

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:
64B11-5.001 Requirements for License Renewal of an
Active License; Continuing Education

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify the requirements for obtaining continuing education credit for pro bono services.

SUBJECT AREA TO BE ADDRESSED: Clarification of requirements for obtaining continuing education credit for pro bono services.

RULEMAKING AUTHORITY: 456.013, 468.204, 468.219 FS.

LAW IMPLEMENTED: 456.013, 456.033, 456.036, 468.219 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-9.009 Standard of Care for Office Surgery

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify language with regard to records for surgical procedures.

SUBJECT AREA TO BE ADDRESSED: Deletion of language which contains an outdated rule reference with regard to physician assistants.

RULEMAKING AUTHORITY: 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(v), 458.351 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE

DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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 CORRECTIONS

RULE NOS.:	RULE TITLES:
33-602.800	Staff Housing - Definitions
33-602.801	Staff Housing - Intent
33-602.802	Staff Housing - Administrative Responsibilities
33-602.803	Criteria for Assignment to Staff Housing
33-602.804	Staff Housing - Rent and Utilities
33-602.805	Staff Housing Agreement Form
33-602.806	Responsibilities of Staff Housing Occupants
33-602.807	Staff Housing Inspections
33-602.808	Staff Housing - Repairs and Replacements
33-602.809	Termination of Staff Housing Assignment

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to repeal the Rules relating to employee housing which the Department has determined are unnecessary.

SUMMARY: The proposed rulemaking will repeal the Rules.
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.

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: 20.315, 944.09, 944.09(1), 945.025(1) FS.

LAW IMPLEMENTED: 20.315, 944.09(1), 944.10, 945.025, 945.025(1), 216.262(1)(e), 216.262(1)(f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kyle Magee, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.800 Staff Housing – Definitions

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly 33-26.001, Amended 8-16-00, 4-8-02, 3-30-05, Formerly 33-208.501, Repealed.

33-602.801 Staff Housing – Intent

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly 33-26.002, 33-208.502, Repealed.

33-602.802 Staff Housing - Administrative Responsibilities

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly 33-26.003, Amended 8-16-00, 3-30-05, Formerly 33-208.503, Repealed.

33-602.803 Criteria for Assignment to Staff Housing

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.10, 945.025 FS. History–New 9-1-88, Amended 9-5-89, Formerly 33-26.004, Amended 8-16-00, 4-8-02, 1-19-03, 3-30-05, 9-5-06, 4-20-10, Formerly 33-208.504, Amended 12-3-14, Repealed.

33-602.804 Staff Housing - Rent and Utilities

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1), 216.262(1)(e), (f) FS. History–New 9-1-88, Formerly 33-26.005, Amended 8-16-00, 4-8-02, Formerly 33-208.505, Repealed.

33-602.805 Staff Housing Agreement Form

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly 33-26.006, Amended 8-16-00, 4-8-02, 3-30-05, 10-29-08, Formerly 33-208.506, Amended 12-3-14, Repealed.

33-602.806 Responsibilities of Staff Housing Occupants

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly

33-26.007, Amended 8-16-00, 1-19-03, 3-30-05, 10-29-08, 3-19-09, Formerly 33-208.507, Repealed.

33-602.807 Staff Housing Inspections

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly 33-26.008, Amended 8-16-00, 1-19-03, Formerly 33-208.508, Amended 12-3-14, Repealed.

33-602.808 Staff Housing - Repairs and Replacements

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Formerly 33-26.009, Amended 3-30-05, Formerly 33-208.509, Repealed.

33-602.809 Termination of Staff Housing Assignment

PROPOSED EFFECTIVE DATE: July 1, 2017

Rulemaking Authority 944.09(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History–New 9-1-88, Amended 6-21-89, Formerly 33-26.010, Amended 8-16-00, 4-8-02, 1-19-03, 3-30-05, Formerly 33-208.510, Amended 12-3-14, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Richard D. Comerford, Director of Institutional Operations

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Julie L. Jones, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 01/27/2017

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-4.011	Prohibition of Net Fishing in Faka Union River, Collier County
68B-4.017	Gear Specifications for the Southwest Region: Exceptions to Statewide Net Gear Requirements; Areas Closed to Net Fishing; J. N. "Ding" Darling National Wildlife Refuge/Sanibel Conservation Zone; Blind Pass Seasonal Closure to Net Fishing; Definition

PURPOSE AND EFFECT: The purpose of these rule amendments is to correct or update geographic references in rule to match the positions of the referenced or other present-day landmarks in Chapter 68B-4, Florida Administrative Code using current technology and to update existing coordinates to conform to the International Organization for Standardization (ISO) format.

Many of the Commission’s marine fisheries rules contain geographic coordinates that define the boundaries of where rules apply. Over time some of these coordinates have become inaccurate for a variety of reasons, including the repositioning

or removals of landmarks like navigation aids and piers and natural changes in shorelines. The accuracy of GPS technology has also improved since many of these coordinates were established. Currently, the rule defining the mouth of the Faka Union River defines it as a line between two aids to navigation that no longer exist. In addition, no geographic coordinates were listed for the aids to navigation in the rule, leaving the current definition unclear. The rule defining the mouths of the Estero River and Hendry Creek in Lee County contains highly inaccurate geographic coordinates that will be updated using current technology. In addition to correcting coordinates defining the mouths of these waterbodies, these rules contain coordinates in the format of degrees-minutes-seconds which will be translated to degrees-decimal minute and formatted to match ISO standards for increased public understanding.

The effect of these rule amendments will be improved definitions the mouths of the Faka Union River, Estero River, and Hendry Creek using geographic coordinates and update existing coordinates to conform to the current ISO standard format. This will lead to more easily understood regulatory boundaries for these waterbodies and improved public understanding of the rules.

SUMMARY: These rules will improve the definitions of the mouths of the Faka Union River, Estero River, and Hendry Creek, using geographic coordinates and update the format of existing coordinates to match ISO standards, leading to an improved definition and public understanding

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was 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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-4.011 Prohibition of Net Fishing in Faka Union River, Collier County.

No person shall fish with, set, or place any net, other than a cast net or landing or dip net, in the waters of the Faka Union River (also known as the Faka Union Canal), or any tributary thereof, in Collier County, between 25°54.867' 25°54'52" North Latitude southward to the mouth of the river, defined as a straight line between a point at 25°54.160'N, 81°30.929'W ~~green marker 49~~ and a point at 25°54.160'N, 81°30.549'W ~~red marker 50~~ extended on either side to the adjacent mangrove shorelines.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-1-92, Formerly 46-4.011, Amended.

68B-4.017 Gear Specifications for the Southwest Region: Exceptions to Statewide Net Gear Requirements; Areas Closed to Net Fishing; J. N. “Ding” Darling National Wildlife Refuge/Sanibel Conservation Zone; Blind Pass Seasonal Closure to Net Fishing; Definition.

The requirements in this rule shall apply in the Southwest Region, which shall include the state waters of Collier, Lee, Charlotte, Sarasota, Manatee, Hillsborough, and Pinellas Counties.

(1) No change.

(2) During the period beginning on November 1 of each year and continuing through January 31 of the following year, no person shall fish with, set, or place any beach or haul seine in the waters of the region described in this subsection to harvest or attempt to harvest any marine fish.

(a) No change.

(b) All the waters of the Imperial River in Lee County and its tributaries, including those connecting the Imperial River with Big Hickory Bay, upstream of a line immediately east of the intersection of channels connecting the river with Fish Trap Bay and Little Hickory Bay, which line runs between a point located at 26°20.150'N, 81°50.300'W ~~26°20'09" N. Latitude, 81°50'18" W. Longitude~~ on the east side of the river to a point located at 26°20.150'N, 81°50.333'W ~~26°20'09" N. Latitude, 81°50'20" W. Longitude~~ on the west side of the river.

(c) All of the Estero River in Lee County and its tributaries, including those connecting the Estero River with Rocky Bay, upstream of the mouth of the river, which is east of a line that runs between a point at 26°25.850'N, 81°51.505'W ~~26°25'52" N. Latitude, 81°50'29" W. Longitude~~ on the north side of the river mouth to a point at 26°25.835'N, 81°51.486'W ~~26°25'51" N. Latitude, 81°50'28" W. Longitude~~ on the south side of the river mouth.

