2016, following the adjournment of the Florida Citrus Commission meeting that begins at 9:00 a.m. on April 27, 2016

**PLACE:** Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This workshop is to discuss core functions of the Florida Department of Citrus and for the Florida Citrus Commission to provide guidance to staff on FY 2016-17 budget preparation, restructuring of the FDOC and any policy changes required to implement same.

A copy of the agenda may be obtained by contacting: Heather Facey, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831 or hfacey@citrus.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at dscrews@citrus.myflorida.com or (863)537-3984. 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.

**PUBLIC SERVICE COMMISSION**

The Public Service Commission announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 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.

A copy of the agenda may be obtained at [www.floridapsc.com](http://www.floridapsc.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: the Betty Easley Conference Center. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**REGIONAL PLANNING COUNCILS**

Central Florida Regional Planning Council

The Heartland Regional Transportation Planning Organization (HRTPO) announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2016, 10:00 a.m.

PLACE: CareerSource Heartland, 5901 US Hwy 27 South, Suite #1, Sebring, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business of the Heartland Regional Transportation Planning Organization (HRTPO) Technical Advisory Committee (TAC).

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Community Engagement Manager, at (863)534-7130 or [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, Community Engagement Manager, at (863)534-7130 or [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.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).

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.

**METROPOLITAN PLANNING ORGANIZATIONS**

Broward Metropolitan Planning Organization

The Broward Metropolitan Planning Organization (MPO) announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2016, 2:00 p.m.

PLACE: Board Room of the Broward Metropolitan Planning Organization, Trade Centre South, 100 West Cypress Creek Road, 8th Floor, Suite 850, Fort Lauderdale, FL 33309-21122

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a regular business meeting of the Transportation Disadvantaged Local Coordinating Board (LCB).

A copy of the agenda may be obtained by contacting: the Broward MPO website at [www.browardmpo.org/about-us/agendas-minutes](http://www.browardmpo.org/about-us/agendas-minutes).

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: Carl Ema at (954)876-0052 or [emac@browardmpo.org](mailto:emac@browardmpo.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).

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: Carl Ema at (954)876-0052 or [emac@browardmpo.org](mailto:emac@browardmpo.org).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Pilotage Rate Review Committee

The Pilotage Rate Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 28, 2016, 1:30 p.m. CT

PLACE: Hampton Inn Pensacola Beach Gulf Front, 2 Via de Luna Drive, Pensacola Beach, FL 32561, (850)932-6800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

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: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

The Board of Auctioneers announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, May 10, 2016, 9:00 a.m.

**PLACE:** Holiday Inn Tampa Westshore Airport, 700 N. Westshore Boulevard, Tampa, FL 33609, (813)289-8200

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Board business.

A copy of the agenda may be obtained by contacting: the Florida Board of Auctioneers, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

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 Florida Board of Auctioneers, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982. 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: the Florida Board of Auctioneers, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)717-1982.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

The Florida Real Estate Appraisal Board Probable Cause Panel announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, May 4, 2016, 9:00 a.m., Eastern Time

**PLACE:** Zora Neale Hurston Building, 400 West Robinson Street, Suite N901, Orlando, Florida 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772.

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 five days before the workshop/meeting by contacting: the Division of Real Estate, (407)481-5662. 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 ENVIRONMENTAL PROTECTION**

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

**DATE AND TIME:** May 3, 2016, 9:00 a.m.

**PLACE:** Williamson Conference and Education Center - Dixon Hendry Campus, 2229 NW 9th Ave., Okeechobee, FL 34972

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting of interested stakeholders to discuss the Lake Okeechobee Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the adopted Total Maximum Daily Load (TMDL). The primary purpose of this meeting is to provide the annual update on the on the adopted BMAP.

A copy of the agenda may be obtained by contacting: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail at Sara.C.Davis@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail at Sara.C.Davis@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sara C. Davis, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail at [Sara.C.Davis@dep.state.fl.us](mailto:Sara.C.Davis@dep.state.fl.us).

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**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

The Board of Podiatric Medicine announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Wednesday, May 18, 2016, 12:00 Noon

**PLACE:** Florida Department of Health, 4042 Bald Cypress Way, Tallahassee Florida 32399; telephone conference number: 1(888)670-3525, participant code: 7342425515

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov) or by visiting the Board's website at <http://floridaspodiatricmedicine.gov/meeting-information/>.

