

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-8.029
RULE TITLE: Insurer Reporting Requirements and Responsibilities

PURPOSE AND EFFECT: To discuss proposed amendments to Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities.

SUBJECT AREA TO BE ADDRESSED: Insurer exposure and loss reporting requirements for the 2019-2020 contract year and insurer responsibilities.

RULEMAKING AUTHORITY: 215.555, FS.

LAW IMPLEMENTED: 215.555, FS.

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

DATE AND TIME: October 9, 2018, 9:00 a.m. to 11:00 a.m. (ET).

PLACE: Room 116, (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

Persons wishing to participate by phone may dial: 1(888)670-3525 and enter conference code: 7135858151.

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: Donna Sirmons, Florida Hurricane Catastrophe Fund, State Board of Administration, P.O. Box 13300, Tallahassee, Florida 32317-3300; (850)413-1349; donna.sirmons@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Donna Sirmons at the number or email listed above.

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

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-3.001	Definitions
65G-3.002	Criteria for Admissions and Services
65G-3.003	Rules for Reduction of Services by the Provider
65G-3.004	Rules for Suspension of Services by the Provider
65G-3.005	Rules for Termination of Services by the Provider
65G-3.006	Retaliatory Conduct

PURPOSE AND EFFECT: The purpose and effect of these rule amendments is to clarify language regarding provider terminations, reductions, or suspensions of services to clients by providers and to clarify standards regarding retaliatory conduct.

SUBJECT AREA TO BE ADDRESSED: The subject to be addressed includes the provider termination, reduction, or suspension of services to clients and standards regarding retaliatory conduct.

RULEMAKING AUTHORITY: 393.125(2), 393.501(1)

LAW IMPLEMENTED: 393.125(2)

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

DATE AND TIME: October 10, 2018, 1:00 p.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399-0950

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Lisa Kuhlman, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-9738, Lisa.Kuhlman@apdcares.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa Kuhlman, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, (850) 922-9738, Lisa.Kuhlman@apdcares.org

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

Substantial rewording of Rule 65G-3.001, F.A.C. follows. See Florida Administrative Code for present text.

65G-3.001 Definitions.

(1) “Agency” means the Agency for Persons with Disabilities.

(2) “Contract” means a formal written agreement between the provider and Agency and includes Medicaid Waiver Services Agreement.

(3) “Discrimination” means the unjust or prejudicial treatment of different categories of people.

(4) “Individual Representative” is defined in Rule 65G-4.0213(13), F.A.C.

(5) “Provider” means any individual, program, or facility that receives payment for the care, treatment, training, residence or habilitation of persons with developmental disabilities. A provider does not include:

(a) A spouse, family member or guardian with whom a person with developmental disabilities resides;

(b) A provider covered under the provisions of Part VIII of Chapter 400, F.S.; or

(c) Individuals or entities providing services to clients through the CDC+ program pursuant to s. 393. _____, F.S. and Chapter 65G-_____, F.A.C.

(6) “Reduction” means a decrease in the frequency, duration or intensity in the level of services, initiated by a non-residential provider that is not a result of faded or prescribed reductions that are part of service planning.

(7) “Retaliatory Conduct” means negative action against a client or client’s individual representative motivated by the desire to punish the client or the client’s individual representative.

(8) “Suspension” means an involuntary and temporary break in services in a non-residential program initiated by the provider. Suspension does not mean a break of services to a client by a service provider due to the unavailability of funds to the provider by the Agency.

(9) “Termination” means the involuntary, permanent discharge or discontinuation of services in a program by the provider when such action is not included as part of the service planning process. Termination does not mean a discontinuation of services to a client by a service provider due to the unavailability of funds to the provider by the Agency.

(10) “Regional Office” means the Agency local office responsible for managing a specific geographical region.

Rulemaking Authority 393.125(2) FS. Law Implemented 393.0651, 393.067, 393.125(2) FS. History–New 12-10-91, Formerly 10F-8.026, 65B-8.026.

65G-3.002 Criteria for Admissions and Services.

Rulemaking Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History–New 12-10-91, Formerly 10F-8.028, 65B-8.028, Repealed _____.

65G-3.003 Rules for Reduction of Services by the Provider.

Rulemaking Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History–New 12-10-91, Formerly 10F-8.029, 65B-8.029, Repealed _____.

65G-3.004 Rules for Suspension of Services by the Provider.

Rulemaking Authority 393.125(2) FS. Law Implemented 393.125(2), 120 FS. History–New 12-10-91, Amended 5-19-93, Formerly 10F-8.030, 65B-8.030, Repealed _____.

Substantial rewording of Rule 65G-3.005, F.A.C. follows. See Florida Administrative Code for present text.

65G-3.005 Rules for Termination, Reduction, or Suspension of Services by the Provider.

(1) TERMINATIONS AND REDUCTIONS

(a) If a provider determines that he or she must terminate or reduce services the provider gives to a client, the Provider shall send written notice of intent to terminate or reduce services to the client and their individual representative, Regional Office, and the Support Coordinator by certified mail. The provider may not terminate or reduce services until at least thirty calendar days after the receipt of the notification by the client, individual representative, Regional Office, and Support Coordinator. The provider shall send the required notice to the Regional Office and Support Coordinator via electronic mail in addition to the required certified mail.

(b) Upon receipt of the notice from the provider, the Support Coordinator shall:

i. Evaluate the circumstances that led to the proposed termination or reduction,

ii. Determine what actions, if any, should be taken to resolve the situation,

iii. Immediately assist the client or the client’s individual representative in locating an alternate provider if resolution is not acceptable to the client or provider or otherwise not possible, and

iv. Update the client’s support plan, cost plan and relevant service authorizations accordingly.

(c) At the request of the client or the client’s individual representative, the Support Coordinator shall arrange a meeting with the provider and client or the client’s individual representative, to offer any recommendations to the client and provider in an effort to resolve the concerns that led to the issuance of the notice of intent to terminate or reduce service.

The meeting must be arranged within 5 calendar days of the client's or the individual representative's request for the meeting.

(d) The Support Coordinator shall contact the Regional Office immediately if the client and the client's individual representative need assistance in locating an alternate provider at least 25 days prior to the effective date of termination or reduction in services. The Regional Office will assist the client and the client's individual representative in meeting the client's needs.

(e) If the termination is for services provided in a licensed residential facility, the Regional Office shall immediately work with the client's Support Coordinator to assist the client or the client's individual representative in choosing an alternate place to live.

(f) If the client or the client's individual representative selects an individual or entity to render the services who is not qualified to be that client's provider, the Regional Office shall issue a notice to deny the client's selection of provider choice within 30 calendar days of the client's notification to the Regional Office. The notice shall identify any alternate providers or service options for the client and include an explanation of the client's administrative hearing rights pursuant to ss. 393.125, 120.569, and 120.57, F.S.

(2) SUSPENSIONS

(a) *Emergency Suspension:* A service provider may immediately suspend services provided to a client in a non-residential program when the behavior of the client constitutes an immediate danger to health, safety, or welfare of the client, another recipient of the provider's services, the provider, or a third party. If a service provider immediately suspends a client's services for this reason, the provider shall give written notice of immediate suspension to the client, the client's individual representative, the client's Support Coordinator, and Regional Office at the time of the suspension or immediately thereafter, detailing reasons for the suspension.

(b) *Other Suspension:* A service provider may immediately suspend services provided to a client in a non-residential program when the client's behavior interferes with services provided to other recipients of the provider's services. If a service provider initiates a suspension for this reason, the service provider shall provide written notice of immediate suspension from a non-residential program to the client, the client's individual representative, the client's Support Coordinator, and the Regional Office at the time of the suspension or immediately thereafter, detailing reasons for the suspension.

1. This type of suspension shall not exceed 3 service days.

2. If the client is not on the iBudget Waiver pursuant to s. 393.0662, F.S., notification is only required to be given by the provider to the Regional Office, the client or the client's individual's representative.

(c) The Support Coordinator will ensure that appropriate service coverage is available during the time of suspension and update the support plan, cost plan, and relevant service authorizations accordingly. The Support Coordinator shall contact the Regional office immediately if assistance is needed in securing alternate services or providers. The Regional Office will assist the client and the client's individual representative in meeting the client's needs.

(3) This rule does not apply to fading or other reduction of care set forth in the client's plan of care.

Rulemaking Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History—New 12-10-91, Amended 5-19-93, Formerly 10F-8.031, 65B-8.031.

Substantial rewording of Rule 65G-3.006, F.A.C. follows. See Florida Administrative Code for present text.

65G-3.006 Discrimination and Retaliatory Conduct.

(1) Service providers are prohibited from:

(a) Taking any action that qualifies as illegal discrimination against any client receiving services in the receipt of those services.

