

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-621.300 Permits

PURPOSE AND EFFECT: The Department of Environmental Protection (DEP) gives notice that it is developing amendments to Chapter 62-621, F.A.C., to update and clarify requirements applicable to the National Pollutant Discharge Elimination System (NPDES) Generic Permit for Discharges from Petroleum Contaminated Sites. The proposed amendments would update screening criteria and monitoring requirements consistent with current surface water quality criteria as well as adopting a user friendly Notice of Intent (NOI) to use this generic permit and clarify reporting requirements.

SUBJECT AREA TO BE ADDRESSED: Rule 62-621.300(1), F.A.C., will be revised to update screening criteria and monitoring requirements consistent with current surface water quality criteria in Chapter 62-302, F.A.C. Additional proposed revisions to this rule include the development of a new NOI to Use Generic Permit for Discharges from Petroleum Contaminated Sites to standardize a request of coverage under this Rule.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.0877, 403.088, 403.0885, FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.0877, 403.088, 403.0885, FS.

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

DATE AND TIME: July 6, 2017, 10:00 a.m.

PLACE: This workshop will be broadcast via webinar. Parties can attend the webinar via their personal computers with audio by telephone (regular long-distance telephone charges will apply) at:
<https://meet.lync.com/floridadep/abel.agosto/D7QD293T>.

Alternatively, persons may view the webinar at the following location where staff will be present to accept comments: Department of Environmental Protection, Bob Martinez Bldg., Rm. 609, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400.

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: Abel Agosto at (850)245-8603. 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: Abel Agosto, Florida Department of Environmental Protection, Division of Water Resource Management, 2600 Blair Stone Rd., MS 3545, Tallahassee, Florida, 32399-2400. Telephone (850)245-8603. E-mail Abel.Agosto@dep.state.fl.us. Further information and updates on this rule also may be obtained from the Department's Web Site at: http://www.dep.state.fl.us/water/rules_dr.htm, (OGC No. 16-0315).

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

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: RULE TITLES:
6A-1.001 District Financial Records
6A-1.085 Basic Principles of Internal Fund
 Accounting

6A-1.087 School Board Responsible for Internal
 Funds

6A-1.091 Purchases from Internal Funds

PURPOSE AND EFFECT: The purpose of the amendment to rule 6A-1.001, F.A.C., is to incorporate by reference an updated version (2017) of the Financial and Program Cost Accounting and Reporting for Florida Schools. Changes in law, accounting principles and district practices require periodic revision of this publication, which includes the chart of accounts. The effect is that districts will have an updated chart of accounts to use. Rules 6A-1.085, Basic Principle of Internal Fund Accounting, 6A-1.087, School Board Responsible for Internal Funds, and 6A-1.091, Purchases from Internal Funds, F.A.C., are being repealed due to duplicative guidance and principles that are included in the Financial and Program Cost Accounting and Reporting for Florida Schools and incorporated by reference in rule 6A-1.001, F.A.C.

SUMMARY: The superintendent of each school district is responsible for keeping adequate records and accounts of all financial transactions in the manner prescribed by the commissioner in Financial and Program Cost Accounting and Reporting for Florida Schools (Red Book), which is incorporated by reference in rule 6A-1.001, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Past agency experiences with the adjustment of accounting and financial reporting requirements for school districts, the adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), Florida Statutes. The modifications are accounting changes anticipated with the periodic issuance of new GASB pronouncements, new accounting codes that represent financial data that school districts already present in the notes to financial statements and new accounting codes for federal reporting purposes.

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: 1010.01, FS.

LAW IMPLEMENTED: 1010.01, FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.001 District Financial Records.

The superintendent of schools of each school district shall be responsible for keeping adequate records and accounts of all financial transactions in the manner prescribed by the Commissioner in the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools, ~~2017~~ ~~2015~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-06171>," which is hereby incorporated by reference in this rule. Copies of the publication may be obtained from the Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a cost to

be established by the Commissioner, but which shall not exceed actual costs.

Rulemaking Authority 1010.01 FS. Law Implemented 1010.01 FS. History—New 9-17-72, Amended 12-5-74, 4-28-77, 8-2-79, 7-21-80, 10-7-81, 8-10-83, 9-27-84, 10-1-85, Formerly 6A-1.01, Amended 11-8-88, 7-30-91, 10-6-92, 10-18-94, 1-26-98, 10-15-01, 12-20-11, 11-13-12, 11-3-13, 11-4-14, 1-7-16, _____.

6A-1.085 Basic Principles of Internal Fund Accounting.

Rulemaking Authority 1001.02(1), 1010.01(1), 1011.07 FS. Law Implemented 1011.07 FS. History—New 9-17-72, Repromulgated 12-5-74, Amended 6-10-75, Formerly 6A-1.85, Amended 6-20-89, Repealed _____.

6A-1.087 School Board Responsible for Internal Funds.

Rulemaking Authority 1001.02(1), 1010.01(1), 1011.07 FS. Law Implemented 1011.07 FS. History—New 4-11-70, Amended 9-17-72, 10-31-74, Repromulgated 12-5-74, Amended 3-24-75, Formerly 6A-1.87, 9-22-08 Repealed _____.

6A-1.091 Purchases from Internal Funds.

Rulemaking Authority 1001.02(1), 1011.07 FS. Law Implemented 1010.04(1), 1011.07 FS. History—New 2-20-64, Amended 6-20-64, 5-24-67, 8-9-68, Repromulgated 12-5-74, Formerly 6A-1.91, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Finance and Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.006 Budget Amendments

PURPOSE AND EFFECT: The purpose is to repeal rule 6A-1.006, F.A.C., and combine rules pertaining to school district budget amendments by moving sections (1) and (2) to rule 6A-1.007, F.A.C., Execution of the Budget, and section (3) to rule 6A-1.0071, F.A.C., Fiscal Reporting Dates. The effect will be to consolidate requirements pertaining to school district budget amendments.

SUMMARY: This rule is to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly

regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: past agency experiences with rule consolidation and repeal, the adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), Florida Statutes. The content of rule 6A-1.006, F.A.C. will now be located in 6A-1.007 and 6A-1.0071, F.A.C.

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

RULEMAKING AUTHORITY: 1001.02(1), 1011.06, FS.

LAW IMPLEMENTED: 1010.01, 1011.06, 1011.60(5), FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.006 Budget Amendments.

Rulemaking Authority 1001.02(1), 1011.06 FS. Law Implemented 1010.01, 1011.06, 1011.60(5) FS. History—New 9-17-72, Amended 2-13-74, Repromulgated 12-5-74, Amended 2-21-77, 1-7-81, 5-24-84, Formerly 6A-1.06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Finance and Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**

6A-1.007 Execution of the Budget

PURPOSE AND EFFECT: To move sections (1) and (2) of rule 6A-1.006, F.A.C., Budget Amendments, to rule 6A-1.007, F.A.C., Execution of the Budget. The effect will be to consolidate requirements pertaining to school district budgets.

SUMMARY: Two sections of rule 6A-1.006, F.A.C., which pertain to school board approval of budget amendments, will be consolidated with rule 6A-1.007, F.A.C., Execution of the Budget.

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: Past agency experiences with rule consolidation, the adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), Florida Statutes. The amendment consolidates two rules that relate to school district budgets.

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

RULEMAKING AUTHORITY: 1001.02(1), 1010.01, 1011.06, FS.

LAW IMPLEMENTED: 1010.01, 1011.05, 1011.06, 1011.10(2), 1011.60(5), FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.007 Execution of the Budget.

(1) It shall be the duty of the superintendent of schools and district school board to take whatever action is necessary during the fiscal year to keep expenditures and obligations within the budgeted income, provided that:

~~(a)(1)~~ Any amount appropriated for the payment of indebtedness during the fiscal year shall be paid as budgeted, or as the budget may have been officially amended. Failure to make such payment shall be deemed a violation of the school budget law.

~~(b)(2)~~ Any accounts carried over from the previous year according to prescribed principles of accounting which are charged to the previous year's business shall be paid from the first funds available which may be used for that purpose by the school board. At no time, including the close of the fiscal year, shall an overdraft be created or shown against any fund or depository account.

~~(c)(3)~~ Cash balances remaining in any district interest and sinking fund or from the proceeds of any bond issue not otherwise restricted, after all obligations have been satisfied, shall be transferred to another fund or funds as authorized by resolution of the school board.

(2) No expenditures shall be authorized or obligation incurred that is in excess of a budgetary appropriation. The school board shall adopt procedures whereby adjustments to the original budget are made, as needed, in order to comply with this rule.

(a) The school board shall approve amendments to the district school budget whenever the function and object amounts in the accounts prescribed by the State Board for the budget form are changed in the original budget approved by the school board.

(b) The school board may adopt procedures whereby amendments to the Special Revenue – Other Fund are considered approved by the school board at the time the board approves an entitlement grant, if such grant application includes a budget summary. The effect of such grant shall be reflected in the next monthly district financial report to the school board.

Rulemaking Authority 1001.02(1), 1010.01, 1011.06 FS. Law Implemented 1010.01, 1011.05, 1011.06, 1011.10(2), 1011.60(5) FS. History—New 4-11-70, Amended 9-17-72, Repromulgated 12-5-74, Formerly 6A-1.07, Amended 8-30-88,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Champion, Deputy Commissioner, Finance and Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.0071 Fiscal Reporting Dates

PURPOSE AND EFFECT: To add subsection (3) of rule 6A-1.006, F.A.C., Budget Amendments, and revise Forms ESE 348, Report of Financial Data to the Commissioner of Education and ESE 145, Superintendent's Annual Financial Report. The effect is updated annual financial reporting forms and consolidated requirements pertaining to school district budgets and school district annual financial reports. Rule 6A-1.006, F.A.C., is being proposed for repeal.

SUMMARY: This amendment updates forms for the school district annual financial report, as incorporated by reference, and adds a section from a rule that will be repealed that prohibits school boards from approving a budget amendment after the due date of the annual financial report.

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: Past agency experiences with changes to the annual financial report forms for school districts, the adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), Florida Statutes. This rule is not expected to require legislative ratification. Modifications are for the addition of accounts for other postemployment benefits as a result of a new Governmental Accounting Standards Board statement; the removal of an obsolete program and revenue accounts for programs that are no longer funded; and the addition of a data collection item for federal reporting purposes.

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

RULEMAKING AUTHORITY: 1001.02(1), 2(n), 1011.60(1), (5), FS.

LAW IMPLEMENTED: 1011.01(3), 1011.60(1), (5), FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0071 Fiscal Reporting Dates.

The following dates shall apply to the fiscal reporting and budgeting process of each school district.

(1) The final budget prepared under procedural steps and time intervals specified in Section 200.065, F.S., shall be submitted to the Commissioner no later than the third business day following the day of adoption by the school board.

(2) No budget amendment shall be approved by the district school board after the due date for the annual financial report for that year.

(3)(2) The annual financial report and all official parts thereof must be submitted to the Commissioner no later than September 11 of each year. The annual financial report is composed of the following forms: Forms ESE 348, Report of Financial Data to the Commissioner of Education (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06314>); ESE 145, Superintendent’s Annual Financial Report (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06317>) which are incorporated by reference in this rule to become effective August 2017; Forms ESE 374, Schedule of Maturities of Indebtedness (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06318>); and ESE 523, Information Concerning Authorized Obligations Under Sections 1011.14 & 1011.15, F.S. (<http://www.flrules.org/Gateway/reference.asp?No=Ref-06319>), which are incorporated by reference in this rule to become effective February 2016. These forms may be obtained from the Administrator of the Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(4)(3) In the event of an emergency or unusual circumstances and upon written request by the superintendent of schools, the Commissioner shall have authority to grant an extension of reporting dates not specified by statute.

Rulemaking Authority 1001.02(1), (2)(n), 1011.01(3)(a), 1011.60(1), (5) FS. Law Implemented 1011.01(3)(a), 1011.60(1), (5) FS. History—New 9-12-72, Amended 2-13-74, 12-5-74, 5-5-75, 10-7-75, 7-22-76, 6-7-77, 1-7-81, 7-10-85, Formerly 6A-1.071, Amended 3-12-86, 10-4-88, 9-22-08, 2-1-12, 11-13-12, 11-19-13, 11-4-14, 2-9-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Finance and Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.0452
 RULE TITLE: Distribution of Florida Education Finance Program Funds

PURPOSE AND EFFECT: To delete an obsolete subsection. Subsection (2) of the current rule requires that districts receive an estimation of their Florida Education Finance Program funding by July 1 of each year. The legislature currently completes this calculation as part of the conference report. With current technology, the conference report is made available to the public via its publication on the Florida House of Representatives website, the Florida Senate website, and the Florida Department of Education website.

SUMMARY: This rule amendment removes an obsolete subsection.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This regulatory change will not change the current procedure or the availability of the conference report that the school districts use to estimate their Florida Education Finance Program funding for the following school year. Tthe adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 1001.02(1), FS.

LAW IMPLEMENTED: 1011.62, 1011.66, FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.0452 Distribution of Florida Education Finance Program Funds.

(1) The entitlement of current operations and transportation funds shall be distributed in amounts as nearly equal as practicable based upon distribution schedules developed by the Department. The Department may adjust the distribution of funds to the entitlement each district may reasonably expect to receive during the fiscal year.

~~(2) Each district shall be provided with its estimated Florida Education Finance Program prior to July 1 of each year. The estimated program shall be based on full-time equivalent student membership data, together with appropriate estimates and other relevant data affecting a district's entitlement.~~

(2)(3) The results of the first, second and third period full-time equivalent student membership surveys shall be added to the estimated fourth period full-time equivalent student membership. A final estimate of each district's Florida Education Finance Program for current operations and transportation shall be made by April of each year and shall be used to make adjustments to the amount of funds distributed to the district for the remainder of the fiscal year.

(3)(4) The fourth period full-time equivalent student membership survey shall be made prior to June 30, and used to adjust the fourth period estimate utilized in subsection (2) (3) above. As a result of this survey, any difference in the amount of a district's entitlement and the actual funds distributed shall be adjusted in the succeeding year.

Rulemaking Authority 1001.02(1) FS. Law Implemented 1011.62, 1011.66 FS. History—New 2-18-74, Amended 6-17-74, 10-31-74, Repromulgated 12-5-74, Formerly 6A-1.452, Amended 8-30-88,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Finance and Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: RULE TITLES:

6A-1.04513 Maintaining Auditable FTE Records

6A-1.0453 Educational Program Audits

PURPOSE AND EFFECT: To incorporate requirements from rule 6A-1.04513, F.A.C., Maintaining Auditable FTE Records, which is proposed for repeal. The amendment will add language from rule 6A-1.04513, F.A.C., which requires that districts maintain data supporting their full time equivalent (FTE) student count for three years or until an audit has been completed by the Auditor General. The effect will be to consolidate requirements for educational program audits.