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: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@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: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov).

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**DEPARTMENT OF HEALTH**

**Division of Health Access and Tobacco**

The Division of Community Health Promotion, Bureau of Tobacco Free Florida announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, May 24, 2016, 10:00 a.m.

**PLACE:** Phone: 1(866)899-4679, code: 666 732 613; webinar link <https://global.gotomeeting.com/join/666732613>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of an Advisory Council required by Florida Statute 381.84. The council meets four times per year to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The meetings will provide evaluation information and reports about the Tobacco Education and Use Prevention Program and each of the program's major components

including media, the cessation quitline, and community programs.

A copy of the agenda may be obtained by contacting: Meredith Hennon, (850)245-4444, ext. 2463 or [Meredith.Hennon@flhealth.gov](mailto:Meredith.Hennon@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 72 hours before the workshop/meeting by contacting: Meredith Hennon, (850)245-4444, ext. 2463, [Meredith.Hennon@flhealth.gov](mailto:Meredith.Hennon@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: Meredith Hennon, (850)245-4444, ext. 2463 or [Meredith.Hennon@flhealth.gov](mailto:Meredith.Hennon@flhealth.gov).

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**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

The Florida Inland Navigation District announces a workshop to which all persons are invited.

**DATE AND TIME:** May 3, 2016 through May 5, 2016, 8:00 a.m. – 4:00 p.m.

**PLACE:** USACE Survey Vessel FLORIDA II, Atlantic Intracoastal Waterway from Stuart, FL to Miami, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this Waterway inspection trip is to view and discuss the ICW and projects and issues associated with the waterway. No actions will be taken by the District during this trip.

A copy of the agenda may be obtained by contacting: Florida Inland Navigation District office at 1314 Marcinski Road, Jupiter, FL 33477, telephone: (561)627-3386.

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**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

**DATE AND TIME:** June 7, 2016, 10:00 a.m. (cancellation)

**PLACE:** Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** **NOTICE OF CANCELLATION** - The Review Committee meeting was to have been to give the scores and to submit a recommendation to Florida Housing's Board of Directors regarding the responses submitted for Florida Housing Finance Corporation's Request For Applications (RFA) 2016-105 Financing To Build Or Rehabilitate Smaller Permanent



Supportive Housing Properties For Persons With Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Jean Salmonsens, (850)488-4197.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: June 16, 2016, 9:30 a.m., ET

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Review Committee meeting will be to give the scores and to submit a recommendation to Florida Housing's Board of Directors regarding the responses submitted for Florida Housing Finance Corporation's Request For Applications (RFA) 2016-105 Financing To Build Or Rehabilitate Smaller Permanent Supportive Housing Properties For Persons With Developmental Disabilities.

A copy of the agenda may be obtained by contacting: Jean Salmonsens, (850)488-4197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2016, 9:00 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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: the Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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 Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

FLORIDA ASSOCIATION OF CENTERS FOR INDEPENDENT LIVING

The Florida Association of Centers for Independent Living announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 3, 2016, 10:00 a.m.

PLACE: via teleconference: 1(888)853-9372, passcode: 148868

GENERAL SUBJECT MATTER TO BE CONSIDERED:

FACIL announces a meeting of the James Patrick Memorial Work Incentives Personal Attendant Services (JP-PAS) Program, at which two or more JP-PAS members may be in attendance. All interested parties are invited to attend (call-in number above). The meeting will be audio recorded.

A copy of the agenda may be obtained by contacting: Elisabeth Everett at (850)575-6004 or by emailing [elisabeth@floridacils.org](mailto:elisabeth@floridacils.org)

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: Elisabeth Everett at (850)575-6004 or by emailing [elisabeth@floridacils.org](mailto:elisabeth@floridacils.org).

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Monday-Wednesday, May 23-25, 2016, 9:00 a.m.

MEETING: Full Council

PLACE: Embassy Suites by Hilton, Fort Lauderdale, 1100 SE 17th Street Causeway, Ft. Lauderdale, Florida 33316, Call in: 1(888)670-3525 Code: 5073148497

GENERAL SUBJECT MATTER TO BE CONSIDERED:

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year

to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

**AIM ENGINEERING**

The Florida Department of Transportation (FDOT), District One announces a workshop to which all persons are invited.