(d) All of Hendry Creek in Lee County and its tributaries, upstream of the mouth of the river, which is north of a line that runs between Dixon Point at 26°27.488'N, 81°52.221'W ~~26°27'27" N. Latitude, 81°50'29" W. Longitude~~ on the west side of the river mouth and the northernmost edge of the mouth of Mullock Creek at 26°27.694'N, 81°52.097'W ~~26°27'39" N. Latitude, 81°52'06" W. Longitude~~ on the east side of the river mouth.

- (e) through (g) No change.
- (3) through (4) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 9-1-93, Amended 9-30-96, Formerly 46-4.017, Amended _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2017

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: RULE TITLES:

- 68B-35.002 Definitions
- 68B-35.005 Pompano Endorsement Regulations

PURPOSE AND EFFECT: The purpose of these rule amendments is to clarify the positions of geographic references used in Chapter 68B-35, Florida Administrative Code (FAC). Many of the Commission’s marine fisheries rules contain geographic coordinates or latitude lines that define the boundaries of where rules apply. Currently, the rules defining the Pompano Endorsement Zone references “Hurricane Pass.” However, there are two Hurricane Passes in the Gulf of Mexico, which may lead to confusion. The intended “Hurricane Pass” lies within Collier County, while the other lies further north in Pinellas County.

The effect of these proposed draft rules will be an improved definition of the “Hurricane Pass” referenced as the northern border of the Pompano Endorsement Zone by clarifying that it lies within Collier County. This will lead to a more easily understood regulatory boundary for the Pompano Endorsement Zone and improved public understanding of the rules.

SUMMARY: These rules will clarify that the “Hurricane Pass” referenced as the northern border of the Pompano Endorsement Zone lies within Collier County, leading to a an improved description of the area and improved public understanding of the regulations.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was 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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-35.002 Definitions.

As used in this rule chapter:

(1) through (9) No change.

(10) “Pompano Endorsement Zone” means federal Exclusive Economic Zone (EEZ) waters lying between 25°-09' North Latitude (Cape Sable) and 26°-00' North Latitude, ~~Cape Sable and (Hurricane Pass in Collier County)~~; in the Gulf of Mexico.

(11) through (14) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-89, Amended 1-1-96, Formerly 46-35.002, Amended 1-1-04, 8-29-11, _____.

68B-35.005 Pompano Endorsement Regulations.

(1) No change.

(2) Pompano Endorsement Zone

(a) Boundaries – Regulations for Pompano Endorsement Holders established in Rule 68B-35.005, F.A.C., apply only in federal EEZ waters between 25°-09' North Latitude (Cape Sable) and 26°00' North Latitude, ~~between Cape Sable and (Hurricane Pass in Collier County)~~.

(b) Transport and Landings – Transport through state waters of pompano harvested pursuant to paragraph 68B-35.005(2)(a), F.A.C., must be between 25°-09' North Latitude (Cape Sable) and 26°00' North Latitude, ~~between Cape Sable and (Hurricane Pass in Collier County)~~; and landed within these boundaries.

(c) Simultaneous Possession of Pompano and Gill or Entangling Nets – Simultaneous possession of any pompano together with any gill or entangling net aboard any vessel is only allowed within or without state waters, between 25°09' North Latitude (Cape Sable) and 26°00' North Latitude;

~~between Cape Sable and (Hurricane Pass in Collier County)~~; by persons who have harvested pompano within the boundaries established in paragraph 68B-35.005(2)(a), F.A.C., and who possess a valid saltwater products license with a restricted species endorsement and a Pompano Endorsement issued pursuant to subsection 68B-35.005(1), F.A.C., or pursuant to paragraph 68B-35.004(5)(a), F.A.C.

(d) No change.

(3) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., Art. X, Sec. 16, Fla. Const., 379.407 FS. History—New 11-1-01, Amended 1-1-04, 8-29-11, 11-15-12, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2017

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-38.003 Taylor County Shrimp Closure

PURPOSE AND EFFECT: The purpose of this rule amendment is to correct existing coordinates in rule to match the positions of the referenced or other present-day landmarks in Chapter 68B-38, Florida Administrative Code (FAC), using current technology.

Many of the Commission’s marine fisheries rules contain geographic coordinates that define the boundaries of where rules apply. Over time some of these coordinates have become inaccurate for a variety of reasons, including the repositioning or removals of landmarks like navigation aids and piers and natural changes in shorelines. The accuracy of GPS technology has also improved since many of these coordinates were established. The purpose of this rule amendment is to

improve the description of an area off of Taylor County where trawling for shrimp is prohibited. Currently, the description of the area uses aids to navigation and shoreline landmarks, most of which have an associated geographic coordinate. The geographic coordinates defining three of the landmarks have inaccuracies ranging from approximately 1,300 to 1,800 feet. In addition, two of the referenced aids to navigation no longer exist and one description of a shoreline landmark is vague and may lead to confusion.

The effect of this rule amendment will be an improved description of the area closed to trawling off of Taylor County. This will be accomplished by correcting the inaccurate geographic coordinates defining referenced landmarks, removing references to aids to navigation which no longer exist, and by establishing geographic coordinates in place of one currently difficult to interpret shoreline landmark.

SUMMARY: This rule will improve the description of an area off of Taylor County where trawling for shrimp is prohibited by correcting inaccurate geographic coordinates defining referenced landmarks, removing references to aids to navigation which no longer exist, and by establishing geographic coordinates in place of one currently difficult to interpret shoreline landmark.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was 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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-38.003 Taylor County Shrimp Closure.

(1) through (2) No change.

(3) Except as provided in subsection (4), no person shall operate any trawl within the following described area of state waters off Taylor County:

Beginning at a point on the shoreline of the Gulf of Mexico north of Steinhatchee River Light 47 (29°40.267'N, 83°23.320'W) ~~on the north side of the channel at Steinhatchee;~~ thence south to Steinhatchee River Light 47 (29°40.234'N, 83°23.320'W); thence westerly along the line of navigational buoys marking the north side of said channel to Steinhatchee River Light 1 flashing light number "1" marking the outer extent of said channel (29°39.388'N, 83°27.377'W) ~~(29°39.21'N., 83°27.21'W.);~~ thence westerly to a point located at navigational flashing light number "18" (29°40.045'N, 83°35.218'W); thence northwesterly to a point located at navigational flashing light number "22" (29°53.253'N, 83°53.01'W); thence north-northwesterly to a privately maintained flashing light at Gamble Point near the mouth of the Aucilla River (30°04.643'N, 83°59.373'W) ~~(30°04.38'N., 83°59.20'W.);~~ thence southeasterly along the shoreline along the Gulf of Mexico to the point of beginning.

(4) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. Law Implemented Art. IV, Sec. 9, Fla. Const., Chapter 83-134, Laws of Fla., as amended by Chapter 84-121, Laws of Fla. History—New 1-1-91, Formerly 46-38.003, Amended 8-5-01, 3-1-05, Amended _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850) 487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2017

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: RULE TITLES:
68B-39.0045 Seasonal Bag Limit for Portion of Pinellas County

68B-39.005 Commercial Harvest, Statewide Regulations

PURPOSE AND EFFECT: The purpose of these proposed draft rules is to correct existing coordinates to match the positions of the referenced or other present-day landmarks in Chapter 68B-39, Florida Administrative Code (FAC), using current technology.

Many of the Commission's marine fisheries rules contain geographic coordinates that define the boundaries of where rules apply. Over time some of these coordinates have become inaccurate for a variety of reasons, including the repositioning or removals of landmarks like navigation aids and piers and natural changes in shorelines. The accuracy of GPS technology has also improved since many of these coordinates were established. These rule amendments will improve the description of an area in Pinellas County where a seasonal bag limit for mullet applies and an area offshore of Monroe and Collier counties where commercial harvest of striped or silver mullet is prohibited. Both areas are partially described using aids to navigation with associated geographic coordinates, some of which have inaccuracies ranging from 1,500 to 2,100 feet. The description of the area off Monroe and Collier counties also includes one aid to navigation which no longer exists and a point which is described by guiding the reader with a degree bearing instead of a geographical coordinate. The area effected by the bag limit reduction for mullet in Pinellas County includes a reference to the St. Petersburg Pier, which was demolished in 2016. This was addressed in the short-term through an Executive Order (EO) that replaced the reference to the pier with a geographic coordinate. The proposed updates to this rule will codify the geographic coordinate used in the EO in the FAC. In addition to the inaccuracies described above, the description of the Pinellas County area currently describes several shoreline points using

language generally reserved for public land surveys (Public Land Survey System), which can be difficult to interpret from the water. Modifying the description of this area using the more commonly used format of geographic coordinates will aid in the public's understanding of where the regulations apply.