(b) Prejudicing the future provision of appropriate services when the client, or the client's individual representative, attempts to advocate with the Agency, a government entity, or advocacy organization for desired services.

(c) Taking any action that qualifies as retaliatory conduct against a client or the client's individual representative if either has complained about the service provider to the Agency, a governmental entity or advocacy organization, or any other individual or entity.

(2) In cases where retaliatory or illegal discriminatory conduct by the service provider, as described within this section, is determined by the Agency, the Agency, at its discretion, may initiate action against the service provider's license, contract with the Agency, or Medicaid Waiver Services Agreement, in accordance with the provisions of applicable state law and administrative rules.

Rulemaking Authority 393.125(2) FS. Law Implemented 393.125(2) FS. History—New 12-10-91, Amended 5-19-93, Formerly 10F-8.033, 65B-8.033

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-4.014	Eligibility for Services
65G-4.015	Eligibility Criteria
65G-4.016	Application Process
65G-4.017	Establishing Eligibility

PURPOSE AND EFFECT: The purpose of the rules amendments is to update terminology, conform with statutory requirements, and update language regarding eligibility for services.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed includes terminology, and eligibility for services.

RULEMAKING AUTHORITY: 393.065, 393.501

LAW IMPLEMENTED: 393.065

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

DATE AND TIME: October 10, 2018, 9:00 a.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399-0950.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa Kuhlman at (850)922-9738. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa Kuhlman, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950, (850)922-9738, Lisa.Kuhlman@apdcares.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

Substantial rewording of Rule 65G-4.014, F.A.C. follows. See Florida Administrative Code for present text.

65G-4.014 Eligibility for Agency Services – Definitions.

(1) Agency Services include DD Waiver Services, Individual and Family Services, and Room and Board.

(2) DD Waiver means Home and Community-Based Services (HCBS) waiver authorized by 42 U.S.C. 1396n(c)(1) of the federal Social Security Act and Section 409.906, F.S., that provides a package of Medicaid-funded home and community-based supports and services to eligible persons with developmental disabilities who live at home or in a home-like setting.

(3) Eligibility Rules – Rules 65G-4.014 through 65G-4.017, F.A.C., inclusive, which apply to eligibility determinations for services provided through the Agency for Persons with Disabilities for individuals with developmental disabilities.

(4) Extended duration means that the condition can reasonably be expected to continue indefinitely into the future.

(5) Handicapping Conditions include ambulatory deficits, sensory deficits, chronic health problems, and behavior problems.

(6) Major Life Activities include self-care, understanding and use of language, learning, mobility, self-direction, and the capacity for independent living.

(7) Neurologically based means that the condition is not the result of physical impairment.

(8) Severe behavior disorder means behavior that is frequent, intense, and significantly impairs an individual's functioning.

(9) Stereotyped and repetitive motor mannerisms are rhythmic ritualistic purposeless movements, including posturing, repetitive sounds or words, movement of objects as well as hand or finger flapping or twisting, or complex whole-body movements.

Rulemaking Authority 393.065, 393.501 FS. Law Implemented 393.065 FS. History–New 5-16-12.

65G-4.015 Eligibility Criteria.

(1) In order to be determined eligible for agency services the applicant must:

(a)(1) Be at least three years of age.

(b)(2) Be a resident of and domiciled in the state of Florida in accordance with Sections 393.064(14), 222.17(1) and (2), F.S. ~~Domicile may not be established in Florida by a minor who has no parent domiciled in Florida, or by a minor who has no legal guardian domiciled in Florida, or by any alien not classified as a resident alien.~~ Dependents of active duty military personnel stationed in the state of Florida are exempt from residency and domicile requirements.

(c)(3) Have a confirmed diagnosis of one of the following developmental disabilities that manifests before the age of 18, and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely, as defined in these rules, Rules 65G-4.014, 4.015, 4.016 and 4.017, F.A.C.:

1.(a) Autism;

2.(b) Cerebral palsy;

3.(c) ~~Mental retardation~~ or Intellectual disability;

4.(d) Prader-Willi syndrome;

5.(e) Spina Bifida;

6.(f) Down Syndrome, or

7. Phelan-McDermid Syndrome, or

8. ~~(e)~~ Children between 3 and 5 years of age who are at high risk of later diagnosis of one of the disabilities listed above. Such high-risk children shall not be placed on the waiting list for waiver services until a confirmed diagnosis of a qualifying disability is given.

~~(2)(4)~~ DD Waiver services are only available (conditioned upon the waiting list) to clients of the Agency persons who meet the eligibility requirements set forth in subsection (1) above and the requirements of 42 CFR §435.217(b)(1) for receiving home and community-based services. It is mandatory that the determination is made that without DD Waiver services these individuals would otherwise require the level of care furnished in a hospital, nursing facility ~~home~~, or an Intermediate Care Facility for Individuals People with Intellectual Disabilities (referred to in the CFR as an "ICF/IICMR"). The Agency will document its findings for each client's eligibility under the DD waiver using the iBudget Florida HCBS Waiver Eligibility Work Sheet, Form # _____, effective _____, incorporated by reference here, which may be found at _____ or <http://apd.myflorida.com/ibudget/users.htm>. The specific level of care criteria for determining waiver eligibility are:

(a) The client's primary disability is Intellectual Disability with an intelligence quotient (IQ) of 59 or less.

(b) The client's primary disability is Intellectual Disability with an intelligence quotient (IQ) of 60 to 69 inclusive and the individual has at least one handicapping conditions, OR the client's primary disability is Intellectual Disability with an intelligence quotient (IQ) of 60 to 69 inclusive and the client has severe functional limitations in at least three major life activities, or

(c) The client is eligible under the category of Autism, Cerebral Palsy, Down Syndrome, Prader-Willi Syndrome, Spina Bifida, or Phelan-McDermid Syndrome and the client has severe functional limitations in at least three major life activities.

(3) The Agency shall document major life activities and handicapping conditions utilizing the Questionnaire for Situational Information identified in Rule 65G-4.0213(18), F.A.C. or through evidence identified in adaptive tests listed in Rule 65G-4.017(3)(d), F.A.C.

Rulemaking Authority 393.065, 393.501 FS. Law Implemented 393.065 FS. History—New 5-16-12, Amended _____.

65G-4.016 Application Process.

(1) Application for services from the agency shall be made by submitting an application by hand delivery, U.S. Postal Service, or facsimile to the regional agency office in the service area where the applicant resides. The Application for Services (Form 10-007, 2007), is available on the agency website at

www.APD.myflorida.com,

<http://www.apd.myflorida.com/customers/application/> or by contacting the agency. The application is available in English, Haitian Creole, and Spanish and is hereby incorporated by reference,

~~http://www.flrules.org/Gateway/reference.asp?No=Ref_01203~~ and may be obtained at _____.

(2) Upon receipt of a completed, signed, and dated Application for Services, the ~~area agency~~ regional office staff shall review the application and supporting documentation and, within 45 days for children under the age of 6 and 60 days for individuals 6 years of age and older, shall notify the applicant of the final determination of eligibility for agency services. If requests for collateral information or additional evaluations are necessary to determine eligibility, the time may be extended for no more than an additional ninety (90) days from the initial receipt of the completed, signed, and dated Application for Services.

(3) If an applicant is unable to produce an existing evaluation that establishes eligibility or if there is concern that the information provided is inaccurate, incorrect, or incomplete, the ~~agency area~~ regional office will be responsible for obtaining an evaluation to ~~establish~~ determine eligibility. Pursuant to ~~Professional diagnoses under~~ Rule 65G-4.017, F.A.C., the professional diagnosis must document all criteria for eligibility as set forth in the Eligibility Rules 65G-4.014 .017, F.A.C. The evaluation process includes only those assessments necessary to determine eligibility that were administered by a person qualified to administer the instrument(s).

(4) When the eligibility determination is complete, the regional office staff ~~agency area office~~ shall notify the applicant in writing within five (5) business days of the agency's decision. If the applicant is determined ineligible for agency services, the regional office staff ~~agency area office~~ shall provide a Notice of Ineligibility for Services to the applicant, which shall notify the applicant of his or her right to an administrative hearing or judicial review pursuant to ss. 393.125, 120.569, and 120.57, F.S. of the right to appeal the decision in accordance with Chapter 120, F.S.

(5) If the applicant is determined to be ineligible to receive services from the agency, the regional office staff ~~agency area office~~ shall offer suggestions regarding other programs, agencies, or services for which the applicant may be eligible.

(6) If a category of covered conditions in this rule is not also covered by the state's Medicaid developmental disabilities waiver (DD waiver) at the time an individual is determined to be eligible, those individuals will be placed on the waiting list and may be provided services funded through general revenue allocations or sources other than the DD Waiver.

