

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:**      **RULE TITLE:**

6A-1.045111      Hourly Equivalent to 180-Day School Year

**PURPOSE AND EFFECT:** To amend the title of the rule (to include “and 250-Day School Year for Juvenile Education Programs) and add a provision to operate a juvenile justice education nonresidential school or program for a term of two hundred fifty (250) actual teaching days or the hourly equivalent which is no fewer than one thousand two hundred fifty (1,250) instructional hours. The district school board may decrease the minimum number of days of instruction by up to 20 days or the equivalent hours for teacher planning for nonresidential programs. Each teacher-planning day is equivalent to five (5) instructional hours. Also a provision is added to operate a juvenile justice education residential school or program for a term of two hundred fifty (250) actual teaching days. The district school board may decrease the minimum number of days of instruction by up to 10 days for teacher planning for residential programs.

**SUBJECT AREA TO BE ADDRESSED:** Instructional hour requirement for juvenile justice education nonresidential and residential school or program.

**RULEMAKING AUTHORITY:** 1001.02(1), 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61, F.S.

**LAW IMPLEMENTED:** 1001.42(12)(a), 1001.51(11)(a), 1003.02(1)(g), 1011.60(2), 1011.61, 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.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mark Eggers, Assistant Deputy Commissioner, Florida Department of Education, (850)245-0351. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:** Available at <https://web02.fldoe.org/rules>.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

**RULE NO.:**      **RULE TITLE:**

61G15-22.0002      Licensure Change of Status, Reactivation; Reinstatement of Void Licenses

**PURPOSE AND EFFECT:** The purpose of the amendments is to update the required procedures for reinstatement of void licenses and expand the means of obtaining required CE hours.  
**SUBJECT AREA TO BE ADDRESSED:** Update methods of obtaining required CE hours and requirements for reinstatement of void licenses.

**RULEMAKING AUTHORITY:** 455.271, 471.008, 471.019 FS.

**LAW IMPLEMENTED:** 455.271, 471.019 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail [ZRaybon@fbpe.org](mailto:ZRaybon@fbpe.org)

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

**RULE NO.:**      **RULE TITLE:**

61G15-23.001      Signature, Date and Seal Shall Be Affixed

**PURPOSE AND EFFECT:** The purpose of the amendment is to conform the requirements of the signing and sealing rule to changes made in the individual responsibility.

**SUBJECT AREA TO BE ADDRESSED:** Update the requirements of signing and sealing.

**RULEMAKING AUTHORITY:** 471.008, 471.025 FS.

**LAW IMPLEMENTED:** 471.025, 471.033(1)(a),(e),(j) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Zana Raybon, Executive Director, Board of Professional Engineers,

2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail ZRaybon@fbpe.org  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.:       RULE TITLE:  
 61G15-33.003   Design of Power Systems  
 PURPOSE AND EFFECT: The purpose of the amendment is to update requirements for responsibility rules.  
 SUBJECT AREA TO BE ADDRESSED: Update inconsistencies, omissions and errors within the rules.  
 RULEMAKING AUTHORITY: 471.008, 471.033(2) FS.  
 LAW IMPLEMENTED: 471.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail ZRaybon@fbpe.org  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:       RULE TITLES:  
 61G15-34.003   Design of Heating Ventilation and Air Conditioning, and Refrigeration Systems  
 61G15-34.004   Design of Process and Fluid Flow Systems  
 61G15-34.007   Design of Plumbing Systems

PURPOSE AND EFFECT: The purpose of the amendment is to update the inconsistencies and error in text.  
 SUBJECT AREA TO BE ADDRESSED: Update the responsibility rules with more accurate text.  
 RULEMAKING AUTHORITY: 471.008, 471.033(2) FS.  
 LAW IMPLEMENTED: 471.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail ZRaybon@fbpe.org  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.:       RULE TITLE:  
 64B12-9.0015   Application for Examination and Licensure  
 PURPOSE AND EFFECT: To modify the Optician Application for Examination incorporated in the rule  
 SUBJECT AREA TO BE ADDRESSED: Modifications to Optician Application for Examination  
 RULEMAKING AUTHORITY: 456.013, 456.017, 456.072, 484.005, 484.007 FS.  
 LAW IMPLEMENTED: 456.013, 456.017, 456.0635, 484.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.:       RULE TITLE:  
 64B12-15.004   Provider Approval and Renewal  
 PURPOSE AND EFFECT: To clarify the criteria for continuing education programs or courses  
 SUBJECT AREA TO BE ADDRESSED: Clarification of criteria for continuing education programs or courses.  
 RULEMAKING AUTHORITY: 484.005, 484.008(3) FS.  
 LAW IMPLEMENTED: 484.008(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

**RULE NO.:**        **RULE TITLE:**  
64B12-16.004    Termination of Apprenticeship  
**PURPOSE AND EFFECT:** To clarify the criteria for an apprentice terminating an apprenticeship  
**SUBJECT AREA TO BE ADDRESSED:** Clarification of criteria for an apprentice terminating an apprenticeship.  
**RULEMAKING AUTHORITY:** 484.005, 484.007(1) FS.  
**LAW IMPLEMENTED:** 484.007(1)(d)4. FS.  
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet Hartman, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

**RULE NO.:**        **RULE TITLE:**  
68D-14.002        Monroe County Anchoring Limitation Area  
**PURPOSE AND EFFECT:** The purpose of this rule development is to establish guidance and direction for owners and operators of vessels anchoring upon the waters of the state within the Monroe County anchoring limitation area, pursuant to section 327.4108, Florida Statutes.  
**SUBJECT AREA TO BE ADDRESSED:** Monroe County Anchoring Limitation Area  
**RULEMAKING AUTHORITY:** 327.04, FS; 327.4108, FS.  
**LAW IMPLEMENTED:** 327.4108, FS.  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Major Rob Beaton, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399, rob.beaton@myfwc.com

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

**Section II  
Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Aquaculture**

**RULE NO.:**        **RULE TITLE:**  
5L-3.004            Aquaculture Best Management Practices Manual

**PURPOSE AND EFFECT:** The proposed rule amendment establishes rules, within the Aquaculture Best Management Practices manual (FDACS-02034), to reflect the recent revision to 597.004, F.S.

**SUMMARY:** The Aquaculture Best Management Practices manual (FDACS-02034), is being updated to include specific rules as required by statute for the food fish production of Florida largemouth bass, *Micropterus salmoides floridanus*. Specifically, the new rule will require any facility that cultures *Micropterus salmoides floridanus* to maintain stock acquisition documentation or records of genetic testing.

**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: As part of this analysis, the Department reviewed the proposed rule expansion to allow *Micropterus salmoides floridanus* to be sold as a food fish and found no adverse financial impacts to the industry. The proposed rule changes do not require additional fees. No interested party submitted additional information regarding the economic impact.

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:** 570.07(10) F.S., 570.07(23) F.S., 597.004(2)(a), F.S., 791.07 F.S

**LAW IMPLEMENTED:** 597.003 F.S., 597.004 F.S., 597.010(17) F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Charlie Culpepper, Division of Aquaculture, 600 S Calhoun Street, Suite 217, Tallahassee, FL, 32301, Phone: (850) 617-7600.

THE FULL TEXT OF THE PROPOSED RULE IS:

**5L-3.004 Aquaculture Best Management Practices Manual.**

(1) The Aquaculture Best Management Practices manual, FDACS-02034 (rev. ~~July 2021~~ ~~November, 2016~~) is hereby adopted and incorporated by reference and is immediately available at

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

or may be obtained by contacting the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, FL 32399, (850)617-7600.

(2) The following documents have been adopted by reference into the Aquaculture Best Management Practices Manual, FDACS-02034 (rev. ~~July 2021~~ ~~November, 2016~~) and are hereby incorporated by reference and available online as indicated:

(a) through (j) No Change

Rulemaking Authority 570.07(10), 570.07(23), 597.004(2)(a), 791.07 FS. Law Implemented 597.003, 597.004, 597.010(17) FS. History—New 10-4-00, Amended 12-29-02, 6-8-04, 11-22-05, 4-9-07, 11-30-15, 1-9-17, \_\_\_\_\_ .

NAME OF PERSON ORIGINATING PROPOSED RULE: Portia Sapp, Director of the Division of Aquaculture

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole “Nikki” Fried

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 8/19/2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: RULE TITLE:

61-35.012 Electrical Contractors' Departmental Forms  
PURPOSE AND EFFECT: The purpose and effect is to amend the rule to adopt revised forms that have been updated to comply with changes to s.489.509 F.S. to remove provisions relating to the \$4.00 fee paid to the Department at the time of application or renewal to fund projects relating to the building

construction industry or continuing education programs offered to persons engaged in the building construction industry in Florida.

SUMMARY: Within the provided paragraph the Department proposes to amend Rule 61-35.012 to adopt the 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: the economic review conducted by the Agency.

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

RULEMAKING AUTHORITY: 455.203, 455.213, 455.2179 FS.

LAW IMPLEMENTED: 455.213(1), 455.271(6), 489.511, 489.513, 489.514, 489.517, 489.519, 489.521, 489.522, 559.79 FS. ..

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394.

THE FULL TEXT OF THE PROPOSED RULE IS:

**61-35.012 Electrical Contractors’ Departmental Forms.**

The following Electrical Contractors’ Departmental forms can be obtained at [www.myfloridalicense.com/dbpr/](http://www.myfloridalicense.com/dbpr/) or by contacting the Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)487-1395:

(1) Any person applying to become a certified electrical, alarm or electrical specialty contractor based exam, shall submit a completed Form DBPR ECLB 1, Application for Initial Certification by Examination, effective ~~XXXX~~ ~~April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12848>.

(2) Any person applying to become a certified electrical, alarm or electrical specialty contractor based on exam in another state, shall submit a completed Form DBPR ECLB 2, Application for Certification by Endorsement, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12849>.

(3) Any registered electrical, alarm system or specialty contractor applying for an initial registered license, transfer a registered license to a new business, qualify an additional business, add a county or reactivate an inactive license shall submit a completed Form DBPR ECLB 3, Application for Registered Electrical, Alarm System or Specialty Contractor Transactions, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12850>.

(4) Any certified contractor applying to transfer a license to a new business, qualify an additional business or reactivate an inactive license shall submit a completed Form DBPR ECLB 4, Certified Contractor Application for Transfer, Additional Business or Reactivation, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12851>.

(5) no change.

(6) Any electrical contractor applying to change the status of their license, transfer an additional business to primary license or change business name shall submit a completed Form DBPR ECLB 6, Electrical Contractor Change of Status Transactions, effective ~~XXXX July 10, 2012~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-02737>.

(7) no change.

(8) Any person applying to take the Certified Electrical Contractor Examination shall submit a completed Form DBPR ECLB 8, Certified Electrical Contractor Exam Application, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12853>.

(9) Any person applying to re-take the Certified Electrical Contractor Examination shall submit a completed Form DBPR ECLB 9, Certified Electrical Contractor Retake Exam Application, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12854>.

(10) Any person applying to reinstate a certified or registered electrical, alarm or electrical specialty contractor license that in null and void status shall submit a completed Form DBPR ECLB 10, Application to Reinstate Null and Void Certification or Registration, effective ~~XXXX October, 2012~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-02741>.

(11) Any person or organization applying to provide continuing education shall submit a completed Form DBPR ECLB 11, Continuing Education Provider Approval Application, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12855>.

(12) no change.

(13) Any registered contractor requesting to have their license “grandfathered” into a certified license pursuant to Section 489.514, F.S., shall submit a completed Form DBPR ECLB 13, Application for Certification of Registered Electrical, Alarm or Specialty Contractor By Grandfathering, effective ~~XXXX January 2020~~, adopted and incorporated by reference, and available at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-11415>.

(14) Any person applying to become a Certified electrical, alarm, or electrical specialty contractor based on having held a similar license in another state or territory for at least 10 years, shall submit a completed Form DBPR ECLB 14, Application for Certification by Endorsement- 10 year provision, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12857>.

(15) Any honorably discharged veteran applying to become a certified electrical, alarm or electrical specialty contractor based exam, shall submit a completed Form DBPR ECLB 1-A, Application for Initial Certification by Examination for Military Veterans, effective ~~XXXX April 2021~~, adopted and

incorporated by reference, and available at:  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12859>.