The effect of these rule amendments will be improved descriptions of the areas for greater public understanding. This will be accomplished by correcting inaccurate geographic coordinates defining referenced landmarks, removing references to aids to navigation which no longer exist, re-describing a boundary that was previously given with a direction bearing to include a geographic coordinate, and by establishing geographic coordinates in place of landmarks no longer in existence. In addition, the description of the Pinellas County area will be greatly simplified by using geographic coordinates in place of the current description to improve the understanding of the rule while maintaining the traditional area.

SUMMARY: These rules will improve the descriptions of areas in Pinellas County and offshore of Monroe and Collier counties by correcting inaccurate geographic coordinates defining referenced landmarks, removing references to aids to navigation which no longer exist, re-describing a boundary that was previously given with a direction bearing to include a geographic coordinate, and by establishing geographic coordinates in place of landmarks no longer in existence. In addition, the area in Pinellas County will be simplified for further improvement and public understanding.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was 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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-39.0045 Seasonal Bag Limit for Portion of Pinellas County.

(1) through (2) No change.

(3) The closure area shall include all of the following waters described areas:

(a)1. Riveria Bay and Bayou Grande, commonly known as Papy's Bayou, together with their interconnecting waters ~~the entrance to which is defined by a line running from the southeast (SE) corner of the west half (W 1/2) of the southwest quarter (SW1/4) to the northwest (NW) corner of said west half (W 1/2) of the southwest quarter (SW 1/4) of Section thirty four (34), Township thirty (30) south, Range seventeen (17) east.~~

2. Placido Bayou, commonly known as Smack's Bayou, Snell Isle Harbour, and Coffee Pot Bayou, together with the certain inlets and shore indentions of Tampa Bay, and a portion of Tampa Bay lying between said Bayous, ~~the entrance of which is defined by a line running from the intersection of the east (E) line of the west half (W 1/2) of the west half (W 1/2) of the northeast quarter (NE1/4) of Section nine (9) with the shoreline of Tampa Bay, thence south (S) to the south (S) line of the north half (N 1/2) of the north half (N 1/2) of the unsurveyed Section sixteen (16) thence west (W) to the intersection of the south (S) line of the north half (N 1/2) of the north half (N 1/2) of Section seventeen (17) with the shoreline of Tampa Bay, being in and a part of Township thirty one (31) south, Range seventeen (17) east.~~

(b) All connecting waters west of the following line: Beginning at the easternmost end point of Second Avenue NE and extending 1,013 feet (338 yards) into Tampa Bay to 27°46.417'N, 82°37.347'W (at the point that Second Avenue NE intersects with the Municipal "Pierhead"), then proceeding

~~proceed north to Coffee Pot Bayou Daybeacon 3 (27°47.117'N, 82°36.931'W) Marker 3 — 27' 47.33N 082' 36.65W — in St. Petersburg Small Boat Channel "L" (better known as "Coffee Pot Channel"); then proceeding proceed north to Smacks Bayou Daybeacon 3 (27°47.407'N, 82°36.377'W) Marker 3 — 27' 47.46N 082' 36.13W — in St. Petersburg Small Boat Channel "N" (better known as "Snell Isle Channel"); then proceeding in a northerly direction along a line 200 yards east of the shoreline and running parallel to the shoreline proceed north following the shoreline 200 yards offshore to a point approximately 750 feet north of the southern edge of Weedon Island at 27°49.643'N, 82°35.444'W. Then proceed south following the shoreline of Weedon Island to Tampa Bay to the entrance of the waters of Bayou Grande (commonly known as Papy's Bayou) running south along the entrance which is defined by a line running from the southeast (SE) corner of the west half (W 1/2) of the southwest quarter (SW 1/4) to the northwest (NW) corner of said west half (W 1/2) of the southwest quarter (SW 1/4) of Section thirty four (34), Township thirty (30) south, Range seventeen (17) east. Then proceed southeast along the shoreline legally described as Venetian Isles Subdivision, Unit 6, Block 14, Lots 1-13; then proceed south across Tampa Bay to a point that intersects with the shoreline legally described as Venetian Isles Subdivision, Unit 4, Block 11, Lots 24 and 25; then proceed southeast in Tampa Bay to the intersection with the shoreline legally described as Venetian Isles, Unit 2, Block 7, Lot 17; then proceed southeast in Tampa Bay to the intersection with the shoreline legally described as Venetian Isles Subdivision, Block 8, Lots 16 and 17; then proceed southeast in Tampa Bay to the intersection with the shoreline legally described as Venetian Isles Subdivision, Unit Five, Block 12, Lot 16; then proceed southeast in Tampa Bay to the point of intersection legally described as Venetian Isles Subdivision, Unit Seven, Block 16, Lot 15; then proceed southeast in Tampa Bay to a point of intersection legally described as the shoreline as Venetian Isles Subdivision, Unit 8, Block 17, Lots 47 and 48; then proceed south along the shoreline of the Venetian Isles Subdivision, Unit 8, Block 17, Lots 16-46; then proceed west along the property line of Venetian Isles Subdivision, Unit 8, Block 17, Lot 15; then proceed west in Tampa Bay to a point of intersection legally described as Venetian Isles Subdivision, Unit 3, Block 9, Lot 17; then proceed southwest in Tampa Bay to a point of intersection at the shoreline legally described as the Revised Plat of Overlook Section of Shore Acres, Block 1, Lot 1; then proceed southwest along the shoreline legally described as the Revised Plat of the Overlook Section of Shore Acres, Block 1 and Block 2, Lots 1-34; proceed in Tampa Bay to the entrance of Placido Bayou (commonly known as Smack's Bayou), Snell Isle Harbour, and Coffee Pot Bayou, together with~~

~~certain inlets and shore indentions of Tampa Bay, and a portion of Tampa Bay lying between said Bayous, the entrance of which is defined by a line running from the intersection of the east (E) line of the west half (W1/2) of the west half (W 1/2) of the northeast quarter (NE 1/4) of Section nine (9) with the shoreline of Tampa Bay, thence south (S) to the south (S) line of the north half (N 1/2) of the north half (N 1/2) of the north half (N 1/2) of Section seventeen (17) with the shoreline of Tampa Bay, being in and a part of Township thirty one (31) south, Range seventeen (17) east; then proceed south along the shoreline of the City owned property identified as Flora Wylie, North Shore and Vinoy Parks; then proceed west along the shoreline of Fifth Avenue NE to the intersection with Bayshore Drive NE; then proceed south along the shoreline of Tampa Bay adjacent to Bay Shore Drive NE; then proceed east along the northern shoreline adjacent to Second Avenue NE from Locust St. NE (extended) for a distance of 2200' to the point of beginning (POB).~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-5-92, Formerly 46-39.0045, Amended 7-1-03,_____.

68B-39.005 Commercial Harvest, Statewide Regulations.

(1) No change.

(2) No person shall harvest striped or silver mullet for commercial purposes in ~~waters~~ water of the Atlantic Ocean or Gulf of Mexico offshore of the “three nautical mile line” (formerly known as the territorial sea line) except that, in the Collier-Monroe Gulf Region, no person shall harvest striped or silver mullet for commercial purposes offshore of the Everglades National Park Line. Such line shall commence at a point on the three nautical mile line at 25°47.342'N, 81°33.184'W due southwest of the West Pass Marker, 81° 31' 12" W longitude, 25° 49' 03" N latitude, thereafter going due northeast to 25°49.209'N, 81°31.099'W the West Pass Marker, thereafter going in a southerly direction following the Western boundary of the Everglades National Park to the lighted buoy #2 at 24°52.294'N, 80°53.184'W 80° 52.9' W longitude, 24° 52.3' N latitude, thereafter going in a southwesterly direction 240° True (or 242° magnetic) to a point on the three nautical mile line at 24°51.664'N, 80°53.836'W, at which point it shall terminate.