SUMMARY: This rule amendment consolidates rule 6A-1.04513, F.A.C., with 6A-1.0453, F.A.C. Rule 6A-1.04513, F.A.C., is to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This amendment will not change the current procedure or the requirements currently imposed upon the districts, since the amendment combines two existing rules. The adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 1001.02(1), FS.

LAW IMPLEMENTED: 11.45, 1001.03(8), 1001.11(6), 1008.32, 1010.305, FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.04513 Maintaining Auditable FTE Records.

Rulemaking Authority 1001.02(1) FS. Law Implemented 1010.305 FS. History—New 7-2-79, Formerly 6A-1.4513, Repealed.

6A-1.0453 Educational Program Audits.

(1) Each school district shall maintain documentation adequate to support the full-time equivalent student membership of the district. Such documentation shall include, but is not limited to, all student membership survey forms, all student attendance records, and all student schedule records. These records shall be maintained in auditable condition, shall be made available to the Florida Auditor General for auditing, and shall be kept for a period of three (3) years or until the completion of the audit, whichever period is longer.

~~(2)(1)~~ The Commissioner may utilize staff of the Department to conduct audits of district compliance with statute and rules as requested by the Legislature or State Board of Education.

~~(3)(2)~~ The Auditor General is responsible for:

(a) through (e) No change.

~~(4)(3)~~ Upon receipt of an official audit report, the Deputy Commissioner for Finance and Operations shall compute the amount of adjustment to the district's allocation of state funds necessary to compensate for the errors or deficiencies noted in subsection (2). In those instances where a student has been improperly classified or placed in an exceptional student program, and in those instances where a special program fails to meet the prescribed criteria, the adjustment shall be computed on the basis of the basic program cost factor for which each student qualifies. Except for adjustments made during the fiscal year in which the discrepancies occurred adjustments shall be limited to fund allocations and no changes shall be made in full-time equivalent membership data.

~~(5)(4)~~ The Deputy Commissioner for Finance and Operations, within forty-five (45) days of receipt of an official audit report and completion of any computation of adjustments required therein, shall provide an official notice to the district school board which shall include:

(a) through (c) No change.

~~(6)(5)~~ In the event a district notifies the Department of its desire for a hearing on the proposed adjustment, the Department shall respond within thirty (30) days, and then the Commissioner shall schedule an informal conference between all parties in an effort to explain and resolve any disputed findings and to arrive at an agreement between the Department and the district. The conference hearing shall be held within twelve (12) months of initial request. If, however, the parties are unable to hold an informal conference or to arrive at a satisfactory agreement within twelve (12) months of the initial request and the school district wishes to proceed with a formal hearing, the Commissioner shall request the Division of Administrative Hearings of the Department of Administration to assign a hearing officer, and the Department shall proceed with the hearing in the manner prescribed by Section 120.57, F.S.

~~(7)(6)~~ Following completion of the hearing, the recommended order of the hearing examiner shall be transmitted to the State Board. The State Board shall, following examination of the recommended order, adopt a final agency order as prescribed by Section 120.57, F.S.

~~(8)(7)~~ Upon receipt of the final agency order, the Deputy Commissioner for Finance and Operations shall compute the required adjustment, if any, to the district's allocation of state funds, make the adjustment in the aforementioned funds, and notify the district of the final action.

Rulemaking Authority 1001.02(1) FS. Law Implemented 11.45, 1001.03(8), 1001.11(6), 1008.32, 1010.305 FS. History—New 2-25-76, Amended 10-30-78, 12-7-82, 6-28-83, 11-27-85, Formerly 6A-1.453, Amended 10-31-88, 3-15-90, 1-7-97, 7-5-01, 9-22-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Linda Champion, Deputy Commissioner, Finance and Operations.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: 6A-3.003
RULE TITLES: Certification as to Specifications of School Buses
 6A-3.0291 Specifications for New School Buses
PURPOSE AND EFFECT: To remove the requirement for manufacturers, dealers or distributors to file specifications, including blueprints, when requested by the Department of Education, with the Deputy Commissioner of Finance and Operations, for each model of school bus chassis and body intended to transport students. This requirement is not necessary, as the rule requires the manufacture, distributor or dealer to file a certified statement that any school bus chassis or body sold meets all safety standards and specifications prescribed for school buses for use in Florida. In addition, the purpose is to incorporate language related to school bus specifications and pilot testing from rule 6A-3.0291, F.A.C., which is proposed for repeal. The effect is that school buses sold in Florida will still meet Federal Motor Vehicle Safety Standards, the National School Transportation Specifications & Procedures, May 2010, Florida School Bus Specifications, revised 2013 and the information will be consolidated in one rule.

SUMMARY: This amendment will eliminate the requirement for the bus manufacturer, distributor or dealer to file, upon request, bus chassis and body specifications and blueprints with the Deputy Commissioner for Finance and Operations, while incorporating language from 6A-3.0291, F.A.C., which is proposed for repeal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions to the rule remove the requirement for manufacturers, dealers or distributors to file specifications, including blueprints, when requested by the Department of Education, with the Deputy Commissioner of Finance and Operations, for each model of school bus chassis and body intended to transport students. Additionally, the proposed revisions to the rule incorporate language related to school bus specifications and pilot testing from rule 6A-3.0291, F.A.C., which will be repealed. This is not expected to require

legislative ratification and the adverse impact or regulatory cost, if any, does not exceed, nor would it be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), Florida Statutes.

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

RULEMAKING AUTHORITY: 1001.02(1), 1006.25(2)(4), FS.

LAW IMPLEMENTED: 1006.25, FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-3.003 Certification as to Specifications of School Buses.

(1) Before any manufacturer, distributor or dealer may offer for sale or lease any school bus chassis or bodies to be used for the transportation of students to public schools of Florida, such manufacturer, distributor or dealer shall:

~~(a) File with the Deputy Commissioner for Finance and Operations complete specifications for each chassis and body model, including blueprints when requested.~~

~~(a)(b)~~ File with the Deputy Commissioner for Finance and Operations a certified statement that any school bus chassis or body sold by such manufacturer, distributor or dealer will meet the # Federal Motor Vehicle Safety Standards required by section 1006.25(2), F.S., the National School Transportation Specifications & Procedures, May 2010 (DOS link) and the Florida School Bus Specifications, revised 2013 (DOS link) all of which are incorporated herein by reference, ~~National Standards for School Buses and Florida School Bus Specifications prescribed for school buses for use in Florida.~~ For information on obtaining copies of the National School Transportation Specifications & Procedures, May 2010 or the Florida School Bus Specifications, revised 2013, contact the Director of School Transportation Management, Florida Department of Education, Suite 834, 325 W Gaines St., Tallahassee, FL 32399.

~~(b)(c)~~ Submit to the Deputy Commissioner for Finance and Operations or his/her authorized representative upon request,

for the purpose of examination, a demonstrator model, or parts thereof, of each type of chassis or body model to be offered for sale. Such examination shall be for the purpose of ascertaining whether the respective chassis or body model meets the specifications, including quality standards, required by the State Board.

(2) Upon examining the specifications or the demonstrator chassis or body model, the Deputy Commissioner for Finance and Operations shall maintain a list of each chassis or body model that meets Florida school bus requirements. The Deputy Commissioner for Finance and Operations or his/her authorized representative shall furnish, upon request, superintendents a list of all chassis and body companies offering equipment for sale in Florida that meets the minimum specifications of the State Board.

(3) Insofar as practicable, the Deputy Commissioner for Finance and Operations or his/her authorized representative shall make periodic inspection of school bus chassis and bodies delivered to school boards for the purpose of determining if the standards referenced in paragraph (1)(a) of this rule, applicable specifications and quality standards have been met. Should it be determined that any chassis or body delivered to a school board does not meet these the standards approved by the State Board, including equipment specified, the manufacturer, distributor or dealer shall make satisfactory corrections as prescribed by the Deputy Commissioner for Finance and Operations or authorized representative. The Deputy Commissioner for Finance and Operations and the district receiving such equipment shall refuse further approval of bids submitted by the manufacturer, distributor and dealer or representative until satisfactory corrections are made.

(4) Any school district may, at its option, upgrade any school bus or buses with equipment meeting specifications that are current at the time of the upgrade.

(5) The Commissioner may approve special equipment differing from, or not prescribed, in Florida School Bus Specifications for the specific purpose of limited pilot testing to determine if such equipment provides substantive improvements in safety or cost-effectiveness. Pilot testing of equipment shall not be approved until the Commissioner has determined, to the extent practical, that the equipment will not compromise safety.

Rulemaking Authority 1001.02(1), 1006.25(2), (4) FS. Law Implemented 1006.25 FS. History—New 7-20-74, Repromulgated 12-5-74, Formerly 6A-3.03, Amended 11-15-94, _____.

6A-3.0291 Specifications for New School Buses.

Rulemaking Authority 1006.25 FS. Law Implemented 1006.25 FS. History—New 9-17-72, Amended 7-20-74, Repromulgated 12-5-74, Amended 11-10-83, 3-28-84, 10-8-84, 10-8-85, Formerly 6A-3.29, Amended 8-19-86, 9-30-87, 10-4-88, 12-11-89, 12-18-90, 11-10-92, 9-5-93, 11-15-94, 10-18-95, Formerly 6A-3.029, Amended 6-11-00,

Formerly 6-3.029, Amended 4-21-03, 2-22-05, 11-26-06, 7-21-08, 4-1-13, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Linda Champion, Deputy Commissioner, Finance and Operations

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 22, 2017

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0524 Educational Alternatives Programs

PURPOSE AND EFFECT: To align the rule with current language in Florida Statutes and to remove reference to a requirement of a repealed rule that is no longer provided to students. The effect is that the rule will be aligned with Florida statutes.

SUMMARY: The rule amendment removes reference to a requirement of a repealed rule that is no longer provided to students.

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: Revisions to remove reference to a rule that has been repealed will have no economic impact. The proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and 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: 1001.02, 1003.53, FS.

LAW IMPLEMENTED: 1003.53, FS.

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

DATE AND TIME: July 17, 2017, 2:00 p.m.
 PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tameka Thomas, Bureau of Family & Community Outreach, 325 W. Gaines Street, Suite 1444, Tallahassee, FL 32399, (850)245-0845, or Tameka.Thomas@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0524 Educational Alternatives Programs.
 Educational alternatives programs are programs designed to serve students who are unmotivated or unsuccessful and shall have strong emphasis on appropriate agency coordination as specified in paragraph 6A-6.0521(2)(b), F.A.C.

- (1) through (2) No change.
- (3) Instructional periods. Instruction shall be provided for a minimum of two (2) instructional periods per day through ~~unless the student participates in a student support and assistance component rather than~~ standard dropout prevention classes.

(4) through (7) No change.
 Rulemaking Authority 1001.02, 1003.53 FS. Law Implemented 1003.53 FS. History—New 10-30-90, Amended 1-2-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, K-12 Public Schools.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2017
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 28, 2017

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-20.008	Application
65C-20.009	Staffing Requirements
65C-20.010	Health and Safety Related Requirements
65C-20.011	Health Records
65C-20.012	Enforcement
65C-20.013	Large Family Child Care Homes (LFCCH)
65C-20.014	Gold Seal Quality Care Program

PURPOSE AND EFFECT: The Department is proposing this rule development in response to public concerns that the complexity of Family Day Care Standards and Large Family Child Care Homes rule was cumbersome to maneuver. The Department resolved to create a handbook format using plain

language to make reviewing the standards more user friendly for providers.

SUMMARY: The Department is developing the Family Day Care Standards and Large Family Child Care rule to address new School Readiness (SR) requirements and background screening changes, as well as, the necessary updates to keep the rule current. The Department intends to reduce the number of standards listed in Rules 65C-20.008 – 20.014, F.A.C. by incorporating a newly developed handbook of standards written in plain language and organized by topic areas making it more user friendly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: . The proposed rule revisions regarding health/safety are cost neutral. The Department completed a Statement of Estimated Regulatory Costs (SERC) Checklist and determined that a SERC document was not required.

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

RULEMAKING AUTHORITY: 402.305(1)(c), FS.
 LAW IMPLEMENTED: 402.305, FS.

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

DATE AND TIME: July 13, 2017, 5:30 PM - 7:00 p.m. ET, or the conclusion of business, whichever is earlier.

PLACE: via GoToWebinar only. To register for the webinar, please visit: <https://attendee.gotowebinar.com/register/1526198389136462594>

(Registering for the webinar does not constitute a request for public hearing.)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Cindy Campbell, Office of Child Care Regulation 1317 Winewood Boulevard, Building 6, Tallahassee, FL

32399-0700, (850)488-4900. 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: Cindy Campbell, Office of Child Care Regulation 1317 Winewood Boulevard, Building 6, Tallahassee, FL 32399-0700, (850)488-4900.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-20.008 Application.

(1) Application for a license or for renewal of a license to operate a family day care home must be made on CF-FSP Form 5133, ~~March 2009~~ (insert date), Application for a License to Operate a Family Day Care Home, which is incorporated by reference. CF-FSP Form 5133 may be obtained from the department's website at www.myflorida.com/childcare www.myflfamilies.com/childcare.

(2) Application for a license or for renewal of a license to operate a large family child care home must be made on CF-FSP Form 5238, (insert date), Application for a License to Operate a Large Family Child Care Home, which is incorporated by reference. CF-FSP Form 5238 may be obtained from the department's website at www.myflfamilies.com/childcare. A license to operate a large family child care home may be used to operate a family day care home when the number of children in care meets the definition of a family day care home. A license to operate a family day care home cannot be used to operate a large family child care home.

(3)~~(2)~~ A completed CF-FSP Form 5133 or CF-FSP Form 5238 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. Failure to submit a completed CF-FSP Form 5133 or CF-FSP Form 5238 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-20.012(3)(d), F.A.C.

(4)~~(3)~~ A submitted CF-FSP Form 5133 or CF-FSP Form 5238 will not be considered complete until the licensing authority receives proof of background screening clearance on the operator of the family day care home or the large family child care home, substitutes, and on all other household members who are subject to background screening pursuant to Section 402.313(3) and 402.3131(2), F.S. If the designated substitute changes during the licensure year, prior to taking care of children, the new designated substitute for the operator must comply with background screening requirements and the

licensing authority must receive proof of background screening clearances.