Rulemaking Authority 393.065, 393.501 FS. Law Implemented 393.065 FS. History—New 5-16-12, Amended _____.

65G-4.017 Establishing Eligibility.

(1) ~~Establishing Eligibility—Autism.~~

(a) A diagnosis of autism, ~~as defined by Rule 65G-4.014, F.A.C.,~~ may only be made by one or more of the following who has specific training and experience in making such diagnosis:

- ~~1.(a)~~ A Florida-licensed psychiatrist;
- ~~2.(b)~~ A Florida-licensed psychologist;
- ~~3.(c)~~ A board-certified pediatric neurologist who is qualified by training and experience to make a diagnosis of autism;
- ~~4.(d)~~ A board-certified developmental pediatrician, or
- ~~5.(e)~~ Collateral information received from another state, which may be accepted only if the evaluator is licensed through the same credentials required for licensure in Florida for the professions listed in paragraph (1)(a), above.

(b) In order to qualify for eligibility, the condition must:

1. Be:
 - a. Pervasive, meaning always present and without interruption;
 - b. Neurologically based, meaning that the condition is not the result of physical impairment;
 - c. A developmental disability with age of onset during infancy or childhood;
 2. Have an extended duration;
 3. Cause severe learning disorders resulting in both severe communication disorders affecting both verbal and nonverbal skills, and severe behavior disorders.

4. Evidence at least six of the following twelve features from the following subparts (1)(b)4.a. and (1)(b)4.b, with at least one feature from subpart (1)(b)4.b:

- a. Severe communication disorders, which may include:
 - i. A delay in, or total lack of, the development of spoken language (not accompanied by an attempt to compensate through alternative modes of communication such as gesture or mime).
 - ii. Stereotyped and repetitive use of language or idiosyncratic language.
 - iii. For those applicants with speech, marked impairment in the use of multiple nonverbal behaviors such as eye-to-eye gaze, facial expression, body postures, and gestures to regulate social interaction.
 - iv. Failure to develop peer relationships appropriate to developmental level.
 - v. A lack of spontaneous seeking to share enjoyment, interests, or achievements with other people (e.g., by a lack of showing, bringing, pointing out objects of interest, or achievements to others).
 - vi. Lack of social or emotional reciprocity.
 - vii. For those applicants with speech, marked impairment in the ability to initiate or sustain a conversation with others, or

viii. Impaired imaginative ability evidenced by a lack of varied, spontaneous make-believe play or social imitative play appropriate to developmental level.

b. Severe behavior disorders, which may include:

- i. Encompassing preoccupation with one or more stereotyped and restricted patterns of interest that is abnormal either in intensity, focus, or developmental level,
- ii. Apparently inflexible adherence to specific, nonfunctional routines or rituals.
- iii. Stereotyped and repetitive motor mannerisms, or
- iv. Persistent preoccupation with parts of objects.

(2) ~~Establishing Eligibility—Cerebral Palsy.~~

(a) Diagnosis is confirmed by written documentation from one or more of the following:

- ~~1.(a)~~ A medical doctor;
- ~~2.(b)~~ A doctor of osteopathy, or
- ~~3.(c)~~ Medical records documenting a diagnosis of cerebral palsy before the age of 18.

(b) In order qualify for eligibility, the condition must:

1. Constitute a substantial handicap which is reasonably expected to continue indefinitely.
2. Consist of disabling symptoms of extended duration that result from damage to the developing brain during the prenatal period and characterized by paralysis, spasticity, or abnormal control of movement or posture, such as poor coordination or lack of balance, which is manifest prior to three years of age; or
3. Include the presence of other significant motor dysfunction appearing prior to age 18 due to perinatal or external events such as anoxia, oxygen deprivation, or traumatic brain injury.

(c) The condition does not include motor dysfunction caused by medical events, including stroke or progressive diseases such as muscular dystrophy.

(3) ~~Establishing Eligibility—Mental Retardation or Intellectual Disability.~~ To establish that an individual has intellectual disability ~~mental retardation~~ the following criteria shall be applied:

(a) A single test or subtest should not be used alone to determine eligibility. If a person has statistically significantly discrepancies between the Standard Index scores on different (~~statistically defined~~) scores on different scales of a test or tests, or a great deal of variability on subtest scores of an IQ test, or if no IQ score could be obtained due to the conditions manifested by the individual such as altered mental states, absence of cooperation, or other extenuating circumstances one during testing, the full-scale score (or absence of) may not indicate intellectual disability ~~mental retardation~~ and should not be relied on as a valid score. In ~~that~~ these instances, closer scrutiny is required to make an appropriate differential diagnosis. This may include a longitudinal review of school records, school placement, achievement scores, medical

records, medication history, family history, behavior during testing, ~~and~~ the psychosocial situation at the time of testing, or interviews of individuals close to the applicant. Closer scrutiny must also be required when there is a great deal of variability between IQ scores on different IQ tests or different administrations of the same IQ test. Nothing here is intended to preclude clinical judgment from appropriately determining that a single full-scale IQ score of 70 or below, or two or more standard deviations below the mean, on an individually administered intelligence test is sufficient to establish eligibility.

(b) The performance measures for this category of adaptive functioning deficits must be validated by the professional judgment of a psychologist who is experienced in working with people who have intellectual disability ~~retardation~~, who has specific training and validation in the assessment instrument that is used, and who is one of the following:

1. A Florida-licensed psychologist,
2. A Florida-licensed school psychologist,
3. A certified school psychologist.

(c) Any standardized test may be submitted as proof. However, the applicant must demonstrate that any test not presumptively accepted by the agency is valid. The following are presumptively accepted standardized tests of intelligence to establish eligibility for intellectual disability ~~mental retardation~~:

1. Stanford-Binet Intelligence Test (all ages),
2. Wechsler Preschool and Primary Scale of Intelligence (under six years of age),
3. Differential Ability Scales – Preschool Edition (under six years of age),
4. Wechsler Intelligence Scale for Children (WISC) (children up to 15 years, 11 months),
5. Differential Ability Scales (children up to 15 years, 11 months),
6. Wechsler Adult Intelligence Scale (WAIS),
7. Test of Nonverbal Intelligence-3 (TONI-3),
8. Comprehensive Test of Nonverbal Intelligence-2 (C-TONI-2),
9. Universal Nonverbal Intelligence Test (UNIT),
10. Leiter International Performance Scale-~~Revised~~ (Leiter-~~R~~).

(d) The following tests of adaptive functioning are presumptively accepted in the determination:

1. Vineland Adaptive Behavior Scales,
2. AAMR Adaptive Behavior Scale,
3. Adaptive Behavior Assessment System (ABAS),
4. Adaptive Behavior Evaluation Scale (ABES),
5. Scales of Independent Behavior-Revised

(e) In all cases, assessments or evaluations for eligibility should be obtained from appropriately licensed professionals

with experience and training in the instruments and population for whom eligibility is to be determined.

(f) In order to qualify for eligibility, the condition must:

1. Exhibit significantly subaverage general intellectual functioning evidenced by an Intelligence Quotient (IQ) two or more standard deviations below the mean on an individually administered standardized intelligence test; and,

2. Exhibit significant deficits in adaptive functioning in one or more of the following areas:

- a. Communication skills,
- b. Self-care, home living,
- c. Social and interpersonal skills,
- d. Use of community resources and self-direction,
- e. Functional academic skills,
- f. Work, leisure, health and safety awareness and skills,

3. Manifest prior to age 18; and,

4. Constitute a substantial handicap which is reasonably expected to continue indefinitely.

~~(4) Establishing Eligibility—Prader-Willi Syndrome.~~

Diagnosis is confirmed by written documentation from one or more of the following:

- (a) A medical doctor;
- (b) A doctor of osteopathy, or
- (c) Medical records that document a diagnosis of Prader-Willi syndrome before the age of 18.

~~(5) Establishing Eligibility—Spina Bifida.~~ Diagnosis is confirmed by written documentation from one or more of the following:

- (a) A medical doctor;
- (b) A doctor of osteopathy, or
- (c) Medical records that document a diagnosis of spina bifida cystica or myelomeningocele before the age of 18.

~~(6) Establishing Eligibility—Down Syndrome.~~

(a) Evidence under this category requires medical records documenting a chromosome analysis (also referred to as a karyotype) finding the individual has an extra genetic material on their number 21 chromosome.

(b) In the absence of a chromosome analysis, a diagnosis of Down Syndrome can be accepted from a health care provider qualified to certify the diagnosis if the provider certifies the physical signs of the syndrome. A diagnosis could also be verified from review of medical records that document a diagnosis of Down Syndrome before the age of 18, if the diagnosis was completed by a health care provider qualified to certify the diagnosis at the time of diagnosis.

(c) A prenatal diagnostic test may also be accepted as proof of diagnosis.