(3) No change.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-19-89, Amended 10-1-90, 9-1-91, 11-16-93, 3-3-97, 11-16-98, Formerly 46-39.005, Amended 7-1-03, 7-13-08,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT

CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2017

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-42.0036 Closed Areas

PURPOSE AND EFFECT: The purpose of this rule amendment is to improve the definition of the Stetson-Miami Terrace Deepwater Coral Habitat Area of Particular Concern (HAPC) that occurs in Chapter 68B-42, Florida Administrative Code (FAC).

The Stetson-Miami Terrace Deepwater Coral HAPC is a large area of federal waters spanning from Florida to South Carolina where certain bottom-fishing gear, anchoring, and possession of deep water coral are prohibited. In 2011, octocoral harvest management in federal waters was transferred to the state. At that time, the South Atlantic Fishery Management Council requested that areas off Florida that were closed to octocoral harvest under previous federal regulations remain closed under state regulations. All harvest of octocorals was closed north of Cape Canaveral, as was harvest south of Cape Canaveral for waters with the Stetson-Miami Terrace Deepwater HAPC. Since all harvest of octocorals north of Cape Canaveral was prohibited, only the portion of the Stetson-Miami Terrace Deepwater Coral HAPC south of Cape Canaveral needed to be defined in FAC. This area was defined using geographic coordinates in Chapter 68B-42, FAC, by incorporating a portion of the area as it was already defined in the Code of Federal Regulations (CFR) for other purposes. However, as currently defined in 68B-42, FAC, the description does not fully enclose the area as intended. In addition to ensuring that the described portion of the Stetson-Miami Terrace Deepwater Coral HAPC clearly defines the no-harvest area, an existing coordinate will be updated to conform to the International

Organization for Standardization (ISO) standards for increased public understanding.

The effect of this rule amendment will be an improved description of the portion of the Stetson-Miami Terrace Deepwater Coral HAPC described in 68B-42, FAC. This will be accomplished by adding three geographic coordinates so that the description encloses the area completely, and by updating an existing coordinate to conform to the current ISO standard format for greater public understanding. This will also make the definition more consistent with the area as defined in the CFR.

SUMMARY: This proposed rule amendment will improve the description of the Stetson-Miami Terrace Deepwater Coral HAPC that occurs off of Florida and south of Cape Canaveral for greater public understanding by adding three geographic coordinates to enclose the area completely, establishing a definition more consistent with the area as defined in the CFR. The proposed rule amendment will also update the format of an existing coordinate to match ISO standard format.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was 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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-42.0036 Closed Areas.

(1) through (2) No change.

(3) No person shall harvest or possess any octocorals in the following areas:

(a) Federal Exclusive Economic Zone (EEZ) waters of the Atlantic Ocean north of 28°35.100' North Latitude ~~28°35.1' N. lat.~~ (due east of the NASA Vehicle Assembly Building, Cape Canaveral, FL).

(b) through (c) No change.

(4) For the purposes ~~purposes~~ of this rule, the term "Stetson-Miami Terrace Deepwater Coral Habitat Area of Particular Concern" shall mean the portion of the Stetson-Miami Terrace Deepwater Coral Habitat Area of Particular Concern that occurs south of 28°35.110' North Latitude, which includes all waters lying within the following geographical boundary coordinates: beginning at point 1, following each point until point 53 is reached, then following the eastern boundary of the EEZ back to the point of beginning:

Point	Latitude	Longitude
<u>1</u>	<u>28°17'16"N</u>	<u>79°0'0"W</u>
<u>2</u>	<u>28°35'06"N</u>	<u>79°0'0"W</u>
<u>3</u>	<u>28°35'06"N</u>	<u>79°49'18"W</u>
4	133	28°30'37"N 79°48'35"W
<u>5</u>	<u>134</u>	<u>28°14'00"N 79°46'20"W</u>
<u>6</u>	<u>135</u>	<u>28°11'41"N 79°46'12"W</u>
<u>7</u>	<u>136</u>	<u>28°08'02"N 79°45'45"W</u>
<u>8</u>	<u>137</u>	<u>28°01'20"N 79°45'20"W</u>
<u>9</u>	<u>138</u>	<u>27°58'13"N 79°44'51"W</u>
<u>10</u>	<u>139</u>	<u>27°56'23"N 79°44'53"W</u>
<u>11</u>	<u>140</u>	<u>27°49'40"N 79°44'25"W</u>
<u>12</u>	<u>141</u>	<u>27°46'27"N 79°44'22"W</u>
<u>13</u>	<u>142</u>	<u>27°42'00"N 79°44'33"W</u>
<u>14</u>	<u>143</u>	<u>27°36'08"N 79°44'58"W</u>
<u>15</u>	<u>144</u>	<u>27°30'00"N 79°45'29"W</u>

16 ~~145~~ 27°29'04"N 79°45'47"W
17 ~~146~~ 27°27'05"N 79°45'54"W
18 ~~147~~ 27°25'47"N 79°45'57"W
19 ~~148~~ 27°19'46"N 79°45'14"W
20 ~~149~~ 27°17'54"N 79°45'12"W
21 ~~150~~ 27°12'28"N 79°45'00"W
22 ~~151~~ 27°07'45"N 79°46'07"W
23 ~~152~~ 27°04'47"N 79°46'29"W
24 ~~153~~ 27°00'43"N 79°46'39"W
25 ~~154~~ 26°58'43"N 79°46'28"W
26 ~~155~~ 26°57'06"N 79°46'32"W
27 ~~156~~ 26°49'58"N 79°46'54"W
28 ~~157~~ 26°48'58"N 79°46'56"W
29 ~~158~~ 26°47'01"N 79°47'09"W
30 ~~159~~ 26°46'04"N 79°47'09"W
31 ~~160~~ 26°35'09"N 79°48'01"W
32 ~~161~~ 26°33'37"N 79°48'21"W
33 ~~162~~ 26°27'56"N 79°49'09"W
34 ~~163~~ 26°25'55"N 79°49'30"W
35 ~~164~~ 26°21'05"N 79°50'03"W
36 ~~165~~ 26°20'30"N 79°50'20"W
37 ~~166~~ 26°18'56"N 79°50'17"W
38 ~~167~~ 26°16'19"N 79°54'06"W
39 ~~168~~ 26°13'48"N 79°54'48"W
40 ~~169~~ 26°12'19"N 79°55'37"W
41 ~~170~~ 26°10'57"N 79°57'05"W
42 ~~171~~ 26°09'17"N 79°58'45"W
43 ~~172~~ 26°07'11"N 80°00'22"W
44 ~~173~~ 26°06'12"N 80°00'33"W
45 ~~174~~ 26°03'26"N 80°01'02"W
46 ~~175~~ 26°00'35"N 80°01'13"W
47 ~~176~~ 25°49'10"N 80°00'38"W
48 ~~177~~ 25°48'30"N 80°00'23"W
49 ~~178~~ 25°46'42"N 79°59'14"W
50 ~~179~~ 25°27'28"N 80°02'26"W
51 ~~180~~ 25°24'06"N 80°01'44"W

52 ~~181~~ 25°21'04"N 80°01'27"W
53 ~~182~~ 25°21'04"N 79°42'04"W

(5) No change

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-92, Formerly 46-42.0036, Amended 10-31-11, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2017

Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-14.001	General Definitions
61D-14.002	Application Requirements
61D-14.005	Occupational License Requirements for Individual Persons
61D-14.006	Occupational License Application Requirements for Business Entities
61D-14.012	Change of Position, Place of Work, Name, or Address
61D-14.018	State Office Space Requirements
61D-14.0211	Server Based Gaming Systems (SBGS) and Server Supported Gaming Systems (SSGS)
61D-14.022	Slot Machine, Slot Machine Component, and Progressive System Requirements
61D-14.082	Annual Financial Report
61D-14.0861	Annual Compliance Audit
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 224, November 17, 2016 issue of the Florida Administrative Register.