(a) ~~Initial Screening includes all of the following:~~

~~1. Level 2 screening, which includes at a minimum Federal Bureau of Investigation (FBI), Florida Department of Law Enforcement (FDLE), and local criminal records checks. For the purpose of issuing a license, any out of state criminal offense, which if committed in Florida would constitute a disqualifying felony offense, shall be treated as a disqualifying felony offense for licensing and screening purposes under this rule.~~

~~2. An employment history check for the operator and substitute(s) must include the previous two five years of employment history, which shall include the applicant's position description, confirmation of employment dates from previous job(s), and level of job performance.~~

~~3. CF Form 1649A, January 2007, Child Care Attestation of Good Moral Character, which is incorporated by reference, must be completed annually or in accordance with local licensing agency compliance and must be maintained in the department's licensing file. A copy of the CF Form 1649A may be obtained from the department's website at www.myflorida.com/childcare www.myflfamilies.com/childcare.~~

~~4. Initial screening submission and clearance documentation must be maintained in the department's licensing file.~~

(b) ~~Re screening: A screening conducted under this rule is valid for five years, at which time a statewide re screen must be conducted.~~

~~1. The five year re screen is required for the operator, household members and all substitutes.~~

~~2. The five year re screen must include, at a minimum, a statewide criminal records checks through the FDLE and a local criminal records check.~~

~~3. CF Form 1649A, Child Care Attestation of Good Moral Character must be completed annually. A copy of the CF Form 1649A may be obtained from the department's website at www.myflorida.com/childcare.~~

~~4. Documentation/clearance from the five year re screening must be included in the department's licensing file.~~

(c) ~~An operator, substitute and all household members must be re screened as outlined in Section 402.313, F.S., following a break in operation of the family day care home that exceeds 90 days.~~

(d) ~~If the operator takes a leave of absence, such as maternity leave, extended sick leave, etc., re screening is not required unless the five year re screen has come due during the leave of absence.~~

~~(5)~~(4) The Department may issue a provisional license allowing a home to operate for a designated period of time while working to correct one or more licensing standard(s) not met, provided the operator is making adequate provisions to ensure the health and safety of the children in care. A provisional license may not be issued as the initial license and is not a disciplinary sanction.

~~(5) CF FSP Form 5337, March 2009, Child Abuse & Neglect Reporting Requirements, which is incorporated by reference, must be signed annually by the operator and substitute(s). A copy of the CF FSP Form 5337 may be obtained from the department's website at www.myflorida.com/childcare.~~

(6) Family Day Care Home and Large Family Child Care Home Standards. Family Day Care Homes and Large Family Child Care Homes must follow the standards found in the "Family Day Care Home and Large Family Child Care Home Licensing Handbook", (insert date), incorporated herein by reference. The handbook may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link (insert link).

(7) Definitions for terms used in this rule are contained in the "Family Day Care Home and Large Family Child Care Home Licensing Handbook".

(8) The following documents and forms are also incorporated by reference as part of this rule:

(a) CF Form 5268A, (insert date), In-Service Training Record - Family Day Care Home/Large Family Child Care Home. A copy may be obtained from the following link: (insert link).

(b) CF/PI 175-28, September 2007, Selecting a Family Day Care Home Provider. A copy may be obtained from the following link: (insert link).

Rulemaking Authority 402.309, 402.313 FS. Law Implemented 402.309, 402.302(13), 402.313 FS. History—New 7-2-98, Amended 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, _____.

65C-20.009 Staffing Requirements.

Rulemaking Authority 402.313 FS. Law Implemented 402.313 FS. History—New 7-2-98, Amended 5-21-00, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, Repealed _____.

65C-20.010 Health and Safety Related Requirements.

Rulemaking Authority 402.313 FS. Law Implemented 402.313 FS. History—New 7-2-98, Amended 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, Repealed _____.

65C-20.011 Health Records.

Rulemaking Authority 402.313 FS. Law Implemented 402.313 FS. History—New 7-2-98, Amended 5-21-00, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, Repealed _____.

65C-20.012 Enforcement.

This rule establishes the grounds under which the Department may issue an administrative fine, deny, suspend, revoke a license or registration or place a licensee or registrant on probation status as well as uniform system of procedures to impose disciplinary sanctions.

(1) Definitions.

(a) "Day" means a weekday, excluding weekends and holidays.

(b) "Probation" is a licensing status indicating the license is in jeopardy of being revoked or not renewed due to violations within the control of the provider. Probation may require the licensee to comply with specific conditions intended to ensure that the licensee comes into and maintains compliance with licensing standards. Examples of such conditions are: a deadline to remedy an existing violation, a specified period during which compliance with licensing standards must be strictly maintained; and, specified conditions under which the home must operate during the probationary period.

(c) "Standards" are requirements for the operation of a licensed family day care home or large family child care home provided in statute or in rule.

(d) "Technical Assistance" means a department offer of assistance to a licensee or registrant to correct the statutory or regulatory violations.

(e)(d) "Violation" means a finding of noncompliance with by the department or local licensing authority of a licensing standard as described in an inspection report resulting from an inspection under section 402.311, Florida Statutes, as follows with regard to Class I, Class II, and Class III Violations.

1. "Class I Violation" is an incident of noncompliance with a Class I standard as described on CF-FSP Form 5318, August 2017, March 2009 Family Day Care Home Standards Classifications Summary and CF-FSP Form 5317, August 2017, March 2009 Large Family Child Care Home Standards Classification Summary, which is incorporated by reference. A copy of CF-FSP Form 5318 and 5317 may be obtained from the ~~D~~department's website www.myflorida.com/childcare www.myflfamilies.com/childcare or from the following links (insert links). However, any violation of a Class II standard that results in death or serious harm to a child shall escalate to a Class I violation. Class I violations are the most serious in nature, ~~pose an imminent threat to a child including abuse or neglect and which could or do result in death or serious harm to the health, safety or well-being of a child.~~

2. "Class II Violation" ~~anis the second or subsequent~~ incident of noncompliance with an individual Class II standard as described on CF-FSP Form 5318 and CF-FSP Form 5317. Class II violations are less serious in nature than Class I violations ~~and could be anticipated to pose a threat to the~~

health, safety or well being of a child, although the threat is not imminent.

3. "Class III Violation" is ~~an the third or subsequent~~ incident of noncompliance with an individual Class III standard as described on CF-FSP Form 5318 and CF-FSP Form 5317. Class III violations are less serious in nature than either Class I or Class II violations ~~and pose a low potential for harm to children.~~

4. ~~"Technical Support Violations" are the first or second occurrence of noncompliance of an individual Class III standard or the first occurrence of noncompliance of an individual Class II standard.~~

(2) Authority. The operation of a family day care home is prohibited unless registered or licensed, as required by county ordinance or resolution. The department or local licensing agency shall have the authority to seek an injunction in the circuit court where the home is located to stop the continued operation of a family day care home that is not licensed or registered. For licensed family day care homes, the department or local licensing agency shall also have the authority to seek an injunction in the circuit court where the home is located to stop the continued operation if the family day care home is in violation of the minimum standards. Pursuant to Section 120.60(6), F.S., an emergency suspension order may also be used to stop the continued operation if the family day care home poses immediate serious danger to the public health, safety, or welfare of the children who are enrolled.

(3) Disciplinary Sanctions.

(a) Enforcement of disciplinary sanctions for all Class I violations and for repeated Class II and Class III violations shall be applied progressively for each standard violation. The documents entitled, Reconciliation of 2009 and 2017 Family Day Care Home Standards Classification Summaries and Reconciliation of 2009 and 2017 Large Family Child Care Home Standards Classification Summaries, CF-FSP Form XXXX and CF-FSP XXXX, August 2017, which are incorporated into this rule, provide an alignment of the 2009 and 2017 Classification Summaries for purposes of progressive enforcement. In addition, providers will be offered technical assistance in conjunction with all violations any disciplinary sanction. The classification of standard violations within the Family Day Care Home Standards and Large Family Child Care Home Classification Summaries and the progressive disciplinary actions prescribed for each class by this rule are based on the provisions of section 402.310(1)(b), F.S. The department shall take into consideration the actions taken by the home to correct the violation when determining the appropriate disciplinary sanction.

(b) Each standard violation has an assigned classification based on the nature or severity of the violation(s) as identified within CF-FSP Form 5318 and CF-FSP Form 5317.

(c) Technical assistance shall be provided for all violations A grace period is provided, wherein a violation that has occurred more than two years prior to a subsequent violation of the same standard will not be counted for purposes of progressive discipline. A violation that has been withdrawn by the Department or has been dismissed as the result of an administrative proceeding held pursuant to Chapter 120, Florida Statutes, contesting an administrative complaint will not be counted for purposes of progressive discipline. A violation that is only reflected in an inspection report does not relieve the Department of its burden to prove that violation for purposes of progressive discipline upon the alleged occurrence of a subsequent violation. A violation of a Class II standard that results in death or serious harm to a child shall escalate to a Class I violation.

(d) Failure to submit a completed CF-FSP Form 5133, Application for a License to Operate a Family Day Care Home, which is incorporated by reference in subsection 65C-20.008(1), F.A.C. or CF-FSP Form 5238, Application for a License to Operate a Large Family Child Care Home, which is incorporated by reference in paragraph 65C-20.013(3)(a), F.A.C., for renewal of an annual license at least 45 days prior to the expiration date of the current license constitutes a licensing violation. The department shall issue an administrative complaint imposing a fine of \$50.00 for the first occurrence, \$100.00 for the second occurrence, and \$200.00 for each subsequent occurrence within a five year period.

(e) Disciplinary sanctions for licensing violations ~~that occur within a two year period~~ shall be progressively enforced as follows:

1. Class I Violations.

a. For the first and second violation of a Class I standard, the department shall, upon applying the factors in Section 402.310(1)(e), F.S., ~~impose issue an administrative complaint imposing~~ a fine not less than \$100 nor more than \$500 per day for each violation, and may impose other disciplinary sanctions in addition to the fine.

b. For the third and subsequent violation of a Class I standard, the department shall ~~issue an administrative complaint to~~ suspend, deny or revoke the license. The department, upon applying the factors in Section 402.310(1)(b), F.S., may also levy a fine not less than \$100 nor more than \$500 per day for each violation in addition to any other disciplinary sanction.

2. Class II Violations.

a. ~~For the first violation of a Class II standard, the department shall issue a formal warning letter stating the~~

~~department's intent to take administrative action if further violations of the standard occur. The violation will be classified as "Technical Support."~~

~~a.b. For the second violation of the same Class II standard, the department shall issue an administrative complaint imposing a fine of \$50 for each violation. This violation, and subsequent violations, of the same standard within a two year period will be classified as "Class II."~~

~~b.e. For the third violation of the same Class II standard, the department shall impose issue an administrative complaint imposing a fine of \$60 per day for each violation.~~

~~c.d. For the fourth violation of the same Class II standard, the department shall place issue an administrative complaint placing the provider's license on probation status for a period not to exceed six months, and ~~the department shall also impose~~ issue an administrative complaint imposing an additional fine of \$75 per day for each violation.~~

~~d.e. For the fifth and subsequent violation of the same Class II standard, the department shall issue an administrative complaint to suspend, deny, or revoke the license and the department shall also impose issue an administrative complaint imposing an additional fine of \$100 per day for each violation. However, for a fifth violation of a Children's Health and/or Immunization standard, the Department will not place the provider's license on probation status.~~

3. Class III Violations.

~~a. For the first violation of a Class III standard, technical assistance shall be provided. The violation will be classified as "Technical Support."~~

~~b. For the second violation of the same Class III standard, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard are found. The violation will be classified as "Technical Support."~~

~~e. For the third violation of the same Class III standard, the department shall impose issue an administrative complaint imposing a fine of \$25 for each violation. This violation, and subsequent violations of the same standard within a two year period will be classified as "Class III."~~

~~b.d. For the fourth violation of the same Class III standard, the department shall impose issue an administrative complaint imposing a fine of \$30 per day for each violation.~~

~~c.e. For the fifth violation of the same Class III standard, the department shall place issue an administrative complaint placing the provider's license on probation status for a period not to exceed six months, and impose the department shall also issue an administrative complaint imposing a fine of \$40 per day for each violation.~~

~~d.f. For the sixth and subsequent violation of the same Class III standard, the department shall issue an administrative~~

~~complaint to suspend, deny, or revoke the license, and impose the department shall also issue an administrative complaint imposing a fine of \$50 per day for each violation. However, for the sixth and subsequent violation of the same Class III Children's Health and/or Immunization standard, the Department will place the provider's license or registration on probation status for a period not to exceed six months in lieu of suspending, denying, or revoking the license or registration.~~

4. Children's Health/Immunization Records Disciplinary Sanctions.

~~a. For the first violation of a Class III Children's Health and/or Immunization standard, technical assistance shall be provided. The violation will be classified as "Technical Support."~~

~~b. For the second violation of the same Class III Children's Health and/or Immunization standard, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard are found. The violation will be classified as "Technical Support."~~

~~e. For the third violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint imposing a fine in the amount of \$25 for each violation. This Class III violation, and subsequent Class III violations of the same standard within a two year period, will be classified as "Class III."~~

~~d. For the fourth violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint imposing a fine in the amount of \$30 for each violation.~~

~~e. For the fifth violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint imposing a fine in the amount of \$40 per day for each violation.~~

~~f. For the sixth and subsequent violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint placing the provider's license or registration on probation status for a period not to exceed six months, and the department shall also issue an administrative complaint imposing an additional fine of \$50 per day for each violation.~~

(4) Imposition of an administrative fine shall be accomplished through an administrative complaint. Denial of a license or registration or conversion to probationary status pursuant to section 402.310, Florida Statutes, may be accomplished through an administrative complaint or a notice of intent to deny a pending renewal application.

~~(5)(4) Access. The family day care operator must allow access to the entire premises of the family day care home to inspect for compliance with family day care home minimum~~

standards. Access to the family day care home also includes access by the parent, legal guardian, and/or custodian, to their child(ren) while in care.

Rulemaking Authority 402.310, 402.313 FS. Law Implemented 402.310, 402.313 FS. History—New 7-2-98, Amended 7-13-03, 9-12-04, 4-12-07, 5-

65C-20.013 Large Family Child Care Homes (LFCCH).

Rulemaking Authority 402.309, 402.3131 FS. Law Implemented 402.302, 402.302(13), 402.305, 402.309, 402.3131 FS. History—New 5-21-00, Amended 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, Repealed.

65C-20.014 Gold Seal Quality Care Program.

(1) Definitions.

(a) “Class I Violation” has the same meaning as provided for the same term in paragraph 65C-20.012(1)(d), F.A.C.

(b) “Class II Violation” has the same meaning as provided for the same term in paragraph 65C-20.012(1)(d), F.A.C.

(c) “Class III Violation” has the same meaning as provided for the same term in paragraph 65C-20.012(1)(d), F.A.C.

(d) Gold Seal Quality Care Provider means a family day care home or large family child care home licensed by the Department or local licensing authority that meets the accreditation compliance requirements in Section 402.281(1), F.S.

(e) “Gold Seal Quality Care Accrediting Association” means an accrediting association that has applied to and been approved by the Department as an accrediting association for the purpose of Gold Seal Designation pursuant to Section 402.281(3), F.S.

(2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation.

A licensed family day care home or large family child care home program seeking designation as a Gold Seal Quality Care provider shall apply to the Department on form CF-FSP Form 5386, Gold Seal Quality Care Provider Application, April 2015, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department’s website at www.myflfamilies.com/childcare or www.myflorida.com/childcare or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05507>. Once reviewed and approved by the Department, the designation will be issued in the name of the provider. The designation will be effective the date approved by the Department through the duration of the provider’s accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name on the accrediting association certificate required by CF-FSP Form 5386 must be the same as that on the provider’s license. A list of approved accrediting associations may be obtained from the Department website at www.myflfamilies.com/childcare or www.myflorida.com/childcare.