(d) The term “qualified to certify the diagnosis” means that the health care provider providing the diagnosis is:

1. A medical doctor; or

2. A doctor of osteopathy.

(7) Phelan-McDermid Syndrome. Evidence under this category requires documentation from a physician which provides the diagnosis of Phelan-McDermid Syndrome as derived from genetic testing.

(8)(7) Establishing Eligibility— High-Risk Children, 3 to 5 years of age.

(a) A child qualifies for eligibility as a high-risk child, if he or she is 3 to 5 years of age and has:

1. Evidence supporting under this category requires a determination by an APD Agency regional area office that the child has one of the following characteristics;

a. A medical diagnosis of developmental delay in cognition, language, or physical development, where the diagnosis reflects evidenced by the child indicates a high probability that the child is likely to have an eventual diagnosis of a qualifying condition under Rule 65G-4.014, F.A.C., if early intervention services are not provided; or the child has one or more physical or genetic anomalies associated with a developmental disability, such as:

i.(a) Genetic or chromosomal disorders (such as Down syndrome or Rett syndrome);

ii.(b) Metabolic disorders (such as phenylketonuria);

iii.(c) Congenital malformations (such as microcephaly or hydrocephaly);

iv.(d) Neurological abnormalities and insults;

v.(e) Congenital and acquired infectious diseases;

vi.(f) Chronic or catastrophic illnesses or injuries;

(g) A parent or guardian with developmental disabilities who requires assistance in meeting the child's developmental needs; or

vii.(h) Other conditions or genetic disorders generally associated with developmental disabilities, such as tuberous sclerosis, congenital syphilis, fetal alcohol syndrome, or maternal rubella, as documented by a physician;

2. Survived a catastrophic infectious or traumatic illness known to be associated with developmental delay;

3. A parent or guardian with developmental disabilities who requires assistance in meeting the child's developmental needs.

4. A physical or genetic anomaly associated with a developmental disability, such as:

a. Genetic or chromosomal disorders (such as Down syndrome or Rett syndrome);

b. Metabolic disorders (such as phenylketonuria);

c. Congenital malformations (such as microcephaly or hydrocephaly);

d. Neurological abnormalities and insults;

e. Congenital and acquired infectious diseases;

f. Other conditions or genetic disorders generally associated with developmental disabilities, such as tuberous sclerosis, congenital syphilis, fetal alcohol syndrome, or maternal rubella, as documented by a physician.

5.(i) If a child between three and five years of age Already has been determined to have a developmental disability in one of the seven five categories identified in Chapter 393, F.S., that child shall be eligible for services from the agency under the appropriate diagnosis and shall be added to the waiting list.

(b)(j) If a child served under the category of high risk does not have a confirmed diagnosis by his or her fifth birthday, they shall be given a notice of case closure and the case will be closed at the agency. The agency shall make the child's parent or guardian aware of appropriate agencies, programs or school programs which the agency is aware of which might be able to assist the child.

Rulemaking Authority 393.065, 393.501 FS. Law Implemented 393.065 FS. History—New 5-16-12, Amended _____.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.001 District Financial Records

PURPOSE AND EFFECT: To incorporate by reference an updated version (2018) of the Financial and Program Cost Accounting and Reporting for Florida Schools (Red Book) publication. Changes in law, accounting principles and district practices require periodic revision of this publication, which includes a chart of accounts. The effect is that districts will have an updated chart of accounts to use.

SUMMARY: The superintendent of each school district is responsible for keeping adequate records and accounts of all financial transactions in the manner prescribed by the commissioner in Financial and Program Cost Accounting and Reporting for Florida Schools (Red Book). The Office of Funding and Financial Reporting is responsible for updating the publication. The proposed amendment allows for the 2018 version of the Financial and Program Cost Accounting and Reporting for Florida Schools (Red Book) to replace the 2017 version.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 1010.01, FS.

LAW IMPLEMENTED: 1010.01, FS.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.001 District Financial Records.

The superintendent of schools of each school district shall be responsible for keeping adequate records and accounts of all financial transactions in the manner prescribed by the Commissioner in the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools, ~~2018~~ ~~2017~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08554>," which is hereby incorporated by reference in this rule. Copies of the publication may be obtained from the Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399, at a cost to be established by the Commissioner, but which shall not exceed actual costs.

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

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 17, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.004 School District Budget Requirements

PURPOSE AND EFFECT: To incorporate by reference, a revised Form ESE 139.

SUMMARY: Revisions to Form ESE 139 include the addition of a federal revenue account to reflect updates to federal program revenues and the removal of references to federal stimulus funds for programs that have been closed out.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Past agency experience with revising required forms for financial reporting for school districts in accordance with laws and rules of the State Board of Education, the adverse impact or regulatory cost, if any, does not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in section 120.541(2)(a), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1001.42(12)(b), 1011.01(2)(a), (3)(a), 1011.60(1), (5), FS.

LAW IMPLEMENTED: 200.065, 1001.42(12)(b), 1011.01(2)(a), (3)(a), 1011.02, 1011.03, 1011.60(1), (5), FS.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.
 PLACE: Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Eggers, Assistant Deputy Commissioner, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0351.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.004 School District Budget Requirements.

(1) The District Summary Budget shall be prepared in a format provided by the Commissioner, advertised, presented at a public hearing pursuant to the advertisement, adopted by the board and submitted to the Department of Education in the manner prescribed in Rule 6A-1.0071, F.A.C. When submitted, the budget document shall be certified by the superintendent of schools as official, correct and approved by the district school board.

(2) The following items are included in the District Summary Budget:

- (a) Estimated revenue: federal, state and local;
- (b) Estimated non-revenue – loans, bond sales, etc.;
- (c) Operating appropriations;
- (d) Transfers, debt service and capital projects appropriations; and
- (e) Ending balances and reserves.

(3) A budget shall not be considered to be officially received until all required forms, schedules, analyses and certifications have been received, including Forms ESE 139, District Summary Budget (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08091>) (effective November 2017 ~~April 2017~~), and ESE 524, Resolution Determining Revenues and Millages Levied (<http://www.flrules.org/Gateway/reference.asp?No=Ref-05988>) (effective December 2015). Forms ESE 139 and ESE 524 are hereby incorporated by reference and may be obtained from the Office of Funding and Financial Reporting, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Rulemaking Authority 1001.02(1), (2)(n), 1001.42(12)(b), 1011.01(2)(a), (3)(a), 1011.60(1), (5) FS. Law Implemented 200.065, 1001.42(12)(b), 1011.01(2)(a), (3)(a), 1011.02, 1011.03, 1011.60(1), (5) FS. History—New 3-26-66, Amended 9-17-72, 2-18-74, Repromulgated 12-5-74, Amended 11-29-78, 7-10-85, Formerly 6A-1.04, Amended 10-4-88, 9-22-08, 3-13-12, 11-13-12, 11-19-13, 11-4-14, 12-2-15, 4-25-17, ____.

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

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 17, 2018.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-5.081 Approval of School Leadership Programs

PURPOSE AND EFFECT: To update the eligibility criteria for Level I educational leadership and Level II school principal preparation programs as a result of 2018 legislation. (See, chapter law 2018-6 § 37, Laws of Florida and chapter law 2018-7, § 52, Laws of Florida.)

SUMMARY: The proposed amendment expands the entities eligible to offer Level I and II programs beyond school districts and postsecondary institutions to include charter schools and charter management organizations. In addition, the amendment clarifies that former military officers who hold a temporary educational leadership certificate are eligible for admittance into Level II programs.

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 rule amendment relates to expanding the entities that may offer programs and the alternative admission requirements for former military officers; therefore, there is no direct or immediate impact on economic growth, private sector job creation, employment, or private sector investment. If there is any impact on economic growth and private sector job creation, the impact would be positive because the expansion of entities that may offer programs leading to school leadership positions would only have a positive impact on the economy.

For the same reasons, although no impact on business competitiveness is anticipated, any impact would be positive. Because the proposed rule relates only to the expansion of entities who may offer educational leadership programs and persons who may participate, it is not likely to increase regulatory costs or approach any criteria that requires legislative ratification.

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

RULEMAKING AUTHORITY: 1001.02(2)(n), 1012.562, 1012.55, 1012.986, FS.

LAW IMPLEMENTED: 1012.562, 1012.55, 1012.986, FS.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eileen McDaniel, Bureau Chief, Bureau of Educator Recruitment, Development and Retention, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400; (850)245-0562; or Eileen.Mcdaniel@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.081 Approval of School Leadership Programs.

This rule sets forth the requirements and implementation of the approval process for each type of school leadership program offered by a Florida postsecondary institution or public school district.

(1) Definitions. For the purposes of this rule, the following definitions apply.

(a) through (i) No change.