(16) Any veteran applying to become a certified electrical, alarm or electrical specialty contractor based on exam in another state, shall submit a completed Form DBPR ECLB 2-A, Application for Certification by Endorsement for Military Veterans, effective ~~XXXX April 2021~~, adopted and incorporated by reference, and available at:  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-12860>.  
 Rulemaking Authority 455.203, 455.213, 455.2179 FS. Law Implemented 455.213(1), 455.271(6), 489.511, 489.513, 489.514, 489.5161, 489.517, 489.519, 489.521, 489.522, 559.79 FS. History—New 6-17-13, Amended 2-3-20, 5-13-21\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie I. Brown, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 7, 2021 (v. 47, n. 130)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

RULE NO.: RULE TITLE:  
 61G19-6.017 Residential Inspector Certification  
 PURPOSE AND EFFECT: The proposed amendments will update required certification regarding experience needed for certification.

SUMMARY: Update rules text of years required for experience.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

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

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

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.609(2),(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

THE FULL TEXT OF THE PROPOSED RULE IS:

**61G19-6.017 Residential Inspector Certification**

- (1) through (2) No change.
- (a) ~~Four~~ **Five** years' experience as a registered or certified state general, building, or residential contractor in a supervisory capacity that included operational control and direction of building, mechanical, electrical, and plumbing personnel or subcontractors on residential projects, or
- (b) ~~Four~~ **Five** years' experience as a job superintendent or project manager in a supervisory capacity that included operational control and direction of building, mechanical, electrical, and plumbing personnel or subcontractors on residential projects, or
- (c) ~~Four~~ **Five** years' experience including one and a half ~~two~~ years of hands-on electrical experience, one and a half ~~two~~ years of hands-on building experience, and one year of hands-on experience in either mechanical or plumbing, or
- (d) through (h) No change.

Rulemaking Authority 468.606 FS. Law Implemented 468.609(2), (7) FS. History—New 2-28-02, Amended 12-11-07, 3-5-17, 10-21-20,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Building Code Administrators and Inspectors Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 25, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-17.015  
 RULE TITLE: Required Communication by School Permit Holders

PURPOSE AND EFFECT: The purpose of the amendments is to remove the classroom limitation and update with sunset language.

SUMMARY: Remove classroom only limitation and update rule with sunset language.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.451(1),(2)(a),(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Giovanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giovanna.Corona@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**61J2-17.015 Required Communication by School Permit Holders.**

(1) No real estate school, permit holder or instructor shall recruit for employment opportunities for any real

estate brokerage firm during ~~classroom~~ instructional time.

(2) Each school permit holder must post in every classroom and administrative area, and read at the beginning of each course, the following statement: "Recruiting for employment opportunities for any real estate brokerage firm must be accomplished outside the prescribed ~~classroom~~ instructional time. Noncompliance should be reported to the Commission."

(3) No later than December 31, 2026, the Commission shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Commission to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Specific Authority 475.05 FS. Law Implemented 475.451(1),(2)(a),(c) FS. History--New 6-28-93, Formerly 21V-17.015,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2021  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 16, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.: 61J2-24.006  
 RULE TITLE: Probation

PURPOSE AND EFFECT: The purpose of the amendments is updating the rule to make the text clearer of probation actions.

SUMMARY: Update subsection (5) of text referencing to final order.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

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

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.227, 475.25(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Giuvanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

**61J2-24.006 Probation.**

(1) through (4) No change.

(5) Unless otherwise stated in the final order, ~~t~~The respondent will be released early from probation upon the successful completion of the terms of probation and the required information being submitted to the Division of Real Estate ~~Legal Section.~~

(6) No change.

Rulemaking Authority 475.05 FS. Law Implemented 455.227, 475.25(4) FS. History—New 2-13-96, Amended 11-10-97, 12-8-02, 7-10-06, 1-11-11, 8-31-16,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 18, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Athletic Commission**

RULE NOS.: RULE TITLES:

- 61K1-3.017 Drugs and Foreign Substances
- 61K1-3.022 Unprofessional or Unethical Conduct
- 61K1-3.023 Citation Authority

PURPOSE AND EFFECT: The Commission proposes the rule amendments to update the text regarding drugs and foreign

substances, unprofessional or unethical conduct, and citation authority.

SUMMARY: Update rule text regarding drugs and foreign substances, unprofessional or unethical conduct, and citation authority.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

RULEMAKING AUTHORITY: 548.003, 548.046(3)(d), 548.075 FS.

LAW IMPLEMENTED: 548.003(2), 548.041, 548.046, 548.071, 548.075 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patrick Cunningham, Executive Director, Florida Athletic Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or telephone (850) 488-8500.

THE FULL TEXT OF THE PROPOSED RULE IS:

**61K1-3.017 Drugs and Foreign Substances.**

(1) For purposes of Section 548.046, F.S., Prohibited Substances shall include all substances set forth by the World Anti-Doping Agency (WADA) World Anti-Doping Code International Standard Prohibited List, effective January 1, ~~2021~~2019, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-10910>. The presence of a prohibited substance in a urine sample is not a violation if the quantity of the prohibited substance does not



exceed the threshold established in *Decision Limits for the Confirmatory Quantification of Threshold Substances*, WADA Technical Document TD2021DLTD2019DL, effective April 1, 2021~~March 1, 2019~~, published by the World Anti-Doping Agency, incorporated herein by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-10911>. The materials incorporated by reference herein can be obtained at [www.myfloridalicense.com](http://www.myfloridalicense.com) or by contacting the Department of Business and Professional Regulation, Florida Athletic Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-1016.

(2) No change.

(3) Notwithstanding subsection one (1) of this rule, cannabinoids are not prohibited substances.

Rulemaking Authority 548.003, 548.046(3)(d) FS. Law Implemented 548.041, 548.046, 548.071, 548.075 FS. History–New 12-10-15, Amended 8-15-19, \_\_\_\_\_.

**61K1-3.022 Unprofessional or Unethical Conduct.**

Unprofessional or unethical conduct, for professional licensees, as described in section 548.071(4), F.S., shall include:

(1) through (13) No change.

(14) Failing to obtain~~possess~~ a federal identification card ~~prior to a~~ weigh-in.

(15) through (17) No change.

(18) Failure of a participant to obtain a state participant license prior to weigh-in.

(19) Failure of a participant to submit valid medical documentation to the Commission office prior to weigh-in. Medical documentation includes, at a minimum, eye exams, blood work, an EKG, a brain MRI or any other medical report or medical clearance required to participate.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.071 FS. History–New 8-31-16, \_\_\_\_\_.

**61K1-3.023 Citation Authority.**

The following violations with accompanying fines and conditions may be disposed of by citation:

| Violation  | Fine                               |
|--|------------------------------------|
| No Change.   |                                    |
| (1) Failure of a participant to <del>obtain a</del> <del>possess a copy of</del> federal identification card <del>prior to a</del> weigh-in: | <del>\$100.00</del> <u>\$25.00</u> |
| (2) – (3) No change.   |                                    |
| (4) Failure of a participant to <u>obtain a state participant license prior to weigh-in;</u>   | <u>\$100.00</u>                    |
| (5) Failure of a participant to <u>submit medical documentation to the Commission office prior to</u>  | <u>\$100.00</u>                    |

|   |  |
|---|--|
| <u>weigh-in. Medical documentation includes, at a minimum, an ophthalmic examination, laboratory results, EKG, MRI of brain, or any other medical examination or testing required to participate.</u> |  |
|---|--|

Rulemaking Authority 548.003, 548.075 FS. Law Implemented 548.003(2), 548.075 FS. History–New 12-2-15, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Athletic Commission

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 26, 2021

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE NO.: RULE TITLE:

64B18-17.001 Continuing Education Required for License Renewal

PURPOSE AND EFFECT: The Board proposes a rule amendment that requires all licensed podiatric physicians to take 2 hours of continuing education in the safe and effective prescribing of controlled substances per recent statutory changes.

SUMMARY: The rule amendment modifies the requirements for continuing education required for license renewal to comply with statutory changes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit

opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013(6), 456.033, 456.0301(2), 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013(6), (7), (9), 456.0301(1), 456.033, 456.0341, 456.036(11), 461.003(5), 461.007(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708.

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B18-17.001 Continuing Education Required for License Renewal.**

- (1) No Change.
- (2) All licensees who seek to renew the active status of their licensure must demonstrate that they have completed, during the previous two years, at least forty (40) hours of continuing education.
  - (a) Through (c) No Change.
  - (d) ~~For those licensees registered with the United States Drug Enforcement Administration and authorized to prescribe controlled substances pursuant to 21 U.S.C. s. 822, a~~At least two (2) of the forty (40) hours must be on the safe and effective prescribing of controlled substances, as required by Section ~~461.007456.0301(1)(a)~~, F.S.
  - (e) Through (g) No Change.
  - (3) Through (12) No Change.

Rulemaking Authority 456.013(6), 456.033, ~~456.0301(2)~~, 461.005, 461.007(3) FS. Law Implemented 456.013(6), (7), (9), ~~456.0301(1)~~, 456.033, 456.0341, 456.036(11), 461.003(5), 461.007(1) FS. History—New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended 4-25-00, 9-27-01, 11-27-05, 1-29-07, 11-19-12, 8-6-18, 5-14-20, 6-1-21, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Podiatric Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 9, 2021  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2021

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: RULE TITLE:

64B19-17.002 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes a rule amendment to add new guidelines pursuant to recent statutory changes.

SUMMARY: The rule amendment adds new guidelines to comply with statutory changes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.079, 490.004(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 490.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board

of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B19-17.002 Disciplinary Guidelines.**

(1) No Change.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees and permittees for violation of the below mentioned statutes and rules. For the purposes of this rule, the descriptions of the violations are abbreviated, and the full statute or rule cited should be consulted to determine the prohibited conduct.

(a) Through (oo) No Change.

|  |   |  |
|--|---|--|
| <u>(pp) Failure to comply with the parental consent requirements of Section 1014.06, F.S. (Section 456.072(1)(rr), F.S)</u>  | <u>MIN: Reprimand and a \$1,000 fine; MAX: One (1) year probation and a \$5,000 fine.</u> | <u>MIN: One (1) year probation and a \$5,000 fine. MAX: Revocation</u> |
| <u>(qq) Being convicted or found guilty of, entering a plea of guilty or nolo contendere to, regardless of adjudication, or committing or attempting, soliciting, or conspiring to commit an act that would constitute a violation of any of the offenses listed in section 456.074(5) or a similar offense in another jurisdiction. (Section 456.072(1)(ss), F.S)</u> | <u>MIN: Revocation; MAX: Revocation and a \$10,000 fine</u>                               | <u>MIN: Revocation; MAX: Revocation and a \$10,000 fine.</u>           |

(3) Through (4) No Change.

Rulemaking Authority 456.079, 490.004(4) FS. Law Implemented 456.072, 456.079, 490.009 FS. History—New 11-24-86, Amended 7-18-88, 4-26-93, Formerly 21U-18.003, Amended 6-14-94, Formerly 61F13-18.003, Amended 1-9-96, Formerly 59AA-17.002, Amended 9-18-97, 9-26-01, 3-25-02, 4-3-05, 1-2-06, 12-31-06, 2-18-10, 6-21-17, 6-20-18, 5-25-21, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Psychology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2021  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2021

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

**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

RULE NO.: 64B3-12.001  
RULE TITLE: Disciplinary Guidelines  
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. 47 No. 72, April 14, 2021 issue of the Florida Administrative Register.

The Board received written comments from the Joint Administrative Procedures Committee on Rule 64B3-12.001, F.A.C.. On July 23, 2021, the Board approved changes to the proposed rule language. The changes are as follows:

Substantial rewording of Rule 64B3-12.001 follows. See Florida Administrative Code for present text.

**64B3-12.001 Disciplinary Guidelines.**

(1) Purpose. The Board provides within this rule disciplinary guidelines which shall be imposed upon applicants, registrants or licensees whom it regulates under Chapter 483, Part II, F.S., or a telehealth provider registered under section 456.47(4), F.S. The purpose of this rule is to notify applicants, registrants and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. The ranges of penalties provided below are based upon a single count violation of each provision listed and also are provided for repeat violations; multiple counts of the violated provisions or a combination of the violations may result in a higher penalty than that for a single, isolated violation. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants, registrants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants, registrants or licensees from violations. For the purposes of this rule, the descriptions of the violations are

abbreviated, and the full statute or rule cited should be consulted to determine the prohibited conduct.