2. Meet the criteria of Section 402.281(4), F.S.

(c) To renew a Gold Seal Quality Care designation, the provider must submit CF-FSP Form 5386 at least 30 days prior to expiration of the current designation. The Department cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation.

(3) Gold Seal Quality Care Enforcement.

(a) Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider’s Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider’s accreditation.

(b) A provider’s Gold Seal designation will be terminated if the Department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination.

(c) The Department will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers 180 days from the date of notification, to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The Department will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180 day period.

(4) Gold Seal Quality Care Accrediting Association Requirements.

(a) An accrediting association seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care programs in Florida for a period of five years prior to submission of an application to the Department.

2. Hold an active corporation registration with the Florida Department of State to do business in Florida.

3. Submit and meet all requirements outlined on the CF-FSP Form 5315 Gold Seal Quality Care Accrediting Association Application, April 2015, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05506>.

4. Submit a crosswalk of the Accrediting Association's standards with the Department's Gold Seal Quality Standards.

(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial.

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF-FSP 5390, Gold Seal Quality Care Accrediting Association Evaluation Manual for Family Day Care Homes and Large Family Child Care Homes, April 2015, this form is incorporated by reference and a copy of this form may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05509>. The Department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures, April 2015 document, which is incorporated by reference and may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05512>.

(d) The Department's Gold Seal Quality Care Standards are established in CF-FSP Form 5388, Gold Seal Quality Care Standards for Family Day Care Homes and Large Family Child Care Homes, April 2015. This form includes the United States Department of Agriculture's Food Program (USDA's CACFP) guidelines, N-050-06 Child Care Food Program Meal Pattern for Children, August 2013 and Adult Care Food Program Adult Meal Pattern, November 20, 2012. This form and the USDA's CACFP guidelines are, incorporated by reference and copies may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following links <http://www.flrules.org/Gateway/reference.asp?No=Ref-05508>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05510>, and <http://www.flrules.org/Gateway/reference.asp?No=Ref-05511>.

05508,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-05510>,

and

<http://www.flrules.org/Gateway/reference.asp?No=Ref-05511>.

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the Department or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

(g) The following acts or omissions are grounds for revocation of an accrediting association's approval.

1. Failure to notify the Department of a change in the association's administration, corporate structure or any condition under which the accreditation association was initially approved by the Department.

2. Any changes resulting in the Association's inability to meet the criteria provided in Section 402.281, F.S.

(h) A Gold Seal Accrediting Association must notify the Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a family day care home or large family child care home in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the Department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.

(i) Gold Seal Quality Care Associations must apply to renew approval by submitting CF-FSP Form 5315 a minimum of six months prior to end of the five-year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.

(j) An accrediting association approved under this rule must notify the Department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will

be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) The Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An Accrediting Association approved by the Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups, and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History—New 5-1-08, Amended 1-13-10, 7-7-15,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Samantha Wass de Czege, Office of Child Care Regulation 1317 Winewood Boulevard, Building 6, Tallahassee, FL 32399-0700, (850)488-4900

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Mike Carroll, Department of Children and Families

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 6/19/2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 1/12/2017 Vol. 43/08

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-22.001	General Information
65C-22.0011	Definitions
65C-22.002	Physical Environment
65C-22.003	Training
65C-22.004	Health Related Requirements
65C-22.005	Food and Nutrition
65C-22.006	Record Keeping
65C-22.009	Gold Seal Quality Care Program
65C-22.010	Enforcement

PURPOSE AND EFFECT: The Department is proposing this rule development in response to public concerns that the complexity of Child Care Standards rule was cumbersome to maneuver. The Department resolved to create a handbook format using plain language to make reviewing the standards more user friendly for providers.

SUMMARY: The Department is developing the Child Care Standards rule to address new School Readiness (SR) requirements and background screening changes, as well as, the necessary updates to keep the rule current. The Department intends to reduce the number of standards listed in Rules 65C-22.001- 22.006, 22.009 and 22.010, F.A.C. by incorporating a

newly developed handbook of standards written in plain language and organized by topic areas making it more user friendly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule revisions regarding health/safety are cost neutral. The Department completed a Statement of Estimated Regulatory Costs (SERC) Checklist and determined that a SERC document was not required.

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

RULEMAKING AUTHORITY: 402.305(1)(c), FS.

LAW IMPLEMENTED: 402.305, FS.

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

DATE AND TIME: July 13, 2017, 12:30 p.m. - 2:00 p.m. ET, or at the conclusion of business, whichever is earlier.

PLACE: via GoToWebinar only. To register for the webinar, please visit: <https://attendee.gotowebinar.com/register/2067505555676704002>

(Registering for the webinar does not constitute a request for public hearing.)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Cindy Campbell, Office of Child Care Regulation 1317 Winewood Boulevard, Building 6, Tallahassee, FL 32399-0700, (850)488-4900.. 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: Cindy Campbell, Office of Child Care Regulation 1317 Winewood Boulevard, Building 6, Tallahassee, FL 32399-0700, (850)488-4900.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-22.001 General Requirements Information.

(1) Application.

(a) Application for a license or for renewal of a license to operate a child care facility must be made on CF-FSP Form 5017, ~~July 2012~~ (insert date), Application for a License to Operate a Child Care Facility, which is incorporated by reference. CF-FSP Form 5017 may be obtained from the department's website at www.myflfamilies.com/childcare ~~www.myflorida.com/childcare~~ or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-03028>.

(b) Each completed CF-FSP Form 5017 must be submitted with the licensure fee pursuant to Section 402.315, F.S.

(c) The completed CF-FSP Form 5017 must be signed by the individual owner, prospective owner, or the designated representative of a partnership, association, or corporation, and must include background screening clearance documents for the owner/operator/director, and an approved fire inspection. Child care facilities that have a well system must maintain current written records indicating the well system meets the requirements of the Department of Health on an annual basis.

(d) A completed CF-FSP Form 5017 for renewal of an annual license must be submitted to the licensing authority at least 45 days prior to the expiration date of the current license to ensure that a lapse of licensure does not occur. Failure to submit a completed CF-FSP Form 5017 at least 45 days prior to the expiration date of the current license constitutes a licensing violation as defined in paragraph 65C-22.010(2)(d), F.A.C.

~~(2)(e)~~ Urban Child Care.

~~(a)1.~~ In order to be classified as an urban child care facility, the applicant, prior to submitting an application for licensure must:

~~1.a.~~ Obtain written documentation from the local governing body that confirms the geographical area has been declared urban; and

~~2.b.~~ Consult with the licensing authority to verify that the required outdoor play space, required by subsection 65C-22.002(4), F.A.C., does not exist or cannot be made available. Urban designation will not be granted if the licensing authority determines space for an outdoor play area is available. Outdoor play space is "available" if appropriate space:

~~a.(1)~~ is adjacent to the facility, or

~~b.(1)~~ can be reached by a route that is free of hazards and is within 1/8 mile of the facility.

~~(b)2.~~ If requirements in subparagraph 1., above, are met, the applicant must complete and submit the CF-FSP Form 5017.

~~(c)3.~~ No application for an urban child care facility designation will be approved by the licensing authority without the above criteria being met.

~~(3)2~~ License.

(a) A child care facility license is issued in the name of the owner. The owner may be an individual, partnership, association, or corporation. The license is non-transferable between owners and locations.

(b) During the hours of operation, the child care facility must not be used for any business or purpose unrelated to providing child care that can interfere with compliance with child care standards or permit the presence of individuals who do not meet screening and training requirements when children are present. A child care facility that utilizes any area that is subject to use by persons outside of the program must have exclusive control of such area when used by the program and provide effective measures to exclude individuals who do not meet screening and training requirements from that area. At least one week prior to changing ownership of a child care facility, in compliance with Section 402.305(18), F.S., one of the following methods of notification to custodial parents or legal guardians must be observed:

1. Posting a notice in a conspicuous location at the facility;
2. Incorporating information into an existing newsletter; or
3. Individual letters or flyers.

~~(e) The total number of children in care on site and while on field trips may never exceed the facility's licensed capacity.~~

(c) The child care facility must include their license number in any advertisement about their services. The total number of children in care on site and while on field trips may never exceed the facility's licensed capacity.

(d) The Department may issue a provisional license allowing a facility to operate for a designated period of time while working to correct one or more licensing standard(s) not met, provided the owner is making adequate provisions to ensure the health and safety of the children in care. A provisional license is a not a disciplinary sanction.

(4) Change of ownership.

(a) At least one week prior to changing ownership of a child care facility, in compliance with Section 402.305(18), F.S., one of the following methods of notification to custodial parents or legal guardians must be observed:

1. Posting a notice in a conspicuous location at the facility;
2. Incorporating information into an existing newsletter; or
3. Individual letters or flyers.

(b) A completed CF-FSP Form 5017 for a change of ownership must be submitted by the new prospective owner to the licensing authority prior to the final sale of the business. The Department has 45 days from receiving a completed application to issue a license to the new prospective owner.

~~(3) Minimum Age Requirements. In the absence of the operator, there must be a staff person at least 21 years of age in charge of the child care facility, and on the premises at all times.~~

~~(4) Ratios.~~

~~(a) The staff to child ratio, as established in Section 402.305(4), F.S., is based on primary responsibility for the direct supervision of children, and applies at all times while children are in care.~~

~~(b) Mixed Age Groups.~~

~~1. In groups of mixed age ranges, where children under one year of age are included, one staff member shall be responsible for no more than four children of any age group, at all times.~~

~~2. In groups of mixed age ranges, where children one year of age but under two years of age are included, one staff member shall be responsible for no more than six children of any age group, at all times.~~

~~(c) For every 20 children, a child care facility must have one (1) credentialed staff member pursuant to Section 402.305(3), F.S.~~

~~(5) Supervision.~~

~~(a) Child care personnel are responsible for picking up a child from a designated location agreed upon by the provider and the parent. The provider is responsible for the supervision of the child upon the child's arrival at the designated point. If a child is not present at the time of pick-up, prior to leaving the designated location, child care personnel must verify the whereabouts of the child.~~

~~(b)(a) Direct supervision means actively watching and directing children's activities within the same room or designated outdoor play area, during transportation, any activity outside of the facility, and responding to the needs of each child while in care. Child care personnel at a facility must be assigned to provide direct supervision to a specific group of children, and be present with that group of children at all times. When caring for school age children, child care personnel shall remain responsible for the supervision of the children in care, shall be capable of responding to emergencies, and are accountable for children at all times, including when children are separated from their groups.~~

~~(6) Child Care Standards. Child care programs must follow the standards found in the "Child Care Licensing Handbook", (insert date), incorporated herein by reference. The handbook may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link (insert link).~~

~~(7) Definitions for terms used in this rule are contained in the "Child Care Licensing Handbook".~~

~~(8) The following documents and forms are also incorporated by reference as part of this rule:~~

(a) CF Form 1649A, (insert date), Child Care Affidavit of Good Moral Character. A copy may be obtained from the following link: (insert link).

(b) CF-FSP Form 5131, (insert date), Background Screening and Personnel File Requirements. A copy may be obtained from the following link: (insert link).

(c) CF-FSP Form 5191, (insert date), Birth Through Five Florida Child Care Professional Credential (FCCPC) Training Program Application. A copy may be obtained from the following link: (insert link)

(d) CF-FSP Form 5211, (insert date), Staff Credential Application. A copy may be obtained from the following link: (insert link)

(e) CF-FSP Form 5217, (insert date), Volunteer Acknowledgement. A copy may be obtained from the following link: (insert link)

(f) CF-FSP Form 5219, (insert date), Child Care Application for Enrollment. A copy may be obtained from the following link (insert link)

(g) CF-FSP Form 5252, (insert date), Florida Child Care and Education Program Director Credential A copy may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link (insert link)

(h) CF-FSP Form 5257, (insert date), School-Age Florida Child Care Professional Credential (FCCPC) Training Program Provider Application . A copy may be obtained from the following link (insert link)

(i) CF-FSP Form 5268, (insert date), Child Care In-Service Training Record . A copy may be obtained from the following link (insert link)

(j) CF-FSP Form 5270, (insert date), Florida Child Care Professional Credential Certificate . A copy may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link (insert link)

(k) CF-FSP Form 5290, (insert date), Florida Child Care Director Credential and Renewal Application. A copy may be obtained from the following link (insert link)

(l) CF-FSP Form 5337, (insert date), Child Abuse and Neglect Reporting Requirements. A copy may be obtained from the following link (insert link)

(m) CF/ PI 175-24, March 2014, Know Your Child Care Facility. A copy may be obtained from the following link (insert link)

(n) CF/ PI 175-70, June 2009, Influenza Virus, Guide to Parents. A copy may be obtained from the following link (insert link)

(o) DH 680, July 2010, Florida Certificate of Immunization. A copy may be obtained from the following link (insert link)

(p) DH 681, July 2008, Religious Exemption From Immunization. A copy may be obtained from the following link (insert link)

(q) DH 3040, July 2013, School Entry Health Exam. A copy may be obtained from the following link (insert link)

(r) N-050-06, Child Care Food Program Meal Pattern for Children (CCFP), September 30, 2019. Copies may be obtained from the following link: (insert link)

(s) N-051-04, Child Care Food Program Meal Pattern for Infants, September 2016. Copies may be obtained from the following link: (insert link)

(t) USDA MyPlate, August 2011. A copy may be obtained from the following link: (insert link)

(u) Center for Disease Control guidelines, January 2013. A copy may be obtained from the following link: (insert link)

~~(b) During nap time, supervision requires that staff be in close proximity, within sight and hearing of all the children. All other staff required to meet the staff to child ratio shall be within the same building on the same floor, and must be readily accessible and available to be summoned to ensure the safety of the children. Nap time supervision, as described in this Section, does not include supervision of children up to 24 months of age, who must be directly supervised at all times.~~

~~(c) During feeding times, children shall be individually fed or supervised appropriately for their ages and developmental abilities.~~

~~1. Infants shall be held for bottle feedings until they are developmentally ready to sit in a high chair with good head control. Children shall not be left in high chairs or other types of feeding chairs outside of feeding times. The use of safety straps to prevent falls is required whenever children are placed in high chairs.~~

~~2. There shall be no propped bottles. If a child cannot hold the bottle, then a staff person or volunteer must hold the bottle during feeding. There shall be no automatic feeding devices unless medically prescribed and documented in the child's file.~~

~~(d) No person shall be an operator, owner, or employee of a child care facility while using or under the influence of narcotics, alcohol, or other drugs that impair an individual's ability to provide supervision and safe child care.~~

~~(e) Additional Supervision Requirements.~~

~~1. In addition to the number of staff required to meet the staff to child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the child care facility to assist in providing direct supervision.~~

~~2. If a child care facility uses a swimming pool that exceeds three feet in depth or uses beach or lake areas for water activities, the child care facility must provide one person with a certified lifeguard certificate or equivalent unless a certified lifeguard is on duty and present when any children are in the swimming area. In situations where the child care facility~~

