

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-8.624 Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.624 F.A.C., to correct various clerical errors that have inadvertently occurred in the rule over time.

SUBJECT AREA TO BE ADDRESSED: Establishment of guidance and minimum levels for water bodies pursuant to Section 373.042, F.S.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 F.S.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 F.S.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702; 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Hurst, Senior Environmental Scientist, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4271. T2018034-1

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.: RULE TITLE:

69L-7.501 Florida Workers' Compensation
Reimbursement Manual for Hospitals

PURPOSE AND EFFECT: The purpose of the changes being made to Rule 69L-7.501, F.A.C., is to incorporate the 2018

version of the Florida Workers' Compensation Reimbursement Manual for Hospitals. This manual contain the updated list of Maximum Reimbursement Allowances for various medical services, pursuant to section 440.13(12)(a), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Florida Workers' Compensation Reimbursement Manual for Hospitals, 2018 Edition.

RULEMAKING AUTHORITY: 440.13(7), (13), 440.591, FS.

LAW IMPLEMENTED: 440.13(7), (12), (13), FS.

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

DATE AND TIME: November 27, 2018, 1:00 p.m. – 2:00 p.m.

PLACE: Hartman Building, Room 102, 2012 Capital Circle SE, Tallahassee, FL 32301

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: Theresa Pugh at (850)413-1721, or via email at Theresa.Pugh@myfloridacfo.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: Theresa Pugh, Program Administrator, address: Medical Services Section, Division of Workers' Compensation, 200 East Gaines Street, Tallahassee, FL 32399, telephone: (850)413-1721, email: Theresa.Pugh@MyFloridaCFO.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-7.501 Florida Workers' Compensation
Reimbursement Manual for Hospitals.

(1) The Florida Workers' Compensation Reimbursement Manual for Hospitals, (~~"Hospital RM Manual"~~); 2018 2014 Edition, effective July 1, 2019, or upon the rule's ratifying legislation becoming law, whichever date occurs later, http://www.flrules.org/Gateway/reference.asp?No=Ref_04109, effective January 1, 2015, is incorporated adopted by reference as part of this rule. The ~~Hospital RM Manual~~ contains the Maximum Reimbursement Allowances (~~MRA~~s) determined by the Three-Member Panel, pursuant to Section 440.13(12), F.S., and establishes policy; and procedures, ~~principles, and standards~~ for implementing statutory provisions regarding reimbursement for medically necessary services and supplies provided to injured workers in a hospital setting. The policy; and procedures, ~~principles, and standards~~ in the Hospital RM

~~Manual~~ are in addition to the requirements and responsibilities established ~~throughout by the Rule Chapter 69L-7, F.A.C., Workers' Compensation Medical Reimbursement and Utilization Review, Florida Workers' Compensation Medical Services Billing, Filing and Reporting Rule, Rule 69L-7.710, F.A.C. The Reimbursement Manual for Hospitals is available for inspection during normal business hours at the Florida Department of Financial Services, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0311, or may be obtained free of charge by print or download from the Department's website at <http://www.myfloridacfo.com/division/wc/> <http://www.myfloridacfo.com/division/wc/publications.html>.~~

(2) The Current Procedural Terminology (CPT®), 2018 Professional Edition, Copyright 2017, American Medical Association; the CPT® Assistant, American Medical Association, Copyright 2017; the 2018 ICD-10-CM: The Complete Official Codebook, American Medical Association, Copyright 2017, Optum360, LLC; the 2018 ICD-10-PCS: The Complete Official Codebook, American Medical Association, Copyright 2017, Optum360, LLC; the 2018 HCPCS Level II Professional Edition, American Medical Association, Copyright 2018, Elsevier Inc.; and the CDT 2018, Dental Procedure Codes, Copyright 2017, American Dental Association, are incorporated by reference as part of this rule. A copy of the American Medical Association's reference materials may be obtained from the American Medical Association's website at <https://commerce.ama-assn.org/store/>. A copy of the CDT reference material may be obtained from the American Dental Association's website at <http://www.ada.org/en/publications/ada-catalog>.

(3) The National Uniform Billing Committee, Official UB-04 Data Specifications Manual 2018, version 12.00, July 2017, as adopted by the National Uniform Billing Committee, is incorporated by reference as part of this rule. A copy of this manual can be obtained from the National Uniform Billing Committee's website at <http://www.nubc.org/subscriber/>.

(4)(2) The Florida Workers' Compensation Health Care Provider Reimbursement Manual ("HCP RM"), incorporated by reference into Rule 69L-7.020, F.A.C.; and Rules 69L-7.710-7.750, F.A.C., which inform Health Care Providers and Insurers of their respective responsibilities in the billing, filing, reporting, and review of workers' compensation medical claims the ~~Workers' Compensation Medical Services Billing, Filing and Reporting Rule, Rule 69L-7.710, F.A.C., are recognized for use in conjunction with the Hospital RM Florida Workers' Compensation Reimbursement Manual for Hospitals, 2014 Edition, effective January 1, 2015.~~

(5) The ~~Both~~ rules, the Hospital RM, and the HCP RM, and all incorporated resource materials are available for public inspection and examination during normal business hours at the

Florida Department of Financial Services, Division of Workers' Compensation, Bureau of Monitoring and Audit, Hartman Building, 2012 Capital Circle Southeast, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32301, 32399-0311 or via the Department's website web site at <http://www.myfloridacfo.com/division/wc/> <http://www.myfloridacfo.com/division/wc/publications.html>.

The copying or posting of any of the preceding copyrighted materials on the Internet would constitute a violation of the federal copyright law. The preceding non-copyrighted materials may be accessed online via the Division of Workers' Compensation website at <http://www.myfloridacfo.com/division/wc/>.

Rulemaking Authority 440.13(12), (14), 440.591 FS. Law Implemented 440.13(7), (12), (14) FS. History—New 6-9-87, Amended 6-1-92, 10-27-99, 7-3-01, Formerly 38F-7.501, 4L-7.501, Amended 12-4-03, 1-1-04, 7-4-04, 10-1-07, 1-1-15,_____.

Section II Proposed Rules

DEPARTMENT OF CITRUS

RULE NO.:	RULE TITLE:
20-13.004	Classification of Newly Developed Varieties and Hybrids

PURPOSE AND EFFECT: Amending rule to remove Temples as an orange variety in rule language 'five major classes of citrus fruits as follows: "Other citrus varieties which may be given a separate identity, such as Temple.'" This amendment will bring the rule into compliance with rule 20-13.010.

SUMMARY: Removing the Temple variety now classified as a tangerine/mandarin from any rules that still include Temples with oranges.

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: upon review of the proposed rule, the department has determined that the amendment will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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: 601.10(1),(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.9910, 601.11 FS.

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

DATE AND TIME: December 19, 2018, 9:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-13.004 Classification of Newly Developed Varieties and Hybrids.

The Fruit Classification and Standards Committee shall recommend to the Department of Citrus the appropriate market classification or name for all newly developed citrus varieties or hybrids. In making such recommendations, the Committee shall take into account the following rules:

(1) There shall be five major market classes of citrus fruits as follows:

(a) through (d) No change.

(e) Other citrus varieties or hybrid which may be given a separate identity from those listed above. ~~such as Temple.~~

(2) through (4) No change.

Rulemaking Authority 601.10(1), (7), ~~601.11, 601.9910(3)~~ FS. Law Implemented ~~601.9910~~, 601.11 FS. History--Formerly 105-1.34(3), Amended 1-1-75, Formerly 20-13.04, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott V. Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 26, 2018

DEPARTMENT OF CITRUS

RULE NO.: 20-44.001
 RULE TITLE: Intrastate Shipments

PURPOSE AND EFFECT: Amending rule to remove Temples as an orange variety. Size: "Oranges, including Temples – size 163"

SUMMARY: Removing the Temple variety now classified as a tangerine/mandarin from any rules that still include Temples with oranges.

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: upon review of the proposed rule, the department has determined that the amendment will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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: 601.10(1),(7), 601.11, 601.50 FS.

LAW IMPLEMENTED: 601.03(8), 601.10(7), 601.11, 601.50(1) FS.

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

DATE AND TIME: December 19, 2018, 9:00 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-44.001 Intrastate Shipments.

(1) Grade and Size: The following are minimum grade and size requirements for intrastate shipment or sale of all varieties of citrus fruit:

(a) No change.

1. through 3. No change.