(2) Violations and Range of Penalties. For applicants, all violations are sufficient for refusal to certify an application for licensure. For registrants or licensees, the imposition of probation as a penalty shall ordinarily require compliance with conditions such as restitution, continuing education and/or training, indirect or direct supervision by a Board-approved monitor, restrictions on practice, submission of reports, appearances before the Board, and/or hours of community service. As appropriate, such conditions of probation also shall be required following any period of suspension. In addition to any other discipline imposed, the Board shall assess the actual costs related to the investigation and prosecution of a case. In imposing discipline pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty as authorized by Section 456.072(2), F.S., within the range corresponding to the violations set forth below. Offense identifications are descriptive only; the full language of each statutory provision must be considered in order to determine the conduct included.

(a) Section 483.825(1)(a) or 456.072(1)(h), F.S.: Attempting to obtain, obtaining, or renewing a license or registration under this part by bribery, by fraudulent misrepresentation, or through an error of the department or the board.

| <u>APPLICANTS,<br/>REGISTRANTS,<br/>AND LICENSEES</u> | <u>MINIMUM</u>  | <u>MAXIMUM</u>   |
|---|---|--|
| <u>BRIBERY: FIRST OFFENSE</u>                         | \$500 fine and up to two (2) years probation or denial of the application | Revocation   |
| <u>BRIBERY: SECOND AND SUBSEQUENT OFFENSES</u>        | Revocation and a \$10,000 Fine  |  |
| <u>FRAUD: FIRST OFFENSE</u>                           | \$10,000 fine and six (6) months probation                                | \$10,000 fine and revocation   |
| <u>FRAUD: SECOND OFFENSE</u>                          | \$10,000 fine and revocation  |  |
| <u>ERROR: FIRST OFFENSE</u>                           | \$500 fine and a Letter of Concern  | \$5,000 fine and one (1) year suspension followed by two (2) years probation |

|   |  |            |
|---|--|------------|
| <u>ERROR: SECOND OFFENSE</u>                | 5,000 fine and one (1) year suspension followed by two (2) years probation | Revocation |
| <u>ERROR: THIRD AND SUBSEQUENT OFFENSES</u> | \$10,000 fine and revocation   |            |
| <u>TELEHEALTH REGISTRANTS:</u>              |  |            |
| <u>FIRST OFFENSE</u>                        | Letter of concern  | Revocation |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>       | Reprimand  | Revocation |

(b) Section 483.825(1)(b), F.S.: Engaging in or attempting to engage in, or representing oneself as entitled to perform, any clinical laboratory procedure or category of procedures not authorized pursuant to the license. If the violation is for fraud or knowingly making a false or fraudulent representation, the fine portion of the discipline imposed shall be \$10,000 per count or offense.

| <u>APPLICANTS,<br/>REGISTRANTS,<br/>AND LICENSEES</u> | <u>MINIMUM</u>                           | <u>MAXIMUM</u>                      |
|---|--|-------------------------------------|
| <u>FIRST OFFENSE</u>                                  | \$300 fine and one (1) year probation    | \$5,000 and two (2) years probation |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>                 | \$5,000 fine and two (2) years probation | \$10,000 fine and revocation        |
| <u>TELEHEALTH REGISTRANTS</u>                         |  |                                     |
| <u>FIRST OFFENSE</u>                                  | Letter of concern                        | Revocation                          |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>                 | Reprimand                                | Revocation                          |

(c) Section 483.825(1)(c), F.S.: Demonstrating incompetence or making consistent errors in the performance of clinical laboratory examinations or procedures or erroneous reporting.

| <u>APPLICANTS,<br/>REGISTRANTS,<br/>AND LICENSEES</u> | <u>MINIMUM</u> | <u>MAXIMUM</u> |
|---|----------------|----------------|
|   |                |                |

|                                       |  |  |
|---------------------------------------|--|--|
| <u>FIRST OFFENSE</u>                  | <u>\$300 fine and two (2) years probation</u>                              | <u>\$5,000 and six (6) months suspension</u> |
| <u>SECOND OFFENSE</u>                 | <u>5,000 and six (6) months suspension, followed by 2 years probation.</u> | <u>\$10,000 fine and revocation</u>          |
| <u>THIRD AND SUBSEQUENT OFFENSES</u>  | <u>\$10,000 fine and revocation</u>  |  |
| <u>TELEHEALTH REGISTRANTS</u>         |  |  |
| <u>FIRST OFFENSE</u>                  | <u>Letter of concern</u>   | <u>Six (6) months suspension</u>             |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan</u>                             | <u>Revocation</u>                            |

|                                       |   |  |
|---------------------------------------|---|--|
| <u>FIRST OFFENSE</u>                  | <u>\$500 fine and one (1) year probation</u>                        | <u>\$4,000 fine and up to 2 years suspension or revocation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>\$4,000 fine and two (2) years probation</u>                     | <u>\$10,000 fine and revocation</u>                            |
| <u>TELEHEALTH REGISTRANTS</u>         |   |  |
| <u>FIRST OFFENSE</u>                  | <u>Letter of concern to suspension and a corrective action plan</u> | <u>Revocation</u>  |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan</u>                      | <u>Revocation</u>  |

(d) Section 483.825(1)(d), F.S.: Performing a test and rendering a report thereon to a person not authorized by law to receive such services.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>   |
|---|--|--|
| <u>FIRST OFFENSE</u>                          | <u>\$500 fine and six (6) months probation</u>         | <u>\$1,500 and one (1) year suspension</u>               |
| <u>SECOND OFFENSE</u>                         | <u>\$1,500 fine and one (1) year suspension</u>        | <u>\$5,000 fine and up to three (3) years suspension</u> |
| <u>THIRD AND SUBSEQUENT OFFENSES</u>          | <u>\$10,000 fine and revocation</u>                    |  |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |  |
| <u>FIRST OFFENSE</u>                          | <u>Letter of concern</u>                               | <u>One (1) year suspension</u>                           |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>1 -year Suspension and a corrective action plan</u> | <u>Revocation</u>  |

(f) Section 483.825(1)(f), F.S.: Having been adjudged mentally or physically incompetent.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>  | <u>MAXIMUM</u>  |
|---|---|---|
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>Supervised probation until able to demonstrate ability to practice with reasonable skill and safety without supervision.</u> | <u>Suspension until licensee is able to demonstrate ability to practice with reasonable skill and safety, completes appropriate remedial education based on the length of time that the licensee has been unable to practice, and appearance before the board</u> |
| <u>TELEHEALTH REGISTRANTS</u>                 |   |   |
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>Suspension and a corrective action plan requiring, at a minimum, demonstration of the ability to practice with</u>           | <u>Revocation</u>   |

(e) Section 483.825(1)(e) or 456.072(1)(c), F.S.: Having been convicted of a crime relating to the practice or ability to practice or involving moral turpitude.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u> | <u>MAXIMUM</u> |
|---|----------------|----------------|
|   |                |                |

|  |  |  |
|--|--|--|
|  | <u>reasonable skill and safety and appearance before the board</u> |  |
|--|--|--|

(g) Section 483.825(1)(g), 483.825(1)(w), 456.072(1)(b), or 456.072(1)(dd), F.S.

1. Violating or aiding and abetting in the violation of any provision of Chapter 456 or 483, Part II, F.S., or the rules adopted thereunder.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>  |
|---|--|---|
| <u>FIRST OFFENSE</u>                          | <u>\$500 fine and reprimand</u>  | <u>\$3,000 fine and up to two (2) years suspension followed by a (1) year of probation.</u> |
| <u>SECOND OFFENSE</u>                         | <u>\$6,000 fine and one (1) year suspension followed by two (2) years probation.</u> | <u>\$10,000 fine and revocation</u>   |
| <u>THIRD AND SUBSEQUENT OFFENSES</u>          | <u>\$10,000 fine and revocation</u>  |   |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |   |
| <u>FIRST OFFENSE</u>                          | <u>Reprimand</u>   | <u>Revocation</u>   |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>Suspension and a corrective action plan</u>                                       | <u>Revocation</u>   |

2. Section 456.072(1)(e) or 456.072(1)(s), F.S.: In the case of noncompliance with a continuing education or HIV/AIDS or domestic violence course requirement, which is not a citation offense under Section 456.072(3), F.S..

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>   |
|---|--|--|
| <u>FIRST OFFENSE</u>                          | <u>\$3,000 fine and suspension until completion of required continuing education hours</u> | <u>\$6,000 fine and suspension until completion of required continuing education hours</u> |

|                                       |  |  |
|---------------------------------------|--|--|
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>\$8,000 fine and suspension until completion of required continuing education hours</u>                 | <u>\$10,000 fine and revocation</u>  |
| <u>TELEHEALTH REGISTRANTS</u>         |  |  |
| <u>FIRST OFFENSE</u>                  | <u>Suspension and a corrective action plan requiring completion of required continuing education hours</u> | <u>Suspension and a corrective action plan requiring completion of required continuing education hours</u> |
| <u>SECOND AND SUBSEQUENT OFFENSE</u>  | <u>Revocation</u>  |  |

(h) Section 483.825(1)(h), F.S.: Reporting a test result when no laboratory test was performed on a clinical specimen.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>       | <u>MAXIMUM</u>                      |
|---|----------------------|-------------------------------------|
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>\$10,000 fine</u> | <u>\$10,000 fine and revocation</u> |
| <u>TELEHEALTH REGISTRANTS</u>                 |                      |                                     |
| <u>FIRST AND SUBSEQUENT OFFENSE</u>           | <u>Reprimand</u>     | <u>Revocation</u>                   |

(i) Section 483.825(1)(i) or 456.072(1)(m), F.S.: Knowingly advertising false services or credentials or making fraudulent misrepresentations or employing a trick or scheme.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>  |
|---|--|---|
| <u>FIRST OFFENSE</u>                          | <u>\$10,000 fine per count or offense and six (6) months probation</u> | <u>\$10,000 fine per count or offense and One (1) year suspension followed by two (2) years probation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$10,000 fine per count or offense</u>                              | <u>\$10,000 fine per count or offense and revocation</u>  |

|                                       |   |  |
|---------------------------------------|---|--|
| <u>TELEHEALTH REGISTRANTS</u>         |   |  |
| <u>FIRST OFFENSE</u>                  | Suspension and a corrective action plan | One (1) year suspension followed by a corrective action plan |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | Suspension and a corrective action plan | Revocation   |

(j) Section 483.825(1)(j) or 456.072(1)(f), F.S.: Having a license revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another jurisdiction.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>  | <u>MAXIMUM</u>                                    |
|---|---|---|
| <u>FIRST OFFENSE</u>                          | Discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida            |   |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | Discipline consistent with the disciplinary guidelines for a repeat offense had the violation occurred in Florida                     | \$10,000 fine per count or offense and revocation |
| <u>TELEHEALTH REGISTRANTS</u>                 |   |   |
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | Letter of concern to revocation as closely as possible to same penalty which would have been imposed if the substantive violation had |   |

|  |                     |  |
|--|---------------------|--|
|  | occurred in Florida |  |
|--|---------------------|--|

(k) Section 483.825(1)(k) or 456.072(1)(x), F.S.: Failing to report to the Board in writing within 30 days of conviction, adjudication of incompetency, or if disciplinary action has been taken against one's license as clinical laboratory personnel in another state, territory or country.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>   |
|---|--|--|
| <u>FIRST OFFENSE</u>                          | \$750 fine and letter of concern                                   | \$3,000 fine and three (3) months suspension followed by probation |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | \$5,000 fine and three (3) months suspension followed by probation | \$10,000 fine and revocation                                       |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |  |
| <u>FIRST OFFENSE</u>                          | Letter of concern or Reprimand                                     | Three (3) months suspension followed by a corrective action plan   |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | Reprimand and one (1) year suspension                              | Revocation   |