~~provides a person with a certified lifeguard certificate or equivalent, that person can also serve as the additional adult to meet the requirement in subparagraph (d)1., above.~~

~~3. A telephone or other means of instant communication shall be available to staff responsible for children during all field trips. Cellular phones, two way radio devices, citizen band radios, and other means of instant communication are acceptable.~~

~~(6) Transportation. For the purpose of this Section, vehicles refer to those that are owned, operated, or regularly used by the child care facility and vehicles that provide transportation through a contract or agreement with an outside entity. Parents' personal vehicles used during field trips are excluded from meeting the requirements in paragraphs 65C 22.001(6)(a)2.,(b) & (c), F.A.C.~~

~~(a) When any vehicle is regularly used by a child care facility to provide transportation, the driver shall have the following:~~

~~1. A valid Florida driver's license,~~

~~2. An annual physical examination which grants medical approval to drive, and valid certificate(s) of course completion for first aid training and infant and child cardiopulmonary resuscitation (CPR) procedures.~~

~~(b) All child care facilities must comply with the insurance requirements found in Section 316.615(4), F.S.~~

~~(c) All vehicles regularly used to transport children shall be inspected annually by a mechanic to ensure proper working order. Documentation by the mechanic shall be maintained in the vehicle.~~

~~(d) The maximum number of individuals transported in a vehicle may not exceed the manufacturer's designated seating capacity or the number of factory installed seat belts.~~

~~(e) Each child, when transported, must be in an individual factory installed seat belt or federally approved child safety restraint, unless the vehicle is excluded from this requirement by Florida Statute.~~

~~(f) When transporting children, staff to child ratios must be maintained at all times. The driver may be included in the staff to child ratio. Prior to transporting children and upon the vehicle(s) arrival at its destination, the following shall be conducted by the driver(s) of the vehicle(s) used to transport the children:~~

~~1. Driver's Log. A log shall be maintained for all children being transported in the vehicle. The log shall be retained for a minimum of four months. The log shall include each child's name, date, time of departure, time of arrival, signature of driver, and signature of second staff member to verify the driver's log and that all children have left the vehicle.~~

~~2. Upon arrival at the destination, the driver of the vehicle shall:~~

~~a. Mark each child off the log as the children depart the vehicle;~~

~~b. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and~~

~~c. Sign, date and record the driver's log immediately, verifying that all children were accounted for, and that the visual sweep was conducted.~~

~~3. Upon arrival at the destination, a second staff member shall:~~

~~a. Conduct a physical inspection and visual sweep of the vehicle to ensure that no child is left in the vehicle; and~~

~~b. Sign, date and record the driver's log immediately, verifying that all children were accounted for and that the log is complete.~~

~~(g) Each vehicle shall be equipped with contact information for all children being transported. When transporting children with chronic medical conditions (such as asthma, diabetes or seizures), their emergency care plans and supplies or medication shall be available. The responsible adult shall be trained to recognize and respond appropriately to the emergency.~~

~~(7) Planned Activities.~~

~~(a) Each age group or class must have a written and followed plan of scheduled daily activities posted in a conspicuous location accessible to parents. The written plan must meet the needs of the children being served, and must include alternate activities in case of inclement weather, and include scheduled activities that:~~

~~1. Promote emotional, social, intellectual and physical growth. Children shall not be left in confining devices such as car seats as an alternative to active play or adult/child interaction, supervision, or discipline.~~

~~2. Do not utilize electronic media time (television, videos, movies, or computer games) with children younger than 2 years of age. Electronic media may only be used for educational purposes or physical activity for children older than 2 years of age.~~

~~3. Limit electronic media time to no more than 1 to 2 hours per day for children older than 2 years of age.~~

~~4. Include quiet and active play, both indoors and outdoors.~~

~~5. Include meals, snacks and nap times, if appropriate for the age and the times the children are in care.~~

~~(b) Providers are encouraged to advise parents or legal guardians of their child's activities on a daily basis and to participate in the program's activities.~~

~~(c) Parents or legal guardians must be advised in advance of each field trip activity. The date, time, and location of the field trip must be posted in a conspicuous location at least two working days prior to each field trip. Written parental permission must be obtained in the form of a general permission~~

~~slip. If special circumstances arise where notification of an event cannot be posted for two working days, individual permission slips must be obtained from the custodial parent or legal guardian for each child participating on the field trip. Documentation of parental permission for field trips shall be maintained for a minimum of four months from the date of each field trip.~~

~~(8) Child Discipline.~~

~~(a) Verification that the child care facility has provided, in writing, the disciplinary policy used by the facility shall be documented on the enrollment form with the signature of the custodial parent or legal guardian.~~

~~(b) All child care personnel must comply with the facility's written disciplinary policy. Such policies shall include standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited for all child care personnel.~~

~~(c) Children may not be denied active play as a consequence of misbehavior.~~

~~(d) A copy of the facility's current written disciplinary policy must be available to the licensing authority to review for compliance with section 402.305(12), F.S.~~

~~(9) Access. A child care facility must provide the custodial parent or legal guardian access, in person and by telephone, to the child care facility during the facility's normal hours of operation or during the time the child is in care.~~

~~(10) Attendance. Daily attendance of children shall be taken and recorded by the child care facility personnel, documenting the time when each child enters and departs a child care facility or program. The custodial parent or guardian may document the time when their child(ren) enter and depart the child care facility or program. However, child care facility personnel are responsible for ensuring that attendance records are complete and accurate. Such records shall be maintained for a minimum of four months. Attendance forms used for Voluntary Pre Kindergarten or School Readiness may be used if applicable.~~

~~(11) Child Safety.~~

~~(a) Acts or omissions that meet the definition of child abuse or neglect provided in Chapter 39, F.S., constitute a violation of the standards in Sections 402.301 -319, F.S., and shall support imposition of a sanction, as provided in Section 402.310, F.S.~~

~~(b) Failure to perform the duties of a mandatory reporter pursuant to Section 39.201, F.S., constitutes a violation of the standards in Sections 402.301 -319, F.S.~~

~~Rulemaking Authority 402.305, 402.309 FS. Law Implemented 402.305, 402.309, 402.3055, 402.308, 402.310 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10. 8-1-13,_____.~~

65C-22.0011 Definitions.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 8-1-13, Repealed.

65C-22.002 Physical Environment.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-13-03, 9-12-04, 6-30-05, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10, 8-1-13, Repealed.

65C-22.003 Training.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 10-10-01, 4-2-02, 7-17-03, 9-12-04, 6-30-05, 4-12-07, 5-1-08, 1-13-10, 8-1-13, Repealed.

65C-22.004 Health Related Requirements.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 4-2-02, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, 8-1-13, Repealed.

65C-22.005 Food and Nutrition.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10, 8-1-13, Repealed.

65C-22.006 Record Keeping.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 6-1-97, Amended 7-2-98, 3-17-99, 7-26-00, 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, 1-13-10, 8-1-13, Repealed.

65C-22.007 Evening Child Care.

(1) Hours of Care. Evening Child Care, as defined in Section 402.302(7), F.S., means child care provided during evening hours and may encompass the hours of 6:00 p.m. to 7:00 a.m.

(2) Supervision. During evening child care hours, staff must remain awake at all times. While children are awake, direct supervision as described in paragraph 65C-22.001(5)(a), F.A.C., must be provided. When children are sleeping, supervision, as defined in paragraph 65C-22.001(5)(b), F.A.C., is required.

(3) Exemptions. Child care standards, as outlined in Sections 402.301 through 402.305, F.S., and Rules 65C-22.001 through 65C-22.006, F.A.C., apply to Evening Child Care with the following exceptions:

(a) Outdoor Play Area. For facilities that provide only evening child care, outdoor play space is not required. An open area within the existing indoor floor space designated for play that promotes the development of gross motor skills must be available.

(b) Credentialed staff, pursuant to Section 402.305(3), F.S., are not required for Evening Child Care.

(c) Director credentialed staff are not required for Evening Child Care.

Rulemaking Authority 402.305 FS. Law Implemented 402.305 FS. History—New 7-2-98, Amended 9-12-04, 4-12-07, Repromulgated 5-1-08, Amended 1-13-10, 8-1-13.

65C-22.009 Gold Seal Quality Care Program.

(1) Definitions.

(a) “Class I Violation” has the same meaning as provided for the same term in paragraph 65C-22.010(1)(d), F.A.C.

(b) “Class II Violation” has the same meaning as provided for the same term in paragraph 65C-22.010(1)(d), F.A.C.

(c) “Class III Violation” has the same meaning as provided for the same term in paragraph 65C-22.010(1)(d), F.A.C.

(d) Gold Seal Quality Care Provider means a child care program, regulated by the department or local licensing authority, that meets the accreditation compliance requirements in Section 402.281(1), F.S.

(e) “Gold Seal Quality Care Accrediting Association” means an accrediting association that has applied to and been approved by the Department as an accrediting association for the purpose of Gold Seal Designation pursuant to Section 402.281(3), F.S.

(f) “Regulated by the Department” means a child care facility that has been licensed by the Department or a child care facility that is exempt from licensure pursuant to Sections 402.3025 or 402.316, F.S., that has agreed to periodic inspection by the Department as part of the application process.

(2) Gold Seal Quality Care Provider Requirements.

(a) Gold Seal Quality Care Provider Designation.

A child care program regulated by the Department seeking designation as a Gold Seal Quality Care provider shall apply to the Department on form CF-FSP Form 5386, Gold Seal Quality Care Provider Application, April 2015, which is hereby incorporated by reference, and provide all supporting documentation required by the form. This form may be obtained from the Department’s website at www.myflfamilies.com/childcare or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05542>. Once reviewed and approved by the Department, the designation will be issued in the name of the provider. The designation will be effective the date approved by the Department through the duration of the provider’s accreditation certification, up to a maximum of five years, unless terminated by the Department or voluntarily surrendered by the provider, or if accreditation is revoked by the accrediting association.

(b) In order to obtain and maintain Gold Seal designation, the applicant must:

1. Be accredited by an approved Gold Seal Quality Care Accrediting Association. The name on the accrediting

association certificate required by form CF-FSP Form 5386, must be the same as on the provider's license. A list of approved accrediting associations may be obtained from the department's website at www.myflorida.com/childcare.

2. Meet the criteria of Section 402.281(4), F.S.

(c) To renew a Gold Seal Quality Care designation, the provider must submit CF-FSP Form 5386 at least 30 days prior to expiration of the current designation. The Department cannot guarantee late-filed renewal forms will be processed in time to avoid a lapse in the designation.

(3) Gold Seal Quality Care Enforcement.

(a) Gold Seal Quality Care providers must maintain accreditation and continuously meet the standards established by their Gold Seal Quality Care Accrediting Association in order to retain their designation. A provider's Gold Seal designation will be terminated upon expiration of its accreditation, or when its accreditation is surrendered or lost. The Gold Seal designation termination will be effective on the expiration date or on the date the accrediting association no longer acknowledges the provider's accreditation.

(b) A provider's Gold Seal designation will be terminated if the Department or local licensing agency determines the provider has committed a disqualifying minimum standards violation as defined in Section 402.281(4), F.S. The termination will be effective as of the date of final agency action on the termination.

(c) The Department will notify providers accredited by a Gold Seal accrediting association that has lost its status as an approved accrediting entity and will afford such providers 180 days from the date of notification to obtain a new accreditation certificate from an approved Gold Seal Quality Care Accrediting Association. The Department will thereafter terminate the Gold Seal designation of any provider that is not accredited by an approved accrediting association at the conclusion of the 180-day period.

(4) Gold Seal Quality Care Accrediting Association Requirements.

(a) An accrediting association seeking recognition as a Gold Seal Quality Care Accrediting Association must:

1. Have been active and accrediting child care programs in Florida for a period of five years prior to submission of an application to the Department.

2. Hold an active corporation registration with the Florida Department of State to do business in Florida.

3. Submit and meet all requirements outlined on the CF-FSP Form 5315, Gold Seal Quality Care Accrediting Application, April 2015, which is incorporated by reference. CF-FSP Form 5315 may be obtained from the department's website at www.myflfamilies.com/childcare ~~www.myflorida.com/childcare~~ or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05541>.

4. Submit a crosswalk of the Accrediting Association's standards with the Department's Gold Seal Quality Standards.

(b) Applications will be accepted only in January and July each year. An accrediting association whose application is denied cannot reapply until at least six months from the date of the denial.

(c) An application and all supporting documentation submitted by an accrediting association for approval as a Gold Seal Quality Care Accrediting Association will be reviewed in consultation with entities described in Section 402.281(3), F.S. Applicants must obtain an overall compliance percentage of 85% or higher of the standards outlined on form CF-FSP 5389, Gold Seal Quality Care Accrediting Association Evaluation Manual for Child Care Facilities, April 2015. This form is incorporated by reference and a copy may be obtained from the Department's website www.myflfamilies.com/childcare ~~www.myflorida.com/childcare~~ or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05514>. The Department will evaluate applications in the manner described in the Gold Seal Quality Care Program Review Process and Procedures, April 2015 document, which is incorporated by reference and may be obtained from the Department's website at www.myflfamilies.com/childcare ~~www.myflorida.com/childcare~~ or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-05545>.

(d) The Department's Gold Seal Quality Care Standards are established in CF-FSP Form 5387, Gold Seal Quality Care Standards for Child Care Programs, April 2015. This form includes the United States Department of Agriculture's Food Program (USDA's CACFP) guidelines, N-050-06 Child Care Food Program Meal Pattern for Children, August 2013 and Adult Care Food Program Adult Meal Pattern, November 20, 2012. This form and the USDA's CACFP guidelines are incorporated by reference and may be obtained from the Department's website at [myflfamilies.com/childcare](http://www.myflfamilies.com/childcare) ~~www.myflorida.com/childcare~~ or from the following links <http://www.flrules.org/Gateway/reference.asp?No=Ref-05513>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05543>, and <http://www.flrules.org/Gateway/reference.asp?No=Ref-05544>.

(e) A Gold Seal Quality Care Accrediting Association approval is valid only for the entity to which it is issued for a maximum of five years, unless terminated by the Department or voluntarily surrendered during the approved period.

(f) A Gold Seal Quality Care Accrediting Association must annually submit the Attestation on page 5 of the Gold Seal Quality Care Accrediting Association Application, CF-FSP 5315. If changes have occurred, the appropriate supporting documentation of the change must accompany the Attestation.

(g) The following acts or omissions are grounds for revocation of an accrediting association's approval.

1. Failure to notify the Department of a change in the association's administration, corporate structure or any condition under which the accreditation association was initially approved by the Department.

2. Any changes resulting in the Association's inability to meet the criteria provided in Section 402.281, F.S.

(h) A Gold Seal Accrediting Association must notify the Department, in writing, within fifteen days of a revocation or expiration of the accreditation of a child care provider in Florida. The notification must include a copy of the revocation or expiration letter issued to the provider, stating the specific reasons for revocation or expiration. Failure to provide the Department such written notification will be grounds for terminating the association's approval as a Gold Seal Accrediting Association, and the association will be precluded from reapplying for approval for a period of two years.