61D-14.001 General Definitions.

The following words and terms, when used in these rules regulations, shall have the following meanings unless the context clearly indicates otherwise:

(1) through (11) No change.

(12) “Gaming day” means the time period, ~~not to exceed 24 hours~~, the slot machine gaming areas of a slot machine licensee are open pursuant to Section 551.116, F.S., and used by any slot machine licensee casino for accounting and business reporting purposes.

(13) through (22) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (d), (e), (g), (i), 551.104(4) FS. History–New 6-25-06, Amended 12-6-06, _____.

61D-14.002 Application Requirements.

(1) Each application for a slot machine license shall:

(a) No change.

(b) Be filed on Form DBPR PMW-3400, Permitholder Application for Annual Slot Machine License, effective xx-xx-xxxx 6-21-10, incorporated adopted herein by reference, http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX, and can be obtained at

www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035;

(c) through (f) No change.

(g) Provide for each individual listed in the application as an owner, partner, officer, or director ~~a complete~~:

1. No change.

a.i. Each owner, partner, officer, or director required to be reported pursuant to this section must provide the correct Originating Agency Identifier (ORI) number listed on the Division of Pari-Mutuel Wagering’s licensing portal website to the live-scan vendor or service provider. Failure to provide the correct ORI number may result in an incomplete application;

b.i. The cost of fingerprint processing shall be paid by the applicant directly to the FDLE-approved vendor or service provider; and

2. No change.

(h) through (r) No change.

(2) through (4) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (f), (g), 551.104(4), (10), 551.106(1), 551.107(7), 551.118, 559.79(2) FS. History–New 6-25-06, Amended 6-21-10, _____.

61D-14.005 Occupational License Requirements for Individual Persons.

(1) through (7) No change.

(8) A request to upgrade an individual slot machine occupational license shall be made on Form DBPR PMW-3450, Slot Machine Occupational License Upgrade Application, effective xx-xx-xxxx 9-26-13, incorporated adopted herein by reference, http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX 03159, which can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035.

Rulemaking Authority ~~550.0251(2)~~, 551.103(1), 551.122 FS. Law Implemented ~~550.0251(2)~~, 551.103(1)(b), 551.107(4)(a), 551.107(7), 551.108, 559.79(2) FS. History–New 6-25-06, Amended 12-6-06, 6-21-10, 9-26-13, _____.

61D-14.006 Occupational License Application Requirements for Business Entities.

(1) No change.

(2) An application for a business slot machine occupational license shall be made on Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, effective xx-xx-xxxx 9-26-13, incorporated adopted herein by reference, http://www.flrules.org/Gateway/reference.asp?No=Ref-

~~XXXX 03160~~, which can be obtained at www.myfloridalicense.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035.

(3) Failure to include the following information as required by Form DBPR PMW-3420, Slot Machine Business Entity Occupational License Application, adopted by reference in subsection (2) above, shall constitute grounds to deny the incomplete license application:

(a) through (h) No change.

(i) A list of all officers, directors, or managers of the business including:

1. No change.

~~a.i.~~ Each officer, director, or manager required to be reported pursuant to this section must provide the correct Originating Agency Identifier (ORI) number listed on the Division of Pari-Mutuel Wagering's licensing portal website to the live-scan vendor or service provider. Failure to provide the correct ORI number may result in an incomplete application;

~~b.ii.~~ The cost of fingerprint processing shall be paid by the applicant directly to the FDLE-approved vendor or service provider; and

2. No change.

(j) through (q) No change.

(4) through (9) No change.

Rulemaking Authority ~~550.0251(2)~~, 551.103(1), 551.122 FS. Law Implemented ~~550.0251(2)~~, 551.103(1)(b), 551.107, 559.79(2) FS. History--New 7-30-06, Amended 6-21-10, 8-14-11, 9-26-13, _____.

61D-14.012 Change of Position, Place of Work, Name, or Address.

(1) In the event a person holding a slot machine general employee occupational license changes job duties or functions, or employment to a position requiring a slot machine professional occupational license or slot machine business employee occupational license, the licensee shall apply to upgrade the license by completing Form DBPR PMW-3450, Slot Machine Occupational License Upgrade, effective ~~xx-xx-xxxx 9-26-13~~, incorporated herein by reference,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX 03159>, which can be obtained at www.myfloridalicense.com or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, prior to performing the professional-level duties.

(2) through (3) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(a), (b), (g), 551.107(4)(a), 559.79 FS. History--New 6-25-06, Amended _____.

61D-14.018 State Office Space Requirements.

(1) No change.

(2) The Licensing/Compliance Room shall be at least 600 square feet in office area at each facility in order to station on-site division employees to facilitate the licensing process and provide workspace for compliance auditors, investigators, and other regulatory staff and meet the following minimum requirements:

(a) through (l) No change.

(m) One telecommunications closet not less than 50 square feet. This closet shall have plywood installed to facilitate the installation of a T-1 circuit or equivalent devices function(s) for connectivity to the division's secure network;

(n) through (q) No change.

(3) through (6) No change.

Rulemaking Authority 551.103(1), 551.114(5), 551.122 FS. Law Implemented 551.103(1)(i), 551.114(5) FS. History--New 6-25-06, Amended _____.

61D-14.0211 Server Based Gaming Systems (SBGS) and Server Supported Gaming Systems (SSGS)

(1) through (21) No change.

Rulemaking Authority 551.103(1), (2), 551.122 FS. Law Implemented 551.103(1)(c), (d), (e), (h), (i), (2) FS. History--New _____.

61D-14.022 Slot Machine, Slot Machine Components, and Progressive System Requirements.

(1) through (18) No Change.

(19) Games that have software, software components, and/or associated hardware shall meet the following requirements:

(a) No change.

(b) Actual game title software and logic software secured within a dual locked cabinet accessible only by the slot licensee in the presence of a division representative, and:

1. Be tracked using a log that includes:

~~a.i.~~ Date and time inventory is changed;

~~b.ii.~~ Independent testing laboratory certification number;

~~c.iii.~~ Software version;

~~d.iv.~~ Software status;

~~e.v.~~ Manufacturer name;

~~f.vi.~~ Count of total on-hand inventory that includes software added and removed; and

~~g.vii.~~ License number and signature of the slot machine licensee adding or removing software from inventory.

2. through 3. No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(c), (d), (h), (i) FS. History--New 7-30-06, Amended 8-14-11, 9-26-13, _____.

61D-14.082 Annual Financial Report.

(1) through (2) No change.

(3) One copy of the annual financial report on Form DBPR PMW-3690, Uniform Report System Prescribed for Pari-Mutuel Permitholders, effective xx-xx-xx, ~~adopted and~~ incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, shall be filed with the division no more than 120 days after completion of the slot machine licensee's fiscal year. Form DBPR PMW-3690, Uniform Report System Prescribed for Pari-Mutuel Permitholders, can be obtained at www.myfloridalicense.com or by contacting the Division of Pari-Mutuel Wagering at 2601 Blair Stone Road, Tallahassee, Florida 32399-1035.

(4) through (8) No change.

Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (e), (g) FS. History—New 6-25-06, Amended _____.

61D-14.0861 Annual Compliance Audit.

(1) through (3) No change.

(4) The compliance audit shall also contain recommendations of all findings and observations made by the slot licensee's internal audit function referenced in paragraph ~~61D-14.015(3)(f)~~ ~~61D-14.015(2)(f)~~, F.A.C. Rulemaking Authority 551.103(1), 551.122 FS. Law Implemented 551.103(1)(d), (g), 551.104(8) FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-13.001 Experience Requirements
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. 1, January 3, 2017 issue of the Florida Administrative Register. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

61G1-13.001 Experience Requirements.

The requirements of Section 481.211, F.S. regarding the diversified program of architectural experience may be satisfied as follows:

(1) through (2) No change.

(3) For applicants for licensure by endorsement, pursuant to Section 481.213(3)(c), F.S., who have taken and passed a professional practice examination as outlined in paragraph 4.4 (D) of the NCARB July 2013 Certification Guidelines, which are hereby incorporated by reference and available at

<http://www.ncarb.org/~media/Files/PDF/Special-Paper/handbook.pdf> or

http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, five (5) years of experience as a licensed architect in a NCARB or Canadian jurisdiction.