(l) Section 483.825(1)(l), 456.072(1)(aa) or 456.072(1)(z), F.S.: Being unable to perform or report clinical laboratory examination with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition or testing positive for any drug, as defined in Section 112.0455, F.S., on any confirmed preemployment or employer-ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using the drug.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>                                      | <u>MAXIMUM</u>                |
|---|---|-------------------------------|
| <u>FIRST OFFENSE</u>                          | Board appearance and referral to PRN for evaluation | Revocation for non-compliance |

|                                       |   |                                    |
|---------------------------------------|---|------------------------------------|
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Board appearance and referral to PRN for evaluation</u>                                | <u>\$3,000 fine and revocation</u> |
| <u>TELEHEALTH REGISTRANTS</u>         |   |                                    |
| <u>FIRST AND SUBSEQUENT OFFENSES</u>  | <u>Suspension and a corrective action plan to include, at a minimum, a PRN evaluation</u> | <u>Revocation</u>                  |

(m) Section 483.825(1)(m) or 456.072(1)(p), F.S.: Delegating professional responsibilities to a person when the licensee delegating such responsibilities knows, or has reason to know, that such person is not qualified by training, experience, or licensure to perform them or aiding unlicensed person to practice.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>  | <u>MAXIMUM</u>   |
|---|---|--|
| <u>FIRST OFFENSE</u>                          | <u>\$2,500 fine and six (6) months probation</u>                                  | <u>\$5,000 fine and three (3) years suspension followed by two (2) years probation</u> |
| <u>SECOND OFFENSE</u>                         | <u>\$5,000 fine and a period of suspension followed by one (1) year probation</u> | <u>\$7,500 fine and revocation</u>   |
| <u>THIRD AND SUBSEQUENT OFFENSES</u>          | <u>Revocation</u>   |  |
| <u>TELEHEALTH REGISTRANTS</u>                 |   |  |
| <u>FIRST OFFENSE</u>                          | <u>Suspension and a corrective action plan</u>                                    | <u>Three (3) years suspension followed by a corrective action plan</u>                 |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>Suspension and a corrective action plan</u>                                    | <u>Revocation</u>  |

(n) Section 483.825(1)(n) or 456.072(1)(q), F.S.: Violating an order or failing to comply with subpoena.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>  |
|---|--|---|
| <u>FIRST OFFENSE</u>                          | <u>\$500 fine, reprimand, and suspension until compliant</u>                           | <u>\$3,000 fine and a minimum of one (1) year suspension or suspension until in compliance which ever suspension is greater followed by probation</u> |
| <u>SECOND OFFENSE</u>                         | <u>\$5,000 fine and suspension until compliant followed by two (2) years probation</u> | <u>\$10,000 fine and revocation</u>   |
| <u>THIRD AND SUBSEQUENT OFFENSES</u>          | <u>\$10,000 fine and revocation</u>  |   |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |   |
| <u>FIRST OFFENSE</u>                          | <u>Reprimand</u>   | <u>Three (3) years suspension followed by a corrective action plan</u>  |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>Six (6) months suspension followed by a corrective action plan</u>                  | <u>Revocation</u>   |

(o) Section 483.825(1)(o) or 456.072(1)(i), F.S.: Failing to report a person in violation of Part I of Chapter 483 and 456, F.S., or the applicable rules.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>                            | <u>MAXIMUM</u>  |
|---|---|---|
| <u>FIRST OFFENSE</u>                          | <u>\$800 fine and a letter of concern</u> | <u>\$2,000 fine and six (6) months suspension followed by probation</u> |
| <u>SECOND OFFENSE</u>                         | <u>\$3,000 fine and one (1) year</u>      | <u>\$5,000 fine and two (2) years</u>                                   |



|                                      |  |   |
|--------------------------------------|--|---|
|                                      | <u>suspension followed by (2) years probation.</u> | <u>suspension followed by (3) years probation.</u>                    |
| <u>THIRD AND SUBSEQUENT OFFENSES</u> | <u>\$6,000 fine and revocation</u>                 | <u>\$10,000 fine and revocation</u>                                   |
| <u>TELEHEALTH REGISTRANTS</u>        |  |   |
| <u>FIRST AND SECOND OFFENSE</u>      | <u>Letter of concern</u>                           | <u>Six (6) months suspension followed by a corrective action plan</u> |
| <u>THIRD AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan</u>     | <u>Revocation</u>   |

(p) Section 483.825(1)(p) or 456.072(1)(l), F.S.: Negligent filing of false report.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>                            | <u>MAXIMUM</u>  |
|---|---|---|
| <u>FIRST OFFENSE</u>                          | <u>\$500 fine and a letter of concern</u> | <u>\$3,000 fine and/or three (3) years of probation</u>                 |
| <u>SECOND OFFENSE</u>                         | <u>\$3,500 fine and a reprimand</u>       | <u>\$10,000 fine and two (2) years suspension followed by probation</u> |
| <u>THIRD AND SUBSEQUENT OFFENSES</u>          | <u>\$10,000 fine and revocation</u>       |   |
| <u>TELEHEALTH REGISTRANTS</u>                 |   |   |
| <u>FIRST OFFENSE</u>                          | <u>Letter of concern</u>                  | <u>Suspension and a corrective action plan</u>                          |
| <u>SECOND OFFENSE</u>                         | <u>Reprimand</u>                          | <u>Two (2) years suspension followed by a corrective action plan</u>    |
| <u>THIRD AND SUBSEQUENT OFFENSES</u>          | <u>Reprimand</u>                          | <u>Revocation</u>   |

(q) Section 483.825(1)(p), 456.072(1)(g), or 456.072(1)(l), F.S.: Willful filing of false report, impeding, or inducing

another to file a false report. If the violation is for fraud or knowingly making a false or fraudulent representation, the fine portion of the discipline imposed shall be \$10,000 per count or offense.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>                      |
|---|--|-------------------------------------|
| <u>FIRST OFFENSE</u>                          | <u>\$3,000 fine and three (3) months suspension followed by six (6) months probation</u> | <u>\$6,000 fine and revocation</u>  |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$6,000 fine and three (3) months suspension followed by six (6) months probation</u> | <u>\$10,000 fine and revocation</u> |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |                                     |
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>Three (3) months suspension followed a corrective action plan</u>                     | <u>Revocation</u>                   |

(r) Section 483.825(1)(q), F.S.: Paying or receiving a kickback, bonus, or split fee arrangement.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>  | <u>MAXIMUM</u>                      |
|---|---|-------------------------------------|
| <u>FIRST OFFENSE</u>                          | <u>\$4,000 fine and suspension followed by a minimum of one (1) year probation</u>            | <u>\$10,000 fine and revocation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$5,000 fine, a minimum of one (1) year suspension followed by two (2) years probation</u> | <u>\$10,000 fine and revocation</u> |
| <u>TELEHEALTH REGISTRANTS</u>                 |   |                                     |

|                                      |  |                   |
|--------------------------------------|--|-------------------|
| <u>FIRST AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan</u> | <u>Revocation</u> |
|--------------------------------------|--|-------------------|

(s) Section 483.825(1)(r) or 456.072(1)(n), F.S.: Exercising influence or exploitation for financial gain.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>  | <u>MAXIMUM</u>                      |
|---|---|-------------------------------------|
| <u>FIRST OFFENSE</u>                          | <u>\$1,000 fine and restitution of improper gains and six (6) months probation</u>                        | <u>\$10,000 fine and revocation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$10,000 fine and revocation</u>   |                                     |
| <u>TELEHEALTH REGISTRANTS</u>                 |   |                                     |
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>Suspension and a corrective action plan including, at a minimum, the restitution of improper gains</u> | <u>Revocation</u>                   |

(t) Section 483.825(1)(s) or 456.072(1)(o), F.S.: Practicing or offering to practice beyond the scope permitted or competent to perform.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>                                 | <u>MAXIMUM</u>   |
|---|--|--|
| <u>FIRST OFFENSE</u>                          | <u>\$1,000 fine and one (1) year probation</u> | <u>\$4,000 fine and two (2) years suspension followed by probation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$5,000 fine and one (1) year probation</u> | <u>\$10,000 fine and revocation</u>                                    |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |  |
| <u>FIRST OFFENSE</u>                          | <u>Suspension and a corrective action plan</u> | <u>Two (2) years suspension followed by a corrective action plan</u>   |

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|---------------------------------------|--|-------------------|
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan</u> | <u>Revocation</u> |
|---------------------------------------|--|-------------------|

(u) Section 483.825(1)(t) or 456.072(1)(a), F.S.: Misrepresenting or concealing a material fact or fraudulent representation<sup>4</sup>.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>   |
|---|--|--|
| <u>FIRST OFFENSE</u>                          | <u>\$10,000 fine per count or offense and six (6) months probation</u>                               | <u>\$10,000 fine per count or offense and revocation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$10,000 fine per count or offense and at least one (1) year suspension followed by probation</u> | <u>Revocation</u>  |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |  |
| <u>FIRST OFFENSE</u>                          | <u>Suspension and a corrective action plan</u>   | <u>Revocation</u>  |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>One (1) year suspension followed a corrective action plan</u>                                     | <u>Revocation</u>  |

(v) Section 483.825(1)(u) or 456.072(1)(r), F.S.: Improperly interfering with an investigation or disciplinary proceeding.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>                      |
|---|--|-------------------------------------|
| <u>FIRST OFFENSE</u>                          | <u>\$4,000 fine and suspension followed by one (1) year of probation</u> | <u>\$10,000 fine and revocation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$10,000 fine and revocation</u>                                      |                                     |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |                                     |

|                                      |  |                   |
|--------------------------------------|--|-------------------|
| <u>FIRST AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan</u> | <u>Revocation</u> |
|--------------------------------------|--|-------------------|

(w) Section 483.825(1)(v) or 456.072(1)(v), F.S.: Engaging or attempting to engage in sexual misconduct.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>                      |
|---|--|-------------------------------------|
| <u>FIRST OFFENSE</u>                          | <u>\$5,000 fine and a reprimand and referral for PRN evaluation</u>  | <u>\$10,000 fine and revocation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$10,000 fine and revocation</u>  |                                     |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |                                     |
| <u>FIRST OFFENSE</u>                          | <u>Reprimand and suspension and a corrective action plan that requires, at a minimum, the completion of a PRN evaluation</u> | <u>Revocation</u>                   |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>Revocation</u>  |                                     |

(x) Section 456.072(1)(k), F.S.: Failing to perform any legal obligation.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>  | <u>MAXIMUM</u>   |
|---|---|--|
| <u>FIRST OFFENSE</u>                          | <u>\$2,500 fine and reprimand and suspension until compliant</u>          | <u>\$5,000 fine and revocation [Further Discussion with Board]</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$5,000 fine suspension until compliant and one (1) year probation</u> | <u>\$10,000 fine and revocation</u>                                |
| <u>TELEHEALTH REGISTRANTS</u>                 |   |  |
| <u>FIRST OFFENSE</u>                          | <u>Reprimand</u>  | <u>Revocation</u>  |

|                                       |  |                   |
|---------------------------------------|--|-------------------|
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan</u> | <u>Revocation</u> |
|---------------------------------------|--|-------------------|

(y) Section 456.072(1)(hh), F.S.: Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant, as described in Section 456.076, F.S., for failure to comply without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug-treatment or alcohol treatment program.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>  |
|---|--|---|
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>\$500 and suspension until compliant</u>  | <u>\$1,000 and suspension until compliant to revocation</u> |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |   |
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>Suspension and a correction action plan requiring, at a minimum, compliance</u> | <u>Revocation</u>   |

(z) Section 456.072(1)(ii), F.S., for being convicted of or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to Medicaid program.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u> |
|---|--|----------------|
| <u>FIRST OFFENSE</u>                          | <u>\$10,000 fine and revocation or denial of license</u> |                |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |                |
| <u>FIRST OFFENSE</u>                          | <u>Revocation</u>  |                |

