

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Historical Resources

RULE NO.: RULE TITLE:
1A-37.001 Use or Rental of Mission San Luis
Facilities

PURPOSE AND EFFECT: The purpose of this rule
amendment is to update fee and rental guidelines for the use
and rental of Mission San Luis facilities.

SUBJECT AREA TO BE ADDRESSED: Fee and rental
guidelines for the use and rental of Mission San Luis facilities.

RULEMAKING AUTHORITY: 267.17(2)(b) FS.

LAW IMPLEMENTED: 267.17 FS.

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

DATE AND TIME: September 21, 2010, 10:30 a.m.

PLACE: Mission San Luis, 2100 West Tennessee Street,
Tallahassee, FL 32304

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: Ryan Wheeler, Chief, Bureau of Archaeological
Research, at (850)245-6301; email: rjwheeler@dos.state.fl.us.
If you are hearing or speech impaired, please contact the
agency using the Florida Relay Service, 1(800)955-8771
(TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ryan
Wheeler, Chief, Bureau of Archaeological Research, at
(850)245-6301; email: rjwheeler@dos.state.fl.us

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

DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES

Division of Food Safety

RULE NO.: RULE TITLE:
5K-5.014 Grading Services for Poultry

PURPOSE AND EFFECT: The rule amendment changes the
fee schedule for poultry grading services provided by the
Florida Department of Agriculture and Consumer Services.

SUBJECT AREA TO BE ADDRESSED: The Florida
Department of Agriculture and Consumer Services provides
voluntary grading services to food establishments that process
poultry in accordance with the cooperative agreement
established between the US Department of Agriculture
(USDA) and this agency as authorized under Section 583.052,
Florida Statutes. Under the statement of work provided in this
cooperative agreement, the Department shall charge fees to the
poultry processor in order to collect all costs incurred by this
agency associated with this service and administration of this
program. Historically, rule language specific to the fee
schedule was promulgated every three to five years to provide
a multi-year revenue base to ensure coverage of current and
projected program costs. The agency is now seeking a
modification to this fee schedule to collect revenues needed to
support all program costs for the current fiscal year (FY
2010/2011) only. Subsequently, the agency will assess the
revenues needed each fiscal year and proceed with annual rule
adoption of fee increases to support all program costs.

RULEMAKING AUTHORITY: 570.07(23), 583.04 FS.

LAW IMPLEMENTED: 583.051, 583.052 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
WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT IS: Lee M. Cornman, Assistant
Director, Division of Food Safety, 3125 Conner Boulevard,
Mail Stop C-18, Tallahassee, FL 32399-1650; telephone:
(850)245-5595

THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS:

5K-5.014 Grading Services for Poultry.

(1) through (2) No change.

(3) Under that agreement and to offset the cost of
providing the services to the producer who orders them, the
department establishes the following schedule:

(a) Grader's time per hour for:

Table with 2 columns: Description and Amount. Rows include Regular Hours, Overtime Hours, Holiday Hours, Regular Shift Differential, and Overtime Shift Differential with prices like \$35.00, \$39.00, \$52.50, \$37.00, and \$41.00.

6. In addition to the charge for the grader's time per hour,
an additional charge of \$2.00 per hour shall be charged to
regular and overtime hours worked at a resident location on a
shift beginning after 3:00 p.m.

(b) Travel time and costs:

1. Time for travel to and from the grader’s headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled days at a resident location shall be charged at the same rate as grading services provided.

2. Mileage and per diem to and from the grader’s headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled days at a resident location shall be reimbursed at the prevailing rates provided in Section 112.061, Florida Statutes.

(4) through (6) No change.

Rulemaking Authority 570.07(23), 583.04 FS. Law Implemented 583.051, 583.052 FS. History—New 8-13-92, Formerly 5E-7.014, Amended 9-30-96, 9-5-01, 7-1-06, 7-1-10,\_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Food Safety**

RULE NO.: 5K-6.010  
 RULE TITLE: Grading Services for Shell Eggs  
 PURPOSE AND EFFECT: The rule amendment changes the fee schedule for shell egg grading services provided by the Florida Department of Agriculture and Consumer Services.

SUBJECT AREA TO BE ADDRESSED: The Florida Department of Agriculture and Consumer Services provides voluntary grading services to food establishments that process shell egg grading services in accordance with the cooperative agreement established between the US Department of Agriculture (USDA) and this agency as authorized under Section 583.052, Florida Statutes. Under the statement of work provided in this cooperative agreement, the Department shall charge fees to the shell egg processor in order to collect all costs incurred by this agency associated with this service and administration of this program. Historically, rule language specific to the fee schedule was promulgated every three to five years to provide a multi-year revenue base to ensure coverage of current and projected program costs. The agency is now seeking a modification to this fee schedule to collect revenues needed to support all program costs for the current fiscal year (FY 2010/2011) only. Subsequently, the agency will assess the revenues needed each fiscal year and proceed with annual rule adoption of fee increases to support all program costs.

RULEMAKING AUTHORITY: 570.07(23), 583.04 FS.

LAW IMPLEMENTED: 583.051, 583.052 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Lee M. Cornman, Assistant

Director, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650; telephone: (850)245-5595

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

5K-6.010 Grading Services for Shell Eggs.

(1) through (2) No change.

(3) Under that agreement and to offset the cost of providing services to the producer who orders them, the department establishes the following schedule:

(a) Grader’s time per hour for:

1. Regular Hours	\$35.00 <del>39.50</del>
2. Overtime Hours	\$39.00 <del>43.50</del>
3. Holiday Hours	\$52.50 <del>59.25</del>
4. Regular Shift Differential	\$37.00 <del>41.50</del>
5. Overtime Shift Differential	\$41.00 <del>45.50</del>

6. In addition to the charge for the grader’s time per hour, an additional charge of \$2.00 per hour shall be charged to regular and overtime hours worked at a resident location on a shift beginning after 3:00 p.m.

(b) Travel time and costs:

1. Time for travel to and from the grader’s headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled days at a resident location shall be charged at the same rate as grading services provided.

2. Mileage and per diem to and from the grader’s headquarters for grading services at a non-resident or part-time resident location, or on non-scheduled days at a resident location shall be reimbursed at the prevailing rates provided in Section 112.061, F.S.

(4) through (6) No change.

Rulemaking Authority 570.07(23), 583.04 FS. Law Implemented 583.051, 583.052 FS. History—New 8-13-92, Formerly 5E-8.010, Amended 9-30-96, 9-5-01, 10-1-06, 7-1-10,\_\_\_\_\_.

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-15.0081  
 RULE TITLE: Toll Facilities Description and Toll Rate Schedule

PURPOSE AND EFFECT: The Florida Department of Transportation is proposing changes to the Toll Facilities Description and Toll Rate Schedule to establish tolls for the I-4/Lee Roy Selmon Expressway Interchange (Connector), a SunPass-only facility connecting I-4 and the Lee Roy Selmon Expressway in Tampa. Section 338.155(1), Florida Statutes, does not permit the use of the State’s toll facilities without paying a toll.

SUBJECT AREA TO BE ADDRESSED: The Department is proposing to toll the Connector, a limited-access interchange that extends from the Lee Roy Selmon Expressway north along the west side of 31st Street to I-4 in Tampa. This is an elevated

roadway that includes a series of separate ramps intended to improve the regional movement of traffic throughout the Tampa Bay area and provide dedicated truck lanes for direct access to the Port of Tampa. It is consistent with proposed improvements to I-4, the Lee Roy Selmon Reversible Lanes Project, and the Causeway Boulevard Port Access Improvement Project. Tolls are proposed to be collected from vehicles using the SunPass and TOLL-BY-Plate electronic toll collection programs by an overhead gantry located on the project south of 7th Avenue.

RULEMAKING AUTHORITY: 334.044(2), 338.155(1) FS.

LAW IMPLEMENTED: 338.155, 338.221, 338.222, 338.2215, 338.2216, 338.223, 338.231, 338.233 FS.

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

DATE AND TIME: September 30, 2010, 6:00 p.m.

PLACE: This rulemaking hearing is being held as a statewide webinar proceeding which can be accessed by registering at the following website: [www.floridasturnpike.com/tools\\_tollrates.cfm](http://www.floridasturnpike.com/tools_tollrates.cfm)

For those persons who do not have access to the World Wide Web wishing to participate can attend in person at the site access location.

SITE ACCESS LOCATION IS LOCATED AT:

PLACE: Florida Department of Transportation, District 7, Executive Conference Room, 11201 North Malcolm McKinley Drive, Tampa, FL 33612

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: Deanna R. Hurt, Senior Attorney and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Deanna R. Hurt, Senior Attorney and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, and April 10, 2003, October 1, 2003, December 11, 2003, March 7, 2004, May 20, 2004, November 1, 2005, February 5, 2006, July 27, 2006, October 26, 2006, January 15, 2007, May 17, 2010, and \_\_\_\_\_, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Rulemaking Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.155, 338.221, 338.222, 338.2215, 338.2216, 338.223, 338.231, 338.233 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 12-11-03, 3-7-04, 5-20-04, 11-1-05, 2-5-06, 7-27-06, 10-26-06, 1-15-07, 5-17-10, \_\_\_\_\_.

#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

#### **DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-501.401  
RULE TITLE: Admissible Reading Material

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that staff shall remove any improper packing material from admissible reading material before providing the contents to the receiving inmate.

SUBJECT AREA TO BE ADDRESSED: Admissible Reading Material.

RULEMAKING AUTHORITY: 944.09, 944.11 FS.

LAW IMPLEMENTED: 944.11 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-501.401 Admissible Reading Material.

(1) through (25) No change.

(26) No packaging other than standard envelopes shall be given to inmates. The following types of packaging shall be removed by staff before providing the contents to the inmate: boxes, padded envelopes, envelopes that include metal parts, multilayer packaging, bubble wrap, packing peanuts, or other forms of extra packaging.

Rulemaking Authority 944.09, 944.11 FS. Law Implemented 944.11 FS. History—New 10-8-76, Amended 3-3-81, 9-24-81, Formerly 33-3.12, Amended 6-9-87, 3-11-91, 12-17-91, 3-30-94, 11-2-94, 5-10-98, 10-20-98, Formerly 33-3.012, Amended 3-21-00, 8-10-00, 10-13-02, 7-2-03, 12-30-04, 9-5-05, 8-1-06, 6-16-09, \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.830  
 RULE TITLE: Death Row

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to set forth the conditions, privileges, monitoring, and review of death row.

SUBJECT AREA TO BE ADDRESSED: Death row.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.830 Death Row.

(1) Definitions.

(a) Death Row – the single-cell special housing status of an inmate who, upon conviction or adjudication of guilt of a capital felony, has been sentenced to death. Death row housing cells shall be separate from general population housing.

(b) Institutional Classification Team (ICT) – the team consisting of the warden, assistant warden, classification supervisor, and chief of security that is responsible for making inmate status decisions and for making other recommendations to the state classification office, regional director, and warden.

(c) Death Warrant Phases – the three stages of death row housing status that occur after an inmate’s death warrant has been signed by the Governor. The three stages are as follows:

1. Phase I begins when an execution date is set.

2. Phase II begins at 8:00 a.m. seven calendar days prior to an inmate’s set execution date.

3. Phase III refers to the status of an inmate whose death warrant has been signed by the Governor but who does not have an execution date due to a stay. Phase III inmates will have the same privileges as all other death row inmates except as otherwise provided in this rule.

(d) State Classification Office (SCO) – a staff member at the central office level who is responsible for the review of inmate classification decisions. Duties include approving, modifying, or rejecting ICT recommendations.

(2) An inmate who is not under sentence of death may be housed on death row when:

(a) The inmate’s death sentence has been overturned and the inmate is awaiting resentencing;

(b) The inmate is assigned to work in death row housing;

or

(c) The warden has declared an emergency requiring use of death row housing for inmates not under sentence of death. In this instance, the warden shall notify the Deputy Secretary of Institutions or designee of the housing arrangement.

(3) Reviews.

(a) Annual Reviews – At least annually, a death row inmate shall be reviewed by his classification officer to determine overall institutional adjustment based on the inmate’s disciplinary history, participation in programming, and cooperation with staff. This review shall be entered into the Department’s electronic inmate database.

(b) ICT Reviews – The ICT shall conduct a review of a death row inmate when the inmate:

1. Is found guilty of a disciplinary report; or

2. Has had restrictions placed on his outdoor exercise pursuant to subparagraph (5)(i)3. This review shall be conducted every six months after imposition of the restriction.

(4) Monitoring Death Row Inmates – Staff shall monitor death row inmates as follows:

(a) At least every 30 minutes by a correctional officer;

(b) Daily by the shift supervisor;

(c) Weekly by the chief of security;

(d) Weekly by the warden and assistant wardens having responsibility over the death row unit;

(e) Daily by a clinical health care person;

(f) Weekly by the chaplain; and

(g) Weekly by a classification officer, or more frequently as disciplinary incidents may require.

(6) Restraints and Escort Requirements.

(a) Prior to opening a death row cell for any reason, staff members shall restrain the inmate.

(b) A minimum of two officers shall be physically present whenever a death row cell door is opened.

(c) Prior to escorting an inmate from a death row cell for any activity within the housing unit, the inmate shall be thoroughly searched. If the inmate is escorted outside the immediate housing unit, the inmate will be strip searched and restraint devices (handcuffs, waist chain, black box, and leg irons) shall be used.

(d) Once an inmate is properly restrained and searched and his cell is secured, only one officer is required to accompany the inmate.

(e) Except for visitation purposes, if more than one inmate is out of his cell within the death row unit at a time, there shall be one officer accompanying each inmate, and the inmates shall be kept at a distance from each other to preclude any unauthorized physical contact.

(5) Conditions and Privileges – the following conditions and privileges apply to all death row inmates except Phase I and Phase II inmates.

(a) Clothing and Bedding – Unless there is a clear indication of a security concern, death row inmates will be issued clothing and bedding similar to that issued to the general population, except that death row inmates will be distinguished by designated different clothing that must be worn whenever they are out of the death row unit for the purpose of escort or transport. Shower slides or personal canvas shoes will be provided as regulation foot wear. No death row inmate will be issued a belt. Bedding and linen exchange shall be the same as is provided to the general inmate population, and any restrictions shall be based on potential harm to individuals or threat to the security of the institution. The senior correctional officer on duty must initially approve the decision to make an exception to the general bedding and linen exchange and shall document the action on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C. The duty warden shall make the final decision regarding the appropriateness of the action no later than the next working day.

(b) Comfort Items – Unless there is a clear indication of a security concern, inmates on death row shall be permitted personal hygiene items and other medically needed or prescribed items, such as eye glasses and hearing aids. At a minimum, death row inmates will be provided a toothbrush, toothpaste, a bar of soap, a towel or paper towels, toilet tissue, and feminine hygiene products for women.

(c) Personal Property – Inmates on death row shall be allowed to possess personal property such as watches, rings, stamps, envelopes, writing paper, and approved televisions, fans, and walkman-type radios with headphones unless there is a clear indication of a security concern. Each inmate may possess no more than one approved television, fan, and radio with headphones.

(d) Canteen – Death row inmates shall be permitted to make authorized canteen orders once per week.