**DATE AND TIME:** Thursday, April 28, 2016, 5:00 p.m. – 7:00 p.m.

**PLACE:** The Lakeland Center – Sikes Hall F, 701 West Lime Street, Lakeland, Florida 33815

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

FDOT will hold this alternatives public meeting to provide information about proposed widening of this segment of US 92 from two to four lanes. The meeting is an open house with no formal presentation. Project staff will display conceptual plans and answer questions about proposed widening alternatives for US 92. The alternatives will require right-of-way acquisition for road improvements and stormwater management ponds. Existing access to properties along US 92 will change due to the addition of a median, a result of widening the road. The department sent notices to all property owners and interested people located at least 300 feet on either side of US 92 within the project limits. The meeting is developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: FDOT project manager Tony Sherrard, (863)519-2304 or antone.sherrard@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: FDOT project manager Tony Sherrard, (863)519-2304 or antone.sherrard@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information about the project, please contact: Mr. Sherrard at (863)519-2304 or antone.sherrard@dot.state.fl.us. Visit the project website: www.us92lakeland.com.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that Division of Drugs, Devices and Cosmetics has received the petition for declaratory statement from Wm. J. Hartig, on behalf of PreScript Pharmaceuticals, Inc., (Petitioners), on April 13, 2016. The petition seeks the agency’s opinion as to the applicability of Chapter 499, Florida Statutes, and Rule 61N-1, Florida Administrative Code, as it applies to the petitioner.

The Petition seeks a formal opinion from the Department as to whether the Petitioners, a non-resident prescription drug repackager is required to be permitted by the Department, where the Petitioner is not a wholesale distributor as that term is defined under the Federal Act as amended by the Drug Supply Chain Security Act.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Dinah Greene, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, Reggie.Dixon@myfloridalicense.com, (850)717-1800.

Please refer all comments to: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, Reggie.Dixon@myfloridalicense.com, website: [http://interredesignalpha/dbpr/ddc/ddc\\_division\\_notices.html](http://interredesignalpha/dbpr/ddc/ddc_division_notices.html).

Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

**DEPARTMENT OF HEALTH**

Board of Athletic Training

The Board of Athletic Training hereby gives notice that the Petition for Declaratory Statement filed by Paul Bruning, DHA on March 24, 2016, has been withdrawn upon request of the Petitioner. The Petition, seeking a declaratory statement of Section 468.713, F.S., was published in Vol. 42, No. 59, of the Florida Administrative Register, on March 25, 2016. The person to be contacted regarding this petition is: Jennifer Wenhold, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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

CITY OF NORTH MIAMI BEACH  
CITY OF NORTH MIAMI BEACH, FLORIDA NOTICE OF  
RECEIPT OF UNSOLICITED PROPOSAL AND  
INVITATION TO SUBMIT PROPOSAL

NOTICE IS HEREBY GIVEN THAT the City of North Miami Beach, Florida (“City”), owner of the DeLeonardis Youth Center at Allen Park, located at 1770 NW 162nd Street, received an unsolicited proposal (“Proposal”, a full copy is available at [www.citynmb.com](http://www.citynmb.com)) pursuant to Section 287.05712, Florida Statutes. The Proposal, submitted by Sports Leadership and Management Foundation, Inc. (“SLAM”), is for a public-private partnership to operate a SLAM sixth grade charter school on the second floor of the above referenced property. The Proposal is for the 2016-2017 school year with a one-year renewal option and monthly

payment to the City of nine-hundred dollars (\$900.00) per student, or three thousand dollars (\$3,000.00), whichever amount is greater. SLAM proposes to equip the classrooms with furniture, equipment and building modifications necessary for instructional use.

A copy of SLAM’s detailed unsolicited proposal may be reviewed on the City’s website at [www.citynmb.com](http://www.citynmb.com) and a copy is also available at the Procurement Management Division located at 17011 NE 19 Ave., Suite 315 North Miami Beach, FL 33162.

The City has determined that this Proposal is sufficient for consideration on a preliminary basis and will accept other proposals for the same project purpose during this notification period. No final decision has been made relative to accepting this or any other proposal for this project.