(j) “Instructional expertise” means documented successful demonstration of the core standards for effective educators outlined in the Florida Educator Accomplished Practices (FEAPs) and a documented track record of achieving student gains. Acceptable documentation of instructional expertise must include a rating of “effective” or higher on the “Performance of Students” and “Instructional Practice” sections of the candidate’s two most recent performance evaluations per Section 1012.34, F.S. For candidates who are not employed by a Florida public school district, a provider a postsecondary institution or school district may accept alternative equivalent documentation demonstrating two years of effective instruction with a record of student learning gains.

(k) No change.

(l) “Partner” means to develop and maintain a collaborative professional relationship with agreed upon goals and outcomes.

Partnerships must include evidence that the institution, ~~and a school district(s),~~ charter school(s), or charter management organization(s) work together to:

1. Determine program admission standards, and identify and select candidates,
2. Provide job-embedded field experiences for program candidates; and,
3. Identify strategies for continuous improvement of the program based upon a review of the performance of program candidates and the performance of program completers using aggregate data from performance evaluations.

(m) through (o) No change.

(p) “Provider” means an entity that is authorized to offer school leadership programs; these entities are a postsecondary institution, school district, charter school and a charter management organization. The term includes applicants and entities approved to offer school leadership programs.

~~(q)(p)~~ “Program completer” means an individual who has satisfied all educational leadership or school principal program requirements approved under this rule.

~~(r)(q)~~ “School leadership positions” mean the administrative personnel positions that are defined in Section 1012.01(3)(c), F.S.

(2) Requirements and processes for initial request and approval of educational leadership programs and school principal programs.

(a) Requirements for approval of educational leadership programs:

1. ~~Providers Postsecondary institutional programs~~ shall employ faculty who are qualified to teach courses required in the program. Faculty and staff who supervise field experiences shall document annual onsite participation in activities in prekindergarten through grade 12 school settings.

2. through 3. No change.

4. ~~Providers Postsecondary institutional programs and school districts~~ shall describe the qualifications used for admission and admit only candidates that demonstrate instructional expertise and leadership potential as approved under this rule.

5. ~~Providers Postsecondary institutional programs and school districts~~ shall describe how competency-based training is aligned to the Florida Principal Leadership Standards.

6. ~~Providers Postsecondary institutional programs and school districts~~ shall describe how training shall be aligned to the personnel evaluation criteria under Section 1012.34, F.S.

7. ~~Providers Postsecondary institutional programs and school districts~~ shall only endorse as program completers candidates who demonstrate all of the Florida Principal Leadership Standards at the initial certification level and earn passing scores on all portions of the Florida Educational Leadership Examination required in Section 1012.56, F.S.

8. Except for postsecondary institutions, a provider school districts shall offer its approved professional development program in educational leadership only to its employees who hold a master's degree from an accredited or approved institution as described in Rule 6A-4.003, F.A.C. Programs may provide for admission of candidates without this degree, provided that the provider district's program documentation includes a process of formally notifying such candidates that they are not eligible to complete the program without official documentation of the master's degree.

(b) Processes for submission of an educational leadership program for initial approval:

1. The president or chief executive officer of a Florida postsecondary institution, a charter school or charter management organization or a public school district superintendent who seeks approval to offer an educational leadership program or school principal program, shall submit a written request which is further described in the documents, Florida Department of Education Request to Submit Form-Educational Leadership, Form RTS-EL 2016, and Florida Department of Education Request to Submit Form-School Principal, Form RTS-SP 2016 within 30 business days prior to January 15, April 15, July 15, and October 15. The Department will inform the institution or district superintendent in writing of the receipt of a fully completed request within five (5) business days.

2. Upon written verification by the Department of a fully completed request, the provider institution or district superintendent shall submit to the Department an electronic folio, which is further described in the documents, Florida Department of Education Initial Program Approval Standards for Educational Leadership, Form EL IAS-2016, and Florida Department of Education Initial Program Approval Standards for School Principal, Form SP IAS 2016 by January 15, April 15, July 15, and October 15.

3. The Department shall conduct a review of the electronic folio submitted in support of the request for initial approval within ninety (90) days of receipt of the portfolio. The Department shall notify the provider institution or school district in writing of the following:

a. through c. No change.

(c) Requirements for approval of school principal programs:

1. With the exception of former military officers that qualify for admittance under section 1012.55(1)(e)(1), F.S., a provider ~~The school district~~ shall only admit candidates who hold a valid Florida Educator's Certificate in the area of educational leadership, education administration, or administration and supervision pursuant to requirements of Rule 6A-4.0083, F.A.C., and who are employed in a public school within the district in a school leadership position through

which the candidate can fully demonstrate the competencies associated with the Florida Principal Leadership Standards.

2. The provider school district shall only admit candidates who have earned a highly effective or effective evaluation rating under Section 1012.34, F.S.,

3. The provider school district shall describe how it provides individualized instruction using a customized learning plan for each candidate, and the competency-based training that is aligned to its school administrator evaluation criteria under Section 1012.34, F.S., and the William Cecil Golden Professional Development Program for School Leaders under Section 1012.986, F.S.

4. The provider school district shall ensure individuals who are designated as program completers have satisfactorily performed instructional leadership responsibilities as measured by the school district's school administrator evaluation system under Section 1012.34, F.S., for persons employed by the school district or by the charter school or charter management organization.

(3) Requirements and processes for continued approval of educational leadership programs and school principal programs.

(a) Reporting processes for continued approval are as follows:

1. Each provider institution or school district shall annually submit program candidate and completer data to the Department's secure management information system.

2. By November 15 of each year, each provider institution or school district shall submit via the Department's eIPEP platform located at <https://www.florida-eipep.org/>, a program evaluation plan in accordance with Florida Department of Education Continued Program Approval Standards, Form EL CAS-2015 for educational leadership programs; or Form SP CAS-2016 for school principal programs.

3. through 4. No change.

(4) through (5) No change.

Rulemaking Authority 1001.02, 1012.562, 1012.986 FS. Law Implemented 1012.56, 1012.986 FS. History--New 6-20-07, Amended 12-20-16.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Hershel Lyons, Chancellor, K12 Public Schools.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 30, 2018.

DEPARTMENT OF EDUCATION**State Board of Education**

RULE NO.: RULE TITLE:
6A-10.0342 Career and Technical Education Program
Performance Reporting

PURPOSE AND EFFECT: To establish current year performance standards for career education programs as required in s. 1008.43, F.S. The new standards are determined based on the calculation process described in the rule and will affect both the school districts and Florida colleges. The effect is to align performance standards so that they will be consistent with the state's plan under the Carl D. Perkins Career and Technical Education Improvement Act of 2006, under which the state receives federal funding.

SUMMARY: The rule revision establishes the 2017-18 and 2018-19 performance standards to be adopted in order to evaluate career education programs as required in s. 1008.43(1)(a), F.S.

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 performance standards in the amendment have been previously agreed upon and is not expected to have any impact on the factors found in 120.541(2)(a), F.S. or require legislative ratification.

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

RULEMAKING AUTHORITY: 1008.43, F.S.

LAW IMPLEMENTED: 1008.43, F.S.

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

DATE AND TIME: October 25, 2018, 9:00 a.m.

PLACE: Crystal River Middle School, 344 NE Crystal St., Crystal River, FL 34428.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tara Goodman, Bureau Chief, Budget, Accountability and Assessment, 325 West Gaines Street, Tallahassee, Florida, 32399-0400; (850)245-9002; tara.goodman@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0342 Career and Technical Education Program Performance Reporting.

(1) The Department will annually calculate and publish secondary and postsecondary program improvement targets for each of the performance measures for which career and technical education programs are to be accountable.

(2) No change.

(3) The completion rate for secondary programs shall be calculated as follows: The numerator shall be the number of senior career and technical education concentrators who attained a 1) standard high school diploma, 2) State of Florida High School Diploma or Adult High School diploma, or 3) proficiency credential, certificate or degree, in conjunction with a secondary school diploma. The denominator shall be the number of senior career and technical education concentrators who have left secondary education in the reporting year. The 2017-18 ~~2015-16~~ target shall be 96%. ~~and~~ The 2018-19 ~~2016-17~~ target shall be 96.5 ~~95.68~~%.

(4) The placement rate for secondary programs shall be calculated as follows: The numerator shall be the number of career and technical education concentrators from the prior year who completed secondary school and who were placed in postsecondary education, employment, or military service in the 2nd quarter (October-December) after leaving secondary education during the reporting year. The denominator shall be the number of career and technical education concentrators from the prior year who completed secondary school. The 2017-18 ~~2015-16~~ target shall be 82 ~~81.28~~%. The 2018-19 ~~2016-17~~ target shall be 82 ~~81.78~~%.