(e) Writing Utensils – Inmates on death row shall possess only security pens, with a possession limit of four. If no security pens are available, an inmate will be allowed to sign out a regular pen from the assigned officer, which must be returned upon completion of preparation of the document. Care will be taken to ensure that an inmate who requests a pen in order to prepare legal documents or legal mail or to file a grievance with the Department has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances.

(f) Reading Material – Inmates shall be provided access to admissible reading material as provided in Rule 33-501.401, F.A.C., unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is such a threat, the material will be removed. Removal of reading material shall be documented and reviewed in accordance with paragraph (5)(h).

(g) Televisions – An inmate on death row may possess a television in his cell. Approved televisions may be purchased from the institutional canteen; otherwise, televisions will be provided by the Department, if available, as follows:

1. As inmates are placed on death row, their names will be placed in a television logbook. As televisions become available, the televisions will be assigned to inmates in the order that their names appear in the logbook.

2. Inmates shall be allowed to operate televisions between the hours of 8:00 a.m. and 11:30 p.m. unless otherwise authorized or restricted by the warden or designee. Televisions will be turned off during count procedures.

3. Televisions shall only be operated with headphones or earplugs.

4. Inmates in disciplinary confinement will have their televisions removed. The television will then be assigned to the next eligible inmate as indicated by the television logbook. Inmates who are guilty of a disciplinary infraction and who do not have televisions will have their names removed from the eligible list until their disciplinary confinement time is completed. Their names will then be added to the bottom of the list.

5. Inmates transferring from the institution for twenty-four hours or longer will have their televisions reassigned to the next eligible inmate, as indicated by the logbook.

6. Altering the television, earphones, or any parts thereof, including the electrical cord, will result in disciplinary action and possible loss of television privileges.

(h) Removal or Denial of Items – Any item may be denied an inmate or removed from a death row cell to prevent the inmate from inflicting injury to himself or others, to prevent the destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security. The

senior correctional officer on duty must initially approve the decision to deny or remove clothing, bedding, or any other items from the cell and document the action on Form DC6-229, Daily Record of Special Housing. Removal of any personal property item will also be documented by security staff on Form DC6-220, Inmate Impounded Personal Property List, and signed by the inmate designating what personal items were removed. Form DC6-220 is incorporated by reference in Rule 33-602.220, F.A.C. The original Form DC6-220 will be placed in the inmate's property file, and a copy of the form will be given to the inmate for his records. The duty warden shall make a final decision regarding the appropriateness of any removal no later than the next working day. If an inmate's clothing is removed, a modesty garment shall be provided to the inmate immediately; if the inmate chooses not to wear the garment, it shall be left in the cell, and this action shall be documented on Form DC6-229. Under no circumstances will the inmate be left without a means to cover himself. If items are removed from a death row cell pursuant to this paragraph, staff shall re-assess the need for continued restriction every 72 hours thereafter and document the assessment on Form DC6-229. The warden, based on this assessment, will make a final determination on the continued denial or return of the items and document the decision on Form DC6-229. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction is present.

(i) Exercise – an exercise schedule shall be implemented to ensure a minimum of six hours per week of exercise out-of-doors. Such exercise periods shall be documented on Form DC6-229, Daily Record of Special Housing.

1. Medical restrictions can place limitations on an inmate's exercise periods. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him that will accomplish the need for exercise and take into account the particular inmate's limitations. Recreational equipment may be available for such exercise periods provided the equipment does not compromise the safety or security of the institution. The reasons for any medically-based exercise restrictions shall be documented on Form DC6-229.

2. The ICT is authorized to deny exercise for an individual inmate when the inmate is found guilty of a major rule violation as defined in Rule 33-601.800, F.A.C. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. If the inmate requests a physical fitness program handout, the wellness specialist or the confinement officer shall provide the inmate with an in-cell exercise guide; this shall be documented on Form DC6-229.

3. The ICT is authorized to restrict the place and manner of outdoor exercise, such as an inmate's ability to interact with other inmates or use exercise equipment, if the inmate has been convicted of:

a. Assault or battery, murder, or attempted murder of a correctional officer, volunteer, visitor, or other inmate within an institution; or

b. Escape or attempted escape.

4. Phase III inmates shall be restricted from exercise pursuant to subparagraph (13)(b)8.

(j) Telephone Privileges – When alternative means of access are not feasible, telephone privileges shall be allowed for emergency situations, such as notifications of family deaths, and when necessary to ensure the inmate's access to attorneys or the courts. The necessity of the telephone call may be verified before the inmate is allowed to make the call. Calls to attorneys will not be monitored.

(k) Visitation – Death row visits shall be contact visits unless security concerns indicate that a non-contact visit is necessary, in which case the non-contact visit shall be approved by the warden in advance. Visitation shall be on Saturday or Sunday (only one day of visitation per week per inmate) between the hours of 9:00 a.m. and 3:00 p.m. The visitation provisions of Chapter 33-601, F.A.C., otherwise apply. News media visits shall be in accordance with Rule 33-104.203, F.A.C.

(l) Library Services – Inmates shall be allowed to check out library books once weekly, with a possession limit of four books.

(m) Self-Improvement Programs – Inmates shall be permitted to participate in self-improvement programs unless participation poses a security threat to inmates or staff. Such programs shall take place in the inmate's housing area in a manner that conforms to the need for security.

(6) Personal Hygiene – Inmates on death row shall meet the same personal hygiene standards required of the general population.

(7) Correspondence – Correspondence shall be in accordance with Chapter 33-210, F.A.C.

(8) Attorney Visits – Attorney visits shall be in accordance with Rule 33-601.711, F.A.C.

(9) Legal Access – Legal access for all death row inmates except those on Phase I and II of an active death warrant shall be as follows:

(a) Inmates shall be permitted to have access to their personal legal files and law books, to correspond with the law library, to have the law library deliver legal materials to the inmate's cell, and to correspond with inmate law clerks. Efforts shall be made to accommodate the research needs of inmates on death row who demonstrate that they need to meet a deadline imposed by law, rule, or order of court, including the provision of opportunities to visit a secure, single-person room

within the law library at least once per week for up to two hours if security concerns permit. Death row inmates using the law library will be required to stay in a secure, single-person room in order to conduct research and draft legal documents; materials will be obtained via non-contact interaction with library staff or inmate law clerks under the supervision of security staff. Inmates may be required to conduct legal business through correspondence rather than a personal visit to the law library if security requirements prevent a personal visit.

(b) Written inmate requests for legal assistance shall be directed to the librarian or designee and shall be responded to within two working days of receipt, not including the day of receipt. Specific requests for cases, statutes, or other reference materials or requests for legal supplies or forms shall be responded to by means of correspondence. However, written inmate requests for legal assistance that are broad in scope, contain incorrect references to research materials, or contain styling or content errors that indicate the inmate lacks an understanding of the law or legal research or that he may be impaired shall be responded to by personal interview with an inmate law clerk or the librarian or designee.

(c) Inmates shall be limited to the receipt of no more than 15 research items from the law library at any one time. Research items are defined as photocopies of cases, statutes, and other reference materials provided by the law library and do not include the inmate's personal legal papers, pleadings, or transcripts. Institutions shall require that inmates return all research materials supplied previously by the law library or explain why some or all research materials issued previously must be retained in order to receive additional materials. Institutions shall also limit the accumulation of research materials when their possession in an inmate's cell creates a safety, sanitation, or security hazard.

(d) Illiterate and impaired inmates shall be permitted to request a visit with an inmate law clerk by making an oral request to the correctional staff working in the unit. Upon receipt of the oral request, the correctional staff shall contact the law library to schedule a visit between the inmate and inmate law clerk. The inmate shall be required to remain in a secure, single-person room in the law library and have non-contact interaction with the inmate law clerk.

(e) Indigent inmates shall be provided paper, security pens, and envelopes in order to prepare and send legal papers.

(10) Diet and meals shall be provided in accordance with Chapter 33-204, F.A.C.

(11) Form DC6-228, Inspection of Special Housing Record, shall be maintained in each death row unit. Form DC6-228 is incorporated by reference in Rule 33-601.800, F.A.C. Each staff person shall sign the form when entering and leaving the death row unit. Prior to departure, each staff member shall indicate any specific problems, including any inmate who requires special attention. Upon completion, Form DC6-228 will be maintained in the housing area and forwarded

to the correctional officer chief on a weekly basis, where it will be maintained on file pursuant to the current retention schedule.

(12) Form DC6-229, Daily Record of Special Housing, shall be maintained for each inmate in the death row unit. Form DC6-229 shall be maintained in the housing area for one week, after which the form will be forwarded to the warden for review. Once reviewed, these forms will be forwarded to classification to be filed in each inmate's respective file. Form DC6-229 shall be utilized to document any and all activities, including cell searches, items removed, showers, recreation, haircuts, and shaves. Form DC6-229B, Daily Record of Special Housing – Supplemental, may be used if further writing space is needed. Form DC6-229B is incorporated by reference in Rule 33-601.800, F.A.C. Additionally, staff shall fully and completely document when:

(a) There is an unusual occurrence in the inmate's behavior;

(b) It becomes necessary to notify the medical department;

(c) The inmate refuses food;

(d) The inmate changes cells;

(e) Medical staff performs any function, such as dispensing medication;

(f) The inmate's diet is ordered to be changed;

(g) Complaints are received and medical treatment is therefore given;

(h) The classification officer conducts a review;

(i) The inmate engages in disruptive behavior requiring that official action be taken; or

(j) Disciplinary violations occur.

(13) Death Warrants – Upon receipt of a death warrant signed by the Governor authorizing execution, the warden or designee will determine the housing location of the inmate. Inmates housed at Union Correctional Institution will be immediately transferred to Florida State Prison. Upon arrival, the warden will inform the inmate of the death warrant, and the inmate shall be allowed to contact his attorney and a family member at state expense. If the inmate is housed at Lowell Correctional Institution, the inmate shall not be transferred to Florida State Prison until Phase II. The warden at Lowell will inform the inmate of the death warrant and allow the inmate to contact her attorney and a family member at state expense.

(a) At the initiation of Phase I, the warden of Florida State Prison shall notify the Assistant Secretary of Institutions and the regional director. Wardens of surrounding institutions shall be informed should circumstances warrant the activation of a rapid response team. Local law enforcement agencies shall also be notified.

(b) Conditions and privileges for Phase I and Phase II inmates.

1. Phase I and Phase II inmates may possess the following state issued property:

- a. A standard issue of clothing.
- b. One bed.
- c. One mattress.
- d. One pillow.
- e. A standard issue of bedding.
- f. One toothbrush.
- g. One tube of toothpaste.
- h. One bar of soap.
- i. One towel.
- j. One pair of underwear.
- k. Toilet tissue as needed.
- l. Six sheets of stationery.
- m. Three envelopes.
- n. A maximum of 10 religious texts distributed by the institutional chaplain.
- o. Writing paper distributed by the library as needed.
- p. Notary services upon request.
- q. One security pen.
- r. One television, and
- s. Form DC1-303, Request for Administrative Remedy or Appeal, and Form DC6-236, Inmate Request, as needed. Forms DC1-303 and DC6-236 are incorporated by reference in Rule 33-103.019, F.A.C.

2. The inmate's visiting list shall be frozen once an execution date is set. No additional visitors will be added to a Phase I or Phase II inmate's approved visiting list. All visits shall be non-contact, except that the inmate may receive a one-hour contact visit on the day of execution.

3. News media visits and interviews will be in accordance with Chapter 33-104, F.A.C.

4. Inmate bank access shall be the same as for any other inmate, except that Phase II inmates may not request more than two special withdrawals during the week.

5. Canteen privileges will be allowed in accordance with paragraph (5)(d) above but may be restricted or denied if they pose a security threat. Canteen orders shall be reviewed by the administrative lieutenant prior to delivery.

6. Inmates may request in writing to the librarian and receive legal materials from the law library. All such requests are to be routed through the death watch supervisor. Copying services or notary services will be handled by staff without the involvement of any inmate.

7. The inmate shall be allowed to receive periodical subscriptions but may not order new subscriptions.

8. Exercise for all inmates with signed death warrants, including Phase III inmates, shall be suspended. However, an inmate shall be permitted to resume exercise and recreation in accordance with subparagraphs (5)(i)1.-3. if he remains in Phase III status longer than 90 days.

(14) All death row inmates remain subject to disciplinary action for violation of rules and regulations.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New \_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NOS.:	RULE TITLES:
33-602.220	Administrative Confinement
33-602.221	Protective Management
33-602.222	Disciplinary Confinement

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to: amend Form DC4-650, incorporated by reference in Rule 33-602.220, F.A.C., to state that the form should be placed in an inmate's infirmary or medical record upon completion of or discharge from observation status; to replace references to "psychologists" and "psychological specialists" with "mental health clinicians" and "mental health specialists," respectively; to clarify library privileges in administrative confinement; to replace references to "certified research aides" with "certified law clerks"; and to generally clean up form references and amend the language for grammatical accuracy.

SUBJECT AREA TO BE ADDRESSED: Security Operations. RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.220 Administrative Confinement.

(1) Definitions.

(a) No change.

(b) Bureau of Braille and Talking Book Library – ~~refers to~~ the agency that provides books on tape, Braille books, and other auxiliary aids for individuals who, due to a disability, are unable to read books in print.

(c) Central Office ADA Coordinator – ~~refers to~~ the employee responsible for implementing the provisions of Title I and Title II of the Americans with Disabilities Act and Section 504 of the 1973 Rehabilitation Act within the Department.

(d) through (f) No change.

(g) Clinical health care personnel – where used herein, refers to a physician, clinical associate, nurse, correctional medical technician certified ~~Correctional Medical Technician~~



~~Certified~~ (CMTC), mental health clinician ~~psychologist~~, psychology intern, psychology resident, or mental health specialist ~~psychological specialist~~.

(h) Institutional Classification Team (ICT) – ~~where used herein~~, refers to the team consisting of the warden ~~Warden~~ or assistant warden ~~Assistant Warden~~, classification supervisor ~~Classification Supervisor~~, a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(i) State Classification Office (SCO) – ~~refers to~~ a staff member at the central office ~~Central Office~~ level who is responsible for the review of inmate classification decisions. Duties include approving, modifying, or rejecting ICT recommendations.

(j) Security pen – ~~refers to~~ a specially designed flexible ink pen that bends under pressure and has a tip that retracts under excessive pressure.

(k) Senior correctional officer – ~~refers to~~ a staff member with the rank of correctional officer lieutenant or above.

(l) No change.

(m) Institutional Classification Team Docket – ~~refers to~~ the official record of an Institutional Classification Team hearing.

(n) Offender Based Information System (OBIS) – ~~refers to~~ an electronic data system used by the Department of Corrections to record and retrieve offender information.

(o) Major rule violation – ~~where used herein~~, refers to means any assault, battery, or attempted assault or battery; any intentional lewd or lascivious exhibition in the presence of staff or visitors; any spoken or written threat towards any person; inciting or attempting to incite or participating in any riot, strike, mutinous act, or disturbance; fighting; possession of weapons, ammunition, explosives, or escape paraphernalia; and any escape or escape attempt.

(p) Lewd or Lascivious Exhibition – An inmate commits a lewd or lascivious exhibition when the inmate:

1. Intentionally masturbates;

2. Intentionally exposes the genitals without authorization;

or

3. Intentionally commits any other sexual act that does not involve actual physical or sexual contact with the victim, including, but not limited to, sadomasochistic abuse, sexual bestiality, or the simulation of any act involving sexual activity in the presence of a staff member or volunteer.