Rulemaking Authority 481.2055, 481.211, 481.213(6) FS. Law Implemented 481.211, 481.213 FS. History—New 12-23-79, Amended 5-18-83, Formerly 21B-13.01, Amended 12-10-86, 1-3-93, Formerly 21B-13.001, Amended 7-14-05, 10-28-12, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Krista Woodard, Executive Director, Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-14.001 Examination Designated, General Requirements
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. 1, January 3, 2017 issue of the Florida Administrative Register. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rule shall now read as follows:

61G1-14.001 Examination Designated, General Requirements.

The prescribed licensure examinations for purposes of licensure as a registered architect under Chapter 481, part I, Florida Statutes, are as follows:

(1) through (2) No change.

(3) Applicants for licensure by endorsement, pursuant to Section 481.213(3)(c), F.S., shall have taken and passed one of the following examinations:

(a) through (b) No change.

(c) A Canadian licensure examination accepted by the NCARB for certification as outlined in subsections 3.4 and 4.4 of the NCARB July 2013 Certification Guidelines, which are hereby incorporated by reference and available at <http://www.ncarb.org/~media/Files/PDF/Special-Paper/handbook.pdf> or http://www.flrules.org/Gateway/reference.asp?No=Ref-_____. Rulemaking Authority 455.217, 481.213(6) FS. Law Implemented 455.217(1)(b), (c), 481.209 FS. History—New 12-23-79, Amended 5-18-83, Formerly 21B-14.01, 21B-14.001, Amended 4-22-97, 3-8-04, 7-14-05, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Krista Woodard, Executive Director, Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

**Section IV
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

The South Florida Water Management District (District) hereby gives notice:

On February 9, 2017, the District’s Governing Board issued SFWMD Order No. 2017-008-DAO-ROW to Florida Home Construction of Central Florida (Application No. 14-0424-1). The petition for waiver was received by the District on November 29, 2016. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Register, Vol. 42, No. 232, on December 1, 2016. No public comment was received. This Order denies the requested waiver of the District’s criteria, along with the Right of Way Occupancy Permit Application requesting, among other encroachments, a travel lift within the west right of way of the C-33 Canal; Section 32, Township 26 South, Range 41 East, Osceola County. Specifically, the Order denies a waiver from subsections 40E-6.011(4)&(6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to deny the waiver as follows: 1) Subsection 40E-6.221(9), F.A.C., requires an applicant own or lease the land adjacent to or served by the portion of the works or land of the District involved; 2) Petitioner is neither the owner of the land nor under contract to purchase the land lying adjacent to or served by the portion of the Works or Lands of the District involved, as provided in District subsection 40E-6.221(9), F.A.C., therefore, not the appropriate applicant for a Right of Way Occupancy Permit.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268, jurussel@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

The South Florida Water Management District (District) hereby gives notice:

On February 9, 2017, the District’s Governing Board issued SFWMD Order No. 2017-009-DAO-ROW to Buena Lago, LLC (Application No. 17-0111-5). The petition for waiver was received by the District on January 11, 2017. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Register, Vol. 43, No. 9, on January 13, 2017. No public comment was received. This Order provides a waiver of the District's criteria to allow for the construction of a travel lift facility within the west right of way of the C-33 canal, along with other permitted facilities associated with the proposed construction of a private residential marina (Project location: C-33 beginning at Hickory Tree Road and extending north approximately 1 mile to Alligator Lake); Section 32, Township 26 South, Range 31 East, Osceola County. Specifically, the Order grants a waiver from subsections 40E-6.011(4)&(6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and semi-permanent above-ground structures within 40 feet of top of canal bank within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed facilities will not interfere with the District’s current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6268, jurussel@sfwmd.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Attain, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one-year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

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2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21, 2-55, and 2-56, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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Medicaid

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Medicaid

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Medicaid

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Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, United Cerebral Palsy of Broward, Palm Beach and Mid-Coast Counties, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

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On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Personal Supports), filed by Petitioner, MacDonald Training Center, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on page 1-18, which prohibits the hiring

of personal support providers who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

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Medicaid

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Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on page 1-18, which prohibits the hiring of personal support providers who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness. A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

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59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Intensive Behavior Res Hab), filed by Petitioner, Quest, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21, 2-55 and 2-56, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

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No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21, 2-51 and 2-52, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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Petitioner sought a waiver of certain Handbook provisions on page 2-47, which prohibits the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on page 1-18, which prohibits the hiring of personal support providers who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Intensive Behavior Res Hab), filed by Petitioner, Central Florida Group Homes, L.L.C., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21, 2-55 and 2-56, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that

application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Behavior Focus Res Hab), filed by Petitioner, Central Florida Group Homes, L.L.C., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21, 2-51 and 2-52, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency's order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Personal Supports), filed by Petitioner, Suncoast New Options, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on page 1-18, which prohibits the hiring of personal support providers who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency's order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Primrose Center, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain

Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency's order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Palm Beach Habilitation Center, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency's order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Achievement and Rehabilitation Centers d/b/a ARC Broward, on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency's order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, WORC, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-

13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency's order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Advocacy Resource Center Marion, Inc. d/b/a ARC Marion, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Duvall Homes, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver

of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Cerebral Palsy Adult Home, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Companion), filed by Petitioner, Cerebral Palsy Adult Home, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on page 1-19, which prohibits the hiring of companion service providers who do not meet a one year experience requirement. Based on information presented in the

Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Personal Supports), filed by Petitioner, Bishop Grady Villas, on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on page 1-18, which prohibits the hiring of personal support providers who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Behavior Focus Res Hab), filed by Petitioner, Sunrise Community, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21, 2-51 and 2-52, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

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AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070 – Developmental Disabilities Individual Budgeting Waiver Services (Standard Res Hab), filed by Petitioner, Sunrise Community, Inc., on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver

Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on pages 1-21 and 2-47, which prohibit the hiring of direct care employees who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services

The Agency for Health Care Administration hereby gives notice:

On February 8, 2017, the Agency issued a Final Order Denying Petition for Waiver of Rule 59G-13.070, F.A.C. The Agency’s order was filed in response to a Petition for Waiver of Rule 59G-13.070, F.A.C., filed by Petitioner, Bishop Grady Villas, on November 10, 2016. Notice of the Petition was published in Volume 42, No. 229, of the Florida Administrative Register on November 28, 2016. Rule 59G-13.070, F.A.C., requires that all providers of Developmental Disabilities Individual Budgeting Waiver services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, September 2015 (“Handbook”). Petitioner sought a waiver of certain Handbook provisions on page 1-19, which prohibits the hiring of companion service providers who do not meet a one year experience requirement. Based on information presented in the Petition, the Agency found that Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.shoop@ahca.myflorida.com, (850)412-3689.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses

The Board of Medicine hereby gives notice that on January 4, 2017, an Order was filed on a Petition filed by Peggy Daniel on September 9, 2016, seeking a waiver or variance from subsection 64B8-52.003(5), F.A.C., with regard to the restriction on the number of continuing education hours which may be completed via home study. The Notice was published on September 14, 2016 in Volume 42, No. 179, of the Florida Administrative Register. The Board, at its meeting held on November 4, 2016, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Achievement and Rehabilitation Centers (d.b.a. ARC Broward), filed on November 10, 2016, and published on November 28, 2016 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Advocacy Resource Center Marion, Inc. (d.b.a. ARC Marin, Inc.), filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Attain, Inc., filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency

Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Bishop Grady Villas, filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Capstone Adaptive Learning & Therapy Centers, Inc., filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the

rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from CCARC, Inc. (d.b.a. Key Training Center), filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from Rule 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Central Florida Group Homes, filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment.

Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Cerebral Palsy Adult Home, Inc., filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Duvall Homes, Inc., filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare

setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Florida Mentor, filed on November 10, 2016, and published on November 28, 2017 in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Human Development Center, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida

Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Monroe ARC d.b.a. Monroe Assoc for ReMARCable Citizens (M.A.R.C.), filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Palm Beach Habilitation Center, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments

were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from PARC, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Primrose Center, Inc., filed on November 10, 2016, and

published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Quest, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice:

On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from SCARC, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from St. Augustine Group Homes, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from United Cerebral Palsy of Broward, Palm Beach and Mid-Coast Counties, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from United Cerebral Palsy Association of Miami, Inc., filed on November 10, 2016, and published on November 28, 2016, in Vol. 42, No. 229, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008: Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Sunrise Community, Inc. United Cerebral Palsy of South West Florida, filed on November 10, 2016, and published on November 29, 2016, in Vol. 42, No. 230, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Sunrise Community, Inc., filed on November 10, 2016, and published on November 29, 2016, in Vol. 42, No. 230, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency

Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-2.008 Staffing Requirements

The Agency for Persons with Disabilities hereby gives notice: On February 8, 2017, the Agency issued an order. The Final Order was in response to a Petition for a Permanent Waiver from Sunrise Community of Polk County, Inc., filed on November 10, 2016, and published on November 29, 2016, in Vol. 42, No. 230, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for a Permanent Waiver denies the Petitioner a permanent waiver from paragraph 65G-2.008(1)(f), Florida Administrative Code, which requires direct service providers have at least one year of experience in a medical, psychiatric, nursing or childcare setting or working with persons with a developmental disability prior to beginning employment. Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved by other means and the application of the rule creates a substantial hardship or would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Michele A. Lucas, Esq., Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399-0950, michele.lucas@apdcares.org, (850)921-3779.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Pest Control Enforcement Advisory Council (PCEAC) announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2017, 10:00 a.m.

PLACE: UF/IFAS Mid Florida Research and Education Center Auditorium, 2725 South Binion Road, Apopka, FL 32703, phone number (directions only): (407)884-2034 or GoToMeeting:

<https://global.gotomeeting.com/join/539155317>;

teleconference information: 1(888)670-3525, participant code: 411-898-2807

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the Council.

For a copy of the agenda or more information, you may contact: Mr. Dale Dubberly, Bureau Chief, 3125 Conner Boulevard, Tallahassee, Florida 32399, (850)617-7984, dale.dubberly@freshfromflorida.com.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: February 23, 2017, 4:00 p.m. – 6:00 p.m., ET

PLACE: Conference call: 1(888)670-3525, participant code: 7513637441

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a prehearing conference and a hearing in the following docket to which all persons are invited.

DOCKET NOS. AND TITLES: Docket No. 160186-EI -- Petition for rate increase by Gulf Power Company and Docket No. 160170-EI -- Petition for approval of 2016 depreciation and dismantlement studies, approval of proposed depreciation rates and annual dismantlement accruals and Plant Smith Units 1 and 2 regulatory asset amortization, by Gulf Power Company.

DATE AND TIME, PREHEARING CONFERENCE: Monday, March 6, 2017, 1:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) determine what facts, if any, may be stipulated; (4) dispose of any motions or other matters that may be pending; (5) identify exhibits; (6) establish an order of witnesses; and (7) consider such other matters as may aid in the disposition of the action.

DATE AND TIME, HEARING: Monday, March 20, 2017, 1:00 p.m. March 21-24, 2017 have also been reserved for

continuation of the hearing, if needed. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING: The purpose of this hearing shall be to receive testimony and exhibits, to take final action relative to the Gulf Power Company's application for rate increase, and to take action on any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow the parties to present evidence and testimony in support of their positions; and (2) allow for such other purposes as the Commission may deem appropriate.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 or via the Florida Relay Service at 1(800)955-8770.

EMERGENCY CANCELLATION OF HEARING: If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

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

DATE AND TIME: Wednesday, March 15, 2017, 10:00 a.m.

PLACE: 455 N. Garland Avenue, 2nd Floor Conference Room, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org. If you are hearing or speech impaired,

please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
For more information, you may contact: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council
The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, March 15, 2017, 9:00 a.m.
PLACE: 455 N. Garland Avenue, 2nd Floor Conference Room, Orlando, FL 32801
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the Executive Committee.
A copy of the agenda may be obtained by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
For more information, you may contact: Pegge Parker, (407)245-0300, ext. 300, pparker@ecfrpc.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Board of Architecture and Interior Design announces a telephone conference call to which all persons are invited.
DATE AND TIME: Monday, February 20, 2017, 2:00 p.m.
PLACE: Telephone conference: call toll-free: 1(888)670-3525, enter participant code: 7004064007 then #
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.
A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, (850)717-1982.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, telephone: (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of

the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.
For more information, you may contact: Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0751, telephone: (850)717-1982.

DEPARTMENT OF HEALTH

Board of Dentistry
The Board of Dentistry announces a telephone conference call to which all persons are invited.
DATE AND TIME: March 3, 2017, 9:00 a.m. ET
PLACE: Call 1(888)670-3525, when prompted enter conference code: 4552635641#
GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.
A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: the Board Office at (850)245-4474.

COMMISSION FOR FLORIDA LAW ENFORCEMENT ACCREDITATION, INC.

The Commission for Florida Law Enforcement Accreditation, Inc. announces a workshop to which all persons are invited.
DATE AND TIME: February 21, 2017, 3:00 p.m.
PLACE: World Golf Village Renaissance St. Augustine Resort, 500 S Legacy Trail, St Augustine, FL 32092
GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of information related to the Commission's business agenda.
A copy of the agenda may be obtained by contacting: Deborah Moody, (850)410-7200.
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: Deborah Moody, (850)410-7200. 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: Deborah Moody, (850)410-7200.

FLORIDA CORRECTIONS ACCREDITATION COMMISSION, INC.

The Florida Corrections Accreditation Commission, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: February 21, 2017, 10:30 a.m.

PLACE: World Golf Village Renaissance St. Augustine Resort, 500 S Legacy Trail, St Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of candidate agencies for accreditation or reaccreditation and general business of the Commission.

A copy of the agenda may be obtained by contacting: Deborah Moody, (850)410-7200.

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: Deborah Moody, (850)410-7200. 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: Deborah Moody, (850)410-7200.

CONCRETE MASONRY EDUCATION COUNCIL

The Florida Concrete Masonry Education Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 15, 2017, 9:30 a.m.

PLACE: Florida Concrete & Products Association, 6353 Lee Vista Blvd., Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Budget & Finance, 9:30 a.m. – 10:00 a.m.; Board of Directors – General Discussion, 10:00 a.m. – 12:00 Noon.

A copy of the agenda may be obtained by contacting: Megan Weber at mweber@fmsworks.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 1 day before the workshop/meeting by contacting: mweber@fmsworks.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).

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that The Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Abigail Toner on July 10, 2014. The following is a summary of the agency’s declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 156, of the August 12, 2014 Florida Administrative Register. The Commission considered the Petition at a duly-noticed public meeting on September 4, 2014, by teleconference. The Petitioner sought the Board’s clarification regarding whether a “skincare specialist” license will allow Petitioner to lawfully practice Reiki in Florida. Petitioner did not cite to any part of the Florida Statutes or Florida Administrative Code. Petitioner is not licensed under Chapter 477, Florida Statutes, nor has applied for a license under that chapter. The Board declined to answer the petition for declaratory statement, finding that under the facts and circumstances outlined by the Petitioner in her request for a declaratory statement, the Petitioner is not a “substantially affected person” and therefore lacks the standing necessary to submit a petition for declaratory statement to the agency and Board under Section 120, Florida Statutes. The Board filed its Order on October 16, 2014.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that The Board of Cosmetology has declined to rule on the petition for declaratory statement filed by Pamela Le Pere on October 15, 2013. The following is a summary of the agency’s declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 229, of the November 25, 2013 Florida Administrative Register. The Commission considered the Petition at a duly-noticed public meeting on January 14, 2014. The Petitioner sought the Board’s permission to perform Meta Therapy. The Petition did not: read “Petition for Declaratory Statement Before the Florida Board of Cosmetology”; provide the statutory provision(s), agency rule(s), or agency order(s) on which declaratory statement is sought; or provide a description of how the statutes, rules, or orders may substantially affect the petitioner in the petitioner’s particular set of circumstances. The Board declined to answer the petition for declaratory statement, finding that the Petition did not comply with the essential requirements of law. The Board filed its Order on April 1, 2014.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

**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**

**STATE BOARD OF ADMINISTRATION
INVITATION TO NEGOTIATE**

The State Board of Administration (SBA) announces an Invitation to Negotiate (ITN) to solicit responses from any interested firm in being considered for retirement plan choice and asset guidance services for the Florida Retirement System. The services assist eligible members of the Florida Retirement System (FRS) make a choice between the plans available under Florida law in light of their personal circumstances and to provide financial guidance on investments to help prepare them for retirement. The SBA is seeking one or more vendors

for financial education retirement plan choice and asset guidance services.