(i) Gold Seal Quality Care Associations must apply to renew approval by submitting CF-FSP Form 5315 a minimum of six months prior to end of the five-year approval period. A current Gold Seal accrediting association whose approval expires prior to July 1, 2015, and which timely applies for renewal, will not be required to complete the standards crosswalk described in subparagraph (4)(a)4., above, or otherwise demonstrate its accreditation standards meet or exceed the Department's Gold Seal standards in order to have its approval renewed.

(j) An accrediting association approved under this rule must notify the Department and all of its accredited providers in writing 6 months in advance of any intent to surrender its approval or to allow it to expire. An approved accrediting association which fails to comply with this requirement will be precluded from re-applying for approval for a period of five years from the lapse of the existing approval.

(k) The Department will not recognize Gold Seal accreditations issued by an entity that has not been approved as a Gold Seal Quality Care Accrediting Association.

(l) An Accrediting Association approved by the Department as a Gold Seal Quality Care Accrediting Association may not contract with or otherwise authorize any other entity or parties, including affiliated groups and membership groups or subgroups, to issue accreditations to Florida child care providers for the purposes of Gold Seal designation.

Rulemaking Authority 402.281 FS. Law Implemented 402.281 FS. History—New 5-1-08, Amended 1-13-10, 8-1-13, 7-7-15.

65C-22.010 Enforcement.

This rule establishes the grounds under which the Department may issue an administrative fine, deny, suspend, revoke a license or registration or place a licensee or registrant on

probation status as well as uniform system of procedures to impose disciplinary sanctions.

(1) Definitions.

(a) "Day" means a weekday, excluding weekends and holidays.

(b) "Probation" is a licensing status indicating the license is in jeopardy of being revoked or not renewed due to violations of licensing standards. Probation may require the licensee to comply with specific conditions intended to ensure that the licensee comes into and maintains compliance with licensing standards. Examples of such conditions are: a deadline to remedy an existing violation, a specified period during which compliance with licensing standards must be strictly maintained; and specified conditions under which the facility must operate during the probationary period

(c) "Standards" are requirements for the operation of a licensed facility provided in statute or in rule.

(d) "Technical Assistance" means a department offer of assistance to a licensee or registrant to correct the statutory or regulatory violations.

(e) "Violation" means a finding of noncompliance with by the department or local licensing authority of a licensing standard as described in an inspection report resulting from an inspection under section 402.311, Florida Statutes, as follows with regard to Class I, Class II, and Class III Violations.

1. "Class I Violation" is an incident of noncompliance with a Class I standard as described on CF-FSP Form 5316, August 2017, July 2012, Child Care Facility Standards Classification Summary, which is incorporated by reference. A copy of the CF-FSP Form 5316 may be obtained from the Department's website at www.myflfamilies.com/childcare or from the following link <http://www.flrules.org/Gateway/reference.asp?No=Ref-03034>. However, any violation of a Class II standard that results in death or serious harm to a child shall escalate to a Class I violation. Class I violations are the most serious in nature, pose an imminent threat to a child including abuse or neglect and which could or does result in death or serious harm to the health, safety or well being of a child.

2. "Class II Violation" is the second or subsequent incident of noncompliance with an individual Class II standard as described on CF-FSP Form 5316. Class II violations are less serious in nature than Class I violations, and could be anticipated to pose a threat to the health, safety or well being of a child, although the threat is not imminent.

3. "Class III Violation" is the third or subsequent incident of noncompliance with an individual Class III standard as described on CF-FSP Form 5316. Class III violations are less serious in nature than either Class I or Class II violations, and pose a low potential for harm to children.

4. ~~“Technical Support Violations” are the first or second occurrence of noncompliance of an individual Class III standard or the first occurrence of noncompliance of an individual Class II standard.~~

(2) Disciplinary Sanctions.

(a) Enforcement of disciplinary sanctions for all Class I violations and for repeated Class II and Class III violations shall be applied progressively for each standard violation. The document entitled, Reconciliation of 2012 and 2017 Child Care Facility Classification Summaries, CF-FSP Form XXXX, August 2017, which is incorporated into this rule, provides an alignment of the 2012 and 2017 Child Care Facility Classification Summaries for purposes of progressive enforcement. In addition, providers will be offered technical assistance in conjunction with all violations any disciplinary sanction. The classification of standard violations within the Child Care Facility Standards Classification Summary and the progressive disciplinary actions prescribed for each class by this rule are based on the provisions of section 402.310(1)(b), FS. ~~The department shall take into consideration the actions taken by the facility to correct the violation when determining the appropriate disciplinary sanction.~~

(b) A grace period is provided, wherein a violation of a standard that has occurred more than two years prior to a subsequent violation of the same standard will not be counted for purposes of progressive discipline. However, for the purposes of continued licensure or registration, the programs violation history will be considered. A violation that has been withdrawn by the Department or has been dismissed as the result of an administrative proceeding held pursuant to Chapter 120, Florida Statutes, contesting an administrative complaint will not be counted for purposes of progressive discipline. A violation that is only reflected in an inspection report does not relieve the Department of its burden to prove that violation for purposes of progressive discipline upon the alleged occurrence of a subsequent violation.

~~(b) Each standard violation has an assigned classification based on the nature or severity of the violation(s) as identified within the Child Care Facility Standards Classification Summary, CF FSP Form 5316.~~

~~(c) A violation of a Class II standard that results in death or serious harm to a child shall escalate to a Class I violation.~~

~~(c)(d)~~ Failure to submit a completed CF-FSP Form 5017, Application for a License to Operate a Child Care Facility, which is incorporated by reference in paragraph 65C-22.001(1)(a), F.A.C. for renewal of an annual license at least 45 days prior to the expiration date of the current license constitutes a licensing violation. The Department shall impose issue an administrative complaint imposing a fine of \$50.00 for the first occurrence, \$100.00 for the second occurrence, and

\$200.00 for each subsequent occurrence within a five year period.

(d) Disciplinary sanctions for licensing violations ~~that occur within a two year period~~ shall be progressively enforced as follows:

1. Class I Violations.

a. For the first and second violation of a Class I standard, the Department shall, upon applying the factors in Section 402.310(1), F.S., ~~impose issue an administrative complaint imposing~~ a fine not less than \$100 nor more than \$500 per day for each violation, and may impose other disciplinary sanctions in addition to the fine.

b. For the third and subsequent violation of a Class I standard, the Department shall ~~issue an administrative complaint to~~ suspend, deny or revoke the license. The Department, upon applying the factors in Section 402.310(1), F.S., may also impose levy a fine not less than \$100 nor more than \$500 per day for each violation in addition to any other disciplinary sanction.

2. Class II Violations.

~~a. For the first violation of a Class II standard, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard occur. The violation will be classified as “Technical Support.”~~

~~b. For the second violation of the same Class II standard, the Department shall impose issue an administrative complaint imposing a fine of \$50 for each such violation. This violation, and subsequent violations, of the same standard within a two year period will be classified as “Class II.”~~

~~b.~~ For the third violation of the same Class II standard, the Department shall impose issue an administrative complaint imposing a fine of \$60 per day for each such violation.

~~c.d.~~ For the fourth violation of the same Class II standard, the Department shall place issue an administrative complaint placing the provider's license on probation status for a period not to exceed six months, and ~~the department shall also impose issue an administrative complaint imposing an additional~~ fine of \$75 per day for each such violation.

~~d.e.~~ For the fifth and subsequent violation of the same Class II standard, the Department shall ~~issue an administrative complaint to~~ suspend, deny, or revoke the license, and ~~the department shall also impose issue an administrative complaint imposing an additional~~ fine of \$100 per day for each such violation. However, for a fifth violation of a Children's Health and/or Immunization standard, the Department will not place the provider's license on probation status.

3. Class III Violations.

~~a. For the first violation of a Class III standard, technical assistance shall be provided. The violation will be classified as “Technical Support.”~~

~~b. For the second violation of the same Class III standard, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard are found. The violation will be classified as "Technical Support."~~

~~a.e. For the third violation of the same Class III standard, the Department shall impose issue an administrative complaint imposing a fine of \$25 for each such violation. This violation and subsequent violations of the same standard within a two year period will be classified as "Class III."~~

~~b.d. For the fourth violation of the same Class III standard, the Department shall impose issue an administrative complaint imposing a fine of \$30 per day for each such violation.~~

~~c.e. For the fifth violation of the same Class III standard, the Department shall place issue an administrative complaint placing the provider's license on probation status for a period not to exceed six months, and the department shall also impose issue an administrative complaint imposing a fine of \$40 per day for each such violation. However, for the fifth violation of a Children's Health and Immunization standard, the Department will not place the provider's license on probation status.~~

~~d.f. For the sixth and subsequent violation of a the same Class III standard, the Department shall issue an administrative complaint to suspend, deny, or revoke the license, and the Department shall also impose issue an administrative complaint imposing a fine of \$50 per day for each such violation. However, for the sixth and subsequent violation of the same Class III Children's Health and Immunization standard, the Department will place the provider's license or registration on probation status for a period not to exceed six months in lieu of suspending, denying, or revoking the license or registration.~~

~~(3) When the Department has reasonable cause to believe that grounds exist for the denial, suspension, or revocation of a license or registration, the conversion of a license or registration to probation status, or the imposition of an administrative fine, it shall determine the matter in accordance with procedures prescribed in Chapter 120, F.S. Imposition of an administrative fine shall be accomplished through an administrative complaint. Denial of a license or registration or conversion to probationary status pursuant to section 402.310, Florida Statutes, may be accomplished through an administrative complaint or a notice of intent to deny a pending renewal application.~~

~~4. Children's Health/Immunization Records Disciplinary Sanctions.~~

~~a. For the first violation of a Class III Children's Health and/or Immunization standard, technical assistance shall be provided. The violation will be classified as "Technical Support."~~

~~b. For the second violation of the same Class III Children's Health and/or Immunization standard, the department shall issue a formal warning letter stating the department's intent to take administrative action if further violations of the standard are found. The violation will be classified as "Technical Support."~~

~~e. For the third violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint imposing a fine in the amount of \$25 for each violation. This Class III violation, and subsequent Class III violations of the same standard within a two year period will be classified as "Class III."~~

~~d. For the fourth violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint imposing a fine in the amount of \$30 for each violation.~~

~~e. For the fifth violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint imposing a fine in the amount of \$40 per day for each violation.~~

~~f. For the sixth and subsequent violation of the same Class III Children's Health and/or Immunization standard, the department shall issue an administrative complaint placing the provider's license or registration on probation status for a period not to exceed six months, and the department shall also issue an administrative complaint imposing an additional fine of \$50 per day for each violation.~~

~~Rulemaking Authority 402.305,402.310 FS. Law Implemented 402.305, 402.310 FS. History—New 5-1-08, Amended 1-13-10, 8-1-13,_____.~~

~~NAME OF PERSON ORIGINATING PROPOSED RULE: Samantha Wass de Czege, Office of Child Care Regulation 1317 Winewood Boulevard, Building 6, Tallahassee, FL 32399-0700, (850)488-4900.~~

~~NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Mike Carroll, Department of Children and Families~~

~~DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 6/19/2017~~

~~DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 1/12/2017 Vol. 43/08~~

Section III

Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.256 Transparency and Patient Billing
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 58, March 24, 2017 issue of the Florida Administrative Register.

59A-3.256 Price Transparency and Patient Billing.

(1) Website. Each hospital shall make available to patients and prospective patients price cost transparency and patient billing information on its website. ~~The cost transparency information shall to include estimates of costs that may be incurred by the patient, financial assistance, and billing practices, policies and procedures and a mechanism to obtain estimated costs for services. The content on the website Data affecting billing policies and procedures or estimated costs for services shall be reviewed and updated at least every 90 days and updated as needed to maintain timely and accurate information.~~ For the purpose of this rule section, service bundles means the reasonably expected hospital services and care provided to a patient for a specific treatment, procedure, or diagnosis, ~~and~~ as posted on the Agency's website. In accordance with s. 395.301, F.S. the The hospital's website must include:

(a) A hyperlink to the Agency's pricing website upon implementation of the same. The Agency's pricing website is located at: <http://pricing.floridahealthfinder.gov> ~~Searchable information on payments received from all payor sources except Medicare and Medicaid for service bundles, including an estimated payment range for such bundles;~~

(b) A statement informing patients and prospective patients that the service bundle information is on average payments and payment ranges may be used as an a non-personalized estimate of costs that may be incurred by the patient for services and that actual costs will be based on services service actually provided to the patient;

(c) A statement informing patients and prospective patients of their right to request a personalized estimate from the hospital, including the process for requesting the personalized estimate;

(d) A statement informing patients of the hospital's financial assistance policy, charity care policy, and collection procedure link to the website developed by the Agency for

~~health information transparency, in accordance with s. 408.05(3)(c), Florida Statutes, once available;~~

(e) A list of names and web addresses of health insurers and health maintenance organizations (HMO) contracted with the hospital as a network provider or participating provider, including links to their websites, if available;

(f) A list of names and contact information of health care practitioners providers and medical practice groups practitioners contracted to provide services within the hospital, grouped by specialty or service;

(g) A statement informing patients to contact the health care practitioners anticipated to provide services to the patient while in the hospital regarding a personalized estimate, billing practices, and participation with the patient's insurance provider or HMO as the practitioners that health care providers and practitioners contracted to provide services within the hospital may not participate with the same health insurers or HMO as the hospital;

~~(h) The hospital's billing, collections, and financial assistance policies, including details of how to request financial assistance offered by the hospital; and~~

~~(i) The hospital's contact information for handling estimates, billing questions, and disputes.~~

(2) Estimate. Each hospital shall provide timely and accurate responses to the patient, prospective patient, or legal guardian responsible party regarding requests for estimates and itemized bills or statements.

(a) An estimate or an update to a previous estimate shall be provided within 7 business days from receipt of the request. Unless the patient requests a more personalized estimate, the estimate shall be based upon the average payment received for the anticipated service bundle. Every estimate shall include:

1. through 2. No change
3. The web address of Information on accessing the hospital's posted billing, collections, and financial assistance policies, charity care policy, and collection procedures;
4. No change
5. A statement that services may be provided by other health care providers who may bill separately; and
6. Contact information for Specific services and health care practitioner names, groups, or organizations that and corresponding contact information who are expected to bill separately; and based on anticipated services to be provided.

7. A statement advising the requestor that the patient may pay less for the procedure or service at another facility or in another health care setting.

(b) If the hospital provides a non-personalized estimate, the estimate shall include a statement that the estimate is based on average payments made to the hospital and a personalized estimate is available upon request and that the estimate is based on average payments made to the hospital.