(2) Procedures for Placement in Administrative Confinement.

(a) Administrative confinement is a temporary confinement status that may limit conditions and privileges as provided in subsection (5) as a means of promoting the

security, order, and effective management of the institution. Otherwise the treatment of inmates in administrative confinement shall be as near to that of the general population as assignment to administrative confinement shall permit. Any deviations shall be fully documented as set forth in the provisions of this rule.

(b) When a decision is made to place an inmate in administrative confinement, the reason for such placement shall be explained to the inmate and the inmate shall be given an opportunity to present verbal comments on the matter. The inmate shall also be allowed to submit a written statement. Prior to placing the inmate in administrative confinement, the inmate shall be given a pre-confinement health assessment to include a physical and mental health evaluation that shall be documented in the health care record. Inmates shall be weighed upon admission to administrative confinement, at least once a week while in administrative confinement, and upon leaving administrative confinement. The weight of the inmate shall be recorded on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C. When an official places an inmate in administrative confinement, this action shall be documented in the electronic classification contact log in OBIS. This entry shall fully state the circumstances surrounding and reasons for placing the inmate in administrative confinement and a summary of the inmate's comments. The reason must correspond with one of the criteria for placement provided in subsection (3) of this rule. This electronic entry shall be completed the same day the inmate is placed into confinement; and will establish the ICT 72-hour review appointment. Any written statements provided by the inmate shall be forwarded to the ICT for their consideration during the forthcoming 72-hour review.

(c) No change.

(3) Reasons for Placement in Administrative Confinement with time limits. Placement of an inmate in administrative confinement is authorized for the following reasons:

(a) through (b) No change.

(c) Inmates shall be placed in administrative confinement pending review of the inmate's request for protection from other inmates; (Rule 33-602.221, F.A.C.). The inmate shall be placed in administrative confinement by a senior correctional officer when the inmate presents a signed written statement alleging that the inmate fears for his safety from other inmates; and that the inmate feels there is no other reasonable alternative open to him. A senior correctional officer shall place an inmate in administrative confinement, pending review for protective management, based on evidence that such a review is necessary and the senior correctional officer determines that no other reasonable alternative is available. The inmate shall be encouraged to provide information and otherwise cooperate with the investigation of the matter. The

protective management process, including the ICT's action, shall be completed within 15 working days from the initial confinement of the inmate.

1. The ~~ICT Institutional Classification Team (ICT)~~ shall complete an OBIS electronic classification contact log entry approving the inmate's continuation in confinement. This entry will initiate an appointment for an investigation to be conducted. The investigator shall enter the results of the investigation in the electronic classification contact log in OBIS; this entry will automatically schedule an ICT review appointment.

2. If the inmate submits a request for release in writing at any time during the ICT review or investigation process, the housing supervisor shall provide the inmate with a Form DC6-203, Protection Waiver/Appeal Decision. Form DC6-203 is incorporated by reference in subsection (11) of this rule. The inmate shall complete Form DC6-203 and return it to the housing supervisor for submission to the ICT along with the inmate's written request.

3. Once the investigation is complete, the ICT shall interview the inmate to determine whether the inmate has a legitimate, verifiable need for protection. The ICT shall review all documentation available concerning the need for protection to include any written statements submitted by the inmate. The inmate's written request for release and ~~Form~~ the DC6-203 will also be reviewed. The following elements shall be considered in determining whether protective management is necessary:

a. through f. No change.

g. Other factors such as physical size, build, and age producing a risk from the general inmate population.

4. The ICT shall make recommendations concerning protective management based on the facts within 15 working days from the date of initial confinement. The ICT's findings and recommendations shall be entered in the electronic classification contact log in OBIS; this entry will automatically schedule an SCO review appointment. Whether the ICT recommends protective management or not, the inmate shall remain in administrative confinement at that facility pending review by the SCO. All non-electronic related documentation shall be made available to the SCO by the ICT. The ~~SCO State Classification Office~~ shall approve, disapprove, or return for additional information the recommendation of the ~~ICT Institutional Classification Team~~.

5. The ~~SCO State Classification Office (SCO)~~ shall determine within five working days whether protection is necessary based upon the investigation and any follow-up they deem appropriate. The SCO shall approve or disapprove placement of the inmate in protective management. The SCO's decision shall be documented in the electronic classification contact log in OBIS. If the SCO determines that a need for protection exists, they shall direct that the inmate ~~shall~~ be placed in a protective management unit or transferred to

resolve the inmate's need for protection. If a decision is made to transfer the inmate for housing in a protective management unit or to resolve the inmate's need for protection at the inmate's current location, the inmate shall be kept in administrative confinement until the transfer is completed. Transfers for protection needs shall be effected within five working days. SCO members are authorized to approve transfers. If the SCO determines that protective management is not necessary, the inmate may appeal this decision directly to the Office of the Secretary pursuant to Rules 33-103.007 and 33-103.011, F.A.C. The inmate shall be notified of the SCO's decision by the ICT. At the time of notification, the inmate shall be asked if he wants to appeal the decision. The inmate's acknowledgement of being informed of the SCO denial and the inmate's decision on whether or not to appeal shall be documented on the electronically produced Notification of Protective Management Disapproval, Form DC6-137, and the electronic contact log. Form DC6-137 is incorporated by reference in subsection (11) of this rule. The inmate shall remain in administrative confinement until the appeal process is complete.

6. No change.

(d) No change.

(e) An investigation, evaluation for change of status, or transfer is pending and the presence of the inmate in the general population might interfere with that investigation or present a danger to the inmate, other inmates, or to the security and order of the institution. An investigating officer shall have the authority to request that the senior correctional officer place the inmate in administrative confinement for this reason and the length of time spent in this status shall not exceed 15 working days unless one 5 working day extension is granted by the ICT. This extension shall be documented on the Daily Record of Special Housing, Form DC6-229. If it is necessary to continue the inmate's confinement beyond this first extension, written authorization must be obtained from the SCO for a 30 day extension. This authorization shall be attached to ~~the~~ Form DC6-229. The SCO shall have the authority to authorize one additional 30 day extension. Examples of circumstances for placing an inmate in administrative confinement for this reason include:

1. No change.

2. Special review against other inmates, disciplinary, program change, or management transfer. Transfers for this reason shall be given priority.

3. through 4. No change.

(f) No change.

(4) Administrative Confinement Facilities.

(a) The number of inmates housed in an administrative confinement cell shall not exceed the number of bunks in the cell. The only exception to this policy is during an emergency situation as declared by the warden or duty warden. The regional director of institutions and the emergency action

center in central office shall be advised of the emergency. If the emergency situation exists in excess of 24 hours, the warden or duty warden must get specific written authorization from the regional director of institutions to continue to house inmates beyond the 24-hour period. Prior to placing inmates in the same cell, the inmates will be interviewed by the housing supervisor to ensure that none of the inmates constitutes ~~constitute~~ a threat to any of the others.

(b) No change.

(c) Prior to placement of an individual in an administrative confinement cell, it shall be thoroughly inspected to ensure that it is in proper order, and the inmate housed in that cell shall then be held responsible for the condition of the cell. Form DC6-221, Cell Inspection, shall be used for this purpose. Form

DC6-221 is incorporated by reference in Rule 33-601.800, F.A.C. Routine searches of each cell may be conducted at any time, but will be conducted, at a minimum, each time an inmate is removed from the cell for a shower. All searches shall be documented on Form DC6-229, Daily Record of Special Housing. All inmates will be searched prior to entering the confinement unit and upon departure. All items entering the confinement unit will be thoroughly searched, to include at a minimum, food cart and trays, laundry and linens, and inmate property.

(d) The administrative confinement cells shall be physically separate from other confinement cells, and the cell doors will feature remotely controlled locking devices; whenever possible given the physical design of the facility, ~~The and the~~ number of inmates housed in an administrative confinement cell shall not exceed the number of bunks in the cell. Whenever such location is not possible, physical barriers shall preclude the cross association of those in administrative confinement with those in other ~~status~~ confinement status. Administrative confinement cells shall be built to permit verbal communication and unobstructed observation by the staff. The officers assigned will exercise care to maintain the noise within the unit to a reasonable level. Visual inspections shall be conducted of each cell, to include at a minimum; observations for clothes lines, pictures attached to the walls and lockers, windows or light fixtures covered with paper, clothes or towels, and air and heater vents that have been obstructed. When sufficient natural light is unavailable, interior cell lights shall be left on during day and evening hours.

(5) Conditions and Privileges.

(a) No change.

(b) Bedding and Linen linen – bedding and linen for those in administrative confinement shall be issued and exchanged the same as is provided to the general inmate population. Any exceptions shall be based on potential harm to individuals or a threat to the security of the institution. The shift supervisor or the confinement lieutenant must approve the action initially. Such exceptions shall be documented on Form DC6-229, and

the ~~chief~~ Chief of ~~security~~ Security shall make the final decision in regard to the appropriateness of the action no later than the next working day following the action.

(c) Personal Property – inmates shall be allowed to retain the same personal property as is permitted general population inmates unless there is a indication of a security problem, in which case removal or denial of any item shall be documented on Form DC6-229. An Inmate Impounded Personal Property List, Form DC6-220, designating what personal items were removed; shall be completed by security staff and signed by the inmate. The original will be placed in the inmate's property file and a copy of the form will be given to the inmate. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C. Inmates shall be allowed to possess religious items pursuant to the provisions of Rule 33-602.201, F.A.C. All property retained by the inmate must fit into the storage area provided.

(d) Comfort Items – inmates in administrative confinement shall be permitted the same personal hygiene items and other medically needed or prescribed items as is permitted general population inmates unless there is an indication of a security problem. Inmates in administrative confinement shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol. In the event certain items that inmates in administrative confinement are not normally prohibited from possessing are removed, the senior correctional officer shall be notified and must approve the action taken, or the item must be returned to the inmate. Action taken shall be recorded on the Daily Record of Special Housing, Form DC6-229, which must be reviewed by the ~~chief~~ Chief of ~~security~~ Security. Property receipts shall be given for any personal property removed. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, ~~and~~ feminine hygiene products for women, and toilet tissue.

(e) through (f) No change.

(g) Canteen Items – inmates in administrative confinement shall be allowed to make canteen purchases once every other week. Items sold to administrative confinement inmates shall be restricted when reasonably necessary for institutional safety and security.

1. No change.

2. Inmates in administrative confinement shall be allowed to purchase a maximum of five non-food canteen items. Stamps, envelopes, security pens, and notebook paper; each count as one item. For example, three security pens count as one item. Twenty-five stamps or fewer shall count as one item and two packages or less of notebook paper shall count as one item.

(h) No change.

(i) Visiting – all visits for inmates in administrative confinement must be approved in advance by the warden or designee. The warden or designee shall notify the control room

in writing when approval is given in advance of the visitor arriving at the institution. Requests for inmates in administrative confinement to visit shall be in writing to the ICT. Those inmates who are a threat to the security of the institution shall be denied visiting privileges. Attorney-client visits shall be in accordance with Rule 33-601.711, F.A.C., and shall not be restricted except on evidence that the visit would be a threat to security and order. The warden or designee shall determine whether a pre-approved visit will be contact or non-contact in accordance with ~~based on one or all of the criteria set forth in subsection (2) of Rule 33-601.735, F.A.C.~~

(j) No change.

(k) Legal Access – legal materials shall be as accessible to inmates in administrative confinement as to inmates in general population as long as security concerns permit. An inmate in confinement may be required to conduct legal business by correspondence rather than a personal visit to the law library if security requirements prevent a personal visit. However, all steps shall be taken to ensure the inmate is not denied needed access while in confinement. Although the inmate may not be represented by an attorney at any administrative hearing, access shall be granted for legal visits at any reasonable time during normal business hours to the inmate’s attorney or aide to that attorney. Indigent inmates shall be provided paper and writing utensils in order to prepare legal papers. Inmates who are not indigent shall be allowed to purchase paper, security pens, and envelopes for this purpose through a canteen order. An inmate with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer/reader). An inmate who is provided an auxiliary aid shall also be allowed access to a certified law clerk research aide ~~research aide~~ for the purpose of preparing legal documents, legal mail, or filing a grievance.

(l) No change.

(m) Writing Utensils ~~utensils~~ – inmates in administrative confinement may possess a maximum of four (4) security pens. Other types of pens and pencils shall be confiscated and stored until the inmate is released from administrative confinement status. Inmates who are in possession of working pens or pencils when placed in administrative confinement will be issued a security pen. Inmates who are not indigent must purchase additional pens when needed from the canteen. If security pens are unavailable, the inmate shall be allowed to sign out a regular pen from the confinement housing officer. All care shall be taken to ensure that an indigent inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the Department ~~department~~ has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances. An inmate who has been provided a “writer/reader” shall be allowed access to such for the purpose of reading or preparing correspondence.

(n) Reading materials – inmates in administrative confinement shall be provided access to admissible reading material as provided in Rule 33-501.401, F.A.C., unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is a safety, security, or sanitation risk, the items will be removed. Such removal of reading materials shall be documented on Form DC6-229 in accordance with paragraph (9)(c) of this rule.

(o) Library – only one book at a time may be checked out. Books shall be checked out once weekly and inmates may possess no more than one soft-back library book at any given time. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her tape player and devotional and scriptural materials and any other books on tape that are in compliance with the ~~the~~ admissibility requirements of in ~~in~~ Rule 33-501.401, F.A.C. Inmates will be allowed to check out one book on tape per week and possess no more than one checked-out book at any given time. The actual number of tapes may be more than one per book.

(p) Exercise – those inmates confined on a 24-hour basis excluding showers and clinic trips may exercise in their cells. However, if confinement extends beyond a 30-day period, an exercise schedule shall be implemented to ensure a minimum of three hours per week of exercise out of doors. Such exercise periods shall be documented on Form DC6-229, Daily Record of Special Housing. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. If the inmate requests a physical fitness program handout, the wellness specialist or the confinement officer shall provide the inmate with an in-cell exercise guide and document such on ~~the Daily Record of Special Housing~~, Form DC6-229. Medical restrictions can also place limitations on the exercise periods. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him or her that will accomplish the need for exercise and take into account the particular inmate’s limitations. Recreational equipment may be available for the exercise period provided such equipment does not compromise the safety or security of the institution. The reasons for any exercise restrictions shall be documented on ~~the Daily Record of Special Housing~~, Form DC6-229.

(q) If items of clothing, bedding, or property are removed in order to prevent the inmate from inflicting injury to himself or herself or others, to prevent destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden,

based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

(6) Restraint and Escort Requirements.

(a) Prior to opening any cell for any purpose, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visits, all inmates in the cell shall be handcuffed behind their backs, unless documented medical conditions require that an inmate be handcuffed in front. In such cases, waist chains will be used in addition to the handcuffs.

(b) through (e) No change.

(f) Any inmate who has demonstrated behavior that is or could be harmful to him or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229 and followed with an Incident Report, Form DC6-210. ~~Form DC6-210 is incorporated by reference in Rule 33-602.210, F.A.C.~~ Form DC4-650 is incorporated by reference in subsection (11) of this rule.