(aa) Section 456.072(1)(jj), F.S., for failing to remit the sum owed to state for an overpayment from Medicaid program pursuant to a final order, judgment, or stipulation or settlement.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u> | <u>MAXIMUM</u> |
|---|----------------|----------------|
|   |                |                |

|                                       |  |  |
|---------------------------------------|--|--|
| <u>FIRST OFFENSE</u>                  | <u>Letter of concern to \$500 fine and probation</u>   | <u>Reprimand to \$2,500 fine and suspension until amount owed is remitted</u>                      |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>\$5,000 fine and suspension until amount owed is remitted followed by one (year probation).</u> | <u>\$10,000 fine and revocation</u>  |
| <u>TELEHEALTH REGISTRANTS</u>         |  |  |
| <u>FIRST OFFENSE</u>                  | <u>Letter of concern</u>   | <u>Suspension and a corrective action plan, including, at a minimum remitting the amount owed.</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a corrective action plan, including, at a minimum remitting the amount owed.</u> | <u>Revocation</u>  |

(bb) Section 456.072(1)(kk), F.S., for being terminated from the state Medicaid program pursuant to Section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u>                                  |
|---|--|---|
| <u>FIRST OFFENSE</u>                          | <u>\$2,500 fine a letter of concern and one (1) year probation</u> | <u>\$5,000 fine and reprimand to revocation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$5,000 fine and suspension</u>                                 | <u>\$10,000 fine and revocation</u>             |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |   |
| <u>FIRST OFFENSE</u>                          | <u>Letter of concern</u>   | <u>Revocation</u>                               |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>Suspension</u>  | <u>Revocation</u>                               |

(cc) Section 456.072(1)(ll), F.S., for being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>   | <u>MAXIMUM</u> |
|---|--|----------------|
| <u>FIRST OFFENSE</u>                          | <u>\$10,000 fine and revocation or denial of license</u> |                |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |                |
| <u>FIRST OFFENSE</u>                          | <u>Revocation</u>  |                |

(dd) Section 456.072(1)(rr), F.S., for failure to comply with the parental consent requirements of s. 1014.06.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>                                       | <u>MAXIMUM</u>                                  |
|---|--|---|
| <u>FIRST OFFENSE</u>                          | <u>\$250 fine and a reprimand</u>                    | <u>\$500 fine and one (1) year of probation</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>\$500 fine, suspension, followed by probation</u> | <u>\$5,000 fine and revocation</u>              |
| <u>TELEHEALTH REGISTRANTS</u>                 |  |   |
| <u>FIRST OFFENSE</u>                          | <u>Reprimand</u>                                     | <u>Suspension and corrective action plan</u>    |
| <u>SECOND AND SUBSEQUENT OFFENSES</u>         | <u>Suspension and corrective action plan</u>         | <u>Revocation</u>                               |

(ee) Section 456.072(1)(ss), F.S., for being convicted or found guilty of entering a plea of guilty or nolo contendere to, regardless of adjudication or committing or attempting, soliciting or conspiring to commit an act that would constitute a violation of any of the offenses listed in s. 456.074(5) or similar offense in another jurisdiction.

| <u>APPLICANTS, REGISTRANTS, AND LICENSEES</u> | <u>MINIMUM</u>    | <u>MAXIMUM</u>                      |
|---|-------------------|-------------------------------------|
| <u>FIRST AND SUBSEQUENT OFFENSES</u>          | <u>Revocation</u> | <u>\$10,000 fine and revocation</u> |

|                                      |                   |                   |
|--------------------------------------|-------------------|-------------------|
| <u>TELEHEALTH REGISTRANTS</u>        |                   |                   |
| <u>FIRST AND SUBSEQUENT OFFENSES</u> | <u>Revocation</u> | <u>Revocation</u> |

(ff) Section 456.47(4)(i)1, F.S., by failing to notify the board, or the department if there is no board, of any adverse actions taken against his or her license.

|                                       |  |   |
|---------------------------------------|--|---|
| <u>TELEHEALTH REGISTRANTS</u>         | <u>MIMIMUM</u>   | <u>MAXIMUM</u>  |
| <u>FIRST OFFENSE</u>                  | <u>Letter of Concern to suspension and a corrective action plan</u>  | <u>Suspension and a corrective action plan or revocation if imposed by the other jurisdiction</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Reprimand to suspension and a corrective action plan to revocation if imposed in the other jurisdiction</u> | <u>Revocation</u>   |

(gg) Section 456.47(4)(i)2, F.S., by having restrictions placed on or disciplinary action taken against his or her license in any state or jurisdiction.

|                                       |   |  |
|---------------------------------------|---|--|
| <u>TELEHEALTH REGISTRANTS</u>         | <u>MIMIMUM</u>  | <u>MAXIMUM</u>   |
| <u>FIRST OFFENSE</u>                  | <u>Letter of Concern and imposition of a penalty as closely as possible to that imposed in the other jurisdiction</u> | <u>Reprimand and suspension and a penalty as closely as possible to that imposed in the other jurisdiction</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Suspension and a penalty as closely as possible to that imposed in the other jurisdiction</u>                      | <u>Revocation</u>  |

(hh) Section 456.47(4)(i)3, F.S., by violating any of the requirements of section 456.47, F.S.

|                                       |  |  |
|---------------------------------------|--|--|
| <u>TELEHEALTH REGISTRANTS</u>         | <u>MIMIMUM</u>                               | <u>MAXIMUM</u>                               |
| <u>FIRST OFFENSE</u>                  | <u>Reprimand and Suspension</u>              | <u>Suspension and corrective action plan</u> |
| <u>SECOND AND SUBSEQUENT OFFENSES</u> | <u>Suspension and corrective action plan</u> | <u>Revocation.</u>                           |

(3) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended above. If the Board finds aggravating factors, the Board shall impose a more severe action against the license and a higher administrative fine. If the Board finds mitigating factors, the Board shall impose a less severe action against the license and a lower administrative fine. The Board shall consider as aggravating or mitigating factors the following:

- (a) The positive or negative intentions or motivations surrounding the Respondent’s actions or failure to act.
- (b) The severity of the actual or potential harm;
- (c) The extent to which the provisions of Chapter 483, F.S., were violated;
- (d) Actions taken by the licensee to correct the violation or to remedy complaints;
- (e) Any previous discipline imposed for violation of a different guideline by the licensee;
- (f) The financial benefit to the licensee of committing or continuing the violation.
- (g) Any other relevant mitigating or aggravating factors.

(4) Stipulations or Settlements. The provisions of this rule are not intended and shall not be construed to limit the ability of the Board to dispose informally of disciplinary action by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S.

(5) Letters of Guidance. The provisions of this rule cannot and shall not be construed to limit the authority of the probable cause panel of the Board to direct the Department to send a letter of guidance pursuant to Section 456.073(4), F.S., in any case for which it finds such action appropriate.

(6) Other Action. The provisions of this rule are not intended to and shall not be construed to limit the ability of the Board to pursue or recommend that the Department pursue collateral civil or criminal actions when appropriate.

Rulemaking Authority 456.079, 456.47(4), 456.47(7), 483.805(4) FS. Law Implemented 456.072, 456.079, 456.47(4), 483.825 FS. History—New 8-3-93, Formerly 61F3-12.001, Amended 2-7-95, 5-3-95, 12-4-95, Formerly 59O-12.001, Amended 3-19-98, 9-20-98, 10-6-02, 2-23-06, 3-20-08, 11-25-08, 5-31-10, 3-27-18,

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christina McGinnis, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3258.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: RULE TITLE:  
64B9-8.006 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 47 No. 101, May 25, 2021 issue of the Florida Administrative Register.

The following correction has been made to the Notice of Change for the above-referenced rule, in accordance with subparagraph 120.54(3)(d)1, FS., published in Vol. 47, No. 174, of the September 8, 2021, issue of the Florida Administrative Register. The correction is as follows:

The introductory language of the Notice of Change should have read, "Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, F.S., published in Vol. 47, No.101, of the May 25, 2021, issue of the Florida Administrative Register."

This Notice of Correction does not affect the substance of the Notice of Proposed Rule or the Notice of Change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; MQA.Nursing@flhealth.gov.

**Section IV  
Emergency Rules**

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.: RULE TITLE:  
64DER21-14 COVID-19 Vaccine Reporting Requirements

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza. COVID-19 is a communicable disease with significant morbidity and mortality. As a result, it presents a severe danger to public health. Access to immunization and vaccine administration data is critical to the government response to the COVID-19 public health

emergency. In furtherance of state and federal government response efforts, the Florida Department of Health, the U.S. Department of Health and Human Services (HHS), and the Centers for Disease Control and Prevention (CDC) seek to obtain and utilize data from COVID-19 vaccine data sources, including the Florida Department of Health’s immunization information system (IIS), in order to rapidly assess patterns of vaccination among the population; identify pockets of undervaccination; assist in determining vaccine resource allocation; monitor vaccine effectiveness and safety; assess spectrum of illness, disease burden, and risk factors for severe disease and outcomes; and help to understand the impact of COVID-19 on the healthcare system and communities. Reporting the administration of COVID-19 vaccines to individuals in Florida is paramount to controlling this communicable disease and for reporting to the Centers for Disease Control and Prevention. Therefore, there is an immediate need to adopt rules setting forth the procedures for continued reporting of vaccine administration in order to control the spread of COVID-19 to protect the health, safety, and welfare of Florida’s citizens.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: COVID-19 presents a public health threat to the state of Florida. The department has instituted rulemaking to establish this rule as a permanent rule, but it is not yet effective. There is an immediate need to set forth procedures for the continued reporting of vaccine administration in the effort to control this communicable disease in the State of Florida.

SUMMARY: Emergency rule 64DER21-14 sets forth the reporting requirements for all practitioners and other enrolled COVID-19 vaccine providers administering COVID-19 vaccines.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Leah Bass Immunization@FLHealth.gov or (850)245-4342.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64DER21-14 COVID-19 Vaccine Reporting Requirements

All health care practitioners licensed under Chapters 458, 459 or 464, F.S., and all other enrolled COVID-19 vaccine providers, must report the following vaccination data elements in Florida SHOTS within 72 hours of administration to an individual of any dose of a COVID-19 vaccine that has been approved by or received Emergency Use Authorization from the U.S. Food and Drug Administration.

- (1) Administered at location: facility name/ID
- (2) Administered at location: type
- (3) Administration address (including county)

- (4) Administration date
- (5) CVX (Product)
- (6) Recipient race
- (7) Recipient ethnicity
- (8) Lot number: unit of use and/or unit of sale
- (9) MVX (manufacturer)
- (10) Recipient address
- (11) Recipient date of birth
- (12) Recipient name
- (13) Recipient sex
- (14) Sending organization
- (15) Vaccine administering site (on the body)
- (16) Vaccine expiration date
- (17) Vaccine route of administration

Rulemaking Authority 381.003(2), 381.0031(8), 381.005(3) FS. Law Implemented 381.0011(3), (4), 381.003(1), 381.0031, 381.005(1) FS. History—New 09-09-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: September 9, 2021

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

DEPARTMENT OF MANAGEMENT SERVICES  
Public Employees Relations Commission  
RULE NO.: RULE TITLE:  
60CC-4.002 Ratification by Members of Bargaining Unit  
The Public Employees Relations Commission hereby gives notice: On September 8, 2021, the Public Employees Relations Commission issued a final order in Case No. MS-2021-030 granting an emergency petition for variance from Florida Administrative Code Rule 60CC-4.002 filed by Andrea Thompson and the Professional Fire Fighters of Monroe County, IAFF, Local 3909. The variance allows the Petitioners to conduct all aspects of a ratification election electronically. The Public Employees Relations Commission determined that the Petitioners had demonstrated an emergency existed and that they would suffer a substantial hardship if the variance was not granted. The petition was filed on August 23, 2021, and the notice of receipt of the petition was published on August 26, 2021, on the Commission’s website and in Volume 47, Number 166 F.A.R. No comments were received on the petition. A copy of the Order or additional information may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants  
RULE NO.: RULE TITLE:  
61C-1.004 General Sanitation and Safety Requirements  
The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On August 25, 2021 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from CANTINA CATRINA FM LLC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 47/166 on August 26, 2021. The Order for this Petition was signed and approved on September 8, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

### DEPARTMENT OF HEALTH Board of Massage Therapy

RULE NO.: RULE TITLE:  
64B7-28.009 Required Continuing Education for Massage Therapists  
The Board of Massage Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on August 10, 2021, by Obadiya Ntanda Nsereko. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 157, of the August 13, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled “Required Continuing Education for Massage Therapists,” which requires that during each subsequent

biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board's Order, filed on September 1, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: [kama.monroe@flhealth.gov](mailto:kama.monroe@flhealth.gov).