(b) Size: The same minimum size as established for each variety from time to time by the Citrus Administrative Committee and covered by orders issued pursuant to Federal Marketing Order 905; provided that the following additional sizes of citrus fruit may be sold or transported for sale directly to consumers from open bins at roadside retail fruit stands:

Seedless grapefruit -- size 56

Seeded grapefruit -- size 40

Oranges, ~~including Temples~~ -- size 163

- (c) No change.
- (2) through (3) No change.

Rulemaking Authority 601.10(1), (7), ~~601.11, 601.50~~ FS. Law Implemented ~~601.03(8), 601.10(7)~~, 601.11, 601.50(1) FS. History--Formerly 105-1.35(1), Amended 1-1-75, 8-28-84, Formerly 20-44.01, Amended 1-22-92, 11-14-94, 11-30-94, 11-28-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott V. Mitchell, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 26, 2018

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.020
RULE TITLE: Ambulatory Surgical Center Services
PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.020, Florida Administrative Code (F.A.C.), is to clarify policy and update reimbursement language.

SUMMARY: The amendment specifies that the Enhanced Ambulatory Patient Grouping reimbursement methodology will be used for provider reimbursement

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 409.919, 409.961 FS.
LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 FS.

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

DATE AND TIME: November 27, 2018, 3:30 p.m. to 4:00 p.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Aaron Messer, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4313, e-mail: Aaron.Messer@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m. November 28, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.020 Ambulatory Surgical Center Services.

(1) This rule applies to all providers rendering Florida Medicaid ambulatory surgical center services to recipients.

(2) All providers must be in compliance with the provisions of the Florida Medicaid Ambulatory Surgical Center Services Coverage Policy, ~~_____ July 2017~~, incorporated by reference. The policy is available on the Agency for Health Care Administration's website at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08255>.

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913, 409.973 FS. History--New 10-25-84, Formerly 10C-7.531, Amended 5-13-92, 7-12-92, 7-27-93, Formerly 10C-7.0531, Amended 9-8-94, 7-3-95, 11-18-97, 10-27-98, 1-1-01, 7-26-01, 2-25-03, 2-17-04, 1-10-05, 10-2-05, 7-2-06, 1-20-13, 7-2-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Aaron Messer

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2018

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.040
 RULE TITLE: Chiropractic Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.040, Florida Administrative Code (F.A.C.), is to clarify policy language.

SUMMARY: The incorporated coverage policy updates provider requirements and documentation criteria.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.906, 409.907, 409.908, 409.9081, 409.973 FS.

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

DATE AND TIME: November 27, 2018, 10:30 a.m. to 11:00 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Theresa Kumar, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4232, e-mail: Theresa.Kumar@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received from the date of this notice until 5:00 p.m. November 28, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.040 Chiropractic Services.

(1) This rule applies to all providers ~~rendering Florida Medicaid chiropractic services to recipients of chiropractic services who are enrolled in or registered with the Florida Medicaid program.~~

(2) All providers ~~of chiropractic services~~ must be in compliance with the provisions of the Florida Medicaid Chiropractic Services Coverage Policy, ~~August 2015,~~ ~~available~~ ~~at~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-05570>,~~ incorporated by reference. The policy is available on the Agency for Health Care Administration's Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at https://www.flrules.org/gateway/reference.asp?No=Ref-_____ available from the Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flPublic>.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.9081 FS. History—New 6-1-89, Amended 7-1-91, 12-31-91, 3-17-92, 4-21-92, 11-9-92, 7-5-93, 1-19-94, Formerly 10C-7.066, Amended 10-10-94, 5-25-95, 1-9-96, 10-21-97, 5-24-99, 4-23-00, 7-5-01, 2-20-03, 8-5-03, 8-3-04, 8-18-05, 5-31-10, 8-16-15,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Theresa Kumar

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 11, 2018

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NO.:	RULE TITLE:
69L-7.020	Florida Workers' Compensation Health Care Provider Reimbursement Manual
69L-7.100	Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs)

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the 2018 editions of the Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers and the Florida Workers' Compensation Health Care Provider Reimbursement Manual. The manuals contain the updated lists of Maximum Reimbursable Allowances for various medical services.

SUMMARY: The proposed rule amendments adopt and incorporate by reference the 2018 edition of the Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers, and adopt and incorporate by reference the 2018 edition of the Florida Workers' Compensation Health Care Provider Reimbursement Manual.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will 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 been prepared by the Agency.

The Agency has determined that the proposed rule is 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:

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: 440.13(4), (13), (13)(b); 440.591, FS.

LAW IMPLEMENTED: 440.13(7), (12), (13), (13)(b), FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: November 27, 2018, 2:00 p.m. – 3:00 p.m. (Rule 7.100) and 3:00 p.m. – 4:00 p.m. (Rule 7.020)

PLACE: Hartman Building, Room 102, 2012 Capital Circle SE, Tallahassee, FL 32301

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: Theresa Pugh, telephone: (850)413-1721, email: Theresa.Pugh@MyFloridaCFO.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 IS: Theresa Pugh, Program Administrator, address: Medical Services Section, Division of Workers' Compensation, 200 East Gaines Street, Tallahassee, FL 32399, telephone: (850)413-1721, email: Theresa.Pugh@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-7.020 Florida Workers' Compensation Health Care Provider Reimbursement Manual.

(1) The Florida Workers' Compensation Health Care Provider Reimbursement Manual (HCP RM), 2018 2016 Edition, effective July 1, 2019, or upon the rule's ratifying legislation becoming law, whichever date occurs later, to become effective on July 1, 2017, http://www.flrules.org/Gateway/reference.asp?No=Ref_07685, is incorporated ~~adopted~~ by reference as part of this rule. The manual contains the Maximum Reimbursement Allowances (MRAs) determined by the Three-Member Panel, pursuant to section subsection 440.13(12), F.S., and establishes reimbursement policies, guidelines, codes, and MRAs ~~maximum reimbursement allowances~~ for services and supplies provided by health care providers. Also, the manual includes reimbursement policies and payment methodologies for pharmacists and medical suppliers. The policies and procedures in the HCP RM are in addition to the requirements and responsibilities established throughout Rule Chapter 69L-7, F.A.C., Workers' Compensation Medical Reimbursement and Utilization Review.

(2) The ~~CPT® 2016~~ Current Procedural Terminology (CPT®), 2018 Professional Edition, Copyright 2017 2015, American Medical Association; the ~~CDT-2018-2016~~, Dental Procedure Codes, Copyright 2017-2015, American Dental Association; ~~and~~, in part, for D codes and for injectable J codes, and for other medical services and supply codes, the "2018 2016 HCPCS Level II Professional Edition,"² American Medical Association, Copyright 2018 2016, Elsevier Inc.; ~~are adopted by reference as part of this rule. When a health care provider performs a procedure or service which is not listed in the Florida Workers' Compensation Health Care Provider Reimbursement Manual, 2016 Edition, incorporated above, the provider must use a code contained in the CPT® 2016, CDT-2016 or HCPCS 2016 as specified in this section. (The CPT® Assistant, American Medical Association, Copyright 2017; 2015, and the 2018 2016-ICD-10-CM: The Complete Official~~

Codebook, American Medical Association, Copyright 2017 2015, Optum360, LLC, are incorporated also adopted by reference as part of this rule. A copy of the American Medical Association these reference materials may be obtained from the American Medical Association's website at <https://commerce.ama-assn.org/store/>. A copy of the CDT reference material may be obtained from the American Dental Association's website at <http://www.ada.org/en/publications/ada-catalog>. ~~A copy of the HCPCS Level II reference material may be obtained from the American Medical Association's website at <http://commerce.ama-assn.org/store/>.~~

(3) Posting the preceding copyrighted materials on the Internet would constitute a violation of the federal copyright law, so the materials will be made available for public inspection and examination, but may not be copied. The HCP RM and copies of materials incorporated by reference in this rule are available for inspection during normal business hours at the Florida Department of Financial Services, Division of Workers' Compensation, Bureau of Monitoring and Audit, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida. The preceding non-copyrighted materials may be accessed online via the Department's Division of Workers' Compensation website at <http://www.myfloridacfo.com/Division/wc/>.

Rulemaking Authority 440.13(13)(b), 440.591 FS. Law Implemented 440.13(7), (12), (13)(b) FS. History—New 10-1-82, Amended 3-16-83, 11-6-83, 5-21-85, Formerly 38F-7.20, Amended 4-1-88, 7-20-88, 6-1-91, 4-29-92, 2-18-96, 9-1-97, 12-15-97, 9-17-98, 9-30-01, 7-7-02, Formerly 38F-7.020, 4L-7.020, Amended 12-4-03, 1-1-04, 7-4-04, 5-9-05, 9-4-05, 11-16-06, 10-18-07, 2-4-09, 7-1-16, 7-1-17, _____.