(g) No change.

(7) Visits to Administrative Confinement. The following staff members shall be required to officially inspect and tour the administrative confinement unit. All visits by staff, other than the 30 minute checks described in paragraph (a) below, shall be documented on the Inspection of Special Housing Record, Form DC6-228. Form DC6-228 is incorporated by reference in Rule 33-601.800, F.A.C. The staff member shall also document his or her visit on the Daily Record of Special Housing, Form DC6-229, if any discussion of significance or action or behavior of the inmate occurs or any important information is obtained ~~that which~~ may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:

(a) ~~Every At least every~~ 30 minutes by a correctional officer, but on an irregular schedule. These checks shall be documented on Form DC6-209, Housing Unit Log.

(b) through (c) No change.

(d) Weekly by the ~~chief~~ Chief of security Security (when on duty at the facility) except in case of riot or other institutional emergency.

(e) through (h) No change.

(8) Review of Administrative Confinement.

(a) No change.

(b) Any inmate assigned to administrative confinement for more than 30 days shall be given a psychological screening assessment by a mental health professional to determine his or her mental condition. The assessment shall include a personal interview if determined necessary by mental health staff. All such assessments shall be documented in the mental health record. ~~The mental health clinician psychologist or mental health psychological specialist shall prepare a report to the ICT regarding the results of the assessment with recommendations. The ICT shall then make a decision regarding continuation of confinement. If the decision is to continue confinement, a psychological screening assessment shall be completed at least every 90-day period.~~

(c) If an inmate is confined for more than 30 days, the ICT shall interview the inmate and shall prepare a formal assessment and evaluation report after each 30 day period in administrative confinement. Such reports may be in a brief paragraph form detailing the basis for confinement, what has transpired since the last report, the decision concerning continued confinement, and the basis for that decision.

(d) No change.

(9) Administrative Confinement Records.

(a) ~~Form DC6-229, A Daily Record of Special Housing, Form DC6-229,~~ shall be maintained for each inmate as long as the inmate is in administrative confinement. ~~The Form DC6-229 shall be utilized to document any activity such as cell searches, items removed, showers, recreation, haircuts and shaves, and also unusual occurrences such as refusal to come out of a cell or refusal to eat. If items that inmates in administrative confinement are not prohibited from possessing are denied or removed from the inmate, the shift supervisor or the confinement lieutenant must approve the action initially. The central office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate an equal opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229 and the chief~~ Chief of security Security shall make the final decision in regard to the appropriateness of that action no later than the next working day following the action. The housing supervisor shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. ~~The Form DC6-229 shall be maintained in the housing unit for 30 days, at which time the form shall be forwarded to the ICT for review. Once reviewed, these forms shall be forwarded to classification to be filed in the institutional inmate record.~~

(b) ~~Form DC6-229B, A Daily Record of Special Housing – Supplemental, Form DC6-229B,~~ shall be completed and attached to the current ~~Daily Record of Special Housing, Form DC6-229;~~ whenever additional written documentation is required concerning an event or incident related to the specific inmate. Form DC6-229B is incorporated by reference in Rule 33-601.800, F.A.C.

(c) ~~Form DC6-228.~~ An Inspection of Special Housing Record, ~~Form DC6-228,~~ shall be maintained in each administrative confinement unit. Each staff person shall sign such record when entering and leaving the confinement unit. Prior to leaving the confinement unit, each staff member shall indicate any specific problems including any inmate who requires special attention. No other unit activities shall be recorded on Form DC6-228. Upon completion, ~~the~~ Form DC6-228 shall be maintained in the housing unit and

forwarded to the ~~chief~~ Chief of ~~security~~ Security on a weekly basis where it shall be maintained on file pursuant to the current retention schedule.

(d) ~~Form DC6-209.~~ A Housing Unit Log, ~~Form DC6-209,~~ shall be maintained in each confinement unit. Officers shall record all daily unit activities on Form DC6-209, to include any special problems or discrepancies noted. The completed Form DC6-209 shall be forwarded daily to the chief of security for review.

(10) Staffing Issues.

(a) Officers assigned to a confinement unit shall be reviewed at least every 18 months. The shift supervisor or confinement lieutenant shall initiate the review by having the officer complete section I of the Special Housing Unit Rotation Review, Form DC6-295. Form DC6-295 is incorporated by reference in Rule 33-602.222, F.A.C. The required supervisor shall conduct an interview with the officer and complete section II of ~~the~~ Form DC6-295 and forward the form to the chief of security. The chief of security shall review personnel records, to include performance appraisals, incident reports, use of force reports, and any other documentation relevant to the officer's assignment and job performance; and shall interview the officer and ~~officer's~~ ~~officers'~~ supervisors for the period of review when necessary. The chief of security shall, upon completion of his or her review, complete section III of Form DC6-295 and forward the recommendation to the warden. The warden shall review the recommendation, request additional information if necessary, and make the final determination as to whether the officer continues in the current assignment or is rotated to another assignment. The warden's decision will be documented in section VI of ~~the~~ Form DC6-295 and returned to the chief of security for action. The chief of security shall maintain the completed Form DC6-295. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) The ~~inspector general~~ ~~Inspector General~~ shall notify the warden and regional director of institutions of any officer involved in eight or more use of force incidents in an 18 month period. The regional director of institutions shall review the circumstances for possible reassignment.

(11) Forms. The following forms referenced in this rule are hereby incorporated by reference. A copy of any of these forms may be obtained from the Forms Control Administrator,

~~Office of Research, Planning and Support Services,~~ Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC4-650, Observation Checklist, effective ~~date~~ ~~4-8-08.~~

(b) Form DC6-203, Protection Waiver/Appeal Decision, effective ~~date~~ 1-19-03.

(c) Form DC6-137, Notification of Protective Management Disapproval, effective 1-19-03.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 945.04 FS. History—New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, Formerly 33-3.0081, Amended 2-12-01, 2-5-02, 1-19-03, 4-1-04, 3-5-06, 10-31-06, 4-8-08, 6-25-08, 6-8-09, 7-5-10, \_\_\_\_\_.

33-602.221 Protective Management.

(1) Definitions.

(a) Administrative ~~confinement~~ – ~~Confinement refers to~~ the temporary removal of an inmate from the general population in order to provide for security and safety until such time as a more permanent inmate management decision can be concluded ~~such as disciplinary confinement, close management, protective management or transfer.~~

(b) Bureau of Braille and Talking Book Library – ~~refers to~~ the agency that provides books on tape, Braille books, and other auxiliary aids for individuals who, due to a disability, are unable to read books in print.

(c) Central Office ADA Coordinator – ~~refers to~~ the employee responsible for implementing the provisions of Title I and Title II of the Americans with Disabilities Act and Section 504 of the 1973 Rehabilitation Act within the Department.

(d) Classification – ~~refers to~~ the system of processes that ~~which~~ divides inmates into groups for a variety of purposes including facility placement, custody assessment, work and program assessment and placement, housing assessment and placement, periodic reviews, and community, transition, and special needs assessments.

(e) Classification – External – ~~external,~~ refers to processes related to decisions regarding the custody and facility-placement of an inmate outside the secure perimeter of a facility.

(f) Classification – Internal – ~~internal,~~ refers to processes related to decisions regarding housing, work, and program-placement of an inmate within the secure perimeter of a facility.

(g) Housing Supervisor – ~~refers to~~ the correctional officer sergeant ~~Correctional Officer Sergeant~~ or above in charge of the protective management unit for a particular shift.

(h) Clinical Health Care Personnel – where used herein, refers to a physician, clinical associate, nurse ~~Physician, Clinical Associate, Nurse,~~ correctional medical technician

~~certified Correctional Medical Technician Certified (CMTC), mental health clinician Psychologist, psychology intern, psychology resident, or mental health specialist Psychologist Specialist.~~

(i) Institutional Classification Team (ICT) – ~~where used herein,~~ refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(j) Protective Management = ~~where used herein refers to a special management status for the protection of inmates from other inmates~~ in an environment as representative of that of the general population as is safely possible.

(k) Senior Correctional Officer = ~~refers to a staff member with the rank of correctional officer lieutenant Correctional Officer Lieutenant~~ or above.

(l) Special Management = ~~refers to the separation of an inmate from the general population in a structured environment for purposes of safety, security, and order of the facility.~~

(m) Special Risk Inmate = ~~refers to any inmate who has demonstrated behavior that is or could be harmful to himself.~~

(n) State Classification Office (SCO) = ~~refers to a staff member at the central office Central Office level who is responsible for the review of inmate classification decisions. Duties include the approving, modifying, or rejecting ICT of Institutional Classification Team recommendations.~~

(o) Review = where used herein, refers to the evaluation of pertinent information or documentation concerning an inmate's protection status to determine if changes or modifications are required or recommended.

(p) Visit = where used herein, refers to the official inspection and tour of a protective management unit by a staff member.

(2) Procedures for Placement ~~placement~~ in Protective Management.

(a) Protective management is not disciplinary in nature, and inmates in protective management are not being punished and are not in confinement. The treatment of inmates in protective management shall be as near that of the general population as the individual inmate's safety and security concerns permit.

(b) Inmates on death row, in close management, or in disciplinary confinement are not eligible for placement in protective management. However, if an inmate in one of these statuses requests protection, procedures outlined in Rule 33-602.220, F.A.C., shall be completed.

(c) If it is determined that an inmate on death row, in close management, or in disciplinary confinement needs protection, the inmate will be afforded such protection in his or her current

status. Upon completion of that special status, the ~~ICT institutional classification team (ICT)~~ shall review the inmate's need for protection and make recommendations to the ~~SCO state classification office (SCO)~~, who shall determine the appropriate action to resolve the inmate's protection needs.

(d) When the SCO determines that protective management is appropriate for an inmate, the inmate shall be interviewed by the housing supervisor and a review shall be initiated to assess the inmate's potential risk to or from other inmates in the unit. The completion of this review will be documented on Form DC6-235, Record of Protective Management. Form DC6-235 is incorporated by reference in subsection (10) of this rule. If the inmate can not be placed for this reason, the housing supervisor shall place or maintain the inmate in administrative confinement until the issue can be expeditiously resolved. The case shall be immediately forwarded to the ICT for review. The ICT shall review the case and interview the inmate and forward recommendations to the SCO. The SCO shall review the case and may interview the inmate and make a final decision to resolve protection issues.

(3) Protective Management Facilities.

(a) The number of inmates housed in a protective management cell housing units shall not exceed the number of beds in the cell. Exceptions may be made during an emergency situation as approved by the warden or duty warden, but such exceptions shall not continue for more than 24 hours without the specific written authorization of the regional director of institutions. Prior to placing inmates in the same cell, a determination shall be made by the housing supervisor that none of the inmates constitutes ~~constitute~~ a threat to any of the others. The housing supervisor shall ~~and~~ document such determination on Form DC6-235, Record of Protective Management.

(b) No change.

(c) Prior to placement of an individual in a protective management cell, the cell shall be thoroughly inspected to ensure that ~~it the cell~~ is in proper order. The officer conducting the inspection will complete and sign Form DC6-221, ~~the Cell Inspection, Form DC6-221~~, attesting to the conditions of the cell. The inmate housed in that cell shall then be held responsible for the condition of the cell. Form DC6-221 is incorporated by reference in Rule 33-601.800, F.A.C.

(d) The protective management housing units shall be physically separate from other housing units; whenever possible given the physical design of the facility, and the number of inmates housed in protective management shall not exceed the number of bunks in the protective housing unit. Whenever such location is not possible, physical barriers shall preclude the cross association of those in protective management with those in other statuses. Protective management housing units shall be built to permit verbal communication and unobstructed observation by the staff.

## (4) Conditions and Privileges.

(a) Clothing – ~~The inmates may wear shower slides or personal canvas shoes while in their housing units, but regulation shoes shall be required for work assignments. Otherwise the clothing for inmates in protective management shall be the same as that issued and exchanged to the general inmate population except when there is an indication of a security or health problem or when additional clothing is required for a work assignment. In such cases the exceptions shall be documented on Form DC6-235, Record of Protective Management, and approved by the chief of security. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or others, to prevent the destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security. If an inmate's clothing is removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be noted on Form DC6-235; Record of Protective Management, stating the reasons for such denial. Under no circumstances will an inmate be left without a means to cover him or herself.~~

(b) No change.

(c) Personal Property – inmates shall be allowed to retain the same personal property as is permitted general population inmates unless there is an indication of a security problem, in which case removal or denial of any item shall be documented on Form DC6-235, Record of Protective Management, ~~and~~ Form DC6-220, Inmate Impounded Personal Property List, will be completed by security staff and signed by the inmate designating what personal items were removed. The original will then be placed ~~in~~ in the inmate's property file, and a copy of the form will be given to the inmate for his or her records. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C. All property retained by inmates must fit into the storage area provided, which shall be the same size as provided for general population inmates.

(d) Comfort Items – inmates in protective management shall be permitted the same comfort items, personal hygiene items, and other medically needed or prescribed items as is permitted general population inmates unless there is an indication of a security problem. In the event that comfort items are taken from inmates in protective management, the senior correctional officer on duty shall be notified and must approve or disapprove the action taken. Action taken shall be documented on the Record of Protective Management, Form DC6-235, which must be reviewed by the chief of security. Property receipts shall be given for any personal property removed. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, toilet tissue, and feminine hygiene products for women.

(e) Personal Hygiene – inmates in protective management shall meet the same standards in regard to personal hygiene as required of the general inmate population.

1. As a minimum each inmate in protective management shall shower at least three times per week or every day that ~~the~~ an inmate works.

2. No change.

(f) through (j) No change.

(k) Legal Access – inmates in protective management shall have access to the law library during evening or other hours when general population inmates are not present. If security reasons prevent a visit, access shall be provided through correspondence or visits from a certified law clerk ~~the inmate research aide~~. All steps shall be taken to ensure the inmate is not denied needed legal access while in protective management. Inmates shall be provided paper and writing utensils in order to prepare legal papers. Typewriters or typing services are not considered required items and will not be permitted in protective management housing units. However, an inmate with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer reader). An inmate who is provided an auxiliary aid will be allowed access to a certified law clerk ~~research aide~~ for the purpose of preparing legal documents, legal mail, or filing a grievance.

(l) No change.

(m) Writing utensils – inmates in protective management shall be allowed to possess pens and pencils of the same type and number as those in general population. If it is determined that there is a safety, security, or sanitation risk, these items shall be confiscated and stored until the inmate is released from protective management status. The inmate shall be issued a security pen; if a security pen is unavailable the inmate shall be allowed to sign out a regular pen from the housing officer. All care shall be taken to ensure that an indigent inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the Department ~~department~~ has access to a pen for a time period sufficient to prepare the legal mail documents or grievances. An inmate who has been provided a “writer/reader” shall be allowed access to such for the purpose of preparing correspondence.

(n) Reading materials – reading materials, including scriptural and devotional materials and books that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C., for inmates in the general population are allowed for those inmates in protective management units. If it is determined that there is a safety, security, or sanitation risk, the items will be removed. Such removal of reading materials will be documented on Form DC6-235 in accordance with paragraph (4)(c) of this rule. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her ~~their~~ tape players and devotional and



scriptural materials and any other books on tape that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C.

(o) No change.