Anyone interested in submitting a competing proposal pursuant to Section 287.05712, Florida Statutes, is hereby invited to submit a proposal in compliance with Section 287.05712(5), Florida Statutes. The submitted proposal shall include (3) three hard copies and one (1) electronic copy and shall be submitted no later than 2:00 pm on May 20, 2016, to the City of North Miami Beach Procurement Management Division – Attention: Chief Procurement Officer, Joel Wasserman, 17011 N.E. 19th Avenue, 3rd Floor, North Miami Beach, FL 33162 on or before the date stipulated above. All packages shall be clearly marked “Unsolicited Proposal No. 2016-01 Public-Private Charter School. The City will not be responsible in the event the U.S. Postal Service or any other courier system fails to deliver any package by the above referenced deadline. Late submissions shall not be accepted. The City of North Miami Beach reserves the right to reject any and all submissions, to waive any and all irregularities in any submission, or as provided under Section 287.05712, Florida Statutes, to award and negotiate with the firm whose proposal best serves the interests of the City. Responses will be publicly opened and firm names read aloud in the City Hall 2nd Floor Council Chambers on the due date/time above. Nothing contained herein shall be interpreted as an obligation or binding agreement by the City regarding the project.

In ranking the proposals, the City will consider factors in accordance with Florida Statute 287.05712 that include, but are not limited to, professional qualifications, general business terms, innovative design techniques or cost-reduction terms, and finance plans. In accordance with Florida Statute 287.05712, negotiations for a comprehensive agreement with the highest ranked firm will be considered. The City will provide notice of a decision or proposed decision regarding the contract award. Any person who is, or claims to be, adversely affected by the City’s decision or proposed decision shall file a written Notice of Protest with the Purchasing Department of North Miami Beach within 72 hours after

issuance of the notice of decision or proposed decision. For complete protest procedures, please contact Joel Wasserman at the address provided above.

All proposals received in response to this Notice will become the property of North Miami Beach and will not be returned. Such proposals and related information shall be subject to applicable provisions of the Florida Public Records Law.

**Section XII  
Miscellaneous**

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

DG Motorsports LLC for the establishment of Taotao 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 Taotao USA, Inc., intends to allow the establishment of DG Motorsports LLC, as a dealership for the sale of motorcycles manufactured by Taotao Group Co., Ltd. (line-make TAOI) at 11510 Biscayne Boulevard, Miami, (Miami-Dade County), Florida 33181, on or after May 19, 2016.

The name and address of the dealer operator(s) and principal investor(s) of DG Motorsports LLC, are dealer operator(s): Alexis Degrave, 11510 Biscayne Boulevard, Miami, Florida 33181; principal investor(s): Alexis Degrave, 11510 Biscayne Boulevard, Miami, Florida 33181.

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: Jennifer Wallace, Taotao USA, Inc., 2425 Camp Avenue, Suite 100, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the

Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need**

**LETTERS OF INTENT**

The Agency for Health Care Administration received and accepted the following letters of intent for the May 18, 2016 application filing date for Other Beds and Programs batching cycle:

County: Alachua District: 3  
Date Filed: 4/18/2016 LOI #: N1604001  
Facility/Project: 19th Street Group Homes  
Applicant: Salem Homes of Florida, Inc.  
Project Description: Establish a six-bed replacement ICF/DD

County: Miami-Dade District: 11-1  
Date Filed: 4/18/2016 LOI #: N1604002  
Facility/Project: Plaza Health at Red Road, Inc.  
Applicant: Plaza Health at Red Road, Inc.  
Project Description: Establish a new community nursing home of up to 134 beds through the delicensure of up to 134 beds

County: Miami-Dade District: 11-1  
Date Filed: 4/18/2016 LOI #: N1604003  
Facility/Project: Professional Home Care III, Inc.  
Applicant: Professional Home Care III, Inc.  
Project Description: Establish a new 60-bed community nursing home

County: Escambia District: 1  
Date Filed: 4/18/2016 LOI #: N1604004  
Facility/Project: Bristol Hospice - Northeast Florida, LLC  
Applicant: Bristol Hospice - Northeast Florida, LLC  
Project Description: Establish a new hospice program