(5) The completion rate for postsecondary clock hour programs shall be calculated as follows: The numerator shall be the number of career and technical education concentrators who received an industry-recognized credential or a certificate during the reporting year. The denominator shall be the number of career and technical education concentrators who left postsecondary education during the reporting year. The 2017-18 ~~2015-16~~ target shall be 60.75 ~~59.75~~%. The 2018-19 ~~2016-17~~ target shall be 61.25 ~~60.25~~%.

(6) The placement rate for postsecondary clock hour programs shall be calculated as follows: The numerator shall be the number of career and technical education concentrators from the prior year who received a credential, degree or certificate who were placed in postsecondary education, employment or military service in the 2nd quarter (October-December) after leaving postsecondary education. The denominator shall be the number of career and technical education concentrators from the prior year who received a credential, degree or certificate. The 2017-18 ~~2015-16~~ target

shall be ~~77.25~~ 76.27%. The ~~2018-19~~ ~~2016-17~~ target shall be ~~77.75~~ 76.77%.

(7) The completion rate for postsecondary credit hour programs shall be calculated as follows: The numerator shall be the number of career and technical education concentrators who received an industry-recognized credential, a certificate, or a degree during the reporting year. The denominator shall be the number of career and technical education concentrators who left postsecondary education during the reporting year. The ~~2017-18~~ ~~2015-16~~ target shall be 49.5%. and The ~~2018-19~~ ~~2016-17~~ target shall be 50 49%.

(8) The placement rate for postsecondary credit hour programs shall be calculated as follows: The numerator shall be the number of career and technical education concentrators from the prior year who received a credential, degree or certificate who were placed in postsecondary education, employment or military service in the 2nd quarter (October-December) after leaving postsecondary education. The denominator shall be the number of career and technical education concentrators from the prior year who received a credential, degree or certificate. The ~~2017-18~~ ~~2015-16~~ target shall be 87 86%. The ~~2018-19~~ ~~2016-17~~ target shall be 87.5 86.50%.

(9) No change.

Rulemaking Authority 1008.43 FS. Law Implemented 1008.43 FS. History--New 10-4-93, Amended 2-16-94, 10-25-11, 2-17-15, 10-30-16,

NAME OF PERSON ORIGINATING PROPOSED RULE: Rod Duckworth, Chancellor, Division of Career and Adult Education.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 20, 2018.

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV

Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-20.0015 Application for Licensure by Endorsement

NOTICE IS HEREBY GIVEN that on September 21, 2018, the Board of Professional Engineers, received a petition for variance and waiver filed by Alfonso Blanco, Ph.D., P.E. DWRE regarding the requirements of subsection 61G15-20.0015(2), F.A.C., which implements the requirements of paragraph 471.015(5)(b), F.S. that an applicant for licensure by endorsement is deemed to have passed the FE and PE examinations if such applicant possesses 25 years of licensure as a PE and 30 years of continuous engineering experience. Comments on this petition should be filed with the Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303, within 14 days of publication of this notice.

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Friends of the Museums of Florida History, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: September 27, 2018, 9:30 a.m.

PLACE: Gallery for Innovation and the Arts, R.A. Gray Building, 1st Floor

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Fundraising Committee.

A copy of the agenda may be obtained by contacting: Thomas W. Robinson, Development and Financial Director, (850)245-6413.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Thomas W. Robinson, Development and Financial Director, (850)245-6413. 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: Thomas W. Robinson, Development and Financial Director, (850)245-6413.

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

The Florida Elections Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 8, 2018, 8:30 a.m. until adjourned

PLACE: 1(888)670-3525, Conference Code: 8519855825 and at the Florida Elections Commission, Office of the Attorney General, 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Elections Commission has formed a subcommittee to review applications for the vacant Executive Director's position. The subcommittee will review and discuss applications during the scheduled meeting and make a recommendation to the Commission regarding candidate interviews.

A copy of the agenda may be obtained by contacting: the Commission Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050 or by viewing the Commission's web site: www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the Commission Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050 or by viewing the Commission's web site: www.fec.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Commission Clerk at (850)922-4539, ext. 103.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

The Florida Aquaculture Review Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 9, 2018, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services 170 Century Blvd., Bartow, Florida 33830

NOTE: Meeting is also accessible through teleconference by dialing: 1(888)670-3525 using passcode: 4457172323#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in the state of Florida.

A copy of the agenda may be obtained by contacting: Charlie Culpepper, Biological Administrator at (850)617-7600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Charlie Culpepper, Biological Administrator at (850)617-7600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority

The Peace River Manasota Regional Water Supply Authority announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, October 3, 2018, 11:30 a.m.

PLACE: DeSoto County Commission Chambers, Board Conference Room, DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: The closed door attorney-client session will be held pursuant to subsection 286.011(8), F.S., to discuss settlement negotiations and/or strategy related to litigation expenditures in *Polk Regional Water Cooperative v. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District (Case No. 18-3276)*; *Polk County, Florida v. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District (Case No. 18-3278)*; *City of Lakeland, Florida v. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District (Case No. 18-3283)*; *City of Fort Meade, Florida v. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District (Case No. 18-3282)*; *City of Wauchula, Florida v. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District (Case No. 18-3288)*; *City of Bartow, Florida v. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District (Case No. 18-3280)*; and *Winter Haven, Florida v. Peace River Manasota Regional Water Supply Authority and Southwest Florida Water Management District (Case No. 18-3289)*, all such cases related to the Peace River Manasota Regional Water Supply Authority's Water Use Permit 20010420.010 and before the Southwest Florida Water

Management District. The subject matter shall be confined to the pending litigation. The following Board of Directors will be present: Commissioner Maio, Commissioner Langford, Commissioner Doherty, and Commissioner Trace. Executive Director Patrick Lehman, outside legal counsel Douglas Manson, and a court reporter will also be in attendance. Pursuant to Florida Law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation. For more information or a copy of the agenda may be obtained by contacting: Rachel Kersten at (941)316-1776 or rkersten@regionalwater.org.

A copy of the agenda may be obtained by contacting: www.regionalwater.org or by contacting Rachel Kersten at (941)316-1776 or rkersten@regionalwater.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 2 days before the workshop/meeting by contacting: Rachel Kersten, at (941)316-1776 or rkersten@regionalwater.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (941)316-1776.

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 30, 2018, 2:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308

To participate by phone, please call: 1(888)339-2688 and enter the participant code: 716 467 78.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration will hold its annual Post Award Forum on Florida's Family Planning program. The annual Post Award Forum provides stakeholders the opportunity to provide meaningful comment on the progress of the Family Planning program. The Family Planning program operates under the authority of an 1115 Research and Demonstration Waiver approved by the Centers for Medicare and Medicaid Services. The Post Award Forum will be held

during the Medical Care Advisory Committee meeting, 2:00 p.m. – 4:00 p.m. on Tuesday, October 30, 2018. The public will have an opportunity to provide comments during the forum.

A copy of the agenda may be obtained by contacting: Ms. Carla Sims, telephone (850)412-4013, email: Carla.Sims@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Carla Sims, telephone (850)412-4013, email: Carla.Sims@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 30, 2018, 2:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308. To participate by phone, please call 1(888)339-2688 and enter the participant code 716 467 78.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency for Health Care Administration will hold its annual Post Award Forum on Florida's Managed Medical Assistance (MMA) program. The annual Post Award Forum provides stakeholders the opportunity to provide meaningful comment on the progress of the MMA program. The MMA program operates under the authority of an 1115 Research and Demonstration Waiver approved by the Centers for Medicare and Medicaid Services. The Post Award Forum will be held during the Medical Care Advisory Committee meeting, 2:00 p.m. – 4:00 p.m. on Tuesday, October 30, 2018. The public will have an opportunity to provide comments during the forum.

A copy of the agenda may be obtained by contacting: Ms. Carla Sims, telephone (850)412-4013, email: Carla.Sims@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Carla Sims, telephone (850)412-4013, email: Carla.Sims@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited.

DATE AND TIME: October 18, 2018, 9:00 a.m.

PLACE: Hyatt Place Ft. Lauderdale, Hyatt Place Ft. Lauderdale, 1851 S.E. 10th Avenue, Ft. Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Advanced Engineering Consultants, LLC 2018-024335

Toby Aycock 2018-021779, Shell Performance Corporation

Michael Ayres 2018-022816, Elese James Design Studio

BE Interiors 2018-024884, Bea Pernia

David Paul Brauer 2018-001214, ODG, INC 2018-001216

Maurice Brock 2018-021678

Jesse Brodeur 2017-040249, Brodeur Home Design Suite 35

CAD-CON Design 2018-024579

CADD Design & Estimating Group 2018-021696, James Atkinson

John P. Chamberlin 2017-057184, CAD Design Service

Fernando Cleves 2018-022405

Sam Cole 2018-002461

Michael E. Craddock 2017-059809

Amanda Del Rio 2018-022421

Pierre Drancourt 2017-054513, Vincent D. Lifestyle, LL 2017-054519

James S. Duncan 2017-052648, James S. Duncan, Inc. 2017-052652

Danny Samuel Estrada Salazar 2017-044153, ARQDECO Development 2017-044158

Miguel Jesus Fernandez 2017-053969, One DD Studio, LLC 2017-053972

Florida Building & Land Surveying Corp 2018-004823, Roger Morales

Gregorio Gomez-Hernandez 2017-057148

Lance Hatch 2018-021854, LLH Interiors, Inc.