(p) Exercise – an exercise schedule shall be implemented to ensure a minimum opportunity of three hours per week of exercise out of doors. The ICT is authorized to restrict exercise for an individual inmate when the inmate is found guilty of a major rule violation as defined in Rule 33-602.220, F.A.C. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. If the inmate requests a physical fitness program handout, the wellness specialist or the housing officer shall provide the inmate with an in-cell exercise guide and document such on the Record of Protective Management, Form DC6-235. Medical restrictions may also place limitations on exercise periods. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him or her that will accomplish the need for exercise and take into account the particular inmate's limitations. Similar recreational equipment shall be available as is available for general population inmates for the exercise period provided that such equipment does not compromise the safety or security of the institution. The reasons for any exercise restrictions shall be documented on ~~the Report of Protective Management~~, Form DC6-235.

(q) Religious activities – a weekly non-denominational service shall be held for protective management inmates in the chapel. This service shall be held at the protective management housing unit if security reasons prevent chapel service. The chaplain shall arrange for religious consultations between inmates and outside volunteers, counsel with clergy, and the opportunity to receive religious sacraments similar to that afforded to the general population when requested.

(r) Self-improvement programs – self-improvement programs shall be available in the protective management ~~their~~ housing unit, or in separate locations within the institution that conform with the need for security. Self-improvement programs include academic education, vocational training, correspondence courses or self-directed study activities, religious activities, quiet activities, and ~~or~~ letter writing.

(s) Any other activities that ~~which~~ take place outside the inmate's cell. Inmates may refuse opportunities for out-of-cell activities; however, such refusals shall constitute a portion of the required minimum hours of out-of-cell time. Refusals shall be documented on Form DC6-235, Record of Protective Management.

(t) Other privileges shall be restricted on a daily case-by-case basis when such restrictions are necessary for the security, order or effective management of the institution. All such restrictions shall be documented on Form DC6-235, Record of Protective Management, and reported to the ICT.

The ICT is authorized to restrict privileges on a continuing basis after a determination that such restrictions are necessary for the security, order, or effective management of the institution. The ICT's decision for continuing restriction shall be documented on Form DC6-235, ~~Record of Protective Management~~.

(5) Work Assignments.

(a) Within 10 days of the protective management determination, work opportunities consistent with medical grades shall be available to inmates in protective management during the day, evening, or night hours. All inmates shall be provided the opportunity for work assignments regardless of medical grade except when precluded by doctor's orders for medical reasons. Work shall be cancelled for an individual inmate or a work squad when staff concludes the work or work assignment would subject the inmate to danger or if adequate staff protection is not available. Each occurrence of work cancellation will be documented with reasons for the action on Form DC6-210, Incident Report, and shall be reviewed by the warden or ICT the next working day. Refusal of a work assignment shall result in disciplinary action pursuant to Rules 33-601.301-.314, F.A.C. Inmates who refuse work assignments will not be allowed other housing unit activities. Those who accept work assignments shall be subject to awards of gain time pursuant to Rule 33-601.101, F.A.C., in the same manner as general population inmates.

(b) Inmates in protective management who are medically able to work and who do work shall be afforded an opportunity for at least an additional 20 hours of out-of-cell time per week for activities. Each protective management unit shall have a day room or common area equipped with similar equipment, recreational and otherwise, as those for general population inmates provided that such equipment does not compromise the safety or security of the institution.

(6) No change.

(7) Contact by Staff.

(a) The following staff members shall be required to officially inspect and tour the protective management unit. All visits by staff shall be documented on Form DC6-228, Inspection of Special Housing Record. Form DC6-228 is incorporated by reference in Rule 33-601.800, F.A.C. The staff member shall also document his or her visit on the Record of Protective Management, Form DC6-235, if, during the visit by staff, any discussion of significance or action or behavior of the inmate occurs or any information is obtained that ~~which~~ may have an effect on the status of protective management. These visits shall be conducted at a minimum of:

1. Every ~~At least every~~ 30 minutes by a correctional officer, but on an irregular schedule.

2. through 4. No change.

5. Weekly by the chief ~~Chief of security~~ Security (when on duty at the facility) except in case of riot or other institutional emergency.

6. through 8. No change.

9. At least once a month by a member of the ICT Institutional Classification Team to ensure that the inmate's welfare is properly provided for; and to determine the time and method of release or any program changes.

(b) Any inmate who has demonstrated behavior that is or could be harmful to him or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where a

correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229, Daily Record of Special Housing, and followed with an Incident Report, Form DC6-210. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C., and Form DC4-650 is incorporated by reference in Rule 33-602.220, F.A.C.

(8) Review of Protective Management.

(a) The ICT Institutional Classification Team shall review inmates in protective management every week for the first 60 days. The goal shall be toward returning the inmate to general population as soon as the facts of the case indicate that this can be done safely.

(b) Any inmate assigned to protective management for more than 30 days shall be given a psychological screening assessment by a mental health professional to determine his or her mental condition. The assessment shall include a personal interview if deemed necessary by the mental health professional. All such assessments shall be documented in the mental health record. The mental health clinician psychologist or mental health psychological specialist shall prepare a report to the ICT regarding the results of the assessment with recommendations. The ICT shall then make a decision regarding continuation of the protection needs. Any recommendations by the mental health clinician psychologist or mental health psychological specialist that the inmate be released from protective management shall be forwarded by the ICT to the SCO. If the decision is to continue protective management, a psychological screening assessment shall be conducted at least every 90-day period.

(c) In addition to the ICT's review as outlined in paragraph (8)(a) above, the ICT shall interview each inmate in protective management at least every 30 days and shall prepare a formal assessment and evaluation report. Such reports may be in a brief paragraph form detailing the basis for protection, what has transpired since the last report, the decision concerning continued protection, and the basis for that decision.

(d) The SCO State Classification Office (SCO) shall review all reports prepared by the ICT concerning an inmate's ~~inmate's~~ protective management and may interview the inmate before determining the final disposition of the inmate's protective management status. However, the SCO State Classification Office shall conduct an on-site interview with each inmate at least once every six months or as often as necessary to determine if continuation, modification, or removal from protective management status is appropriate.

(e) If the inmate submits a request for release in writing at any time after being placed in protective management, the housing supervisor shall provide the inmate with a Form DC6-203, Protection Waiver/Appeal Decision. Form DC6-203 is incorporated by reference in Rule 33-602.220, F.A.C. The inmate shall complete Form DC6-203 and return it to the housing supervisor for submission to the ICT along with the inmate's written request. The ICT shall docket and review the inmate's request, and interview the inmate. The ICT shall submit their recommendation along with the Form DC6-203 and any other documentation to the SCO for final consideration. The SCO review and decision shall be conducted during the next routine on-site visit.

(9) Protective Management Records.

(a) A printed copy of the electronic Report of Protective Management, shall be kept for each inmate placed in protective management.

(b) Form DC6-228, An Inspection of Special Housing Record, ~~Form DC6-228~~ shall be maintained in each protective management unit. Each staff person shall sign the record when entering and leaving the protective management unit. Prior to leaving the protective management unit, each staff member will indicate any specific problems including any inmate who requires medical attention. No other unit activities shall be recorded on Form DC6-228.

(c) Form DC6-235, A Record of Protective Management, Form DC6-235 shall be maintained for each inmate as long as the inmate is in protective management. Once the inmate is released from protective management, Form DC6-235 will be forwarded to classification to be filed in the institutional inmate record. This form shall be used to record any action, remarks, or disposition made on a specific inmate. Notations shall be made on Form DC6-235 by medical staff, the ICT, the SCO, or other staff dealing directly with the inmate. If items are denied or removed from the inmate, the senior correctional officer on duty must approve the action. The central office ADA coordinator will be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate of equal opportunity as a non-disabled inmate. The items denied or removed will be documented on the Form DC6-235, and the chief of security will make the final decision in regard to the appropriateness of that action no later than the next working day following this action. The housing supervisor will document any unusual

occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action will also be documented.

(d) Form DC6-209, A Housing Unit Log, ~~Form DC6-209~~, shall be maintained in each protective management unit. Officers shall record all daily unit activities on Form DC6-209, to include any special problems or discrepancies noted. The completed Form DC6-209 shall be forwarded daily to the chief of security for review. ~~Form DC6-209 is incorporated by reference in Rule 33-601.800, F.A.C.~~

(10) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.34, 945.04 FS. History—New 6-23-83, Amended 3-12-84, Formerly 33-3.082, Amended 6-4-90, 7-10-90, 12-4-90, 4-26-98, Formerly 33-3.0082, Amended 2-12-01, 1-19-03, 4-1-04, 6-8-09, 7-5-10, \_\_\_\_\_.

33-602.222 Disciplinary Confinement.

(1) Definitions.

(a) Bureau of Braille and Talking Book Library – ~~refers to~~ the agency that provides books on tape, Braille books, and other auxiliary aids for individuals who, due to a disability, are unable to read books in print.

(b) Central Office ADA Coordinator – ~~refers to~~ the employee responsible for implementing the provisions of Title I and Title II of the Americans with Disabilities Act and Section 504 of the 1973 Rehabilitation Act within the Department.

(c) Clinical Health Care Personnel – where used herein, refers to a physician, clinical associate, nurse correctional medical technician certified (CMTC), mental health clinician ~~psychologist~~, psychology intern, psychology resident, or mental health psychological specialist.

(d) Review – where used herein, refers to the evaluation of pertinent information or documentation concerning an inmate's disciplinary confinement status to determine if changes or modifications in the confinement status are required or recommended.

(e) Visit – where used herein, refers to the official inspection and tour of a confinement unit by a staff member.

(f) Disciplinary Confinement – ~~refers to~~ a form of punishment in which inmates found guilty of committing violations of the Department ~~department~~ rules are confined for specified periods of time to individual cells based upon authorized penalties for prohibited conduct.

(g) Disciplinary Hearing – ~~refers to~~ an administrative proceeding in which it is determined if sufficient evidence exists to find an inmate guilty of a rule violation.

(h) Disciplinary Team – ~~refers to~~ a team made up of at least two staff persons appointed by the warden, one of whom shall be a correctional officer lieutenant or above.

(i) Institutional Classification Team (ICT) – where used herein, refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the State Classification Office ~~state classification office~~.

(j) Security Pen – ~~Pens~~ refers to a specially designed flexible ink pen that bends under pressure and has a tip that retracts under excessive pressure.

(k) Shift Supervisor – ~~refers~~ to the correctional officer in charge of security on any work shift.

(l) State Classification Office (SCO) – ~~refers to~~ a staff member at the central office level responsible for the review of inmate classification decisions including approving, modifying, or rejecting ICT recommendations.

(m) No change.

(2) Placement in Confinement.

(a) No change.

(b) Disciplinary confinement cells shall be physically separate from other confinement statuses whenever possible. Whenever such location is not possible, physical barriers shall preclude the cross association of those in disciplinary confinement with those in other housing statuses. The disciplinary confinement cells shall be approximately the same square footage as utilized for general population. Disciplinary confinement units shall be built to permit verbal communication and unobstructed observation by staff. Visual inspections shall be conducted of each cell, to include at a minimum; observations for clothes lines, pictures attached to the walls and lockers, windows or light fixtures covered with paper, clothes or towels, and air and heater vents that have been obstructed. When sufficient natural light is unavailable, interior cell lights shall be left on during day and evening hours.

(3) Disciplinary Confinement Cells.

(a) Inmates shall not be housed in disciplinary confinement cells in greater number than there are beds in the cells. The only exception to this policy is during an emergency situation as declared by the warden or duty warden. Any emergency situation shall be communicated to the regional director of institutions and to the Emergency Action Center in the central office. If this exception exists in excess of 24 hours, the warden or duty warden must get specific written authorization from the regional director of institutions to continue to house inmates beyond the 24-hour period in such conditions. Prior to placing inmates in the same cell, the inmates shall be interviewed by the housing supervisor to ensure that none of the inmates constitutes ~~constitute~~ a threat to any of the others.

(b) All disciplinary confinement cells shall be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off by correctional staff due to an inmate's inappropriate behavior that causes an interruption in the water system or the intentional misuse of water for an unauthorized purpose. In such event, the inmate occupant will be furnished an adequate supply of drinking water by other means to prevent dehydration. These actions shall be documented on Form DC6-229, Daily Record of Special Housing. Form DC6-229 ~~is~~ ~~has been~~ incorporated by reference in Rule 33-601.800, F.A.C.

(c) Prior to the inmate's placement into, and after the inmate's removal from, a disciplinary confinement cell, the cell shall be thoroughly inspected to ensure that it is in proper order, and the inmate housed in that cell will then be held responsible for the condition of the cell. The correctional officer conducting the inspection shall complete and sign Form DC6-221, Cell Inspection, attesting to the condition of the cell. Form DC6-221 is incorporated by reference in Rule 33-601.800, F.A.C. Routine searches of each cell are authorized at any time, but shall be conducted, at a minimum, each time an inmate is removed from the cell for a shower. All searches shall be documented on Form DC6-229, Daily Record of Special Housing. All inmates shall be searched prior to entering the confinement unit and upon departure. All items entering the confinement unit shall be thoroughly searched, to include at a minimum, food carts and trays, laundry and linens, and inmate property.

(d) The officers assigned shall exercise care to maintain noise ~~levels~~ in confinement units at a reasonable level so as not to interfere with normal operating activities.

(4) Conditions and Privileges.

(a) through (b) No change.

(c) Personal Property. Inmates in confinement shall be allowed to retain stamps, eyeglasses, hearing aids, personal watches, and rings unless there is an indication of a security problem. Inmates in disciplinary confinement may also possess religious items pursuant to the provisions of Rule 33-602.201, F.A.C. If removal of any item in the inmate's possession is determined necessary, ~~the~~ correctional staff shall document their actions on ~~the~~ Form DC6-229, Daily Record of Special Housing, which shall be approved by the chief of security. The correctional staff shall issue the inmate a receipt for her or his confiscated items by completing the Inmate Impounded Personal Property List, Form DC6-220. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C. Inmates in disciplinary confinement shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol.

(d) through (i) No change.

(j) Legal visits. Attorney-client visits shall be allowed as provided in Rule 33-601.711, F.A.C., ~~Legal Visitors~~, and shall not be restricted except on evidence that the visit would be a threat to security and order. The warden or his or her designee must approve all visits in advance.

(k) Legal Access.

1. No change.

2. Indigent inmates shall be provided paper, envelopes, and security pens in order to prepare legal papers or notify visitors of confinement status. An inmate with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer/reader). An inmate who is provided an auxiliary aid shall also be allowed access to a certified law clerk for the purpose of preparing legal documents, legal mail, or filing a grievance.

(l) No change.

(m) Correspondence.

1. Inmates in disciplinary confinement shall be allowed routine correspondence privileges unless restricted as provided in Rule 33-601.308, F.A.C., ~~Disciplinary Action~~. Inmates shall be encouraged to write their families to advise them of their anticipated visiting status. Indigent inmates shall be provided paper and envelopes for this purpose.

2. Grievance forms, Form DC6-236, Inmate Request, and Form DC1-303, Request for Administrative Remedy, shall be made available to the inmate at any time, regardless of his or her confinement status, and shall be transmitted to the addressee without delay. Forms DC6-236 and DC1-303 are incorporated in Rule 33-103.011, F.A.C.