County: Escambia District: 1  
Date Filed: 4/18/2016 LOI #: N1604005  
Facility/Project: Compassionate Care Hospice of the Gulf Coast, Inc.  
Applicant: Compassionate Care Hospice of the Gulf Coast, Inc.  
Project Description: Establish a new hospice program

County: Escambia District: 1  
Date Filed: 4/18/2016 LOI #: N1604006  
Facility/Project: St. Joseph Hospice Florida Panhandle  
Applicant: St. Joseph Hospice Florida Panhandle

Project Description: Establish a new hospice program

County: Escambia District: 1  
 Date Filed: 4/18/2016 LOI #: N1604007  
 Facility/Project: Pruitt Hospice - Escambia, LLC  
 Applicant: Pruitt Hospice - Escambia, LLC  
 Project Description: Establish a new hospice program

County: Escambia District: 1  
 Date Filed: 4/18/2016 LOI #: N1604008  
 Facility/Project: Pruitt Hospice - West Florida, LLC  
 Applicant: Pruitt Hospice - West Florida, LLC  
 Project Description: Establish a new hospice program

County: Escambia District: 1  
 Date Filed: 4/18/2016 LOI #: N1604009  
 Facility/Project: Seasons Hospice & Palliative Care of Pensacola, LLC  
 Applicant: Seasons Hospice & Palliative Care of Pensacola, LLC  
 Project Description: Establish a new hospice program

County: Escambia District: 1  
 Date Filed: 4/18/2016 LOI #: N1604010  
 Facility/Project: VITAS Healthcare Corporation of Florida  
 Applicant: VITAS Healthcare Corporation of Florida  
 Project Description: Establish a new hospice program

County: Miami-Dade District: 11  
 Date Filed: 4/18/2016 LOI #: N1604011  
 Facility/Project: Avow Hospice, Inc.  
 Applicant: Avow Hospice, Inc.  
 Project Description: Establish a new hospice program

County: Miami-Dade District: 11  
 Date Filed: 4/18/2016 LOI #: N1604012  
 Facility/Project: Bristol Hospice - Miami Dade, LLC  
 Applicant: Bristol Hospice - Miami Dade, LLC  
 Project Description: Establish a new hospice program

County: Duval District: 4-SA 1  
 Date Filed: 4/18/2016 LOI #: N1604013  
 Facility/Project: Wolfson Children's Hospital of Jacksonville, Inc.  
 Applicant: Wolfson Children's Hospital of Jacksonville, Inc.  
 Project Description: Establish a new pediatric cardiac catheterization program

County: Duval District: 4-SA 1  
 Date Filed: 4/18/2016 LOI #: N1604014

Facility/Project: Wolfson Children's Hospital of Jacksonville, Inc.

Applicant: Wolfson Children's Hospital of Jacksonville, Inc.  
 Project Description: Establish a new pediatric open heart surgery program

County: Broward District: 10-SA 4  
 Date Filed: 4/18/2016 LOI #: N1604015  
 Facility/Project: Cleveland Clinic Florida Health System Nonprofit Corporation  
 Applicant: Cleveland Clinic Hospital  
 Project Description: Establish a new adult bone marrow transplantation program

County: Duval District: 4-SA 4  
 Date Filed: 4/18/2016 LOI #: N1604016  
 Facility/Project: Wolfson Children's Hospital of Jacksonville, Inc.  
 Applicant: Wolfson Children's Hospital of Jacksonville, Inc.  
 Project Description: Establish a new pediatric bone marrow transplantation program

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after June 24, 2016, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on May 27, 2016.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
 Division of Community Development

Final Order No.: DEO-16-051

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-051 on April 12, 2016, dismissing without prejudice a petition submitted by Randy Senna challenging Final Order No. DEO-16-019 which approved the covenant revitalization of Lime Tree Village Homeowners' Association under Chapter 720, Part III, Florida Statutes.

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).

DEPARTMENT OF ECONOMIC OPPORTUNITY  
 Division of Community Development

Final Order No.: DEO-16-050

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-050 on April 12, 2016, dismissing without prejudice a petition submitted by Kevin Kelly challenging Final Order No. DEO-16-019 which approved the covenant revitalization of Lime

Tree Village Homeowners' Association under Chapter 720, Part III, Florida Statutes.

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).

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**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.

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