Editorial Note: Ratified by Ch. 2016-203, LOF.

69L-7.100 Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASCs).

(1) The Florida Workers' Compensation Reimbursement Manual for Ambulatory Surgical Centers (ASC RM), 2018 2015 Edition, effective July 1, 2019, or upon the rule's ratifying legislation becoming law, whichever date occurs later, effective January 1, 2016, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05794> (ASC Reimbursement Manual) is incorporated by reference as part of this rule. The ASC RM Reimbursement Manual contains the Maximum Reimbursement Allowances (MRAs) determined by the Three-Member Panel, pursuant to section subsection 440.13(12), F.S., and establishes reimbursement policies, guidelines, codes, and MRAs maximum reimbursement allowances (MRAs) for items and services provided to an injured worker in connection with a surgical procedure performed in an Ambulatory Surgical Center. The policies and procedures in the ASC RM are in addition to the

requirements and responsibilities established throughout Rule Chapter 69L-7, F.A.C., Workers' Compensation Medical Reimbursement and Utilization Review.

(2) The ASC RM Reimbursement Manual refers to a number of procedure codes and modifiers that are consistent with the Current Procedural Terminology (CPT®), developed and published by the American Medical Association. When a service or procedure is performed that does not have a code listed in the ASC RM Reimbursement Manual, the Ambulatory Surgical Center must ~~shall~~ refer to the Current Procedural Terminology (CPT®), 2018 2015 Professional Edition, Copyright 2017-2014, American Medical Association, which is hereby incorporated by reference as part of this rule. The CPT® Assistant, American Medical Association, Copyright 2017 2015; ~~the 2015 ICD-9-CM Professional Edition for Hospitals, Volumes 1, 2 & 3, American Medical Association, Copyright 2015; the 2015 ICD-9-CM Professional Edition for Physicians, Volumes 1 & 2, American Medical Association, Copyright 2015; the 2018 2015-ICD-10-CM: The Complete Official Draft Codebook, American Medical Association, Copyright 2017, Optum360, LLC 2014 OptumInsight, Inc.; and the 2018 2015 ICD-10-PCS: The Complete Official Draft Codebook, American Medical Association, Copyright 2017, Optum360, LLC, 2014 OptumInsight, Inc.~~ are also incorporated by reference as part of this rule. A copy of these reference materials may be obtained from the American Medical Association's website at <https://commerce.ama-assn.org/store/>.

(3) The National Uniform Billing Committee (NUBC), Official UB-04 Data Specifications Manual 2019, as adopted by the NUBC, copyright 2018, American Hospital Association, is incorporated by reference as part of this rule. A copy of this manual can be obtained from the NUBC's website at <http://www.nubc.org/subscriber/>.

(4)(3) The CDT 2018 2015, Dental Procedure Codes, Copyright 2017 2014, American Dental Association, is incorporated by reference as part of this rule, for dental D codes. A copy of the CDT reference material may be obtained from the American Dental Association's website at <http://www.ada.org/en/publications/ada-catalog>.

(5)(4) Posting the preceding copyrighted materials on the Internet would constitute a violation of the federal copyright law, so the materials will be made available for public inspection and examination, but may not be copied. The ASC RM Reimbursement Manual and copies of materials incorporated by reference in this rule are available for inspection during normal business hours at the Florida Department of Financial Services, Division of Workers' Compensation, Bureau of Monitoring and Audit, Hartman Building, 2012 Capital Circle Southeast, Document Processing Section, 200 East Gaines Street, Tallahassee, Florida 32399-0344. The preceding non-copyrighted materials may be

accessed online ~~or~~ via the Department’s website at <http://www.myfloridacfo.com/Division/wc/>.

Rulemaking Authority 440.13(4), (13), 440.591 FS. Law Implemented 440.13(7), (12), (13) FS. History—New 8-7-91, Amended 12-31-92, Formerly 38F-7.100, 4L-7.100, Amended 9-4-05, 8-19-07, 11-13-11, 9-28-15, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Theresa Pugh

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: CFO Jimmy Patronis

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 11/02/2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 07/27/2018

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NOS.:	RULE TITLES:
69L-31.002	Definitions
69L-31.003	Petition Form
69L-31.004	Carrier Response Form
69L-31.005	Petition Requirements
69L-31.006	Consolidation of Petitions
69L-31.007	Service of Petition on Carrier and Affected Parties
69L-31.008	Computation of Time
69L-31.009	Carrier Response Requirements
69L-31.010	Effect of Non-Response by Carrier
69L-31.011	Complete Record
69L-31.012	Joint Stipulation of the Parties
69L-31.013	Petition Withdrawal
69L-31.014	Overutilization Issues Raised in Reimbursement Dispute Resolution

PURPOSE AND EFFECT: The proposed rulemaking amends rules governing the process for the resolution of reimbursement disputes between workers’ compensation carriers and health care providers, creates a rule, and repeals five rules. The major changes proposed include: adding a rule for defined terms; simplifying requirements for submission of reimbursement disputes; repealing rules related to consolidation of petitions, joint stipulations, and non-response by a carrier; and adopting revised forms.

SUMMARY: The proposed rulemaking adds definitions; simplifies requirements for submission of reimbursement disputes; repeals rules related to consolidation of petitions, joint stipulations, and non-response by a carrier; and adopts revised forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A preliminary economic analysis conducted by the Department indicated that the proposed rules will not have an adverse impact or result in regulatory costs in excess of \$1 million within five years, as established in section 120.541(2)(a), F.S.

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: 440.13(7)(e), 440.591 FS.

LAW IMPLEMENTED: 440.13(7), 440.13(11)(a) and (c) FS.

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

DATE AND TIME: Tuesday, November 27, 2018, 11:00 a.m. ET

PLACE: Hartman Building, Room 102, 2012 Capital Circle SE, Tallahassee, FL 32301

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: Theresa Pugh, telephone: (850)413-1721, email: Theresa.Pugh@myfloridacfo.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 IS: Theresa Pugh, Program Administrator – Medical Services Section, Bureau of Monitoring and Auditing, Division of Workers’ Compensation, Department of Financial Services, telephone: (850)413-1721, email: Theresa.Pugh@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-31.002 Definitions.

In addition to the definitions in section 440.13(1), F.S., for the purposes of Rule Chapter 69L-31, F.A.C., the following definitions apply:

(1) “Notice of Disallowance or Adjustment” means an Explanation of Bill Review (EOBR), as defined in paragraph 69L-7.710(1)(y), F.A.C., or any document that:

(a) Identifies the amount of disallowance or adjustment of payment that corresponds with the medical bill submitted by the Health Care Provider;

(b) Identifies the name and address of the Carrier and the entity issuing the document;

(c) Contains a statement indicating that the document is issued for purposes of noticing the Health Care Provider of the disallowance or adjustment of payment for purposes of section 440.13(7), F.S.; and

(d) Identifies specific EOBR codes related to the adjudication of each line item billed.

(2) "Petitioner" means the Health Care Provider, or entity acting on behalf of the Health Care Provider, submitting a Petition Form to contest Carrier disallowance or adjustment of payment.

(3) "Petition Form" means the Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC-3160-0023, incorporated in Rule 69L-31.003, F.A.C.

(4) "Response Form" means the Carrier Response to Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC 3160-0024, incorporated in Rule 69L-31.004, F.A.C. Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) FS. History—New .

69L-31.003 Petition for Resolution of Reimbursement Dispute Form and Requirements.

(1) The Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC-3160-0023, revised MM/2018, (~~DFS Form 3160-0023, effective September 8, 2006~~) is hereby incorporated by reference herein. This form may be obtained on the Department's website internet at

<https://www.myfloridacfo.com/Division/WC/PublicationsFormsManualsReports/Forms/Default.htm>
~~<http://www.myfloridacfo.com/wc/forms.htm>~~ or by contacting the Department at (850)413-1613.

(2) A petition to contest Carrier disallowance or adjustment of payment pursuant to section 440.13(7)(a), F.S., must be made on the Petition for Resolution of Reimbursement Dispute Form, regardless of whether the petition is submitted in hard copy or electronically. The Department will not accept any other form or document in lieu of the Petition Form. Instructions for submission of the Petition Form are included on the bottom of the Petition Form. Any submission seeking to contest the disallowance or adjustment of payment by a carrier pursuant to section 440.13(7)(a), F.S., must include a completed Petition for Resolution of Reimbursement Dispute Form.