The ITN will be available on February 13, 2017 and can found on the SBA’s website at www.sbafla.com under “Doing Business with the SBA.” Responses will be due no later than 5:00 p.m. ET on Monday, March 27, 2017. The SBA reserves the right to reject any and all responses and to cancel the above ITN at any time. The SBA announces the following meeting dates, times, and locations with respect to this ITN, and all meetings are open to the public.

DATE: Friday, April 21, 2017
TIME: 9:00 a.m. until the conclusion of business
LOCATION: Emerald Coast Room (6th Floor), 1801 Hermitage Blvd., Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the responses received concerning the above ITN, and to designate short-listed respondents for interviews, if necessary, and further consideration.

DATES: Monday, May 1 through Friday, May 12, 2017
TIMES: To be determined; exact times will be posted on the website.
LOCATIONS: To be determined; exact locations will be posted on the website.
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct interviews with the short-listed respondents, if necessary.

DATE: Friday, May 19, 2017
TIME: 9:00 a.m. until conclusion of business
LOCATION: Emerald Coast Room (6th Floor), 1801 Hermitage Blvd., Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss responses received and all other information gathered concerning the above ITN to determine a final ranking of short-listed respondents and to recommend to the Executive Director that the SBA enter into an agreement with a respondent(s) to become effective July 1, 2018, or sooner, if possible, to provide retirement plan choice and asset guidance services covered in the above ITN.

Any changes to the above meeting dates and/or times (including the cancellation of any meeting) will be posted on the SBA’s website at <http://www.sbafla.com> at least 7 days prior to the meeting.

Anyone requiring special accommodations to participate in any meeting or anyone wishing further information should contact Ruthie Bianco at (850)413-1429 or by mail at 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308.

BRASFIELD & GORRIE, LLC
UF 608 - PARKING GARAGE XIV
INVITATION TO BID

Brasfield & Gorrie will now be taking sealed bid proposals for the Structural Precast trade package for the University of Florida Parking Garage XIV project in Gainesville, FL.

Please contact Chris Evans at Brasfield & Gorrie, cevans@brasfieldgorrie.com, (407)562-4500, for additional information on the project and proposal requirements.

Sealed proposals are due by no later than noon on March 6, 2017. Sealed proposals must either be hand delivered or mailed to the following address:

Brasfield & Gorrie, LLC
 c/o Chris Evans
 941 West Morse Blvd., Suite 200
 Winter Park, FL 32789

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 a.m. Tuesday, February 7, and 3 p.m. Monday, February 13, 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
25-6.0346	2/10/2017	3/2/2017
25-12.005	2/10/2017	3/2/2017
25-12.008	2/10/2017	3/2/2017
25-12.022	2/10/2017	3/2/2017
25-12.027	2/10/2017	3/2/2017
25-12.040	2/10/2017	3/2/2017
25-12.085	2/10/2017	3/2/2017
40D-8.624	2/10/2017	3/2/2017
40D-8.624	2/10/2017	3/2/2017
58M-2.001	2/9/2017	3/1/2017
60-8.001	2/10/2017	3/2/2017

60-8.002	2/10/2017	3/2/2017
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60A-1.033	2/10/2017	3/2/2017
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60A-1.047	2/10/2017	3/2/2017
60A-9.0062	2/10/2017	3/2/2017
60A-9.007	2/10/2017	3/2/2017
60B-3.001	2/10/2017	3/2/2017
60B-3.002	2/10/2017	3/2/2017
60B-4.002	2/10/2017	3/2/2017
60B-4.007	2/10/2017	3/2/2017
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60S-7.010	2/10/2017	3/2/2017
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61G15-22.0001	2/7/2017	2/27/2017
61G15-22.0002	2/7/2017	2/27/2017
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61G19-6.017	2/13/2017	3/5/2017
61J1-2.001	2/9/2017	3/1/2017
64B1-9.001	2/9/2017	3/1/2017
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64B9-4.011	2/7/2017	2/27/2017
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LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
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40B-9.021	12/21/2016	**/**/*****
40B-9.041	12/21/2016	**/**/*****
40B-9.126	12/21/2016	**/**/*****
40B-9.131	12/21/2016	**/**/*****
40B-9.1381	12/21/2016	**/**/*****
40B-9.1411	12/21/2016	**/**/*****
40B-9.142	12/21/2016	**/**/*****
40B-9.145	12/21/2016	**/**/*****
40B-9.123	12/9/2016	**/**/*****
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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	**/**/*****

**Section XIII
Index to Rules Filed During Preceding
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**INDEX TO RULES FILED BETWEEN FEBRUARY 6,
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5B-3.0032	2/6/2017	2/26/2017	42/194	42/248
5B-3.0035	2/6/2017	2/26/2017	42/194	42/248
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 60S-7.002 2/10/2017 3/2/2017 43/02

60S-7.003	2/10/2017	3/2/2017	42/252
60S-7.0041	2/10/2017	3/2/2017	43/02
60S-7.0051	2/10/2017	3/2/2017	43/01
60S-7.0061	2/10/2017	3/2/2017	43/01
60S-7.0071	2/10/2017	3/2/2017	43/01
60S-7.0081	2/10/2017	3/2/2017	43/01
60S-7.009	2/10/2017	3/2/2017	43/02
60S-7.0091	2/10/2017	3/2/2017	43/02
60S-7.010	2/10/2017	3/2/2017	43/02
60S-7.011	2/10/2017	3/2/2017	43/02
60S-7.050	2/10/2017	3/2/2017	43/02
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60S-11.003	2/10/2017	3/2/2017	42/252

IFAS Supplemental Benefit Program

60W-8.001	2/10/2017	3/2/2017	42/252
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

61G14-15.004	2/7/2017	2/27/2017	42/251
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Board of Professional Engineers

61G15-22.0001	2/7/2017	2/27/2017	42/212	43/03
61G15-22.0002	2/7/2017	2/27/2017	42/212	43/03

Florida Real Estate Appraisal Board

61J1-2.001	2/9/2017	3/1/2017	42/239
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DEPARTMENT OF HEALTH

Board of Acupuncture

64B1-9.001	2/9/2017	3/1/2017	42/233
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Board of Medicine

64B8-52.003	2/8/2017	2/28/2017	42/179	42/243
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Board of Nursing

64B9-4.011	2/7/2017	2/27/2017	42/231
64B9-15.007	2/7/2017	2/27/2017	43/02

Board of Psychology

64B19-11.005	2/9/2017	3/1/2017	42/239
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-16.003	2/10/2017	3/2/2017	43/09
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LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO SECTION 120.541(3), 373.139(7) AND 373.1391(6), FLORIDA STATUTES

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-9.021	12/21/2016	**/**/****	42/221
40B-9.041	12/21/2016	**/**/****	42/221
40B-9.123	12/9/2016	**/**/****	42/221
40B-9.126	12/21/2016	**/**/****	42/221
40B-9.131	12/21/2016	**/**/****	42/221
40B-9.1381	12/21/2016	**/**/****	42/221
40B-9.1411	12/21/2016	**/**/****	42/221
40B-9.142	12/21/2016	**/**/****	42/221
40B-9.145	12/21/2016	**/**/****	42/221

DEPARTMENT OF ELDER AFFAIRS

Guardianship

58M-2.009	2/9/2017	**/**/****	42/203	43/11
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DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009	7/21/2016	**/**/****	42/105
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-9.009	6/15/2016	**/**/****	42/89	
64B8-10.003	12/9/2015	**/**/****	39/95	41/49

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.100	12/19/2016	**/**/****	42/191	42/218
69L-7.501	12/19/2016	**/**/****	42/191	42/218

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.