(n) No change.

(o) Reading Material. Scriptural and devotional reading materials that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C., shall be permitted for those inmates in disciplinary confinement units unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is a safety, security, or sanitation risk, the items will be removed. Such removal of reading materials shall be documented on Form DC6-229 in accordance with paragraph (9)(b) of this rule. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her ~~their~~ tape players and devotional and scriptural materials that are in compliance with this rule.

(p) Exercise.

1. No change.

2. If the inmate requests a copy of the physical fitness program, the wellness specialist or confinement unit correctional officer shall provide the inmate with an in-cell exercise guide and document this action on ~~the~~ Form DC6-229, Daily Record of Special Housing.

3. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation as defined in Rule 33-602.220, F.A.C. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be no more than 15 days per incident and for no longer than 30 days cumulative length and shall be documented on Form DC6-229, ~~Daily Record of Segregation~~. Exceptions to this restriction may be made only when documented facts show that such exercise periods should not be granted. Restrictions may also be placed on the exercise periods by professional medical staff. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him or her that will accomplish the need for exercise and take into account the particular inmate's limitations. The reasons for any exercise restrictions shall be documented on ~~the Daily Record of Segregation~~, Form DC6-229.

(q) Weighing. Inmates shall be weighed upon entering disciplinary confinement, at least once a week while in disciplinary confinement, and upon leaving disciplinary confinement. The weight of the inmate shall be documented on Form DC6-229, Daily Record of Special Housing Segregation.

(r) If items of clothing, bedding, or property are removed in order to prevent the inmate from inflicting injury to him or herself or others, to prevent destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

(5) No change.

(6) Restraint and Escort Requirements.

(a) Prior to opening a cell door for any reason, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visits, all inmates in the cell shall be handcuffed behind their backs, unless documented medical conditions require that an inmate be handcuffed in front. In such cases, waist chains will be used in addition to the handcuffs, and the escort officers shall be particularly vigilant.

(b) through (e) No change.

(7) Visits to Disciplinary Confinement.

(a) The following staff members shall be required to officially inspect and tour the disciplinary confinement unit. All visits by staff, other than the 30 minute checks described in subparagraph 1. below, shall be documented on the Inspection of Special Housing Record, Form DC6-228. Form DC6-228 is incorporated in Rule 33-601.800, F.A.C. The staff member shall also document his or her visit on the Daily Record of Special Housing, Form DC6-229, if any discussion of

significance or action or behavior of the inmate; or any other important information is obtained which may have an influence or effect on the status of confinement. These visits shall be conducted a minimum of:

1. through 10. No change.

(b) Any inmate who has demonstrated behavior that is or could be harmful to him or herself shall be designated as a special risk inmate. If the inmate exhibits bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted by correctional staff to determine if special watch or suicide watch procedures should be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or medical staff can provide observation. Visual checks shall be made in accordance with medical protocols or the Inmate Suicide Precautions procedure at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. Form DC4-650 is incorporated by reference in Rule 33-602.220, F.A.C. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229 and followed with an Incident Report ~~incident report~~, Form DC6-210. ~~Form DC6-210 is incorporated by reference in Rule 33-602.210, F.A.C.~~

(8) Review and Release from Disciplinary Confinement.

(a) through (b) No change.

(b) Any inmate assigned to disciplinary confinement for more than 30 days shall be given a psychological screening assessment by a mental health professional to determine the inmate's mental condition. The assessment shall include a personal interview if deemed necessary by the mental health professional. The mental health clinician ~~psychologist~~ or mental health ~~psychological~~ specialist shall prepare a report to the ICT regarding the results of the assessment with recommendations. The ICT shall then make a decision regarding continuation of confinement. If the decision is to continue confinement, a psychological screening assessment shall be completed at least every 90-day period.

(c) No change.

(d) The SCO shall review the report prepared by the ICT and the mental health clinician ~~psychologist~~ or mental health ~~psychological~~ specialist concerning the inmate's disciplinary confinement at the next on-site visit; and shall interview the inmate before determining the final disposition of the inmate's disciplinary confinement.

(e) No change.

(9) Daily Record of Special Housing Segregation.

(a) ~~Form DC6-229, A~~ Daily Record of Special Housing, ~~Form DC6-229~~, shall be maintained for each inmate as long as the inmate is in disciplinary confinement.

(b) ~~The~~ Form DC6-229 shall be utilized to document any activity such as cell searches, items removed, showers, weighing of inmates, recreation, haircuts and shaves, and also

unusual occurrences such as refusal to come out of a cell or refusal to eat. If items that inmates in disciplinary confinement are not prohibited from possessing are denied or removed from the inmate, the shift supervisor or the confinement lieutenant must approve the action initially. The central office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate an equal opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229, and the chief of security shall make the final decision in regard to the appropriateness of that action no later than the next working day following the action. The housing supervisor shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. Form DC6-229 shall be maintained in the housing unit for 30 days. After each 30-day review by a member of the ICT, Form DC6-229 shall be forwarded to classification to be filed in the institutional inmate record.

(10) ~~Form DC6-229B, A Daily Record of Special Housing – Supplemental, Form DC6-229B,~~ shall be completed and attached to the current ~~Daily Record of Special Housing, Form DC6-229,~~ whenever additional written documentation is required concerning an event or incident related to the specific inmate. Form DC6-229B is incorporated by reference in Rule 33-601.800, F.A.C.

(11) No change.

(12) ~~Form DC6-209, A Housing Unit Log, Form DC6-209,~~ shall be maintained in each confinement unit. Officers shall record all daily unit activities on Form DC6-209, to include any special problems or discrepancies noted. The completed Form DC6-209 shall be forwarded daily to the chief of security for review.

(13) Staffing issues.

(a) Officers assigned to a disciplinary confinement unit shall be reviewed at least every 18 months. The shift supervisor or confinement lieutenant shall initiate the review by having the officer complete section I of the Special Housing Unit Rotation Review, Form DC6-295. Form DC6-295 is incorporated by reference in subsection (14) of this rule. The supervisor shall conduct an interview with the officer, ~~and~~ complete section II of Form DC6-295, and forward the form to the chief of security. The chief of security shall review personnel records, to include performance appraisals, incident reports, use of force reports, and any other documentation relevant to the officer's assignment and job performance; and shall interview the officer and the officer's supervisors for the period of review when necessary. The chief of security shall, upon completion of his or her review, complete section III of Form DC6-295 and forward the recommendation to the warden. The warden shall review the recommendation, request additional information if necessary, and make the final determination as to whether the officer continues in the current

assignment or is rotated to another assignment. The warden's decision shall be documented in section IV of Form DC6-295 and returned to the chief of security for action. The chief of security shall maintain the completed Form DC6-295. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) The inspector general ~~Inspector General~~ shall notify the warden and regional director of institutions of any officer involved in eight or more use of force incidents in an 18-month period. The regional director of institutions shall review the circumstances for possible reassignment.

(14) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 3-12-84, Formerly 33-3.084, Amended 7-10-90, 4-28-96, 12-7-97, 3-23-99, Formerly 33-3.0084, Amended 2-12-01, 2-15-02, 4-1-04, 1-16-06, 10-31-06, 6-25-08, 6-8-09, 7-5-10,\_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NO.: 60BB-9.501  
 RULE TITLE: Child Care Executive Partnership Program Funding

PURPOSE AND EFFECT: The purpose of the proposed rule development is to implement the authority of the Agency for Workforce Innovation to adopt rules related to the establishment of the Child Care Executive Partnership (CCEP) Program.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed by the proposed rule is the process by which funding is distributed to early learning coalitions participating in the CCEP Program.

RULEMAKING AUTHORITY: 411.0102 FS.

LAW IMPLEMENTED: 411.0102 FS.

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

DATE AND TIME: Monday, September 20, 2010, 3:00 p.m. – 5:00 p.m. or until business is concluded

PLACE: The Caldwell Building, 107 East Madison Street, Tallahassee, Florida 32399-4128 and via conference call at (888)808-6959, conference code 9213167

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: Audrey Gaten at (850)245-7160. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kristin

R. Harden, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399-4128, (850)245-7150

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available online at: XREFhttp://www.floridajobs.org/earlylearning/oel\_state\_fed.html#proposedrules

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NO.: 61B-23.00215  
 RULE TITLE: Ombudsman; Election Monitoring; Monitor’s Role; Scope and Extent

PURPOSE AND EFFECT: The rule amendment accomplishes the following purposes: clarifies that owners of multiple units must sign the petition for each unit; provides that the designated unit owner representative sign the petition; requires the association to provide a current list identifying the qualified voter for each condominium unit; requires the provision of a copy of the First Notice of Election; increases the petition filing time from 14 to 21 days in advance of an election; and requires associations to cooperate with the ombudsman and election monitor. The petition form is changed to correct mailing address and contact information; requires contact information for the property manager; requires petitioner to indicate whether the current list of qualified voters and First Notice of Election are attached to the petition; and deletes the option to provide a statement regarding the basis for the petition and other unnecessary information.

SUBJECT AREA TO BE ADDRESSED: This rule amendment addresses the procedures and form for requesting appointment of an election monitor.

RULEMAKING AUTHORITY: 718.5012(10) FS.  
 LAW IMPLEMENTED: 718.1255, 718.5012(10), 718.5014 FS.

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

DATE AND TIME: September 17, 2010, 9:00 a.m.  
 PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe Street, Tallahassee, Florida

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: Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The preliminary text of the proposed rule development is also available on line at http://www.myflorida.com/dbpr/lsc/LSCMHRulePromulgation.html

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**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NO.: 61B-39.003  
 RULE TITLE: Filing of Single-Site Timeshare Plans

PURPOSE AND EFFECT: Chapter 2010-134, Laws of Florida, requires lien disclosure information in all new timeshare public offering statements filed with the division which are not multisite timeshare plans. This rule amendment provides the location where the disclosure must appear in the public offering statement.

SUBJECT AREA TO BE ADDRESSED: This rule amendment addresses the filing of single-site timeshares plans with the division.

RULEMAKING AUTHORITY: 721.07(5), 721.26(6) FS.  
 LAW IMPLEMENTED: 721.05, 721.06(1), 721.07(5), (6), 721.52(4), (5) FS.

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

DATE AND TIME: September 17, 2010, 2:00 p.m.  
 PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 North Monroe Street, Tallahassee, Florida

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: Sharon A. Malloy, Senior Management Analyst II, at (850)488-1631. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030. The

preliminary text of the proposed rule development is also available on line at <http://www.myflorida.com/dbpr/lsc/LSCMHRulePromulgation.html>

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF HEALTH**

**Board of Dentistry**

RULE NO.: 64B5-13.005  
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule development to modify the violations and penalties to the disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

RULEMAKING AUTHORITY: 456.079(1) FS.

LAW IMPLEMENTED: 456.072(2), 456.079(1), 466.028 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Certified Master Social Workers**

RULE NOS.:	RULE TITLES:
64B25-28.001	Collection and Payment of Fees
64B25-28.002	Application Fee
64B25-28.003	Examination Fee
64B25-28.004	Endorsement Fee
64B25-28.005	Re-examination Fee
64B25-28.006	Initial Certification Fee
64B25-28.007	Biennial Certification Renewal Fee
64B25-28.008	Reactivation Fee

64B25-28.009	Biennial Inactive Status Renewal Fee
64B25-28.010	Application Fee for Inactive Status
64B25-28.011	Continuing Education Provider Application Fee
64B25-28.012	Application Forms and Requirements
64B25-28.013	Experience Required
64B25-28.014	Renewal of Active Certification
64B25-28.015	Examination for Certification

PURPOSE AND EFFECT: The department determined that it is time to review and update the rules relating to certified master social workers.

SUBJECT AREA TO BE ADDRESSED: Certified Master Social Workers.

RULEMAKING AUTHORITY: 456.017, 491.007, 491.0085, 491.0145, 491.015 FS.

LAW IMPLEMENTED: 455.217, 456.017, 491.007, 491.008, 491.0085, 491.009, 491.0145 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3250

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.:	RULE TITLE:
65A-1.712	SSI-Related Medicaid Resource Eligibility Criteria

PURPOSE AND EFFECT: The proposed rule provides language to the SSI-Related Medicaid Program resource eligibility criteria.

SUBJECT AREA TO BE ADDRESSED: The language in the proposed rule addresses transfer to annuities, home equity, penalty period and compensation for property.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919 FS.

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

DATE AND TIME: September 29, 2010, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pat Whitford, Economic Self-Sufficiency Services, Telephone (850)410-3479

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

## Section II Proposed Rules

### DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-1.020	General Purpose and Application
14-1.021	Final Orders

PURPOSE AND EFFECT: Rule Chapter 14-1, F.A.C., is being amended to remove unnecessary language and repeal Rule 14-1.020, F.A.C.

SUMMARY: Rule Chapter 14-1, F.A.C., is being amended to update and reorganize the rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 344.044(2) FS.

LAW IMPLEMENTED: 120.53(1), (2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-1.020 General Purpose and Application.

Rulemaking Specific Authority 334.044(2) FS. Law Implemented 120.53(1)(b),(c), 120.533(2)-(4), 120.57 FS. History–New 6-26-75, Amended 9-1-75, Formerly 14-6.01, Amended 8-1-90, 4-6-93, 1-17-99, Formerly 14-6.001, Repealed \_\_\_\_\_.

14-1.021 Final Orders.

(1) To ensure public access, ~~t~~The Department of Transportation (Department) will maintain a uniform index of final orders: ~~p~~Pursuant to Sections 120.53 and 120.533, F.S.

~~Florida Statutes, and Rule 1B-30.007, F.A.C. this rule chapter establishes the minimum requirements for indexing final orders as defined in Section 120.52(7), Florida Statutes.~~

~~(2) Public Inspection and Duplication:~~

~~(a) The following shall be made available by the Department for public inspection and copying, at no more than cost:~~

~~1. All final orders.~~

~~2. A current subject matter index.~~

~~(b) The Clerk of Agency Proceedings assigned by the Department shall maintain and store such final orders and assist the public in obtaining copies of final orders and maintain a current subject matter index.~~

~~(c) The Department shall maintain and store such final orders, index with the Clerk of Agency Proceedings, Office of the General Counsel, 605 Suwannee Street, Room 550, Mail Station 58, Tallahassee, Florida 32399-0458. The office is open to the public between the hours of 8:00 a.m. and 5:00 p.m., excluding holidays and weekends.~~

~~(2)(d) Final orders required to be indexed pursuant to under Section 120.53(1)(a)2.c., F.S. Florida Statutes, which are entered on or after July 1, 1998, will also be maintained, stored, and indexed on an electronic database Pursuant to Section 120.53(2)(a), F.S. Florida Statutes, the Department hereby designates the Municipal Code Corporation as the its official reporter for creating the electronic database and indexing and preserving final orders therein. ~~The electronic database will allow users to research and retrieve the full texts of agency final orders by using commonly used search terms and descriptive information about the orders, including major subject headings. The indexing system for the electronic database shall have fixed fields to ensure common usage of such terms by anyone who uses the system.~~ The Department will maintain the electronic database and make it available for public use. The following website is available to view Final Orders issued by the Department: <http://www.mccinnovations.com/weblink/Browse.aspx> ~~http://www.mccimaging.com.~~~~

~~(3) Final Orders Required to be Indexed. The Department shall index all final orders.~~

~~(3)(4) Numbering of Final Orders.~~

~~(a) All final orders shall be sequentially numbered using a two-part number separated by a dash. The first part before the dash indicates the year and the second part indicates the numerical sequence of the order issued for that year, beginning with number "1" each new calendar year with zeros left of the case number for computer sorting purposes. For example, "00-001" is the first case for calendar year 2000. The assigned agency prefix, ~~which is~~ "FDOT," shall precede the two-part number.~~

~~(4)(5) System for Indexing Final Orders.~~

~~(a) The Department shall maintain an alphabetical subject matter index for final orders. The subject matter index will go from general to specific. The initial headings shall be by~~

subject broad enough to incorporate the subject titles from the Florida Statutes under which the order is rendered. The indentations below the subject headings or titles shall be more specific with the final indentation being the most specific. Related key words (specific words, terms, or phrases) and common and colloquial words shall be listed sequentially in an indentation immediately below the applicable text indentation.