(3) The Petitioner must submit the Petition Form to the Department within the timeframe set forth in section 440.13(7)(a), F.S., and must include with the Petition Form the documents listed below that support the allegations contained in the Petition Form:

(a) A copy of each Notice of Disallowance or Adjustment received from the Carrier and, if applicable, proof of the date of receipt, as required by subsection 69L-31.008(1), F.A.C.;

(b) A copy of all medical bill(s) or request(s) for reimbursement sent to the Carrier for which payment was disallowed or adjusted by the Carrier on each contested Notice of Disallowance or Adjustment;

(c) A copy of all documentation submitted to the Carrier in support of the medical service(s), bill(s), or request(s) for reimbursement that are subject to the dispute;

(d) If the services in the contested Notice of Disallowance or Adjustment were provided pursuant to a contract, documentation substantiating the contract was in effect for the line item(s) in dispute and the provision which governs reimbursement for the services; and

(e) Any additional documents or records that support the allegations contained in the Petition Form.

(4) The Petition Form will be dismissed if all documentation required by paragraphs (3)(a)-(d), above, was not submitted with the Petition Form.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a), 440.13(11)(c) FS. History—New 11-28-06, Formerly 59A-31.003, Amended .

69L-31.004 Carrier Response to Petition for Resolution of Reimbursement Dispute Form and Requirements.

(1) The Carrier Response to Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC 3160-0024, revised MM/2018, (~~DFS Form 3160-0024, effective September 8, 2006~~) is hereby incorporated by reference herein. This form may be obtained on the Department's website internet at <https://www.myfloridacfo.com/Division/WC/PublicationsFormsManualsReports/Forms/Default.htm>
~~<http://www.myfloridacfo.com/wc/forms.htm>~~ or by contacting the Department at (850)413-1613.

(2) ~~The Carrier Response to Petition for Resolution of Reimbursement Dispute Form shall be considered a required element of the requested documentation to the Department under section 440.13(7)(b), F.S. The Carrier Response to Petition for Resolution of Reimbursement Dispute Form is shall be the only form accepted by the Department upon which a Carrier may submit to the Department its response, pursuant to section 440.13(7)(b), F.S., to a Petition Form for Resolution of Reimbursement Dispute. Instructions for submission of the Response Form are included on the bottom of the Response Form. Any submission by a carrier pursuant to section 440.13(7)(b), F.S., that does not include a completed Carrier Response to Petition for Resolution of Reimbursement Dispute Form shall result in a notice of deficiency by the Department. A carrier shall have ten (10) calendar days from receipt of the notice of deficiency to cure the deficiency identified in the~~

~~Department's notice of deficiency. Failure to timely cure the deficiency shall constitute failure to submit requested documentation to the Department.~~

~~(3) The Carrier must serve the Response Form, accompanied by all supporting documentation, on the Department in accordance with the timeframe set forth in section 440.13(7)(b), F.S.~~

~~(4) Using a delivery method that provides confirmation of the date of delivery, the Carrier must provide to the Petitioner, at the Petitioner's mailing address provided on the Petition Form, a copy of the Response Form and all supporting documentation served on the Department in response to the Petition Form. The Carrier must document the delivery tracking information in such detail that the Department can verify the Petitioner's receipt of the Response Form and supporting documentation.~~

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b), 440.13(11)(c) FS. History—New 11-28-06, Formerly 59A-31.004, Amended.~~

Substantial rewording of Rule 69L-31.005 follows. See Florida Administrative Code for present text.

69L-31.005 Written Determinations Petition Requirements.

(1) The Department will render a written determination on whether the Carrier properly adjusted or disallowed payment by relying upon the applicable reimbursement schedules, practice parameters, protocols of treatment, and standards and policies set forth in chapter 440, F.S., and the rules promulgated therefrom, along with the Petition Form and Response Form (including all supporting documentation) submitted to the Department by the Petitioner and the Carrier to support their respective positions.

(2) In its written determination, the Department will address only the specific line item(s) in the Notice of Disallowance or Adjustment that the Petitioner contends were improperly disallowed or adjusted.

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7), 440.13(11)(c) FS. History—New 11-28-06, Formerly 59A-31.005, Amended.~~

69L-31.006 Consolidation of Petitions.

~~Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(e) FS. History—New 11-28-06, Formerly 59A-31.006, Repealed.~~

69L-31.007 Service of Petition on Carrier and All Affected Parties.

(1) The Petitioner must shall effectuate service on upon the Carrier and on all affected parties by serving a copy of the Petition Form, and all supporting documentation submitted to the Department documents and records in support of the

petition, by United States Postal Services (USPS) certified mail on the specific entity identified on the Notice of Disallowance or Adjustment Explanation of Bill Review as the entity the Carrier designates to receive service of the Petition Form and all supporting documentation on behalf of the Carrier and all affected parties. If the Notice of Disallowance or Adjustment Explanation of Bill Review does not specify specifically identify the name and mailing address for of the entity the Carrier designates to receive service on behalf of the Carrier and all affected parties (for EOBRs, this is required by subsection 69L-7.740(14), F.A.C.), as required by paragraph 69L-7.602(5)(q), F.A.C., the Petitioner may effectuate service of the Petition Form on upon the Carrier and all affected parties by serving a copy of the Petition Form, and all supporting documentation submitted to the Department, and copies of all documents and records in support of the petition by United States Postal Service (USPS) certified mail on upon the entity that who issued the Notice of Disallowance or Adjustment Explanation of Bill Review at the address from which the Notice of Disallowance or Adjustment Explanation of Bill Review was issued.

~~(2) A Petition for Resolution of Reimbursement Dispute must be served upon the carrier and all affected parties by United States Postal Service (USPS) certified mail. Service upon the carrier shall include one copy set of all documents and records submitted to the Department in support of the petition.~~

~~(3) Service by certified mail means service by United States Postal Service (USPS) certified mail. Service by United States Postal Service (USPS) delivery other than USPS certified mail or service by common carrier does not constitute service by USPS certified mail, as required by section 440.13(7)(a), F.S., statute even if the Carrier's carrier delivery and receipt of the documents is petition are confirmed.~~

~~(4) If a carrier has not been properly served in accordance with this subsection, the petitioner will be notified by the Department of the deficiency in service. The petitioner shall have ten (10) calendar days from receipt of the notice of deficiency in service to provide the Department with proof the deficiency in service identified in the notice of deficiency has been cured by proper service. If the Department does not receive proof of proper service within ten (10) days after petitioner's receipt of the notice of deficiency, the petition will be dismissed with prejudice. For purposes of this rule, "proof of proper service" means that a copy of the petition and one copy set of all documents and records in support of the petition have been sent by United States Postal Service (USPS) certified mail to the proper entity at the proper address as set forth in this rule, and a certified mail receipt number is provided to the Department to confirm mailing.~~

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a), 440.13(11)(c) FS. History–New 11-28-06, Formerly 59A-31.007, Amended.

Substantial rewording of Rule 69L-31.008 follows. See Florida Administrative Code for present text.

69L-31.008 Computation of Time.

(1)(a) The forty-five (45) day time period within which a Petition Form must be served on the Department begins upon receipt of the Notice of Disallowance or Adjustment by the Health Care Provider or by an entity designated by the Health Care Provider to receive such notice on behalf of the Health Care Provider.

(b) The Health Care Provider must document receipt of the Notice of Disallowance or Adjustment by either: 1) using a date stamp that clearly reflects the date of receipt of the Notice of Disallowance or Adjustment by the Health Care Provider; or 2) using a verifiable login process. A date-stamped Notice of Disallowance or Adjustment will be accepted as proof of the date of receipt. A copy of the applicable portion of the login roster showing the date of login of the Notice of Disallowance or Adjustment will be accepted as proof of the date of receipt through a verifiable login process.

(c) If receipt cannot be established through a date stamp or verifiable login process, the Petitioner may provide a copy of the envelope in which the Notice of Disallowance or Adjustment was sent that clearly and legibly shows the postmark date, in which case receipt will be deemed to be five (5) calendar days from the postmark date.

(d) If the Petitioner does not establish the date of its receipt of the Notice of Disallowance or Adjustment by any of the methods set forth in this subsection through documentation accompanying the Petition Form, the Health Care Provider's receipt of the Notice of Disallowance or Adjustment will be deemed to be five (5) calendar days from the issue date on the Notice of Disallowance or Adjustment. An affidavit attesting to the date of receipt will not be accepted as proof of the date of receipt.

(2) Petitioning the Department to resolve a Reimbursement Dispute is effectuated upon service of the Petition Form and supporting documentation on the Department. The timeliness of a Petition Form will be calculated based on the date of service of the Petition Form on the Department in accordance with subsection (4), below.