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**DEPARTMENT OF HEALTH**

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

The Board of Massage Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on August 10, 2021, by Nathan Valtin. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 158, of the August 16, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled "Required Continuing Education for Massage Therapists," which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board's Order, filed on September 3, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

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**DEPARTMENT OF HEALTH**

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

The Board of Massage Therapy hereby gives notice: of the issuance of a Notice of Intent to Grant the Petition for Variance and Waiver, filed on July 23, 2021, by Natassia Parr. The Notice of Petition for Waiver or Variance was published in Vol. 47, No. 150, of the August 4, 2021 Florida Administrative Register. Petitioner sought a waiver of paragraph 64B7-28.009(4)(e), Florida Administrative Code entitled "Required Continuing Education for Massage Therapists," which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. The Board considered the instant Petition at a duly-noticed public telephonic meeting held on August 25, 2021. The Board's Order, filed on September 1, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B7-28.009(4)(e), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail: [kama.monroe@flhealth.gov](mailto:kama.monroe@flhealth.gov).

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**DEPARTMENT OF HEALTH**

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.006 Standardized Curriculum

NOTICE IS HEREBY GIVEN that on September 9, 2021, the Board of Nursing, received a petition for variance or waiver filed by Lori Applebee, RN, on behalf of Port St. Lucie High School #1628, seeking a variance or waiver from subsection 64B9-15.006(2), F.A.C., which states that the standardized curriculum shall require a minimum of 80 hours of classroom and 40 hours of clinical instruction. The clinical instruction shall include at least 20 hours of long term care clinical instruction in a licensed nursing home.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of



Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, MQA.Nursing@flhealth.gov.  
 Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.006 Standardized Curriculum

NOTICE IS HEREBY GIVEN that on September 9, 2021, the Board of Nursing, received a petition for variance or waiver filed by Kimberly Ciufu, RN, on behalf of St. Lucie West Centennial High School #1214, seeking a variance or waiver from subsection 64B9-15.006(2), F.A.C., which states that the standardized curriculum shall require a minimum of 80 hours of classroom and 40 hours of clinical instruction. The clinical instruction shall include at least 20 hours of long term care clinical instruction in a licensed nursing home.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.006 Standardized Curriculum

NOTICE IS HEREBY GIVEN that on September 9, 2021, the Board of Nursing, received a petition for variance or waiver filed by Mary Elizabeth Musgrave-Montgomery, RN, on behalf of St. Lucie County School Board #1464, Fort Pierce Westwood Academy: The WEST Prep Magnet, seeking a variance or waiver from subsection 64B9-15.006(2), F.A.C., which states that the standardized curriculum shall require a minimum of 80 hours of classroom and 40 hours of clinical instruction. The clinical instruction shall include at least 20 hours of long term care clinical instruction in a licensed nursing home.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.006 Standardized Curriculum

NOTICE IS HEREBY GIVEN that on September 3, 2021, the Board of Nursing, received a petition for variance or waiver filed by Paula Villarroel, on behalf of Premier Nursing Academy Pinellas Park – PM CNA, seeking a variance or waiver from subsection 64B9-15.006(2), F.A.C., which states that the standardized curriculum shall require a minimum of 80 hours of classroom and 40 hours of clinical instruction. The clinical instruction shall include at least 20 hours of long term care clinical instruction in a licensed nursing home.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.006 Standardized Curriculum

NOTICE IS HEREBY GIVEN that on September 3, 2021, the Board of Nursing, received a petition for variance or waiver filed by Paula Villarroel, on behalf of Premier Nursing Academy Pinellas Park – AM CNA, seeking a variance or waiver from subsection 64B9-15.006(2), F.A.C., which states that the standardized curriculum shall require a minimum of 80 hours of classroom and 40 hours of clinical instruction. The clinical instruction shall include at least 20 hours of long term care clinical instruction in a licensed nursing home.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.006 Standardized Curriculum

NOTICE IS HEREBY GIVEN that on September 3, 2021, the Board of Nursing, received a petition for variance or waiver filed by Paula Villarroel, on behalf of Premier Nursing Placement LLC, dba Premier Nursing Academy CNAP, seeking a variance or waiver from subsection 64B9-15.006(2), F.A.C., which states that the standardized curriculum shall require a minimum of 80 hours of classroom and 40 hours of clinical instruction. The clinical instruction shall include at least

20 hours of long term care clinical instruction in a licensed nursing home.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-15.006 Standardized Curriculum

NOTICE IS HEREBY GIVEN that on September 3, 2021, the Board of Nursing, received a petition for variance or waiver filed by Paula Villarroel, on behalf of Premier Nursing Placement LLC, dba Premier Nursing Academy - PM, seeking a variance or waiver from subsection 64B9-15.006(2), F.A.C., which states that the standardized curriculum shall require a minimum of 80 hours of classroom and 40 hours of clinical instruction. The clinical instruction shall include at least 20 hours of long term care clinical instruction in a licensed nursing home.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.351 Standards for Approval of Registered Pharmacy Technician Training Programs

NOTICE IS HEREBY GIVEN that on August 30, 2021, the Board of Pharmacy, received a petition for variance or waiver filed by Julie Shousha, seeking a waiver of the requirement of Rule 64B16-26.351, Florida Administrative Code, which states that in order to be registered as a pharmacy technician in Florida, an applicant must have completed a pharmacy technician training program approved by the Board.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jessica Sapp, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or at info@Floridaspharmacy.gov.

Comments on this petition should be filed with the Board of Pharmacy/MQA, within 14 days of publication of this notice.

DEPARTMENT OF FINANCIAL SERVICES

Securities

The Florida Office of Financial Regulation hereby gives notice: On September 9, 2021 Office of Financial Regulation (Securities) received a Withdrawal of the petition for Waiver of paragraph 69W-600.0024(6)(b), Florida Administrative Code from Eugene Ray Charles. The original petition sought a Waiver of paragraph 69W-600.0024(6)(b). \*\*\*\*\*The original petition was published July 19, 2021 in the Florida Administrative Register Volume 47, Number 138.

A copy of the Order or additional information 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.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 23, 2021, 3:00 p.m.

PLACE: (850)391-8548, Access Code: 643-775-030#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Hemp Advisory Committee to conduct general business.

A copy of the agenda may be obtained by contacting: cannabis@fdacs.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 4 days before the workshop/meeting by contacting: cannabis@fdacs.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: cannabis@fdacs.gov.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 23, 2021, 3:30 p.m.

PLACE: Call in: (850)391-8548, Access Code:137-004-41#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Medical Cannabis Advisory Committee to conduct general business.

A copy of the agenda may be obtained by contacting: [cannabis@fdacs.gov](mailto:cannabis@fdacs.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 4 days before the workshop/meeting by contacting: [cannabis@fdacs.gov](mailto:cannabis@fdacs.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: [cannabis@fdacs.gov](mailto:cannabis@fdacs.gov).

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

The Department of Agriculture and Consumer Services announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 30, 2021, 3:00 p.m.

PLACE: Call in: (850)391-8548, Access Code: 359-226-156#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a town hall meeting with the Cannabis Director to discuss hemp industry questions from the public.

A copy of the agenda may be obtained by contacting: [cannabis@fdacs.gov](mailto:cannabis@fdacs.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 4 days before the workshop/meeting by contacting: [cannabis@fdacs.gov](mailto:cannabis@fdacs.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: [cannabis@fdacs.gov](mailto:cannabis@fdacs.gov).

**DEPARTMENT OF REVENUE**

Property Tax Oversight Program

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

DATE AND TIME: September 21, 2021, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level-03, The Capitol, Tallahassee, Florida.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Approval for the Department to publish Notices of Proposed Rule for the following rules:

Rule 12D-8.0065, F.A.C., Transfer of Homestead Assessment Difference; "Portability"; Sworn Statement Required; Denials; Late Applications and Rule 12D-16.002, F.A.C., Index to Forms. Proposed forms include DR-490PORT, Notice of Denial of Transfer of Homestead Assessment Difference, DR-501, Original Application for Homestead and Related Tax Exemptions, DR-501CC, Ad Valorem Tax Exemption Application and Return for Proprietary Continuing Care Facility, DR-501DV, Application and Return for Homestead Tax Discount, Veterans Age 65 and Older with a Combat-Related Disability and Surviving Spouse, DR-501RVSH, Certificate for Transfer of Homestead Assessment Difference, DR-504, Ad Valorem Tax Exemption Application and Return for Charitable, Religious, Scientific, Literary Organizations, Hospitals, Nursing Homes, and Homes for Special Services, DR-504AFH, Ad Valorem Tax Exemption Application and Return for Multifamily Project and Affordable Housing Property, DR-504ED, Ad Valorem Tax Exemption Application and Return for Educational Property, DR-504W, Ad Valorem Tax Exemption Application and Return for Not-for-Profit Sewer and Water Company and Not-for-Profit Water and Wastewater Systems, DR-504CS, Ad Valorem Tax Exemption Application and Return for Charter School Facilities, DR-504HA, Ad Valorem Tax Exemption Application and Return for Nonprofit Homes for the Aged, and DR-504S, Individual Affidavit for Ad Valorem Tax Exemption - Homes for the Aged.

And further request approval to file and certify with the Secretary of State for final adoption under Chapter 120, F.S., if the substance of the proposed rules remains unchanged upon reaching the date applicable for final adoption.

A copy of the agenda may be obtained by contacting: The Department's website at <http://www.floridarevenue.com/rules>.

A copy of the agenda may be obtained by contacting: The Department's website at <http://www.floridarevenue.com/rules>.

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: Mike Cotton at (850)617-8870. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE NOS.:RULE TITLES:

12E-1.008 Determination of Cooperation; Determination of Noncooperation; Determination of Good Cause

12E-1.012 Consumer Reporting Agencies

12E-1.023 Suspension of Driver License; Suspension of Motor Vehicle Registration

12E-1.028 Garnishment by Levy

12E-1.030 Administrative Establishment of Child Support Obligations

12E-1.036 Administrative Establishment of Paternity and Support Obligations

12E-1.039 Request for Services

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

DATE AND TIME: September 21, 2021, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to s. 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to s. 120.54(3)(e)2., F.S.:

12E-1.008 Determination of Cooperation; Determination of Noncooperation; Determination of Good Cause

12E-1.012 Consumer Reporting Agencies

12E-1.023 Suspension of Driver License; Suspension of Motor Vehicle Registration

12E-1.028 Garnishment by Levy

12E-1.030 Administrative Establishment of Child Support Obligations

12E-1.036 Administrative Establishment of Paternity and Support Obligations

12E-1.039 Request for Services

A copy of the agenda may be obtained by contacting: Bobby York at (850)617-8037, email: Bobby.York@floridarevenue.com, or referring to the Cabinet agenda posted to the Department's website at <http://floridarevenue.com/rules/>.

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: Bobby York at (850)617-8037. If you are hearing or speech impaired, please contact the agency using the Florida

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

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-15.0081 Toll Facilities Description and Toll Rate Schedule  
The Department of Transportation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 29, 2021, 6:00 p.m. Eastern

PLACE: This rule development workshop is being held as a statewide webinar proceeding which can be accessed by registering at the following website: <http://floridasturnpike.com/toll-rate-rule-development/>. Those persons wishing to participate in person may attend at one of the following locations:

PLACE; Florida's Turnpike Enterprise Auditorium, Milepost 263, Building 5315, Ocoee, FL 34761.

PLACE: FDOT District 1 Mike Rippe Auditorium, 801 N. Broadway Ave., Bartow, Florida 33830.

PLACE: FDOT District 4 Auditorium, 3400 W. Commercial Blvd., Ft. Lauderdale, Florida 33309.

PLACE: FDOT District 6 Auditorium, 1000 N.W. 111th Ave., Miami, Florida 33172.