Kathy Hsu 2018-021117

Huston's Commercial Interiors 2018-004630

Innovative Building & Architect Consultants 2016-053370, Mark E. Baker 2016-053401

Khanh Quoc Le 2017-011047, KL Engineering, Inc.

Dora Lopez De La Nuez 2018-022394

MAI Design Build 2018-023394, David Menzel

Hilton Meadows 2018-021246

Pablo Monterrey 2017-005083

Tom Morton 2018-023775, Tom Morton Design & Drafting

Ed Olin 2018-041214, Ed Olin Designs

Rufus Orindare 2018-021269, Batok, Inc.

Keith Parker 2018-046257

Robert A. Paulding 2018-021419

Plan Place, Inc. 2018-021369, Bob Carter

Plans Runner, Inc. 2016-046409, Ricardo Bermudez

Rebel Design Group 2018-021717

Residential Design Center 2018-024457, Shawn Creel

David Rosetta 2018-022533, David Rosetta Building & Design Group

Rick D. Ruiz 2018-004805, Ryan Companies US, Inc. 2018-021644

T.E. Schlitt Engineering 2018-024394, Terence E. Schlitt

Lybia Toro 2018-022105

True Engineering & Consulting 2018-023364, Amr T. Gawad

W.A. Cross Consulting Engineers, Inc. 2016-035619, William A. Cross 2016-035785

David Wainscott 2018-022285, Dave Wainscott Designs

Barry K. Webb 2018-002190, AQ Draw Design, LLC

Nanette Wright 2018-021765, Wright Interior Group

Brian Lee Zambrano 2018-022367

A copy of the agenda may be obtained by contacting: David K. Minacci Smith, Thompson, Shaw, Minacci, Colón & Power, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David K. Minacci Smith, Thompson, Shaw, Minacci, Colón & Power, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David K. Minacci Smith, Thompson, Shaw, Minacci, Colón & Power, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIMES: Monday, October 2, 2018, 5:30 p.m. – 6:15 p.m. ET, Open House; 6:30 p.m. – 8:00 p.m., ET, Presentation and Public Comment

PLACE: Douglas Building, conference rooms A & B, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection, in conjunction with the Deepwater Horizon Natural Resource Damage Assessment Florida Trustee Implementation Group, will be hosting a public meeting to present details on the proposed Draft Restoration Plan 1 and Environmental Assessment: Habitat Projects on Federally Managed Lands; Nutrient Reduction; Water Quality; and Provide and Enhance Recreational Opportunities. The meeting will begin with an interactive open house during which the public can ask

questions and learn about details of the draft restoration plan. The open house will be followed by a formal presentation and opportunity for the public to provide comments on the draft restoration plan. The draft restoration plan proposes 24 preferred alternatives intended to continue the process of restoring natural resources and services injured or lost as a result of the Deepwater Horizon oil spill. The Draft RP1/EA evaluates Habitat Projects on Federally Managed Lands at Gulf Islands National Seashore (FL) and St. Vincent National Wildlife Refuge; Nutrient Reduction projects in Pensacola Bay, Perdido River and Lower Suwannee River Watersheds; projects that restore Water Quality in Pensacola Bay Watershed, Carpenter Creek, Pensacola Beach, Rattlesnake Bluff Road, Alligator Lake, St. Andrew Bay, City of Port St. Joe, City of Carrabelle, Lower Suwannee National Wildlife Refuge and Charlotte Harbor; and projects that Provide and Enhance Recreation Opportunities in Perdido River, Carpenter Creek, Gulf Islands National Seashore (FL), Joe's Bayou, St. Marks National Wildlife Refuge and the following state parks: Topsail Hill Preserve, Camp Helen, St. Andrews, and T.H. Stone Memorial St. Joseph Peninsula. Additional information can be found at: <https://floridadep.gov/wra/deepwater-horizon/content/latest-updates>.

A copy of the agenda may be obtained by contacting: Rachel Schmalfluss at Rachel.Schmalfluss@floridadep.gov or at (850)245-2107.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Rachel Schmalfluss at Rachel.Schmalfluss@floridadep.gov or at (850)245-2107. 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: Rachel Schmalfluss at Rachel.Schmalfluss@floridadep.gov or at (850)245-2107.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
The DEPARTMENT OF ENVIRONMENTAL PROTECTION announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 10, 2018, 1:30 p.m. – 4:00 p.m., ET

PLACE: Public Webinar-
<https://register.gotowebinar.com/register/7617891939620851724>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection, in conjunction with the Deepwater Horizon Natural Resource Damage Assessment Florida Trustee Implementation Group, will be hosting a public webinar to present details on the

proposed Draft Restoration Plan 1 and Environmental Assessment: Habitat Projects on Federally Managed Lands; Nutrient Reduction; Water Quality; and Provide and Enhance Recreational Opportunities. The public webinar will begin with a "virtual open house" where the public can ask questions, followed by the "virtual comment process" for the public to provide comments on the draft plan. The draft restoration plan proposes 24 preferred alternatives intended to continue the process of restoring natural resources and services injured or lost as a result of the Deepwater Horizon oil spill. The Draft RP1/EA evaluates Habitat Projects on Federally Managed Lands at Gulf Islands National Seashore (FL) and St. Vincent National Wildlife Refuge; Nutrient Reduction projects in Pensacola Bay, Perdido River and Lower Suwannee River Watersheds; projects that restore Water Quality in Pensacola Bay Watershed, Carpenter Creek, Pensacola Beach, Rattlesnake Bluff Road, Alligator Lake, St. Andrew Bay, City of Port St. Joe, City of Carrabelle, Lower Suwannee National Wildlife Refuge and Charlotte Harbor; and projects that Provide and Enhance Recreation Opportunities in Perdido River, Carpenter Creek, Gulf Islands National Seashore (FL), Joe's Bayou, St. Marks National Wildlife Refuge and the following state parks: Topsail Hill Preserve, Camp Helen, St. Andrews, and T.H. Stone Memorial St. Joseph Peninsula. Additional information can be found at: <https://floridadep.gov/wra/deepwater-horizon/content/latest-updates>.

A copy of the agenda may be obtained by contacting: Rachel Schmalfluss at Rachel.Schmalfluss@floridadep.gov or at (850)245-2107.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Rachel Schmalfluss at Rachel.Schmalfluss@floridadep.gov or at (850)245-2107. 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: Rachel Schmalfluss at Rachel.Schmalfluss@floridadep.gov or at (850)245-2107.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 9, 2018, 9:00 a.m.

PLACE: 1003 E. Palm Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Hillsborough County Alliance business.

A copy of the agenda may be obtained by contacting: Ilka Suda, 1(813)337-5805.

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: Ilka Suda, 1(813)337-5805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 1, 2018, 2:00 p.m.

PLACE: Teleconference: 1(888)670-3525; PIN: 286-825-0655#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Criminal Justice Substance Abuse and Mental Health (CJMHS) Reinvestment Grant Advisory Committee is meeting to review policy issues and advise the Department in selecting priorities for grants to fulfill the intent of Section 394.656, F.S.

A copy of the agenda may be obtained by contacting: Michele.Staffieri@myflfamilies.com.

For more information, you may contact: Michele.Staffieri@myflfamilies.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

DATE AND TIME: October 3, 2018, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida

Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

NATIONAL COUNCIL ON COMPENSATION INSURANCE

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

DATE AND TIME: October 30, 2018, 1:00 p.m.

PLACE: Four Pointe by Sheraton Tallahassee Downtown, 316 W Tennessee St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers Compensation premium disputes.

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

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

FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

The Florida Commission on Access to Civil Justice Referral and Assistance Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday September 28, 2018, 12:00 Noon – 1:00 p.m.

PLACE: Conference Call: Phone Number: 1(888)376-5050, Pin Number: 2311661132

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Referral and Assistance Committee will be discussing the Commission's long range plan as it relates to the Committee's specific charges.

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.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 2 days before the workshop/meeting by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.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: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

COMMISSION FOR FLORIDA LAW ENFORCEMENT ACCREDITATION, INC.

The Commission for Florida Law Enforcement Accreditation announces a public meeting to which all persons are invited.