(3) The thirty (30) day time period within which a Response Form must be served on the Department begins upon the date the Carrier receives the Petition Form, which will be established by the USPS certified mail receipt date. Timely submission by the Carrier to the Department of the Response Form and supporting documentation will be determined based on the date of service of the Response Form and supporting

documentation on the Department in accordance with subsection (4), below.

(4) Service of a Petition Form or Response Form on the Department must be by USPS mail, by common carrier, by hand delivery, or by electronic submission via the Division of Workers' Compensation Medical Services Web Portal. If service is by USPS mail, the date of service on the Department will be the postmark date placed on the envelope by USPS. If service is by common carrier, the date of service on the Department will be the common carrier pick-up date. If service on the Department is by hand delivery, the date of service will be the date the Petition Form or Response Form is hand delivered to the receptionist at the hand delivery address listed on the forms (which can only be accomplished Monday through Friday, between 8:00 a.m. and 5:00 p.m., Eastern Time, excluding state of Florida holidays). If service is by electronic submission via the Division of Workers' Compensation Medical Services Web Portal, the date of service will be the date the Department receives the electronic submission.

(5) Time periods established for petitioning the Department to resolve a Reimbursement Dispute or responding to a Petition Form are not tolled by any of the following actions: requesting an on-site audit; conducting an on-site audit; referral of the Health Care Provider for peer review consultation; or an independent medical examination of the injured employee.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a) and (b), 440.13(11)(c) FS. History–New 11-28-06, Formerly 59A-31.008, Amended.

69L-31.009 Carrier Response Requirements.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b) FS. History–New 11-28-06, Formerly 59A-31.009, Repealed.

69L-31.010 Effect of Non-Response by Carrier.

Rulemaking Authority 440.13(7), 440.591 FS. Law Implemented 440.13(7)(b) FS. History–New 11-28-06, Formerly 59A-31.010, Repealed.

69L-31.011 Complete Record.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(c) FS. History–New 11-28-06, Formerly 59A-31.011, Repealed.

69L-31.012 Joint Stipulation of the Parties.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) FS. History–New 11-28-06, Formerly 59A-31.012, Repealed.

69L-31.013 Petition Withdrawal.

(1) Prior to the issuance of a determination, the Petitioner may voluntarily withdraw its Petition Form for Resolution of Reimbursement Dispute.

(2) The withdrawal ~~must of a petition shall~~ be in writing and must clearly indicate:

- (a) ~~The case number assigned by the Department; or~~
- (b) ~~The name of the Petitioner health care provider or facility requesting withdrawal;~~ (b) ~~The name of the Carrier against which whom the Reimbursement Dispute petition has been initiated;~~ (c) ~~The date(s) of service identified on the Petition Form, covered by the petition;~~ and (d) ~~The identity of the injured employee to whom medical services were delivered.~~

(3) ~~Upon the Department's The result of receipt by the Department of a written request for withdrawal of a Petition Form, the Department will close its file on the matter without further action petition shall be dismissal of the determination case by the Department.~~

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(a) and, (c), 440.13(11)(c) FS. History--New 11-28-06, Formerly 59A-31.013, Amended.

69L-31.014 Overutilization Issues Raised in Reimbursement Dispute Resolution.

If the ~~Carrier, in its Carrier Response to Petition for Resolution of Reimbursement Dispute,~~ asserts in its Response Form and submits documentation substantiating that a basis for disallowing the Health Care Provider's petitioner's claim for reimbursement payment is overutilization by the Health Care Provider and submits documentation substantiating the assertion, and the Department, in its discretion, determines that the ~~Reimbursement Dispute~~ cannot be resolved without addressing the overutilization issue, the Department will issue a determination finding pursuant to section 440.13(7), F.S., that the Reimbursement Dispute cannot be resolved under section 440.13(7), F.S., and is being converted to a proceeding under either section sections 440.13(8) or 440.13(11), F.S., or both.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b) and (c), 440.13(11)(c) FS. History--New 11-28-06, Formerly 59A-31.014, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Theresa Pugh
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: CFO Jimmy Patronis
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 2,2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 14, 2018

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:
12A-1.087 Exemption for Power Farm Equipment;
Electricity Used for Certain Agricultural
Purposes; Suggested Exemption Certificate
for Items Used for Agricultural Purposes

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 217, November 6, 2018 issue of the Florida Administrative Register.

The following changes are made in response to written comments received from the staff of the Joint Administrative Procedures Committee.

12A-1.087 Exemption for Power Farm Equipment; Electricity Used for Certain Agricultural Purposes; Suggested Exemption Certificate for Items Used for Agricultural Purposes.

- (1) through (11) No change.
- (12) Industrial Machinery and Equipment Used in Aquaculture

(a) Industrial machinery and equipment, including parts and accessories, purchased for use in aquacultural activities at fixed locations is exempt. For the purposes of this rule, the following definitions apply:

1. "Industrial machinery and equipment" means tangible personal property or other property that has a depreciable life of 3 years or more and that is used as an integral part in the manufacturing, processing, compounding, or production of tangible personal property for sale. A building and its structural components, including heating and air-conditioning equipment are included. The term also includes parts and accessories only to the extent that the exemption is consistent with this subparagraph.

- 2. No change.
- (b) No change.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.:	RULE TITLES:
12C-1.013	Adjusted Federal Income Defined
12C-1.051	Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 217, November 6, 2018 issue of the Florida Administrative Register.

The following changes are made in response to written comments received from the staff of the Joint Administrative Procedures Committee.

12C-1.013 Adjusted Federal Income Defined.

- (1) through (3) No change.
- (4)(a) No change.

(b) In calculating alternative minimum tax due pursuant to Section 220.11(3), F.S., an adjustment to the addition of exempt interest is provided. Cross reference: subparagraph ~~paragraph~~ 12C-1.013(19)(b)5., F.A.C.

- (c) through (e) No change.
- (5) through (21) No change.

12C-1.051 Forms.

- (1) through (4) No change.

Form Number	Title	Effective Date
(5)(a)	No change	
(b) 1120N	F-Instructions for – Corporate Income/Franchise TaxXX/XX Return for taxable years beginning on or after January 1, 2018 2017	
	(http://www.flrules.org/Gateway/reference.asp?No=Ref-_____)	
(6) through (14)	No change.	

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.:	RULE TITLE:
69K-1.001	List of Approved Forms; Incorporation by Reference.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 126, June 29, 2017 issue of the Florida Administrative Register.

Changes to the forms which are incorporated by reference in the rule were made in response to written comments by the Joint Administrative Procedures Committee. The following language was added on the first page to Forms DFS-PNL-1, DFS-PNLT1, DFS-N1-1708, and DFS-N1-1722: Each of the related

forms referred to on this application is incorporated by reference in Rule 69K-1.001, F.A.C.

The Department corrected a statutory citation on page 5, Section 10 on Form DFS-PNL-1; removed the waiver language on page 4 of Form DFS-HistS and replaced it with standard applicant certification and signature language that is used on other forms; removed the “Board policy and rule” language on page 6, Section 15 on Form DFS-N1-1708; corrected the form names on Forms DFS-PNL-R and DFS-PNL-R2; and deleted the “including, but not limited to” language and substituted “which includes the following” on Form DFS-PNL-R5.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:	RULE TITLES:
69K-5.002	Application for Preneed License
69K-5.0021	Application for Preneed License Branch Office License
69K-5.0022	Applications for Transfer of a Preneed License
69K-5.0026	Preneed License Renewal
69K-5.009	Regulatory Standards for Evaluating Applications by the Board
69K-5.011	Preneed Sales Agent Renewal
69K-5.013	Procedure for Report of Identification for an Exempt Cemetery

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 137, July 17, 2017 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee. The Summary of Estimated Regulatory Costs and Legislative Ratification has been corrected to include the analysis that was inadvertently omitted: The Agency conducted an economic analysis of the potential impact of the proposed rule amendments and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NOS.:	RULE TITLES:
69K-5.002	Application for Preneed License
69K-5.0021	Application for Preneed License Branch Office License
69K-5.0022	Applications for Transfer of a Preneed License
69K-5.0026	Preneed License Renewal
69K-5.009	Regulatory Standards for Evaluating Applications by the Board
69K-5.011	Preneed Sales Agent Renewal
69K-5.013	Procedure for Report of Identification for an Exempt Cemetery

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 137, July 17, 2017 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee.

69K-5.009 Regulatory Standards for Evaluating Applications by the Board.

When an application for authority to organize and operate a new cemetery company is filed, it is the applicant’s responsibility to meet the statutory criteria warranting the grant of authority. If, in the opinion of the Board, any one of the criteria as set forth in sSection 497.263, F.S., which requires Board review and approval has not been met and cannot be remedied by the applicant, the Department cannot approve the application.