PLACE: FDOT District 7 Auditorium, 11201 N. Malcolm McKinley Drive, Tampa, Florida 33612.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed changes to Rule 14-15.0081, Florida Administrative Code. The Department is proposing to add a new toll rate schedule for the Gateway Expressway, a new limited access facility in Pinellas County, and to include the addition of three toll plazas to the toll schedule for the Suncoast Parkway to accommodate the construction of a new extension of the facility from US 98 to CR 486, and to add five new interchanges to the toll rate schedule for new access points along the following Turnpike System Facilities: Ridge Road interchange on the Suncoast Parkway, Braddock Road interchange on the Polk Parkway, NW 8th Street interchange on the Sawgrass Expressway, and the NW 170th Street and Sand Lake Road interchanges on the Turnpike Mainline. The proposed toll rate schedules for Alligator Alley, Pinellas Bayway and Sunshine Skyway will be updated to establish TOLL-BY-PLATE rates on these facilities. The proposed rule amendment also sets toll rates and updates the mileposts of toll gantries for the "Ticket System" and removes the "Northern Coin", "Ticket System", "Southern Coin", and "Homestead Extension of Florida's Turnpike" facility names along the Turnpike Mainline to reflect the transition of the coin and ticket systems to All-Electronic Tolling. A copy of the proposed rule text and proposed rate

schedule is available for viewing at: <http://floridasturnpike.com/toll-rate-rule-development/>.

A copy of the agenda may be obtained by contacting: Justin Hannah, Florida Turnpike, Milepost 263, Building 5315, Ocoee, FL 34761, (407)264-3822, [justin.hannah@dot.state.fl.us](mailto:justin.hannah@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: Justin Hannah, Florida Turnpike, Milepost 263, Building 5315, Ocoee, FL 34761, (407)264-3822, [justin.hannah@dot.state.fl.us](mailto:justin.hannah@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).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

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

**DATE AND TIME:** Friday, September 17, 2021, 10:00 a.m. – 11:30 a.m. Eastern Time

**PLACE:** Virtual, GoTo Webinar Meeting. See Agenda for GoTo Webinar Meeting details.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Agency for Health Care Administration FX Executive Steering Committee will meet to discuss the FX Program.

A copy of the agenda may be obtained by contacting: the FX Program Website at [https://ahca.myflorida.com/medicaid/FX/fx\\_gov.shtml](https://ahca.myflorida.com/medicaid/FX/fx_gov.shtml).

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: Arabella Reeves at (850)412-3461 or [arabella.reeves@ahca.myflorida.com](mailto:arabella.reeves@ahca.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [arabella.reeves@ahca.myflorida.com](mailto:arabella.reeves@ahca.myflorida.com) regarding the FX Executive Steering Committee or to submit public comment.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Pilot Commissioners

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

**DATE AND TIME:** September 20, 2021, 10:00 a.m.

**PLACE:** 1(888)585-9008, participant code: 491089625

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deputy Pilot Advancements

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Division of Recreation and Parks

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, September 20, 2021, 5:30 p.m. – 7:30 p.m. ET

**PLACE:** The meeting will be held virtually via GoToWebinar, free to the public. Please be advised that the meeting will be recorded. To register to attend the meeting, please go to: <https://attendee.gotowebinar.com/register/4526757958840890126>. After registering, you will receive a confirmation email containing information about joining the webinar.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Presentation of plan concepts for redevelopment of T.H. Stone Memorial St. Joseph Peninsula State Park.

A copy of the agenda may be obtained by contacting: Daniel Alsentzer, Planning Manager, Department of Environmental Protection, Division of Recreation and Parks, Office of Park Planning, 3800 Commonwealth Blvd., MS#525, Tallahassee, Florida 32399, PH# (850)245-3073 or email [Daniel.Alsentzer@FloridaDEP.gov](mailto:Daniel.Alsentzer@FloridaDEP.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 48 hours before the workshop/meeting by contacting: Daniel Alsentzer, as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: September 24, 2021, 9:00 a.m. ET

PLACE: CHANGE OF LOCATION: Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/147135621>. You can also dial in using your phone. United States (Toll Free): 1(866)899-4679, Access Code: 147-135-621

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

A copy of the agenda may be obtained by contacting: [www.floridasacupuncture.gov/meeting-information](http://www.floridasacupuncture.gov/meeting-information).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: [MQA.Acupuncture@flhealth.gov](mailto:MQA.Acupuncture@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health/ Division of Children's Medical Services/ Early Steps Program announces a public meeting to which all persons are invited.

DATE AND TIME: September 29, 2021, 11:00 a.m. ET

PLACE: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_OGJiYjg4MDYtYjA2ZS00MGU3LTg5NDQtOGRiNGExNzI1Njdj%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22f8eb3290-8661-44b3-9ddf-05d19ede70c7%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OGJiYjg4MDYtYjA2ZS00MGU3LTg5NDQtOGRiNGExNzI1Njdj%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22f8eb3290-8661-44b3-9ddf-05d19ede70c7%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Early Steps Child Find Stakeholder Group is conducting a meeting to assist and advise the Early Steps Program.

\*All times are approximate and may vary.\*

A copy of the agenda may be obtained by contacting: [Allison.Rudd@flhealth.gov](mailto:Allison.Rudd@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: [Allison.Rudd@flhealth.gov](mailto:Allison.Rudd@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: [Allison.Rudd@flhealth.gov](mailto:Allison.Rudd@flhealth.gov).

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 19 Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2021, 1:30 p.m.

PLACE: Teams Meeting Link: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NmI2YTgxNjQtOTE3MC00NWVklWFINzAtN2U5OWEyMTU2YWQx%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22bc8fe88a-920f-449e-939a-991982a9f034%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NmI2YTgxNjQtOTE3MC00NWVklWFINzAtN2U5OWEyMTU2YWQx%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22bc8fe88a-920f-449e-939a-991982a9f034%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: [carol.wegener-vitani@flhealth.gov](mailto:carol.wegener-vitani@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 7 days before the workshop/meeting by contacting: [carol.wegener-vitani@flhealth.gov](mailto:carol.wegener-vitani@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: [carol.wegener-vitani@flhealth.gov](mailto:carol.wegener-vitani@flhealth.gov).

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The State Child Abuse Death Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 24, 2021, 1:00 p.m. – 4:00 p.m.

PLACE: Microsoft Teams Link: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NzRiN2YwMjUtZmVhOC00Yjg0LWJkM2MtZjEwYjgzOTQ0Y2Ex%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22347994ad-22fa-4850-87b1-dd0a53a66c99%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NzRiN2YwMjUtZmVhOC00Yjg0LWJkM2MtZjEwYjgzOTQ0Y2Ex%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22347994ad-22fa-4850-87b1-dd0a53a66c99%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review conduct regular committee business, further develop CADR Annual Report, review case review data updates, recommend potential members for upcoming vacancies and further develop State Committee Action Plan.

A copy of the agenda may be obtained by contacting: Joshua.Thomas@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 7 days before the workshop/meeting by contacting: Joshua.Thomas@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: Joshua.Thomas@flhealth.gov.

**DEPARTMENT OF HEALTH**

Division of Public Health Statistics and Performance Management

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

DATE AND TIME: September 27, 2021, 3:00 p.m. – 4:00 p.m. Eastern

PLACE: Conference call: phone number: 1(888)585-9008, participant code: 169-954-984

GENERAL SUBJECT MATTER TO BE CONSIDERED: Established in section 381.4018 Florida Statutes, the Physician Workforce Advisory Council advises the State Surgeon General and the Florida Department of Health on matters concerning current and future physician workforce needs in this state and reviews survey materials and the compilation of survey information.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Nathan Dunn at (850)245-4018.

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: A copy of the agenda may be obtained by contacting: Nathan Dunn at (850)245-4018. 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: A copy of the agenda may be obtained by contacting: Nathan Dunn at (850)245-4018.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: September 13, 2021, 11:00 a.m.

PLACE: Virtual Meeting: Join video meeting through <https://global.gotomeeting.com/join/552183693> or by phone at: 1(877)309-2073 (Toll Free) or (646)749-3129, Access Code: 552-183-693

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the public meeting is to develop recommendation for award. DCF ITN 2021 005, Community-Based Care Lead Agency for Circuit 12’s schedule of public meetings is available on the Vendor Bid System (VBS), accessible at [https://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](https://www.myflorida.com/apps/vbs/vbs_www.main_menu)

A copy of the agenda may be obtained by contacting: Amy Hammett at Amy.Hammett@myflfamilies.com.

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

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

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

DATE AND TIME: Friday, September 17, 2021, 11:00 a.m. Eastern Time.

PLACE: This public hearing will be held by teleconference: (850)988-5144, access code: 942 447 638#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Federal regulations related to the United States Department of Health and Human Services funding requests require states, such as Florida, that are applying for Community Services Block Grant funding to prepare a State Plan as part of the application process. We are also required to provide the public an opportunity to review and comment on the contents of the State Plan.

The Florida Department of Economic Opportunity is holding a public hearing on Friday, September 17, 2021, to receive comments regarding the state of Florida’s Community Services Block Grant (CSBG) State Plan for Federal Fiscal Year (FFY) 2022.

A copy of the agenda may be obtained by contacting: A copy of the agenda and State Plan for the public hearing may be obtained by contacting: Mr. Frankie Hernandez, CSBG Community Program Manager, Bureau of Economic Self-Sufficiency, Florida Department of Economic Opportunity, 107 East Madison Street, MSC-400, Tallahassee, Florida 32399-4120; phone: (850)717-8450, email: Frankie.Hernandez@DEO.MyFlorida.com.

**APPEALS INFORMATION:** If a person decides to appeal any decision of the Florida Department of Economic Opportunity with respect to any matter considered at the public meeting, he or she will need a record of the proceeding. For such purposes, he or she may need to ensure that a record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

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#### AECOM

The FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT SEVEN announces a workshop to which all persons are invited.

**DATE AND TIME:** September 16, 2021, 5:30 p.m. – 7:30 p.m.  
**PLACE:** Keystone Community Church, 21010 SR 54, Lutz, FL 33558

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** You are invited to attend and participate in the Florida Department of Transportation (FDOT), District Seven, Alternatives Public Workshop for a Feasibility Study of alternative intersection improvements for US 41(SR 45) at SR 54 from south of the SR 54 intersection to north of the SR 54 intersection in Pasco County, Florida. This workshop is being held to allow interested persons the opportunity to provide comments concerning the traffic patterns, design, and social, economic, and environmental effects of the proposed improvements. The study considers three build alternatives. Alternative 1 is a Single Point Urban Interchange (SPUI) providing an interchange with SR 54 elevated over US 41. Alternative 2 is a Parallel Flow Intersection (PFI) providing displaced left turns in all four approaches at-grade. Alternative 3 is a Continuous Flow Intersection (CFI) with elevated lanes of SR 54 over US 41 providing displaced left turns in all four approaches.

This Alternatives Public Workshop is being conducted both in-person and virtually to present information to as well as receive input from interested persons regarding the proposed improvements. Citizens who choose to attend the virtual workshop session must do so through a computer, tablet, or smartphone via GoToWebinar. Virtual attendees are **REQUIRED** to register online at the project website <https://active.fdotd7studies.com/sr54/us41-at-sr54/>.

The in-person Alternatives Public Workshop will be held on Thursday, September 16, 2021, 5:30 p.m. – 7:30 p.m. at Keystone Community Church, 21010 SR 54, Lutz, FL 33558.

Virtual online attendees should use the sign-in link emailed to them after registering. Starting at 5:30 p.m., attendees will be able to view materials online and ask questions to FDOT staff through the GoTo chat box. Team members will be available virtually to assist with question and/or concerns.

The workshop will consist of an informal, open house format and there will be a short video presentation discussing general project details, which will run continuously throughout the workshop. You can attend anytime during the two-hour meeting to review project information and talk one-on-one with project team members. Maps, drawings, and other project information will be available at the in-person workshop session and for review online on the project website starting on Friday, September 10, 2021. The same materials will be presented for the in-person and virtual formats. Persons wishing to submit written comments may do so at the workshop or by sending them to Craig Fox, PE, PD&E Project Manager, FDOT, District Seven 11201 N. McKinley Drive MS 7-500, Tampa, FL 33612-6456 or electronically on the project website at <http://active.fdotd7studies.com/sr54/us41-at-sr54/>.

All exhibits or statements must be postmarked or emailed no later than Friday, October 1, 2021 become part of the official public record. Draft project documents will be available for public review on the project website.