DATES AND TIMES: October 2, 2018, 1:30 p.m.; October 3, 2018, 8:00 a.m.

PLACE: Sheraton Sand Key Resort, 1160 Gulf Blvd., Clearwater Beach, FL 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of proposed standards revisions, review agencies for accreditation or reaccreditation, and general business of the Commission.

A copy of the agenda may be obtained by contacting: Lauren O'Connor at (850)410-7200.

For more information, you may contact: (850)410-7200.

FLORIDA CORRECTIONS ACCREDITATION COMMISSION, INC.

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

DATE AND TIME: October 1, 2018, 1:30 p.m.; October 2, 2018, 9:00 a.m.

PLACE: Sheraton Sand Key, 1160 Gulf Blvd., Clearwater Beach, FL 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of proposed standards revisions, review agencies for accreditation and reaccreditation, and general business of the commission.

A copy of the agenda may be obtained by contacting: Lauren O'Connor (850)410-7200.

For more information, you may contact: (850)410-7200.

KITTELSON & ASSOCIATES, INC.

This notice has nothing to do with any rule or rulemaking process.

Seminole County announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, October 4, 6:00 p.m. – 7:30 p.m.

Open House: 6:00 p.m. – 7:30 p.m., Presentation: 6:30 p.m.

PLACE: The Foundry Church, 1491 East State Road 434, Winter Springs, Florida 32708

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Project Description: State Road (SR) 434, Corridor Planning Study, from SR 417 to Mitchell Hammock Road, Seminole County

Seminole County is conducting a public meeting for the State Road (SR) 434 Corridor Planning Study. The study, which is the first phase in the transportation development process, is evaluating a range of multi-modal (roadway, pedestrian, and bicycle) improvements to address roadway capacity, traffic operations, safety, pedestrian connectivity and other factors on

the segments of SR 434 between SR 417 in Winter Springs and Mitchell Hammock Road in Oviedo. This Public Meeting is the first of two meetings being held throughout the 9-month planning study. The purpose of the meeting is to present initial findings related to existing conditions and receive input from interested stakeholders. Persons desiring to submit written statements in place of or in addition to oral statements may do so at the meeting or by sending them to Matt Hassan, Seminole County Project Manager, 100 East First Street, Sanford, FL 32771 or by e-mail to mhassan@seminolecountyfl.gov.

This public hearing was advertised consistent with federal and state requirements and is being conducted consistent with the Americans with Disabilities Act of 1990. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Ryan Cunningham, Seminole County Consultant, 225 East Robinson Street, Suite 355, Orlando, FL 32801; by telephone at (407)540-0555 or by e-mail at rcunningham@kittelton.com at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact us by 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, 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.

Section VII

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that The Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes has received the petition for declaratory statement from John Bezzeg, In Re: MHC Village Green, L.L.C., Docket No. 2018041932. The petition seeks the agency's opinion as to the applicability of subsections 723.059(3) and 723.059(4), Florida Statutes, as it applies to the petitioner.

This is an Amended Petition for Declaratory Statement which was filed with the Division on August 27, 2018. This Amended Petition is requesting answers to the following two questions:

1.) Can the park owner impose a new prospectus on a new

homeowner instead of assumption of the prospectus delivered to the Petitioner under F.S. 723.059(3)? 2.) Can the park owner impose a different lease agreement on a new homeowner under F.S. 723.059(4) without disclosing options in the Petitioner’s Prospectus?

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

Please refer all comments to: Chevonne Christian, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202.

Responses, motions to intervene, or requests for an agency hearing, subsection 120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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:

ADVENTIST HEALTH SYSTEM/SUNBELT, INC., d/b/a FLORIDA HOSPITAL Petitioner, vs. FLORIDA DEPARTMENT OF HEALTH, Respondent. CASE NO.: 18-5065RP; RULE NO.: 64C-6.001, 64C-6.002, and 64C-6.003

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

NONE

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 3:00 p.m., Tuesday, September 18, 2018 and 3:00 p.m., Monday, September 24, 2018.

Rule No.	File Date	Effective Date
1T-1.042	9/20/2018	10/10/2018
5J-18.0012	9/24/2018	10/14/2018
5J-18.004	9/24/2018	10/14/2018
5J-18.005	9/24/2018	10/14/2018
5J-18.024	9/24/2018	10/14/2018
5N-1.120	9/20/2018	10/10/2018
5N-1.142	9/20/2018	10/10/2018
33-208.101	9/19/2018	10/9/2018
33-602.101	9/19/2018	10/9/2018
42MMM-1.002	9/19/2018	10/9/2018
61K1-3.008	9/24/2018	10/14/2018
64B16-28.750	9/20/2018	10/10/2018
68D-17.001	9/21/2018	10/11/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

NOTICE OF PUBLICATION OF AGENCY REGULATORY PLAN

Pursuant to subparagraph 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Florida Elections Commission's Annual Regulatory Plan is available, effective October 1, 2018, at the following web address: <http://www.fec.state.fl.us/FECWebFi.nsf/pages/home>.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

Florida Department of Agriculture and Consumer Services 2018 Annual Rulemaking and Regulatory Plan

On September 25, 2018, the Florida Department of Agriculture and Consumer Services published its 2018 Annual Rulemaking and Regulatory Plan on its website as required by Section 120.74, Florida Statutes. The Plan can be accessed online at: www.FreshFromFlorida.com/Divisions-Offices/General-Counsel.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

NOTICE OF PUBLICATION OF 2018-19 AGENCY REGULATORY PLAN

NOTICE IS HEREBY GIVEN that on September 25, 2018, the Office of Early Learning published its 2018-2019 Agency Regulatory Plan in accordance with subsection 120.74(2), F.S. The Regulatory Plan is available on the Office's website at: http://www.floridaeearlylearning.com/statewide_initiatives/agency_rulemaking.aspx.

PUBLIC SERVICE COMMISSION

Section 120.74, F.S., 2018 Regulatory Plan

Notice is hereby given that on September 21, 2018, the Florida Public Service Commission published its 2018 Regulatory Plan on the Commission's website pursuant to subparagraph 120.74(2)(a)1., F.S.

The Internet address through which the 2018 Regulatory Plan may be accessed is: <http://www.floridapsc.com/Files/PDF/Publications/RegulatoryPlans/2018.pdf>

The person designated to receive all inquiries pertaining to the publication identified in this notice is as follows: Pamela H. Page, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6214, Fax number: (850)717-0118, E-mail address: phpage@psc.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

Office of Financial Regulation

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

September 25, 2018

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		General Counsel's Office
Tallahassee, Florida 32314-8050		The Fletcher Building, Suite 118
Phone: (850)410-9889		101 East Gaines Street
Fax: (850)410-9663		Tallahassee, Florida 32399-0379
		Phone: (850)410-9889

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 118, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850)410-9889, or by Email: agency.clerk@lofr.com.

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., October 15, 2018):

APPLICATION TO ORGANIZE A SUCCESSOR INSTITUTION

Application to Establish a Successor Institution: Oculina Successor Banc, Vero Beach, Florida

Received: September 21, 2018

APPLICATION TO MERGE

Constituent Institutions: The Oculina Bank, Vero Beach, Florida and Oculina Successor Banc, Vero Beach, Florida

Resulting Institution: The Oculina Bank, Vero Beach, Florida

With Title: The Oculina Bank

Received: September 21, 2018

APPLICATION FOR CONVERSION OF A FEDERAL SAVINGS ASSOCIATION TO A STATE BANK

Applicant and Location: The Oculina Bank, a Federal Savings Association, 4450 24th Avenue, Vero Beach, Indian River County, Florida 32967

With Title: The Oculina Bank

Received: September 21, 2018

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

Federal Reserve Bank of Atlanta, Atlanta, GA

Comptroller of the Currency, Atlanta, GA

Jeffrey A. Maffett

Section XIII

Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN
SEPTEMBER 17, 2018 AND SEPTEMBER 21, 2018

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Cultural Affairs

1T-1.042 9/20/2018 10/10/2018 44/131

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing

5N-1.120 9/20/2018 10/10/2018 44/63 44/122

5N-1.142 9/20/2018 10/10/2018 44/63 44/122

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DEPARTMENT OF CORRECTIONS

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33-602.101 9/19/2018 10/9/2018 44/103 44/163

LAND AND WATER ADJUDICATORY COMMISSION

Wiregrass Community Development District

42MMM-1.002 9/19/2018 10/9/2018 44/162

DEPARTMENT OF HEALTH

Board of Pharmacy

64B16-28.750 9/20/2018 10/10/2018 44/153

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

68D-17.001 9/21/2018 10/11/2018 44/154

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

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/2016 **/**/**** 42/105

DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003 12/9/2015 **/**/**** 39/95 41/49

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.