The applicant shall submit information addressing the following:

- (1) No change.
- (2) Proposed executive officers, directors or principals.
- (a) Each ~~The~~ proposed officers, directors, or principals shall ~~each~~ submit an executed Historical Sketch, through Form DFS HistS, which is incorporated by reference in Rule 69K-1.001, F.A.C., and can be accessed where indicated in section 69K-1.001(1), F.A.C., and shall have a reputations evidencing honesty and integrity and an. ~~They shall have~~ employment and business history ~~histories~~ demonstrating ~~their~~ responsibility in financial affairs. The fact that a proposed officer, director, or principal has been adjudicated bankrupt or has filed for relief under the Federal Bankruptcy Act shall be considered a material factor in the evaluation of responsibility in financial affairs.
- (b) No change.
- (c) The proposed general manager shall have at least three

(3) years of direct cemetery management experience within seven (7) years of the application date as a general manager, director, or regulator of a cemetery, or a similar position having an equivalent level of responsibility for a cemetery. The general manager must have a reputation evidencing honesty and

integrity and an employment history demonstrating competent past experience. It is not necessary that the name of the general manager be submitted with the application. However, this individual must be named and ~~have~~ submitted an executed Historical Sketch on, Form DFS Hist, which is incorporated by reference in Rule 69K-1.001, F.A.C., not later than ninety (90) days prior to the applicant’s intended opening date. The applicant may not open for business without the Department’s prior approval of the general manager, by the Department.

(d) through (e) No change.

69K-5.011 Preneed Sales Agent Renewal.

(1) Each active preneed sales agent (PSA) license shall be renewed for a biennial period beginning two (2) years after the initial appointment date. Prior to the end of the biennial period, the Department will mail or email a renewal notice to the appointing entity for each PSA at the address of record or e-mail on file through Form DFS-PNSR-1, Notice of Approaching Preneed Sales Agents Renewal Date (Rev. 08/16), which is hereby incorporated by reference as part of this rule, and a copy can be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx> or through the Division’s website at <https://www.myfloridacfo.com/Division/funeralcemetery/Licensing/default.htm>. In order to timely renew the appointment, the appointing entity must submit the appropriate renewal submission and fees either: (a) electronically through its account on the Department’s Producer Appointment System (eAppoint), which can be accessed through the Division’s website at <http://www.myfloridacfo.com/division/funeralcemetery/> or (b) by mailing a copy of the completed Renewal Summary Page of the paper form to the Department at the address indicated on the form. The appointing entity shall follow the instructions provided on either the form or on eAppoint in order to submit an appointment renewal and pay the renewal fees to the Department. The process overview for electronic submissions of PSA renewals through eAppoint is provided in Form DFS-N1-2179, Preneed Sales Agent (PSA) Online Renewal (Effective 08/18), which is hereby incorporated by reference as part of this rule, and a copy can be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx> or through the Division’s website at <https://www.myfloridacfo.com/Division/funeralcemetery/Licensing/default.htm>. Failure to receive any notification does not relieve the licensee of the responsibility to meet the renewal application requirements. There is a \$250 non-refundable renewal fee for each PSA appointment. In addition, for each PSA appointment choosing to renew by paper form there is a \$25 non-refundable fee for manual application processing by the Department. Failure to timely renew and pay the fees for

~~PSA appointments shall result in the termination of the appointment. Each active preneed sales agent appointment shall be renewed for the biennial period beginning two (2) years after the date of appointment. During the license renewal period of each biennium the Department will mail or email a renewal notice to the appointing entity for each licensee at the address of record. Failure to receive any notification does not relieve the licensee of the responsibility to meet the renewal application requirements. The application for renewal process shall include submission of the statutory nonrefundable renewal fee required by Section 497.466, F.S., and doing the following: either (a) go online to complete a renewal submission via the agent's eAppoint account; or (b) submit a paper copy of a completed renewal submittal with the renewal notice sent to the appointing entity for the preneed sales agent, from the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services. The licensee shall apply and pay according to the instructions in the renewal notice from the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services. A non refundable application fee of \$250 for an agent who renews appointments online and an additional \$25 per appointment for an appointing entity who renews using paper shall accompany the form.~~

(2) through (4) No change.

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NOS.:	RULE TITLES:
69L-31.002	Definitions
69L-31.003	Petition Form
69L-31.004	Carrier Response Form
69L-31.005	Petition Requirements
69L-31.006	Consolidation of Petitions
69L-31.007	Service of Petition on Carrier and Affected Parties
69L-31.008	Computation of Time
69L-31.009	Carrier Response Requirements
69L-31.010	Effect of Non-Response by Carrier
69L-31.011	Complete Record
69L-31.012	Joint Stipulation of the Parties
69L-31.013	Petition Withdrawal
69L-31.014	Overutilization Issues Raised in Reimbursement Dispute Resolution

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 144, July 25, 2018 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: **RULE TITLE:**

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on October 19, 2018, the Department of Elder Affairs, received a petition for Welltower PropCo Group LLC d/b/a Stratford Court of Boca Pointe aka BRIGHTON GARDENS OF BOCA RATON temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Welltower PropCo Group LLC d/b/a Stratford Court of Boca Pointe aka BRIGHTON GARDENS OF BOCA RATON. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: **RULE TITLE:**

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Advanced Facility Inc. d/b/a Advanced Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015716. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Bayside Facility Inc. d/b/a Bayside Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015722. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Clewiston Nursing & Rehabilitation, LLC d/b/a Clewiston Nursing & Rehabilitation, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015723. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Gandy SNF LLC d/b/a Gandy Crossing Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number

2018015727. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Gulf Shore Facility Inc. d/b/a Gulf Shore Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015728. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Lakeland Nursing and Rehabilitation, LLC d/b/a Lakeland Nursing & Rehabilitation, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015729. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Madison Facility Inc. d/b/a Madison Pointe Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015730. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Pinellas Park Facility Inc. d/b/a The Care Center at Pinellas Park, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015731. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Shore Facility Inc. d/b/a Shore Acres Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015733. Any interested person or other agency may submit

written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from St. Petersburg Nursing and Rehabilitation, LLC d/b/a St. Petersburg Nursing & Rehabilitation, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015736. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Woodbridge Facility Inc. d/b/a Woodbridge Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018015737. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on October 22, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Hialeah Enterprises LLC d/b/a Hialeah Nursing and Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018016063. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-149.005 Reasonableness of Benefits in Relation to Premiums

NOTICE IS HEREBY GIVEN that on August 9, 2018, the Office of Insurance Regulation, received a petition for Metropolitan Life Insurance Company filed a petition for Variance from paragraph 69O-149.005(14)(b), F.A.C. on August 9, 2018. The petition requests that the Office extend a variance granted on December 22, 2016, which concerns the provision that multiple year rate guarantees or rating caps may not exceed 24 months. The December 22, 2016, variance allows insurers to issue dental and vision plans insuring groups of 51 or more persons with multiple year rate guarantees or rating cap provisions not exceeding forty-eight (48) months. The December 22, 2016, variance will expire December 31, 2018, unless otherwise extended by order. The instant Petitioner requests that the December 22, 2016, variance be extended permanently, or to such extent the Office may permit.

Notice of the Petition was filed in the F.A.R. on August 21, 2018. An Order Extending Variance was issued on October 26, 2018, allowing Petitioner to issue dental and vision plans with multiple year rate guarantees or rate cap provisions not exceeding 48 months, for a period of 5 years. The variance will expire on December 31, 2023, unless otherwise extended by order.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rachic A. Glover, Deputy Director of Legal Affairs, Life and Health Product Review, Rachic.Glover@flor.com, (850)413-4121.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announce the following workshop/meeting which is open to the public.

DATE AND TIME: Tuesday, November 13, 2018, 12:00 Noon – 2:00 p.m.

PLACE: FSCJ Administrative Offices – Board Room 405, 501 West State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER(S) TO BE CONSIDERED: Deep Dive Workshop/Meeting: Enrollment Data and Enrollment - FSCJ DBOT Ad Hoc Committee Final Report will be discussed. In addition, the Report will be reviewed/responded to by the FSCJ Leadership Team, and action taken by the Board if deemed necessary.

A copy of the agenda for the workshop/meeting may be obtained by contacting: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

Copies of the agenda for the workshop/meeting will be available for inspection beginning Tuesday, November 6, 2018, and copies will be provided upon written request and the payment of approved duplicating charges. Any person requesting to address an item at the workshop/meeting will be provided the opportunity to do so by appearing before the Board at the workshop/meeting. If any person decides to appeal any decision made by the Board with respect to any matter considered at the workshop/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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: The Office of the College President, District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/ expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

For more information, you may contact: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, November 13, 2018, Open house 5:30 p.m. – 7:30 p.m.