(c) No change

~~(3)(4) Itemized statement or bill.~~ The hospital shall provide an itemized statement or bill upon request of the patient or the patient’s survivor or legal guardian. The itemized statement or bill shall be provided within 7 business days after the patient’s discharge or release, or 7 days business after the request, whichever is later. The itemized statement or bill must include:

~~(a)4-~~ A description of the individual charges from each department or service area by date, as prescribed in subsection 395.301(1)(d) identifying in language comprehensible to the ordinary layperson each test, procedure, service, brand or generic medication name, therapy, equipment, and supplies billed;

~~2-~~ A description and purpose of any additional fee(s), if applicable;

~~(b)3-~~ Contact information for Specific services and health care practitioner names, group or organization that and corresponding contact information who are expected to bill separately, and based on services provided; and

~~(c)4-~~ The hospital’s contact information for billing questions and disputes.

~~(e) Any subsequent statement or bill must clearly delineate revisions to the initial statement or bill.~~

~~(f) The statement or bill must not include any generalized category of expenses such as “other” or “miscellaneous”.~~

~~(3) The hospital shall develop and implement a policy for educating the public regarding transparency and patient billing, which shall identify tools, resources and methods used to educate the public.~~

~~(4) Centers operating exclusively as state facilities are exempt from these requirements.~~

Rulemaking Authority 395.301 FS. Law Implemented 395.301 FS. History—New _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-5.032
 RULE TITLE: Transparency and Patient Billing
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 58, March 24, 2017 issue of the Florida Administrative Register.

59A-5.032 Price Transparency and Patient Billing.

(1) Website. Each center shall make available to patients and prospective patients price cost transparency and patient billing information on its website. ~~The cost transparency information shall to include estimates of costs that may be incurred by the patient, financial assistance, and billing practices, policies and procedures and a mechanism to obtain estimated costs for services. The content on the website Data~~

~~affecting billing policies and procedures or estimated costs for services shall be reviewed and updated at least every 90 days and updated as needed to maintain timely and accurate information.~~ For the purpose of this rule section, service bundles means the reasonably expected center services and care provided to a patient for a specific treatment, procedure, or diagnosis, ~~and~~ as posted on the Agency’s website. In accordance with s. 395.301, F.S., the ~~The~~ center’s website must include:

(a) A hyperlink to the Agency’s pricing website upon implementation of the same. The Agency’s pricing website is located at: <http://pricing.floridahealthfinder.gov> Searchable information on payments received from all payor sources except Medicare and Medicaid for service bundles, including an estimated payment range for such bundles;

(b) A statement informing patients and prospective patients that the service bundle information is on average payments and payment ranges may be used as an a non-personalized estimate of costs that may be incurred by the patient for anticipated services and that actual costs will be based on services service actually provided to the patient;

(c) A statement informing patients and prospective patients of their right to request a personalized estimate from the center, including the process for requesting the personalized estimate;

(d) A statement informing patients of the center’s financial assistance policy, charity care policy, and collection procedure; link to the website developed by the Agency for health information transparency, in accordance with s. 408.05(3)(c), Florida Statutes, once available;

~~(e) A list of health insurers and health maintenance organizations (HMO) contracted with the center and including links to their websites, if available;~~

~~(e)(f) A list of names and contact information of health care practitioners providers and medical practice groups practitioners contracted to provide services within the center, grouped by specialty or service;~~

~~(f)(g) A statement informing patients to contact the health care practitioners anticipated to provide services to the patient while in the center regarding a personalized estimate, billing practices and participation with the patient’s insurance provider or health maintenance organization (HMO) as the practitioners that health care providers and practitioners contracted to provide services within the center may not participate with the same health insurers or HMO as the center;~~

~~(h) The center’s billing, collections, and financial assistance policies, including details of how to request financial assistance offered by the center; and~~

~~(i) The center’s contact information for handling estimates, billing questions, and disputes.~~

(2) Estimate. Each center shall provide timely and accurate responses to the patient, prospective patient, or legal guardian

~~responsible party~~ regarding requests for estimates and itemized bills or statements.

(a) An estimate or an update to a previous estimate shall be provided within 7 business days from receipt of the request. Unless the patient requests a more personalized estimate, the estimate shall be based upon the average payment received for the anticipated service bundle. Every estimate shall include:

1. through 2. No change.
3. The web address to ~~Information on accessing the center's posted billing, collections, and financial assistance policies, charity care policy, and collection procedure;~~
4. No change.
5. A statement that services may be provided by other health care providers who may bill separately; and
6. Contact information for ~~Specific services and~~ health care practitioner names, groups, or organizations that and ~~corresponding contact information who~~ are expected to bill separately; and based on anticipated services to be provided.
7. A statement advising the requestor that the patient may pay less for the procedure or service at another facility or in another health care setting.

(b) If the center provides a non-personalized estimate, the estimate shall include a statement that the estimate is based on average payments made to the center and a personalized estimate is available upon request. ~~nd that the estimate is based on average payments made to the center.~~

- (c) No change.
- (3)~~(4)~~ Itemized statement or bill. The center shall provide an itemized statement or bill upon request of the patient or the patient's survivor or legal guardian. The itemized statement or bill shall be provided within 7 business days after the patient's discharge or release, or 7 business days after the request, whichever is later. The itemized statement or bill must include:

~~(a)1-~~ A description of the individual charges from each department or service area by date, as prescribed in subsection 395.301(1)(d), identifying in language comprehensible to the ordinary layperson each test, procedure, service, brand or generic medication name, therapy, equipment, and supplies billed;

~~2-~~ A description and purpose of any additional fee(s), if applicable;

~~(b)3-~~ Contact information for ~~Specific services and~~ health care practitioner names, group or organization that and ~~corresponding contact information who~~ are expected to bill separately; and based on services provided; and

~~(c)4-~~ The center's contact information for billing questions and disputes.

~~(e)~~ Any subsequent statement or bill must clearly delineate revisions to the initial statement or bill.

~~(f)~~ The statement or bill must not include any generalized category of expenses such as "other" or "miscellaneous".

~~(3) The center shall develop and implement a policy for educating the public regarding transparency and patient billing, which shall identify tools, resources and methods used to educate the public.~~

~~(4) Centers operating exclusively as state facilities are exempt from these requirements.~~

Rulemaking Authority 395.301 FS. Law Implemented 395.301 FS. History--New ____.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District
RULE NO.: RULE TITLE:
40D-4.091 Publications, Forms and Agreements
Incorporated by Reference

The Southwest Florida Water Management District hereby gives notice that on June 19, 2017, it has issued an order granting a variance.

Petitioner's Name: Green Swamp Mitigation Bank, LLC – File Tracking No. 2016060

Date Petition Filed: October 11, 2016

Rule No.: 40D-4.091, F.A.C.

Nature of the rule for which variance or waiver is sought: Variance from the requirements set forth in Appendix 4, Section 9(i)(1) of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District, with respect to the financial responsibility requirements for the perpetual management of the Green Swamp Mitigation Bank under Permit Number 43034641.000

Date Petition Published in the Florida Administrative Register: October 13, 2016

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule
A copy of the Order or additional information may be obtained by contacting: Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, Ext. 4658, chris.tumminia@swfwmd.state.fl.us. Any interested person or other agency may submit written comments within fourteen (14) days after the publication of this notice. A2016060-2

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-4.091 Publications, Forms and Agreements Incorporated by Reference

The Southwest Florida Water Management District hereby gives notice that on June 19, 2017, it has issued an order granting a variance.

Petitioner’s Name: Hillsborough River Mitigation Bank, LLC – File Tracking No. 2016062

Date Petition Filed: October 11, 2016

Rule No.: 40D-4.091, F.A.C.

Nature of the rule for which variance or waiver is sought: variance from the requirements set forth in Appendix 4, Section 9(i)(1) of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District, with respect to the financial responsibility requirements for the perpetual management of the Hillsborough River Mitigation Bank-Phase I under Permit Number 43034658.000

Date Petition Published in the Florida Administrative Register: October 13, 2016

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule
A copy of the Order or additional information may be obtained by contacting: Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, Ext. 4658, chris.tumminia@swfwmd.state.fl.us. Any interested person or other agency may submit written comments within fourteen (14) days after the publication of this notice. A2016062-2

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District hereby gives notice that on June 19, 2017, it has issued an order granting a variance.

Petitioner’s Name: Hillsborough River Mitigation Bank, LLC – File Tracking No. 2016059

Date Petition Filed: October 11, 2016

Rule No.: 62-342.700, F.A.C.

Nature of the rule for which variance or waiver is sought: Variance from the requirements set forth in Section 373.4136, Florida Statutes, and Rule 62-342.700, Florida Administrative Code, with respect to the financial responsibility requirements for the perpetual management of the Hillsborough River Mitigation Bank-Phase II under Permit Number 43034658.008

Date Petition Published in the Florida Administrative Register: October 13, 2016

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule
A copy of the Order or additional information may be obtained by contacting: Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, ext. 4658, chris.tumminia@swfwmd.state.fl.us. Any interested person or other agency may submit written comments within fourteen (14) days after the publication of this notice. A2016059-2

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-4.091 Publications, Forms and Agreements Incorporated by Reference

The Southwest Florida Water Management District hereby gives notice that on June 19, 2017, is has issued an order granting a variance.

Petitioner’s Name: Withlacoochee Wetland Mitigation Bank, LLC – File Tracking No. 2016061

Date Petition Filed: October 11, 2016

Rule No.: 40D-4.091, F.A.C.

Nature of the rule for which variance or waiver is sought: Variance from the requirements set forth in Appendix 4, Section 9(i)(1) of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District, with respect to the financial responsibility requirements for the perpetual management of the Withlacoochee Wetland Mitigation Bank under Permit Number 43040545.000

Date Petition Published in the Florida Administrative Register: October 13, 2016

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule
A copy of the Order or additional information may be obtained by contacting: Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, ext. 4658, chris.tumminia@swfwmd.state.fl.us. Any interested person or other agency may submit written comments within fourteen (14) days after the publication of this notice. A2016061-2

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on June 20, 2017, the Florida Department of Business and Professional Regulation, 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 MP Food Services LLC located in Orlando. 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 Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

NOTICE IS HEREBY GIVEN that on June 14, 2017, the Board of Professional Engineers received a petition filed by Kunjan Shukla for variance or waiver of paragraphs 61G15-20.007(1)(a) and (b), F.A.C., regarding the required number of hours in math and basic sciences and general education, or in the alternative, a waiver of 20.007(3), regarding courses which may be satisfied through CLEP. The Board will consider this petition at its August 10, 2017, meeting. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 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, (850)521-0050 or zraybon@fbpe.org.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Library and Information Services

The Division of Library and Information Services announces public meetings to which all persons are invited.

DATES AND TIMES: Monday, July 10, 2017, 9:00 a.m. – 6:00 p.m., Eastern; Tuesday, July 11, 2017, 8:30 a.m., Eastern until conclusion of business

PLACE: Heritage Hall (Auditorium), 500 South Bronough Street, Tallahassee, FL 32399

The meeting can also be joined online:

- Monday’s virtual meeting
- Tuesday’s virtual meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Library Services and Technology Act Advisory Panel will review federal fiscal year 2017 LSTA grant applications and make recommendations for funding.

For the procedure on making a public comment during the meeting, please refer to the Division’s Public Comment Policy. A copy of the agenda may be obtained from the DLIS website. 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 (5) days prior to the workshop/meeting by contacting: David Beach at (850)245-6630 or david.beach@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

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

DATE AND TIME: June 29, 2017, 10:30 a.m. – 12:00 Noon

PLACE: Holiday Inn Hotel & Suites Ocala Conference Center, 3600 SW 38th Avenue, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Propane Gas Education, Safety and Research Council to discuss the rate of assessment and marketing orders.

A copy of the agenda may be obtained by contacting: Dale Calhoun at (850)681-0496 or dale.calhoun@floridagas.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: Lori Joanos at (850)921-1545. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dale Calhoun at (850)681-0496.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

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

DATE AND TIME: Thursday, September 14, 2017, 9:00 a.m.

PLACE: Innisbrook, A Salamander Golf & Spa Resort, 36750 U.S. Highway 19 North, Palm Harbor, FL 34684, phone: (727)942-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of

Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Stefannie Carter, P.O. Box 5647, Tallahassee, Florida 32314, (850)245-5443, Stefannie.Carter@freshfromflorida.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: Stefannie Carter at (850)245-5443. 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: Stefannie Carter at (850)245-5443.

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

The Early Learning Advisory Council, Media and Community Outreach Committee announces a public meeting to which all persons are invited.

DATE AND TIME: June 27, 2017, 11:00 a.m. – 12:00 Noon, or until business concludes

PLACE: Register for the webinar at <https://attendee.gotowebinar.com/register/1294515895867748099>, GoToWebinar. After registering you will receive a confirmation email containing information about joining the webinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: Early Learning Coalition Media and Community Outreach Strategies.

A copy of the agenda may be obtained by contacting: Molly Grant at molly.grant@oel.myflorida.com or (850)717-8550.

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: Molly Grant at molly.grant@oel.myflorida.com or (850)717-8550. 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 LAW ENFORCEMENT

The Criminal and Juvenile Justice Information Systems (CJJIS) Council announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Monday, June 26, 2017, 3:00 p.m., Data Committee; Wednesday, July 5, 2017, 2:00 p.m., Emerging Technology Committee

PLACE: Conference call; for more information, you may contact: brendaboyd@fdle.state.fl.us.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CJJIS Council Data and Emerging Technology Committees will discuss ideas for standards development for the committees’ respective topics.

A copy of the agenda may be obtained by contacting: brendaboyd@fdle.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 3 days before the workshop/meeting by contacting: brendaboyd@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).

For more information, you may contact: brendaboyd@fdle.state.fl.us.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Commission on Community Service (Volunteer Florida) announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2017, 1:00 p.m. until all business is complete

PLACE: Flagler College; for more information contact: Aly Simons, (850)414-7400.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Aly Simons, (850)414-7400.

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: Aly Simons, (850)414-7400. 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: Aly Simons, (850)414-7400.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Commission on Community Service (Volunteer Florida) announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2017, 9:00 a.m. until all business is complete

PLACE: Flagler College; for more information contact: Aly Simons, (850)414-7400.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Aly Simons, (850)414-7400.

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: Aly Simons, (850)414-7400. 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: Aly Simons, (850)414-7400.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Commission on Community Service (Volunteer Florida) announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2017, 9:00 a.m. until all business is complete

PLACE: Flagler College; for more information contact: Aly Simons, (850)414-7400.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Aly Simons, (850)414-7400.

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: Aly Simons, (850)414-7400. 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: Aly Simons, (850)414-7400.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

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

DATE AND TIME: July 7, 2017, 9:00 a.m. (if deemed necessary)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee Meeting for the As-Needed Hydrogeological & Hydrological Services, Contracts Nos. 2017-048 thru 2017-053. As a part of the selection process, the Selection Committee will meet to review and discuss the responses, and ranking of the firms, determine if interviews are needed and review potential interview questions. A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

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

DATE AND TIME: July 14, 2017, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee Meeting for the Environmental Monitoring and Assessment Consulting Services for the Cross Bar Ranch and Cypress Bridge Wellfields, Contract Nos. 2017-046 thru 2017-047. As a part of the selection process, the Selection Committee will meet to review and discuss the responses, and ranking of the firms, determine if interviews are needed and review potential interview questions.