(b) The Department shall designate the major subject headings to be used in the index. The index shall be cumulative for at least one year, updated at least every 120 days, and made accessible to the public.

~~(5)(6)~~ Maintenance of Records. Final orders pursuant to this rule chapter shall be maintained by the Department pursuant to the retention schedule approved by the Department of State, Division of Library and Information Services.

Rulemaking Specific Authority 120.53(1), 334.044(2) FS. Law Implemented 120.53(2) FS. History—New 4-6-93, Amended 2-20-96, 11-16-00, 5-8-03, Formerly 14-6.0011, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bruce R. Conroy, Chief, Administrative Law Division  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 25, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 9, 2010

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**EXECUTIVE OFFICE OF THE GOVERNOR  
Florida Energy and Climate Commission**

RULE NO.: 27N-3.001  
RULE TITLE: Florida ENERGY STAR Appliance Rebate Program

PURPOSE AND EFFECT: Section 377.808, F.S., authorized the Florida Energy and Climate Commission to administer a consumer rebate program for the replacement of older appliances with qualified specific residential ENERGY STAR appliances and products, consistent with 42 U.S.C. s. 15821 and any federal agency guidance or regulations issued in furtherance of federal law.

SUMMARY: This rule establishes the authority for the Florida Energy and Climate Commission to secure a third party to administer the Florida ENERGY STAR Residential HVAC

Rebate program and describes the program. It establishes which HVAC systems qualify for the rebate, the amount of the rebate, program duration, and application requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 377.807 FS.

LAW IMPLEMENTED: 377.807 FS.

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

DATE AND TIME: September 27, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Toni Jennings Room, 110 Senate Office Building, Tallahassee, FL

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: Brittany Cummins at (850)487-3800. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brenda Buchan

THE FULL TEXT OF THE PROPOSED RULE IS:

27N-3.001 Florida ENERGY STAR Appliance Rebate Program.

(1) GENERAL. The Florida Energy and Climate Commission is authorized to administer a consumer rebate program for the replacement of older appliances with qualified specific residential ENERGY STAR appliances and products, consistent with 42 U.S.C. s. 15821 and any federal agency guidance or regulations issued in furtherance of federal law.

(a) Only new appliances purchased for use at the consumer's residence, to replace older appliances, are eligible for this rebate. To qualify, the new appliance must be purchased in the state of Florida, from an establishment that collects and remits Florida sales tax. This program is not intended to be used by a multi-family building owner.

~~(b) For the purposes of receiving a rebate, consumers may purchase no more than one of each type of ENERGY STAR appliance per address. However, the total amount of rebate monies received shall not exceed \$1,500 per consumer, per address.~~

~~(e) Rebates shall be available only for the following new ENERGY STAR certified appliances and products: refrigerators, freezers, clothes washers, dishwashers, room air conditioners and gas tank-less water heaters. These are "qualified appliances" for the purpose of the rebate program.~~

~~(d) In order to be eligible to receive a rebate, a consumer must first purchase a qualified appliance or product during the designated period and submit proof of purchase of the qualified appliance to the program administrator postmarked no later than May 10, 2010.~~

~~(c) Consumers may obtain rebate redemption information and applications from several locations including retail locations, the Florida Energy and Climate Commission website, the program administrator's website, or program partners' websites.~~

~~(f) Rebates will be a flat 20 percent off the retail, pretax price of the appliance.~~

~~(b)(g) The issuance of a rebate through other rebate programs does not preclude a consumer from receiving a rebate through this rebate program.~~

~~(h) Recycling is encouraged. Therefore, an additional \$75 will be added to the rebate if the consumer provides the recycled appliance's serial number and evidence of having recycled the appliance being replaced. No appliance may be refurbished and put back into use.~~

~~1. Evidence of having recycled the appliance being replaced may consist of:~~

~~a. Statement on the retailer receipt indicating pick-up of the appliance being replaced; or~~

~~b. Receipt from the public or private landfill of delivery of the appliance being replaced. This receipt must include the name and address of the landfill, the date, the receiving person's signature and a brief description of the product.~~

~~2. The recycled appliance must be of the same type as the newly purchased qualified appliance for which the rebate is being applied.~~

~~3. The additional \$75 is only offered for the purchase of a new appliance.~~

~~4. All appliances accepted by landfills or retail establishments to recycle as part of this program must be sent to a metal recycler.~~

~~(2) PROGRAM DURATION. The rebates shall only be available for the purchase of qualified appliances during the designated period of the program associated with each appliance from 12:01 a.m., April 16, 2010, through 11:59 p.m., April 25, 2010. This time period coincides with Florida's Earth Day.~~

~~(3) PROGRAM ADMINISTRATOR. The Florida Energy and Climate Commission may select a third party vendor to administer the rebates. If the Florida Energy and Climate Commission decides to select a third party to act as the program administrator, the Commission will issue a request for proposal and select the vendor who can process the rebates in~~

the most efficient, accurate and cost-effective manner. Under no circumstance is the program administrator permitted to sell, give away or utilize for purposes other than this rebate program the names, addresses or phone numbers of the consumers applying for the rebate.

(4) ADVERTISING AND PROMOTION. The Florida Energy and Climate Commission shall coordinate with the program administrator, the participating retailers, environmental groups and the participating utilities to partner together to promote the rebate program broadly to the entire state. Advertising and promotions for the rebate program conducted by participating partners will include information that is consistent with these rules.

(5) APPLICATION AND ISSUANCE. Applications for rebates shall be submitted to the program administrator and postmarked on or before the dates designated by each appliance under subsection (6) May 10, 2010 to be considered timely.

(a) Applications shall be submitted to the program administrator in hard copy format, using the rebate application form identified by appliance type in subsection (6) hereby incorporated by reference: Form FECC-1, effective date April 2010. The application form can be obtained beginning April 16, 2010 from the Florida ENERGY STAR Appliance Rebate website or by writing the Florida Energy and Climate Commission at 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001.

(b) In order to be considered complete, applications must include all information required on the application form, the original purchase receipt for the appliance and any additional information specified in subsection (6), if seeking the additional \$75 for recycling, evidence demonstrating that the appliance being replaced has been recycled. All information provided to the program administrator must be legible.

(c) The Florida Energy and Climate Commission does not guarantee that every consumer submitting a complete rebate application will receive a rebate. Rebates can only be issued if funding is available. The rebates will be dispensed upon (1) successful completion of the rebate form with required attached receipts and forms, (2) the order in which they arrive, and (3) the availability of funds.

(d) Provided funds are available, the program administrator shall review each timely application to determine if the application includes all required information. The program administrator shall issue each rebate only after it determines that all required information has been provided and the application is complete.

1. An application that is determined to be complete shall be placed in the first-come, first-served order for allocation of rebates based upon the date and time the application is filed.

2. Timely submitted applications which are not complete shall not be considered as eligible for rebates and shall not receive a position in the first-come, first-served order for

allocation of rebates. If the program administrator determines that the application is not complete and does not contain all of the required information, the program administrator shall notify the applicant of the incompleteness of the application.

3. Applicants who are notified of the incompleteness of a timely submitted application may submit subsequent information by mail in order to make the application complete. If an application is then determined to be complete, it shall be placed in the first-come, first-serve order for allocation of rebates based upon the date and time the application is determined complete.

(6) REBATE ELIGIBILITY FOR SPECIFIC APPLIANCES. The following program requirements will apply to the specific appliances being offered rebates.

(a) Rebates shall be available for the following ENERGY STAR certified appliances and products: refrigerators, freezers, clothes washers, dishwashers, room air conditioners and gas tank-less water heaters. These are "qualified appliances" for the purpose of the rebate program.

1. To qualify for a rebate, the new appliance must be purchased in the state of Florida, from an establishment that collects and remits Florida sales tax.

2. For the purposes of receiving a rebate, consumers may purchase no more than one of each type of ENERGY STAR appliance per address. However, the total amount of rebate monies received shall not exceed \$1,500 per consumer, per address.

3. In order to be eligible to receive a rebate, a consumer must first purchase a qualified appliance or product during the designated period and submit proof of purchase of the qualified appliance to the program administrator postmarked in a timely manner.

4. Consumers may obtain rebate redemption information and applications from several locations including retail locations, the Florida Energy and Climate Commission website, the program administrator's website, or program partners' websites.

5. Rebates will be a flat 20 percent off the retail, pretax price of the appliance.

6. Recycling is encouraged. Therefore, an additional \$75 will be added to the rebate if the consumer provides the recycled appliance's serial number and evidence of having recycled the appliance being replaced. No appliance may be refurbished and put back into use.

a. Evidence of having recycled the appliance being replaced may consist of a statement on the retailer receipt indicating pick-up of the appliance being replaced; or a receipt from the public or private landfill of delivery of the appliance being replaced. This receipt must include the name and address of the landfill, the date, the receiving person's signature and a brief description of the product.

b. The recycled appliance must be of the same type as the newly purchased qualified appliance for which the rebate is being applied.

c. The additional \$75 is only offered for the purchase of a new appliance.

d. All appliances accepted by landfills or retail establishments to recycle as part of this program must be sent to a metal recycler.

7. The rebates shall only be available for the purchase of qualified appliances during the period from 12:01 a.m., April 16, 2010, through 11:59 p.m., April 25, 2010. This time period coincides with Florida's Earth Day.

8. Applications for rebates shall be submitted to the program administrator and postmarked on or before May 10, 2010 to be considered timely.

9. Applications shall be submitted to the program administrator in hard copy format, using the rebate application form hereby incorporated by reference: Form FECC 1, effective date April 2010.

(b) Rebates shall be available for the following new ENERGY STAR certified HVAC appliances and products: central air conditioners, air source heat pumps, and geothermal heat pumps.

1. To qualify for this rebate the homeowner must:

a. Purchase a new HVAC or geothermal system that meets the Federal Energy Tax Credits standards to replace an existing system; and

b. Hire a Class 1 Florida Energy Gauge Certified Energy Rater, a State of Florida Mechanical Contractor, or a recognized test and balance agent and have their home's duct system tested with the test results indicating the home's duct system has no more than 15% leakage to the outside of the home (0.10 Qn.out) as indicated on the Air Distribution System Test Report hereby incorporated by reference.

2. To qualify for this rebate the appliance must be purchased and installed in the State of Florida by a Florida licensed installer and the installer must comply with Florida's laws regarding filing for mechanical permits to replace existing HVAC units and using a Manual J for sizing the new replacement unit.

3. Rebate is limited to one rebate of \$1,500 per residence.

4. The rebate shall only be available for HVAC appliances if the appliances are purchased and installed during the period from 12:01 a.m., August 30, 2010 through 11:59 p.m., December 31, 2010 or when the rebate funds are depleted.

5. Applications shall be submitted to the program administrator in hard copy format, using the application form FECC 3 hereby incorporated by reference, effective August 30, 2010. The application form can be obtained beginning August 30, 2010 from the FECC website.

6. In order to be considered complete, the HVAC rebate application must include all information required on the application form and submission of the following documents:

a. Signed and completed application

b. A copy of the mechanical building permit that must be applied for by the HVAC installer (this must contain the applicant's home address)

c. A copy of the HVAC or geothermal sales receipt (this must contain the make and model of the HVAC unit, the sales date, and the applicant's home address)

d. A completed and signed copy of the Air Distribution System Test Report as provided by the HVAC duct tester indicating leakage does not exceed 15% to the outside as measured by a score of 0.10 (Qn.out) or less.

e. Front or summary page of the Manual J as provided by the HVAC installer that confirms the HVAC installer used the Manual J to appropriately size the new unit

(c) Rebates for other certified ENERGY STAR Appliances.

1. Rebates for ENERGY STAR appliances not included in paragraphs (6)(a) and (b) may be offered by the Commission if additional funds become available.

2. Such rebate offerings will have a limited duration.

3. Only one rebate per appliance will be paid per residence.

4. If the Commission offers such rebates, applications shall be submitted to the program administrator in hard copy format, using the applicable form made available on the FECC website.

Rulemaking Authority 377.807 FS. Law Implemented 377.807 FS. History--New 3-11-10, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Brenda Buchan

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Rob Vickers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 20, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2010

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-210.102                      RULE TITLE: Legal Documents and Legal Mail

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the procedures for presenting outgoing legal mail for delivery.

SUMMARY: The proposed rule clarifies the process for presenting outgoing legal mail for delivery.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 20.315, 944.09, 944.11 FS.

LAW IMPLEMENTED: 944.09, 944.11 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-210.102 Legal Documents and Legal Mail.

(1) through (7) No change.

(8) Processing of Legal Mail.

(a) through (f) No change.

(g) Inmates shall present all outgoing legal mail unsealed to the mail collection representative to determine, in the presence of the inmate, that the correspondence is legal mail, bears that inmate's return address and signature, and that it contains no unauthorized items. Only the address may be read to determine whether it is properly addressed to a person or entity identified in subsection (2) of this rule. If the outgoing mail contains unauthorized items or is not legal mail, the inmate shall be subject to disciplinary action. If the outgoing mail is legal mail and it contains no unauthorized items, the mail collection representative shall stamp the document(s) to be mailed and the inmate's copy, if provided by the inmate, "Provided to (name of institution) on (blank to insert date) for mailing." The mail collection representative shall then have the inmate initial the document(s) next to the stamp and have the inmate seal the envelope in the mail collection representative's presence. For confinement areas, the staff member who picks up the legal mail each day shall stamp the documents, have the inmate place his or her initials next to the stamp, and have the inmate seal the envelope in the staff member's presence. The use of mail drop boxes for outgoing legal mail is prohibited.

(h) through (15) No change.

Rulemaking Authority 20.315, 944.09, 944.11 FS. Law Implemented 944.09, 944.11 FS. History--New 10-8-76, Amended 4-19-79, 7-2-81, 6-8-82, 9-23-85, Formerly 33-3.05, Amended 10-7-86, 8-20-89, 4-4-91, 9-1-93, 4-28-96, 2-12-97, 5-25-97, 10-7-97, 12-7-97, 2-15-98, Formerly 33-3.005, Amended 12-20-99, Formerly 33-602.402, Amended 5-5-02, 12-4-02, 5-11-03, 8-25-03, 9-20-04, 12-23-07, 4-23-09, 2-23-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wendell Whitehurst, Assistant Deputy Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter McNeil, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 20, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2010

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.217  
RULE TITLE: Elderly Offender Housing

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to remove reference to the Correctional Privatization Commission, as the commission no longer exists.