PLACE: NOW Church, 6405 South Pine Avenue, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Project ID Number: 439238-1 goes with 435686-1
Project Description: State Road (S.R.) 25/U.S. 441 from S.R. 35 to S.R. 200, Marion County, Florida

The Florida Department of Transportation (FDOT) invites all persons to a public workshop for a resurfacing project on S.R. 25/U.S. 441 from S.R. 35 (Baseline Road) to S.R. 200 (SW 10th Street).

The existing typical sections on U.S. 441, within the project limits, will be modified to extend left and right turn lanes at various locations, remove some of the existing on street parking, provide bicycle facilities within the right of way where possible, update and provide pedestrian features to meet current FDOT specifications, connect existing sidewalk including a 6-mile portion from SE 100th Place to 2,000 feet north of SE 17th Avenue, and make other drainage and safety improvements, as needed.

The project also includes constructing a southbound left turn lane to SE 100th Place via a directional median opening and shifting the existing northbound left turn lane to the south to maintain storage length. The existing median opening just east of SE 100th Place, in front of the Moose Lodge, will be removed. The project will incorporate the construction of southbound and northbound left turn lanes at SE 98th Lane by changing the existing median opening. Drainage improvements will also be addressed within the grassed median.

The public workshop will be Tuesday, Nov. 13, 2018, at the NOW Church, 6405 South Pine Avenue, Ocala, FL 34480. The workshop will be an open house from 5:30 p.m. – 7:30 p.m. Project information will be on display, and there will be a presentation on a continuous loop running throughout the meeting. Project representatives will be available to discuss the project and answer questions.

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

A copy of the agenda may be obtained by contacting: Daniel Simpson, FDOT project manager by phone at (386)943-5394 or by email at daniel.simpson@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Daniel Simpson, FDOT project manager by phone at (386)943-5394 or via email at daniel.simpson@dot.state.fl.us. Persons who require translation services (free of charge) should also contact Daniel Simpson, FDOT project manager by phone at (386)943-5394 or via email at daniel.simpson@dot.state.fl.us at least seven (7) days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Daniel Simpson, FDOT project manager (see contact information above). Information about this project is also available online at www.cflroads.com. Simply type 439238-1 or 435686-1 in the search box, and click on the project name in the search results.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, December 12, 2018, 8:30 a.m.; Thursday, December 13, 2018, 8:30 a.m.

PLACE: The Shores, 2637 South Atlantic Ave, Daytona Beach Shores, FL 32118, (386)767-7350

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business, disciplinary and committee meetings of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF HEALTH

The Department of Health's Ed and Ethel Moore Alzheimer's Disease Research Grant Advisory Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 16, 2018, 3:00 p.m. – 4:30 p.m.

PLACE: Conference call: 1(888)670-3525, participant code: 5311418626

GENERAL SUBJECT MATTER TO BE CONSIDERED: Research Grant Application review process and the Research Agenda

A copy of the agenda may be obtained by contacting: Dr. Dinithia Sampson, (850)558-9678 or Dinithia.Sampson@flhealth.gov.

For more information, you may contact: Dr. Dinithia Sampson, (850)558-9678 or Dinithia.Sampson@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: November 16, 2018, 1:00 p.m.

PLACE: Toll Free Number – 1(888)670-3525, 990 808 6106#

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

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>.

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

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

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Bureau of Emergency Medical Oversight, Trauma Section announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 26, 2018, 9:00 a.m. ET

PLACE: Memorial Regional Hospital Conference Center, 3501 Johnson Street, Hollywood, FL 33021.

Conference Line: 1(888)670-3525, participant code: 3592419889 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Florida Trauma System Advisory Council (FTSAC) including the continued development of the statutorily required study relating to pediatric trauma care.

A copy of the agenda may be obtained by contacting: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Leffler at (850)558-9535 or michael.leffler@flhealth.gov.

DEPARTMENT OF FINANCIAL SERVICES

The Department of Financial Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2018, 2:00 p.m. – 4 p.m., Eastern Time

PLACE: Florida House of Representatives, 402 South Monroe Street, Knott Committee Meeting Room 116, Tallahassee, Florida 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida PALM Executive Steering Committee will meet to discuss the status of the Florida PALM Project.

A copy of the agenda may be obtained by contacting: the Florida PALM Project website <https://www.myfloridacfo.com/floridapalm/meetings/executive-steering-committee/>.

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: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.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). 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: FloridaPALM@myfloridacfo.com. If you have any questions or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

DEPARTMENT OF MILITARY AFFAIRS

The Department of Military Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 2018, 8:00 a.m.

PLACE: St. Francis Barracks, Cedar Room, 82 Marine St., St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Armory Board will review Nominating Committee nominations received, Armory Rental Discussion, Staff Reports, CFMO Reports, CBJTC Reports, and other business relative to real property and facility management issues under its control.

A copy of the agenda may be obtained by contacting: Sylvia A. Sepulveda, (904)823-0201.

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: Sylvia A. Sepulveda, (904)823-0201. 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: Sylvia A. Sepulveda, (904)823-0201.

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: November 14, 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.

GULF CONSORTIUM

The Gulf Consortium announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 13, 2018, 9:00 a.m. – 12:00 Noon ET

PLACE: This meeting will be conducted via communications media technology (teleconference). Interested persons may participate by telephone via the following: Dial in Number 1(571)317-3129, Participant Passcode: 950-313-733

Interested persons may also participate in the meeting at the following location, at which communications media technology will be provided:

The Balmoral Group, 165 Lincoln Avenue, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: The General Manager of the Gulf Consortium will facilitate a meeting to evaluate draft policies, procedures, and regulations for The Gulf Consortium. Three optional call-in times of 9AM, 10AM, or 11AM have been suggested to participants.

A copy of the agenda may be obtained by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

WALTON COUNTY HEALTH DEPARTMENT

The Walton County Health Department announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2018, 11:30 a.m.

PLACE: Walton County Health Department

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various Board information.

A copy of the agenda may be obtained by contacting: Patricia Hall, (850)892-8040, ext. 6237.

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: Patricia Hall, (850)892-8040, ext. 6237. 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: Patricia Hall, (850)892-8040, ext. 6237.

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: Wednesday November 14, 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 access to civil justice topics 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 3 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.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

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

DATE AND TIME: November 16, 2018, 10:00 a.m.

PLACE: Hyatt Regency Orlando Airport Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet for the Annual Meeting of the Association. The agenda will include but not limited to; Investment and Audit Committee reports, Receiver's, Legal, Operations, Claims and Financial reports.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

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 hours before the workshop/meeting by contacting: Cathy Irvin, (850)386-9200. 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).

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Tuesday, November 13, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: FDOT District Six Auditorium, 1000 NW 111 Avenue, Miami, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Miami-Dade County Work Program Public Hearing will be held in order to present District Six's Five-Year Transportation Plan and allow the public to ask questions or make comments about the plan in general, as well as specific projects included in the plan.

At 6:45 p.m. a simultaneous webcast of the public hearing will be held online, and the live question and answer portion of the public hearing will also begin at this time. Online participants can view the hearing from anywhere via the Internet, during the dates and times listed above, by logging onto www.fdotmiamidade.com/work-program or registering on the hearing's GoToWebinar page. The public hearing can also be viewed on Facebook Live @MyFDOTMiami. Audience members will be able to make public comments and ask questions. Online viewers can submit questions or comments via email at wpcomments@dot.state.fl.us and will be responded to the next day.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Gerdy St. Louis, Public Information Specialist, at (305)573-0089 or via email at gerdy@iscprgroup.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: Hong Benitez by phone at (305)470-5219, in writing at FDOT 1000 NW 111 Avenue, Miami, FL 33172, or via email at Hong.Benitez@dot.state.fl.us at least seven days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gerdy St. Louis, Public Information Specialist, at (305)573-0089 or via email at gerdy@iscprgroup.com.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Friday, November 16, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: Marathon Government Center - Marathon BOCC, 2798 Overseas Highway (Mile Marker 50), Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Monroe County Work Program Public Hearing will be held in order to present District Six's Five-Year Transportation Plan and allow the public to ask questions or make comments about the plan in general, as well as specific projects included in the plan.