For more information, please contact Craig Fox, PE FDOT PD&E Project Manager, at 1(813)975-6082 or by email at [Craig.Fox@dot.state.fl.us](mailto:Craig.Fox@dot.state.fl.us).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) should contact Kris Carson, Public Information Officer at 1(813)975-6202 or email [kristen.carson@dot.state.fl.us](mailto:kristen.carson@dot.state.fl.us) at least seven (7) days prior to the public workshop.

A copy of the agenda may be obtained by contacting: Kirk Bogen, Environmental Management Engineer, FDOT, District Seven, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612-6456.

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: Kris Carson, Public Information Officer at 1(813)975-6202 or email [kristen.carson@dot.state.fl.us](mailto:kristen.carson@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: Craig Fox, PE FDOT PD&E Project Manager, at 1(813)975-6082 or by email at [Craig.Fox@dot.state.fl.us](mailto:Craig.Fox@dot.state.fl.us).

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-27.700 Definition of Compounding

NOTICE IS HEREBY GIVEN that the Board of Pharmacy has received the petition for declaratory statement from Cori Hawks, filed on September 1, 2021. The petition seeks the agency's opinion as to the applicability of subsection 64B16-27.700(3), F.A.C., as it applies to the petitioner.

Petitioner seeks a Declaratory Statement from the Board requesting that language be added to the rule giving veterinarians clarity regarding dispensing outsourcing facility products. 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: Jessica Sapp, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258 or by email at info@floridaspharmacy.gov.

**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 subparagraph 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., Friday, September 3, 2021 and 3:00 p.m., Thursday, September 9, 2021.

| Rule No.     | File Date | Effective Date |
|--------------|-----------|----------------|
| 5K-4.034     | 9/7/2021  | 9/27/2021      |
| 40C-8.021    | 9/8/2021  | 9/28/2021      |
| 40C-8.031    | 9/8/2021  | 9/28/2021      |
| 40D-8.021    | 9/7/2021  | 9/27/2021      |
| 40D-8.031    | 9/7/2021  | 9/27/2021      |
| 40D-8.624    | 9/7/2021  | 9/27/2021      |
| 59G-4.002    | 9/9/2021  | 9/29/2021      |
| 60FF1-5.003  | 9/3/2021  | 9/23/2021      |
| 60FF1-5.0035 | 9/7/2021  | 9/27/2021      |
| 60FF1-5.006  | 9/7/2021  | 9/27/2021      |
| 61G6-8.001   | 9/8/2021  | 9/28/2021      |
| 61G6-9.014   | 9/8/2021  | 9/28/2021      |
| 62-600.200   | 9/7/2021  | 9/27/2021      |
| 62-600.420   | 9/7/2021  | 9/27/2021      |

|            |          |           |
|------------|----------|-----------|
| 62-600.440 | 9/7/2021 | 9/27/2021 |
| 62-600.500 | 9/7/2021 | 9/27/2021 |
| 62-600.510 | 9/7/2021 | 9/27/2021 |
| 62-600.520 | 9/7/2021 | 9/27/2021 |
| 62-600.550 | 9/7/2021 | 9/27/2021 |
| 62-600.650 | 9/7/2021 | 9/27/2021 |
| 62-600.660 | 9/7/2021 | 9/27/2021 |
| 62-600.670 | 9/7/2021 | 9/27/2021 |
| 62-600.740 | 9/7/2021 | 9/27/2021 |
| 64DER21-14 | 9/9/2021 | 9/9/2021  |
| 68D-24.008 | 9/7/2021 | 9/27/2021 |
| 68D-24.146 | 9/7/2021 | 9/27/2021 |

**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 | **/**/****     |
| 60P-1.003   | 11/5/2019 | **/**/****     |
| 60P-2.002   | 11/5/2019 | **/**/****     |
| 60P-2.003   | 11/5/2019 | **/**/****     |
| 64B8-10.003 | 12/9/2015 | **/**/****     |

David Bernard, 5138 Commercial Way, Spring Hill, Florida 34606, principal investor(s): David Bernard, 5138 Commercial Way, Spring Hill, Florida 34606.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Frances Pilg, Beta Motorcycles, Inc., 1228 11th Street, Unit 103, Paso Robles, California 93446.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need  
GRACE PERIOD LETTERS OF INTENT**

The Agency for Health Care Administration received and accepted the following letters of intent for the September 29, 2021 application filing date for the Hospice batching cycle:

County: Escambia District: 1  
Date Filed: 09/02/2021 LOI #: H2108064  
Facility/Project: Amedisys Holding, L.L.C.  
Applicant: Amedisys Holding, L.L.C.  
Project Description: New hospice program

County: Escambia District: 1  
Date Filed: 09/02/2021 LOI #: H2108065  
Facility/Project: Amedisys Hospice, L.L.C.  
Applicant: Amedisys Hospice, L.L.C.  
Project Description: New hospice program

County: Escambia District: 1  
Date Filed: 09/02/2021 LOI #: H2108066  
Facility/Project: Compassionate Care Hospice of Central Florida, Inc.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Establishment of Motorcycle Enthusiasts Inc., line-make BETA Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Beta Motorcycles, Inc., intends to allow the establishment of Motorcycle Enthusiasts Inc., as a dealership for the sale of motorcycles manufactured by Betamotor Spa (line-make BETA) at 5138 Commercial Way, Springhill, (Hernando County), Florida 34606, on or after October 11, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Enthusiasts Inc are dealer operator(s):

Applicant: Compassionate Care Hospice of Central Florida, Inc.  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/02/2021 LOI #: H2108067  
 Facility/Project: Compassionate Care Hospice of Lake and Sumter, Inc.  
 Applicant: Compassionate Care Hospice of Lake and Sumter, Inc.  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/02/2021 LOI #: H2108068  
 Facility/Project: Compassionate Care Hospice of Miami Dade and the Florida Keys, Inc.  
 Applicant: Compassionate Care Hospice of Miami Dade and the Florida Keys, Inc.  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/02/2021 LOI #: H2108069  
 Facility/Project: Compassus of Florida, LLC  
 Applicant: Compassus of Florida, LLC  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/02/2021 LOI #: H2108070  
 Facility/Project: Florida Hospice, LLC  
 Applicant: Florida Hospice, LLC  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/08/2021 LOI #: H2108071  
 Facility/Project: Hospice of the Sunshine State, LLC  
 Applicant: Hospice of the Sunshine State, LLC  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/08/2021 LOI #: H2108072  
 Facility/Project: OMNI Home Health-District 1, LLC  
 Applicant: OMNI Home Health District 1, LLC  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/03/2021 LOI #: H2108073  
 Facility/Project: Peoples Hospice and Palliative Care of Florida, LLC  
 Applicant: Peoples Hospice and Palliative Care of Florida, LLC  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/07/2021 LOI #: H2108074  
 Facility/Project: PruittHealth Hospice – West Florida, LLC  
 Applicant: PruittHealth Hospice – West Florida, LLC  
 Project Description: New hospice program

County: Escambia District: 1  
 Date Filed: 09/08/2021 LOI #: H2108075  
 Facility/Project: St. Joseph Hospice Florida Panhandle, LLC  
 Applicant: St. Joseph Hospice Florida Panhandle, LLC  
 Project Description: New hospice program

County: Leon District: 2B  
 Date Filed: 09/02/2021 LOI #: H2108076  
 Facility/Project: Amedisys Holding, L.L.C.  
 Applicant: Amedisys Holding, L.L.C.  
 Project Description: New hospice program

County: Leon District: 2B  
 Date Filed: 09/02/2021 LOI #: H2108077  
 Facility/Project: Amedisys Hospice, L.L.C.  
 Applicant: Amedisys Hospice, L.L.C.  
 Project Description: New hospice program

County: Leon District: 2B  
 Date Filed: 09/02/2021 LOI #: H2108078  
 Facility/Project: Compassionate Care Hospice of Central Florida, Inc.  
 Applicant: Compassionate Care Hospice of Central Florida, Inc.  
 Project Description: New hospice program

County: Leon District: 2B  
 Date Filed: 09/02/2021 LOI #: H2108079  
 Facility/Project: Compassionate Care Hospice of Lake and Sumter, Inc.  
 Applicant: Compassionate Care Hospice of Lake and Sumter, Inc.  
 Project Description: New hospice program

County: Leon District: 2B  
 Date Filed: 09/02/2021 LOI #: H2108080  
 Facility/Project: Compassionate Care Hospice of Miami Dade and the Florida Keys, Inc.  
 Applicant: Compassionate Care Hospice of Miami Dade and the Florida Keys, Inc.  
 Project Description: New hospice program

County: Leon District: 2B  
 Date Filed: 09/08/2021 LOI #: H2108081  
 Facility/Project: OMNI Home Health-District 2, LLC

Applicant: OMNI Home Health District 2, LLC  
 Project Description: New hospice program

County: Polk District: 6B  
 Date Filed: 09/08/2021 LOI #: H2108082  
 Facility/Project: Transitions Intermediate Holdings LLC  
 Applicant: Transitions Intermediate Holdings LLC  
 Project Description: New hospice program

County: Indian River District: 9A  
 Date Filed: 09/02/2021 LOI #: H2108083  
 Facility/Project: Brevard HMA Hospice, LLC  
 Applicant: Brevard HMA Hospice, LLC  
 Project Description: New hospice program

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after October 27, 2021, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on October 6, 2021.

DEPARTMENT OF MANAGEMENT SERVICES  
 Public Employees Relations Commission  
 Public Employees Relations Commission  
 NOTICE IS HEREBY GIVEN that on September 9, 2021, the Public Employees Relations Commission (PERC) published its 2021-2022 Regulatory Plan in accordance with subsection 120.74(2), Florida Statutes. The Regulatory Plan is available on PERC's website at [http://perc.myflorida.com/annual\\_regulatory\\_plan\\_2021-2022.pdf](http://perc.myflorida.com/annual_regulatory_plan_2021-2022.pdf)

DEPARTMENT OF FINANCIAL SERVICES  
 FSC - Financial Institution Regulation  
 Office of Financial Regulation  
 NOTICE OF FILINGS  
 Financial Services Commission  
 Office of Financial Regulation  
 September 10, 2021  
 Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

|                                |    |                                |
|--------------------------------|----|--------------------------------|
| By Mail or Facsimile           | OR | By Hand Delivery               |
| Agency Clerk                   |    | Agency Clerk                   |
| Office of Financial Regulation |    | Office of Financial Regulation |
| P.O. Box 8050                  |    | General Counsel's Office       |

Tallahassee, Florida 32314-8050 The Fletcher Building, Suite 118  
 Phone: (850)410-9889 101 East Gaines Street  
 Fax: (850)410-9663 Tallahassee, Florida 32399-0379  
 Phone: (850)410-9889

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

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., October 1, 2021):

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: DLP Bancshares, St. Augustine, Florida  
 Selling Entity: Community State Bank, Starke, Florida  
 Received: September 3, 2021

Distribution: (Publication Not Required)  
 Federal Deposit Insurance Corporation, Atlanta, GA  
 Federal Reserve Bank of Atlanta, Atlanta, GA  
 Comptroller of the Currency, Atlanta, GA  
 Florida Bankers Association, Tallahassee, FL  
 Jared Ross  
 William Berg  
 Scott A. Coleman, Attorney

DEPARTMENT OF FINANCIAL SERVICES  
 FSC - Financial Institution Regulation  
 Office of Financial Regulation  
 NOTICE OF FILINGS  
 Financial Services Commission  
 Office of Financial Regulation  
 July 2, 2021

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

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

Fax: (850)410-9663

Tallahassee, Florida 32399-0379

Phone: (850)410-9889

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

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., October 1, 2021):

APPLICATION TO ORGANIZE A SUCCESSOR INSTITUTION

Application to Establish a Successor Institution: CBO Successor Bank, Oviedo, Florida

Received: September 3, 2021

APPLICATION TO MERGE

Constituent Institutions: Citizens Bank of Florida, Oviedo, Florida and CBO Successor Bank, Oviedo, Florida

Resulting Institution: Citizens Bank of Florida, Oviedo, Florida

With Title: Citizens Bank of Florida

Received: September 3, 2021

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

Federal Reserve Bank of Atlanta, Atlanta, GA

Comptroller of the Currency, Atlanta, GA

William G. Berg

John P. Greeley, Attorney

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### Section XIII

## Index to Rules Filed During Preceding Week

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

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