A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. 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: Records Department at (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:RULE TITLES:

61H1-27.001 College or University Requirements

61H1-27.002 Concentrations in Accounting and Business

The Board of Accountancy announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, July 20, 2017, 1:30 p.m.

PLACE: Biltmore Hotel & Resort, 1200 Anastasia Avenue, Coral Gables, Florida 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: A rules development workshop will be held to discuss proposed rule amendments for Rules 61H1-27.001 and 61H1-27.002, F.A.C., and the education requirements for applicants to take the examination and become licensed as a certified public accountant in Florida.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Veloria A. Kelly, Division Director, Board of Accountancy, at the address listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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, July 5, 2017, 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. Only public portions of the agenda are available upon request.

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: 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).

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: July 10, 2017, 10:30 a.m.

PLACE: Toll-free number: 1(888)670-3525, 990 808 6106

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <http://floridasnursing.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 48 hours before the workshop/meeting by contacting: the Board of Nursing. 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 CHILDREN AND FAMILIES

Refugee Services

The Jacksonville Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 12, 2017, 1:30 p.m. – 3:30 p.m.

PLACE: Jacksonville Baptist Association, 2700 University Boulevard South, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Jacksonville Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good

communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Debbie Ansbacher at (904)524-1316 or Taddese Fessehaye at (407)317-7335.

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: Debbie Ansbacher at (904)524-1316 or Taddese Fessehaye at (407)317-7335. 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: Debbie Ansbacher at (904)524-1316 or Taddese Fessehaye at (407)317-7335.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: July 18, 2017, 2:30 p.m., Eastern Time

PLACE: Florida Housing's offices, 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida. The workshop will also be available by telephone; call-in information will be posted to the website prior to the workshop.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be held to solicit comments and suggestions from interested persons relative to Florida Housing's proposed Request for Application (RFA) 2017-106 – Financing to Build or Rehabilitate Smaller Permanent Supportive Housing Properties for Persons with Developmental Disabilities.

The agenda and call-in information for the workshop, as well as a draft of the RFA, will be posted to the website prior to the workshop. An announcement will be issued via the Florida Housing ListServ when this information is available.

A copy of the agenda may be obtained by contacting: Ken Reecy, (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).

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: July 10, 2017, 2:00 p.m., Eastern Time

PLACE: Florida Housing's offices, 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida. The workshop

will also be available by telephone; call-in information will be posted to the website prior to the workshop.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be held to solicit comments and suggestions from interested persons relative to Florida Housing's proposed Request for Application (RFA) 2017-109 – Development Viability Loan Funding.

The agenda and call-in information for the workshop, as well as a draft of the RFA, will be posted to the website prior to the workshop. An announcement will be issued via the Florida Housing ListServ when this information is available.

A copy of the agenda may be obtained by contacting: Ken Reecy, (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).

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: June 29, 2017, 2:00 p.m., Eastern Time

PLACE: Florida Housing's offices, 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida. The workshop will also be available by telephone; call-in information will be posted to the website prior to the workshop.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be held to solicit comments and suggestions from interested persons relative to Low Income Housing Tax Credit (LIHTC) and State Apartment Incentive Loan (SAIL) RFA's to be issued during the remainder of 2017 and early 2018, and the RFA process in general.

The agenda and call-in information for the workshop will be posted to the website prior to the workshop. An announcement will be issued via the Florida Housing ListServ when this information is available.

A copy of the agenda may be obtained by contacting: Ken Reecy, (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).

GULF CONSORTIUM

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 28, 2017, 2:00 p.m., Eastern Time

PLACE: Palm Beach County Convention Center, 650 Okeechobee Blvd., West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Gulf Consortium will meet to discuss the progress of the state expenditure plan; grant management and administration; and, conduct other business.

A copy of the agenda may be obtained by contacting: Craig Diamond, (407)629-2185, Gulf.Consortium@balmoralgroup.us or at www.gulfconsortium.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: Gulf.Consortium@balmoralgroup.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Gulf.Consortium@balmoralgroup.us or see www.gulfconsortium.org.

VISIT FLORIDA

The VISIT FLORIDA Board of Directors Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 27, 2017, 3:00 p.m., ET

PLACE: Toll-free dial-in number: 1(888)354-0094; participant conference code: 699912; webinar link: <http://visitflorida.adobeconnect.com/operations/>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and approve the 2017-2018 VISIT FLORIDA Marketing Plan and Budget; other business not addressed at the May 24, 2017 VISIT FLORIDA Board of Directors meeting.

A copy of the agenda may be obtained by contacting: Sally Davis, sdavis@VISITFLORIDA.org, (850)205-3854.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sally Davis, sdavis@VISITFLORIDA.org, (850)205-3854. 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: Sally Davis, sdavis@VISITFLORIDA.org, (850)205-3854.

ENTERPRISE FLORIDA, INC.

Enterprise Florida announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2017, 2:30 p.m.

PLACE: Arsenal Venture Partners, 750 S Orlando Ave., Suite 200, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors for the Florida Opportunity Fund announces a public meeting to which all persons are invited:

Meeting: Florida Opportunity Fund

Purpose: This meeting will discuss on-going issues, developing issues and other matters.

If an accommodation is needed for a disability or physical impairment, please contact Jennifer Dunham at (407)838-1400, ext. 215 at least one (1) day prior to the activity.

A copy of the agenda may be obtained by contacting: Jennifer Dunham at (407)838-1400, ext. 215.

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 1 day before the workshop/meeting by contacting: Jennifer Dunham at (407)838-1400, ext. 215. 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: Jennifer Dunham at (407)838-1400, ext. 215.

THE VALERIN GROUP, INC.

The Florida Department of Transportation (FDOT) announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, June 29, 2017, 5:00 p.m. – 7:00 p.m.

PLACE: Holiday Inn Express & Suites Tavares-Leesburg, 3601 Burleigh Blvd./U.S. Highway 441, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing is being held regarding plans to improve safety in the areas of State Road (S.R.) 44/U.S. 441 at the intersections of Fern Drive in Leesburg, and Waterman Way/Nightingale Lane in Tavares, Lake County.

The project addresses operational and safety concerns in the area by converting the full median openings to directional

median openings. These modifications reduce traffic conflict points at the intersections, improving safety.

The public hearing will be 5:00 p.m. – 7:00 p.m. Thursday, June 29, 2017, at the Holiday Inn Express & Suites Tavares-Leesburg, 3601 West Burleigh Boulevard, U.S. Highway 441, Tavares, FL 32778. There will be an open house at 5:00 p.m. during which staff will be available to discuss the project and answer questions, followed by the formal hearing presentation at 6:00 p.m., after which participants may provide their verbal comments to all present.

Participants may provide verbal comments directly to a court reporter before and after the formal presentation. Written comments can be submitted at the hearing, sent by mail to: Dave Mixon, Florida Department of Transportation, District Five Traffic Operations, 719 South Woodland Boulevard, MS 562, DeLand, FL 32720, or by email to Dave.Mixon@dot.state.fl.us no later than May 22, 2017. All comments written and oral will become part of the project's public record.

The draft project documents and other information will be available for public review from June 8, 2017 to July 10, 2017 at the Leesburg Public Library, 100 East Main Street, Leesburg, FL 34748, Monday-Thursday 9:00 a.m. to 8:00 p.m., Saturday 9:00 a.m. to 5:00 p.m.; and at the Tavares Public Library, 314 North New Hampshire Avenue, Tavares, FL 32778, Monday and Thursday 9:30 a.m. to 8:00 p.m., Tuesday, Wednesday and Friday 9:30 a.m. to 6:00 p.m., and Saturday 9:30 a.m. to 5:30 p.m.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting: Jennifer Smith, FDOT District Five Title VI Coordinator, (386)943-5367, Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: There is no agenda

Persons with disabilities who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Kelly Hiden, Public Involvement Coordinator, (407)508-0839, kelly@valerin-group.com, at least 7 days before the workshop/meeting. 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: Dave Mixon, (386)943-5DOT, Dave.Mixon@dot.state.fl.us.

AECOM

The Florida Department of Transportation (FDOT), District One, is hosting a public hearing as part of the Project Development and Environment (PD&E) study of State Road (SR) 29 from County Road (CR) 80A (Cowboy Way) to CR

731 (Whidden Road) in Hendry and Glades Counties, Florida. The project consists of widening SR 29 to four lanes within the project limits, including the addition of a new bridge over the Caloosahatchee River. FDOT invites all members of the public to attend.

DATE AND TIME: Thursday, June 29, 2017, 5:00 p.m., open house; 6:00 p.m., formal hearing

PLACE: LaBelle Civic Center, 481 Highway 80 West (behind City Hall), LaBelle, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing offers people the opportunity to express their views about the location, conceptual design, and social, economic, and environmental effects of proposed improvements to SR 29 from CR 80A (Cowboy Way) to CR 731 (Whidden Road), Financial Project ID 417878-1-22-01. FDOT sent notices of this public hearing to property owners located within 300 feet either side of the proposed project alternatives within the study limits. Draft project documents are available for public review from June 8 through July 10, 2017 at the Barron Library, 461 N Main Street, LaBelle. Business hours are Monday and Thursday, 10:00 a.m. – 8:00 p.m.; Tuesday, Wednesday, Friday: 10:00 a.m. – 5:00 p.m.; and Saturday, 10:00 a.m. – 1:00 p.m. Documents may also be viewed on the project website at www.sr29labelle.com.

FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status.

People who require special accommodations under the Americans with Disabilities Act of 1990, or who require translation services (free of charge), should contact Jamie Schley, District One Title VI Coordinator, (863)519-2573, jamie.schley@dot.state.fl.us, at least seven (7) days before the public hearing. If you are hearing or speech impaired, please contact the FDOT using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (voice).

For more information about the project, please contact: the project manager, Gwen G. Pipkin, (863)519-2375, gwen.pipkin@dot.state.fl.us, or by written correspondence to the Florida Department of Transportation, P.O. Box 1249, Bartow, FL 33831.

VHB

The City of Kissimmee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 13, 2017, 5:30 p.m. – 7:30 p.m., Open House; 6:00 p.m., Presentation

PLACE: Berlinsky Community House, 300 E Monument Avenue, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Project ID No.: 437932-1-18-01.

Project Description: Corridor Planning Study - Central Avenue from W Aultman Street/W Dakin Avenue to W Donegan

Avenue (also includes several secondary roadway segments which connect to Central Avenue).

This is the first of three public meetings to be held as part of a community-based evaluation to determine how best to meet the needs of the traveling public. The purpose of this public meeting is to present project goals and objectives, explain the study process, seek public and agency input, and provide interested persons an opportunity to get involved in the study.

A copy of the agenda may be obtained by contacting: Randy Schrader, AICP, Project Manager for the City of Kissimmee, 101 Church Street, Kissimmee, FL 34741, (407)518-2244, rschrade@kissimmee.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: Kyle Taniguchi, Project Planner, (407)839-4006, ktaniguchi@vhb.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kyle Taniguchi, Project Planner, (407)839-4006, ktaniguchi@vhb.com at least seven (7) days prior to the meeting.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from PALM BAY INTERNATIONAL, INC. on May 17, 2017. The petition seeks the agency’s opinion as to the applicability of Rule 61A-1.010, F.A.C., with regards to rebates as it applies to the petitioner.

Petitioner seeks a declaratory statement from the Division as to whether rebates offered through an app, where consumers identify an offer, purchase the item featured in the offer, submit their receipt for confirmation, and are reimbursed in the amount of the offer, (1) can be offered by a supplier to consumers of a wine glass in an on-premises licensee in the State of Florida; (2) can be offered by a supplier to a consumer as a mail-in rebate for a discount off of a bottle of wine to be used on an on-premises account; and (3) can be offered by a supplier to a consumer for an instant redeemable discount off of a bottle of wine to be used on an on-premises account.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business Regulation, Agency Clerk’s Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1183, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Magdalena Ozarowski, Esq., Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, Magdalena.Ozarowski@myfloridalicense.com. DS #: 2017-041 DBPR Ref #: 2017-028695.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Grupo Regalii, Inc. on April 18, 2017. The following is a summary of the agency’s disposition of the petition:

The petition sought a declaratory statement from the Office on whether Petitioner’s proposed business model of offering an application program interface that connects service providers who provide periodic bills to consumers, such as utility and telecom businesses (“Billers”), to licensed money transmitters who accept payments from consumers. Regalii’s software provides the path by which licensed money transmitters can offer real-time bill payment to consumers, even when the consumer’s bills are with providers in another country) falls within the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. On April 20, 2017, the Office filed the Notice of receipt of Petition for Declaratory Statement in the Florida Administrative Register, Vol. 43, No. 77. On June 20, 2017, the Petition was withdrawn.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

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

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF JUVENILE JUSTICE

ITN 10511 - Comprehensive Health Services - Central Region
 The Department of Juvenile Justice (DJJ or Department) currently contracts with multiple Providers for delivery of medical services, mental health services, substance abuse services and psychiatric services in each of the six (6) Regional Juvenile Detention Centers (RJDC) located in the Central Region.

The Department seeks replies from qualified non-profit, for profit and government entities to serve as the single Provider of Comprehensive Health Services in the Department's six (6) RJDCs in the Central Region consisting of Brevard RJDC, Hillsborough RJDC, Manatee RJDC, Pinellas RJDC, Pasco RJDC, and Orange RJDC.

All public meetings for this ITN are advertised on the Vendor Bid System at:

http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=134127.

**Section XII
 Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Wednesday June 14, 2017 and 3:00 p.m., Tuesday June 20, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
1B-2.011	6/16/2017	7/6/2017
58L-1.007	6/14/2017	7/4/2017
58L-1.008	6/14/2017	7/4/2017
61G4-16.001	6/14/2017	7/4/2017
64B9-4.0025	6/15/2017	7/5/2017
64B17-6.001	6/14/2017	7/4/2017
64B17-6.002	6/14/2017	7/4/2017

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF HEALTH

Emergency Action

On June 20, 2017, the State Surgeon General issued an Emergency Restriction Order with regard to the license of Carlos R. Amador, L.M.T., License # MA 66532. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Emergency Action

On June 20, 2017, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Carla Revilla, P.A., License # PA 3432. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Medicine

Emergency Action

On June 20, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the license of William Elon Dalton, M.D., License # ME 38351. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On June 20, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Korian Channing Gage, C.N.A., Certificate # CNA 163084. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary

procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On June 20, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the certification of Benjamin P. Smith, C.N.A., Certificate # CNA 224377. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On June 20, 2017, the State Surgeon General issued an Emergency Restriction Order with regard to the license of Hisoon A. Lee, A.R.N.P., License # ARNP 1654692. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding
Week

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