The Public Hearing will also be streamed online and on Monroe County TV Channel 76 at the same time and date listed above. Audience members will be able to make public comments and ask questions. Online viewers can submit questions or comments via email at wpcomments@dot.state.fl.us and will be responded to the next day.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Gerdy St. Louis, Public Information Specialist, at (305)573-0089 or via email at gerdy@iscprgroup.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: Hong Benitez by phone at (305)470-5219, in writing at FDOT 1000 NW 111 Avenue, Miami, FL 33172, or via email at Hong.Benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Gerdy St. Louis, Public Information Specialist, at (305)573-0089 or via email at gerdy@iscprgroup.com.

ANN POPE CONSULTING

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

DATES AND TIMES: Thursday, November 15, 2018, 6:30 p.m.; Saturday, November 17, 2018, 10:30 a.m.

PLACE: Betty T. Ferguson Recreational Complex - Auditorium (November 15, 2018) and Jefferson Reaves Sr. Park Building (Saturday, November 17, 2018)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six, has scheduled two Alternatives Workshop Public Meetings to discuss the NW 27th Avenue Premium Transit Project Development and Environmental (PD&E) Study along SR-9/SR-817/NW 27th Avenue from approximately NW 38th Street to approximately NW 215th Street (at Unity Station) and from the Miami Intermodal Center (MIC) (at Miami International Airport (MIA)) to NW 27th Avenue via SR-112. The Alternatives Workshop being held on Thursday, November 15, 2018, will take place at the Betty T. Ferguson Recreational Complex - Auditorium, located at 3000 NW 199th Street, Miami Gardens, FL 33056. The Alternatives Workshop being held on Saturday, November 17, 2018, will take place at Jefferson Reaves Sr. Park Building, located at 3090 NW 50th Street, Miami, FL 33142.

The Alternatives Public Workshops are being held to present the results of the PD&E Study and obtain input on the alternatives under consideration. These workshops will provide an opportunity for the public to learn about the project and provide feedback on several proposed alternatives. Notices have been sent to property owners and tenants located within at least 300 feet on either side of the proposed alignment and to other public officials, regulatory agencies, organizations, and individuals interested in the project.

A copy of the agenda may be obtained by contacting: Ms. Joan Shen, Ph.D, P.E., PTOE, Project Manager, at (305)640-7557 or by email at joan.shen@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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. Hong Benitez, P.E. at (305)470-5219, or in writing at 1000 NW 111th Avenue, Miami, Florida 33172, or via email at Hong.Benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). Any persons who require translation services (free of charge) should also contact Ms. Hong Benitez at least seven (7) days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ann Pope, Public Information Officer, at (305)321-6011 or by email at nw27studyinfo@gmail.com.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has received the petition for declaratory statement from Deborah C. Bueno, on November 1, 2018. The petition seeks the agency's opinion as to the applicability of subsections 464.003(2) and (3), F.S., as it applies to the petitioner.

The Petitioner seeks a Declaratory Statement from the Board with regard to whether writing a Do Not Resuscitate ("DNR") order on a hospitalized inpatient who requests that designation is within the scope of practice of an advanced practice registered nurse ("APRN") as defined in subsections 464.003(2) and (3), F.S. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, info@floridasnursing.gov or by telephone at (850)245-4125.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has declined to rule on the petition for declaratory statement filed by International Financial Corp. on August 6, 2018. The following is a summary of the agency's declination of the petition: On 8/6/2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from International Financial Corp. The petition sought a declaratory statement from the Office on whether its proposed business model (of collecting checks in Israel that are made payable to American citizens who are retired abroad. These checks are drawn on American banks and are typically retirement pension checks or social security checks. The checks are then mailed to the United States where they are deposited in an American bank in the state of Florida for immediate clearance.) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. On 11/5/2018, the Florida Office of Financial Regulation issued a Final Order on Petition for Declaratory Statement. The Petition filed by International Financial Corp. is DENIED. A declaratory statement is not presently available to Petitioner because the facts provided in the Petition are not clearly identified or delineated. Any further analysis regarding the Petition is unnecessary, therefore, the Office makes no determination regarding the merits of Petitioner's arguments relating to this issue.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com. Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

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

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

NONE

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

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

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, October 30, 2018 and 3:00 p.m., Monday, November 5, 2018.

Rule No.	File Date	Effective Date
1B-2.011	10/30/2018	11/19/2018

2ER18-1	10/31/2018	10/31/2018
5C-4.0015	11/1/2018	11/21/2018
5C-4.0016	11/1/2018	11/21/2018
5C-4.002	11/1/2018	11/21/2018
5C-4.003	11/1/2018	11/21/2018
5C-4.004	11/1/2018	11/21/2018
5C-24.003	11/1/2018	11/21/2018
25-4.0665	11/1/2018	11/21/2018
25-4.113	11/1/2018	11/21/2018
59A-3.2085	11/1/2018	11/21/2018
59A-3.272	11/1/2018	11/21/2018
64B10-15.001	11/1/2018	11/21/2018
64C-7.002	11/2/2018	11/22/2018
68A-12.010	11/2/2018	11/22/2018
68A-12.011	11/2/2018	11/22/2018
68B-3.001	10/30/2018	11/19/2018
68B-3.002	10/30/2018	11/19/2018
68B-3.028	10/30/2018	11/19/2018
68B-3.033	10/30/2018	11/19/2018
68B-3.037	10/30/2018	11/19/2018
68B-3.042	10/30/2018	11/19/2018
68B-3.044	10/30/2018	11/19/2018
68B-3.045	10/30/2018	11/19/2018
68B-3.046	10/30/2018	11/19/2018
68B-3.047	10/30/2018	11/19/2018
68B-3.048	10/30/2018	11/19/2018
68B-3.049	10/30/2018	11/19/2018
68F-20.0015	10/31/2018	11/20/2018
68F-20.002	10/31/2018	11/20/2018
68F-20.0035	10/31/2018	11/20/2018
68F-20.0045	10/31/2018	11/20/2018
68F-20.0055	10/31/2018	11/20/2018
68F-20.0075	10/31/2018	11/20/2018
69A-64.005	10/31/2018	11/20/2018

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	**/**/****

**BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT
NOTICE OF RULEMAKING FOR LIMITED SITE DEVELOPMENT PLAN REVIEW FEES**

A public hearing will be conducted by the Babcock Ranch Community Independent Special District (“District”) on December 6, 2018, at 1:00 p.m. at 14750 State Road 31, Punta Gorda, Florida 33982. The public hearing will be a rulemaking hearing and will provide an opportunity for the public to address proposed rules that set fees and charges related to limited site development plan review fees. The purpose and effect of the proposed rules is to provide for efficient and effective District operations, and to provide sufficient revenues to meet expenses and provide services within boundaries of the District. Prior notice of rule development for the rulemaking hearing was published in the Florida Administrative Register on November 5, 2018. The proposed fees are as follows:

Limited Site Development	\$500.00
Review	Resubmittal - \$250.00

Specific legal authority for the rules includes section 120.054, Florida Statutes, and Chapter 2007-306, Laws of Florida, as amended. Any person who wishes to provide the District with a proposal for a lower cost regulatory alternative as provided by section 120.541(1), Florida Statutes, must do so in writing within twenty-one (21) days after publication of this notice. A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: December 6, 2018, 1:00 p.m.

PLACE: 14750 State Road 31, Punta Gorda, Florida 33982

The public hearing may be continued to a date, time, and place to be specified on the record at the hearing. If anyone chooses to appeal any decision of the Board with respect to any matter considered at the public hearing, such person will need a record of the proceedings and should accordingly ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which such appeal is to be based. At the hearing, one or more Supervisors may participate in the public hearing by telephone. Any person requiring special accommodations at the hearing because of a disability or physical impairment should contact the District Office at (561)571-0010 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1(800)955-8770, for aid in contacting the District Office. A copy of the proposed rules may be obtained by contacting the District Manager, Craig Wrathell, at 2300 Glades Road, Suite 410w, Boca Raton, Florida 33431 or by calling (561)571-0010.

Craig Wrathell, Manager

**Section XIII
Index to Rules Filed During Preceding
Week**

INDEX TO RULES FILED BETWEEN OCTOBER 29, 2018 AND NOVEMBER 2, 2018

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE
Division of Library and Information Services
1B-2.011 10/30/2018 11/19/2018 44/176

DEPARTMENT OF LEGAL AFFAIRS
2ER18-1 10/31/2018 10/31/2018 44/214

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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64B10-15.001 11/1/2018 11/21/2018 44/161

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64C-7.002 11/2/2018 11/22/2018 44/154

FISH AND WILDLIFE CONSERVATION COMMISSION
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68A-12.011 11/2/2018 11/22/2018 44/141 44/192

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DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-64.005 10/31/2018 11/20/2018 44/184

**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

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