SUMMARY: The proposed rule removes references to the Correctional Privatization Commission, as the commission no longer exists, and is amended to reflect recent changes to Section 944.804, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 944.09, 944.804 FS.

LAW IMPLEMENTED: 944.09, 944.804 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

**THE FULL TEXT OF THE PROPOSED RULE IS:**

33-601.217 Elderly Offender Housing.

(1) Definitions.

(a) No change.

(b) State Classification Office (SCO) – refers to a staff member at the central office level who is responsible for the review of inmate classification decisions. Duties include approving, ~~disapproving, or modifying~~ or ~~rejecting~~ ICT recommendations.

(c) Elderly Offender – an inmate age 50 or older in a state correctional institution ~~or facility~~ operated by the Department of Corrections or a state correctional facility operated by a private entity under contract with the Department of Management Services ~~or the Correctional Privatization Commission.~~

(d) Geriatric Facility or Dorm ~~River Junction Work Camp~~ – a ~~geriatric~~ facility or dorm within a facility authorized ~~designated~~ by Section 944.804, F.S., for generally healthy elderly offenders who can perform general work appropriate for their physical and mental condition.

(e) No change.

(2) Placement criteria. Inmates shall be recommended for placement at a geriatric facility or dorm ~~River Junction Work Camp~~ through routine classification assignment.

(a) Inmates shall meet the following criteria for housing at a geriatric facility or dorm ~~RJCI~~:

1. No change.

2. Medium, minimum, or community custody;

3. No change.

4. Are not otherwise deemed to be a security risk for placement; and

5. No change.

(b) ~~An inmate~~ The following inmates shall not be eligible for housing at a geriatric facility or dorm ~~if he~~ ~~RJCI~~:

1. ~~Is close~~ Close or maximum custody;

2. ~~Has~~ Have a current or prior conviction for any sex offense;

3. ~~Has~~ Have a current or prior conviction for first degree murder;

4. ~~Has~~ Have an escape history or escape arrest with unknown disposition;

5. ~~Has~~ Have a violent felony or INS detainer;

6. ~~Has~~ Have an ex-death sentence;

7. ~~Has~~ Have a life sentence without parole eligibility;

8. ~~Has~~ Have been released from close management status within the last six months; or

9. ~~Has~~ Have a special medical need ~~that~~ ~~which~~ cannot be accommodated in the work camp setting.

Rulemaking Specific Authority 944.09, 944.804 FS. Law Implemented 944.09, 944.804 FS. History–New 9-15-02, Amended 4-1-04,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

George Sapp, Deputy Secretary of Institutions

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:**

Walter McNeil, Secretary

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:**

November 23, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:**

December 11, 2009

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Cost Management and Control**

RULE NOS.:

RULE TITLES:

59B-9.031

Definitions

59B-9.032

Ambulatory and Emergency Department Data Reporting and Audit Procedures

59B-9.034

Reporting Instructions

59B-9.038

Ambulatory Data Elements, Codes and Standards

**PURPOSE AND EFFECT:** The agency is proposing this rule amendment to remove the ambulatory exception provision upon recommendation of the State Consumer Health Information and Policy Advisory Council. This change will require that all ambulatory facilities report regardless of low patient volume. This amendment will also modify existing ambulatory data element codes to align with recent revision in the CMS Health Insurance Claim Form (UB04) and its electronic equivalent. The amendment deletes all ICD-10-CM references due to delayed national implementation and the Agency's inability to receive an ICD-10-CM format. Additional revisions are amended for clarification.

**SUMMARY:** The agency is proposing amendments to Rules 59B-9.031; 59B-9.032; 59B-9.034, and 59B-9.038, F.A.C., that modify ambulatory and emergency department reporting codes; delete all ICD-10 references, and remove ambulatory reporting exemption for volumes less than 200.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Estimated Regulatory Cost was prepared.

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:** 408.15(8) FS.

**LAW IMPLEMENTED:** 408.061, 408.062, FS.

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

**DATE AND TIME:** Monday, September 27, 2010, 1:00 p.m.

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

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: Patrick Kennedy at (850)412-3757. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Patrick Kennedy at (850)412-3757

**THE FULL TEXT OF THE PROPOSED RULES IS:**

59B-9.031 Definitions.

(1) "Ambulatory Center." For the purposes of this rule, an ambulatory center means a freestanding ambulatory surgery center, ~~and~~ a short-term acute care hospital and an Emergency Department.

(2) through (3) No change.

(4) "E-code" means a Supplementary Classification of External Causes of Injury and Poisoning ICD-9-CM codes where environmental events, circumstances, and conditions are the cause of injury, poisoning and other adverse effects as specified in the ICD-9-CM ~~or ICD-10-CM~~ manual and the conventions of coding.

(5) through (12) No change.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Amended \_\_\_\_\_.

Editorial note: see former rule 59B-9.010

59B-9.032 Ambulatory and Emergency Department Data Reporting and Audit Procedures.

(1) The following entities shall submit patient data reports to the Agency for Health Care Administration (AHCA or Agency):

(a) through (b) No change.

(c) All Emergency Departments licensed under Chapter 395, F.S.;

(c) through (d) renumbered (d) through (e) No change.

(2) Each facility in paragraph (1)(~~a~~)(~~b~~) above shall submit a separate report for each location per Section 408.061(3), F.S.

(3) All ambulatory centers performing the services set forth in Rules 59B-9.030 through 59B-9.039, F.A.C., shall submit ambulatory patient data as set forth in Rules 59B-9.037 and 59B-9.038, F.A.C.; ~~unless the reporting entity meets the criteria listed in subsection 59B-9.032(5), F.A.C., below:~~

~~(4) Any Ambulatory Surgical Center receiving 200 or more patient visits during the reporting quarter periods outlined in Rule 59B-9.033, F.A.C., are required to report data as specified in Rules 59B-9.037 and 59B-9.038, F.A.C.~~

~~(5) Ambulatory Surgical Centers (ASC) receiving fewer than 200 patient visits during the reporting quarter periods outlined in Rule 59B-9.033, F.A.C., may request an exemption from a quarters reporting requirement. To request an exemption, the ASC shall send a letter on facility letterhead stating the number of patient visits for the reporting quarter and signed by the entity's chief executive officer or director. The exemption letter shall be received at the Agency office in Tallahassee on or prior to the deadline for submission of the quarterly report. This is not a onetime letter, but must be submitted for each quarter with fewer than 200 visits.~~

~~(4)(6)~~ Upon notification by the Agency staff, all facilities shall provide access to all required information from the medical records and billing documents underlying and documenting the ambulatory patient data submitted, as well as other patient related documentation deemed necessary by the Agency to conduct complete ambulatory patient data audits subject to the limitations as set forth in Section 408.061(1)(d), F.S. No patient records that support patient data are exempt from disclosure to AHCA for audit purposes.

Proposed Effective Date 7-1-2011.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063, 408.07, 408.08, 408.15(11) FS. History—New 1-1-10, 7-1-11.

Editorial note: see former rule 59B-9.011.

59B-9.034 Reporting Instructions.

(1) Ambulatory Surgical centers shall report data for:

(a) No change.

1. through 3. No change.

4. Report one record for each visit, except pre-operation visits may be combined with the record of the associated ambulatory surgery visit. See subsection 59B-9.031(11), F.A.C.

(2) Emergency Departments (ED) shall report data for: an Emergency Department Evaluation and Management Procedure code representing the patient's acuity as part of the emergency department visit.

(a) Report all Emergency department visits in which emergency department registration occurs for the purpose of seeking emergency care services, including observation, and the patient is not admitted for inpatient care at the reporting entity.

(b) The CPT-HCPCS codes representing the services provided as part of the emergency department visit. CPT-HCPCS codes are reported in the 'OTHER CPT-HCPCS' fields (1-30) and are not restricted to the CPT-HCPCS reportable range defined in paragraph 59B-9.034(1)(a), F.A.C., for an ambulatory surgical center.

(c) An Emergency Department Evaluation and Management Procedure code representing the patient's acuity as part of the emergency department visit.

(b) through (c) renumbered (d) through (e) No change.

(3) Hospitals shall exclude records of any patient visit in which the outpatient and inpatient billing record is combined because the patient was admitted to inpatient care within a facility at the same location per Section 408.061(3), F.S. Report one record for each visit, except pre operation visits may be combined with the record of the associated ambulatory surgery visit. See subsection 59B-9.031(11), F.A.C.

(4) through (5) No change.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History—New 1-1-10, Amended.

Editorial note: see former rule 59B-9.015.

59B-9.038 Ambulatory Data Elements, Codes and Standards.

(1) No change.

(2) Patient Control Number. The 'Patient Control Number' is defined as 'Record id' in the schema. Up to twenty four (24) characters. A required field. Duplicate patient control

numbers are not permitted. The facility must maintain a key list to locate actual records upon request by AHCA. A required field.

(3) through (9) No change.

(10) Patient Country Code. A required entry for type of service "2". Use 99 where the country of residence is unknown, or where efforts to obtain the information have been unsuccessful, or if type of service is "1". A required entry for type of service "2".

(11) No change.

(12) Source or Point of Origin of Admission. No change.

(a) 01 – Non-health care facility point source of origin – The patient presented to this facility for outpatient services. Includes patients coming from home, physician office or workplace. The patient presents to this facility with an order from a physician for services, or seeks scheduled services for which an order is not required. Includes non emergent self-referrals.

(b) 02 – Clinic or Physician's Office. The patient presented was referred to this facility for outpatient services from a clinic or physician's office or referenced diagnostic procedures.

(c) through (e) No change.

(f) 07 – Emergency Room. The patient received unscheduled services in this facility's emergency department and discharged without an inpatient admission. Includes self-referrals in emergency situations that require immediate medical attention. Excludes patients who came to the emergency room from another health care facility.

(g) through (k) renumbered (f) through (j) No change.

(14) Principal Diagnosis Code. Must contain a valid ICD-9-CM ~~or ICD-10-CM~~ diagnosis code if type of service is "1" indicating ambulatory surgery. Must contain a valid ICD-9-CM ~~or ICD-10-CM~~ diagnosis code. If not space filled, must contain a valid ICD-9-CM diagnosis code ~~or valid ICD-10-CM diagnosis code~~ for the reporting period.

(15) Other Diagnosis Code. If not space filled, must contain a valid ICD-9-CM code ~~or valid ICD-10-CM code~~ for the reporting period.

(16) Evaluation and Management Code (1), Less than five entries is permitted. Ambulatory surgical centers, type of service "1", should not report Evaluation and Management codes. A required field.

(17) through (39) No change.

(40) Patient Visit Ending Date. Patient visit ending date must occur within the calendar quarter included in the data report. A blank field is not permitted unless type of service is "2" indicating an emergency department visit and patient status is "07" indicating the patient left against medical advice or discontinued care.

(41) through (42) No change.



(43) Patient’s Reason for Visit ICD-CM Code (Admitting Diagnosis). The code representing the patient’s chief complaint or stated reason for seeking care in the Emergency Department. Must contain a valid ICD-9-CM code ~~or valid ICD-10-CM code~~ for the reporting period if type of service is “2” indicating an emergency department visit.

(44) Principal ICD-CM Procedure Code. Must contain a valid ICD-9-CM ~~or ICD-10-CM~~ procedure code for the reporting period. The code must be entered with use of a decimal point that is included in the valid code and without use of a zero or zeros that are not included in the valid code.

(45) Other ICD-CM Procedure Code (1), Must be a valid ICD-9-CM ~~or ICD-10-CM~~ procedure code for the reporting period. The code must be entered with use of a decimal point that is included in the valid code and without use of a zero or zeros that are not included in the valid code.

(46) External Cause of Injury Code. If not space filled, must be a valid ICD-9-CM ~~or ICD-10-CM~~ cause of injury code for the reporting period. Alpha characters must be in upper case.

(47) No change.

(48) Patient Status.

(a) through (h) No change.

(i) 21 – Discharged or transferred to court/law enforcement jail.

(i) through (p) renumbered (j) through (q) No change.

(49) No change.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 1-1-10, Amended.

Editorial note: see former rule 59B-9.018.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patrick Kennedy at (850)412-3757

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold, AHCA Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 2010, Vol. 36/28 and July 23, 2010, Vol. 36/29

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Hospital and Nursing Home Reporting Systems and Other Provisions Relating to Hospitals**

RULE NOS.:	RULE TITLES:
59E-7.021	Definitions
59E-7.028	Inpatient Data Elements, Codes and Standards

PURPOSE AND EFFECT: The agency is proposing this rule amendment to modify existing inpatient data element codes to align with recent revision in the CMS Health Insurance Claim Form (UB04). The proposed inpatient amendment will

incorporate a new P7 data element to explicitly flag inpatient admissions from a hospital’s emergency department. The amendment deletes all ICD-10-CM references due to delayed national implementation and the Agency’s inability to receive an ICD-10-CM format. Nursery Level I, II, and III Charge data elements are modified to include acceptable revenue codes previously omitted in error. Additional revisions are amended for clarification and correction.

SUMMARY: The agency is proposing amendments to Rules 59E-7.021 and 59E-7.028, F.A.C., which modifies inpatient reporting codes; delete all ICD-10 references, correct reporting of nursery 179 revenue codes, and add a new element Special Indicator Code field.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 408.15(8) FS.

LAW IMPLEMENTED: 408.061, 408.062 FS.

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

DATE AND TIME: Monday September 27, 2010, 2:00 p.m.

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

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: Patrick Kennedy at (850)412-3757. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patrick Kennedy at (850)412-3757

THE FULL TEXT OF THE PROPOSED RULES IS:

59E-7.021 Definitions.

(1) through (3) No change.

(4) “E-code” means a Supplementary Classification of External Causes of Injury and Poisoning, ICD-9-CM ~~or ICD-10-CM~~, where environmental events, circumstances, and conditions are the cause of injury, poisoning, and other adverse effects as specified in the ICD-9-CM ~~or ICD-10-CM~~ manual and the conventions of coding.

(5) through (10) No change.

Rulemaking Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061 FS. History– New 1-1-10, Amended.

Editorial note: see former rule 59E-7.011.

59E-7.028 Inpatient Data Elements, Codes and Standards.

(1) No change.

(2) Patient Control Number. The 'Patient Control Number' is defined as 'Record id' in the schema. Up to twenty four (24) characters. ~~A required field.~~ The facility must maintain a key list to locate actual records upon request by AHCA. A required field.

(3) through (12) No change.

(13) Source or Point of Origin for Admission. No change.

(a) 01 – Non-health care facility point source of origin. The patient was admitted to this facility. ~~upon an order of a physician.~~ Includes a patient coming from home, ~~physician office~~ or workplace.

(b) 02 – Clinic or Physician's Office. The patient was admitted to this facility from a clinic or physician's office. ~~as a transfer or referral from a freestanding or non-freestanding clinic.~~

(c) through (e) No change.

~~(f) 07 – Emergency Room. The patient was admitted to this facility after receiving services in this facility's emergency department. Excludes patients who came to the emergency room from another health care facility.~~

(g) through (k) renumbered (f) through (j) No change.

(4) Codes required for newborn admissions (Priority of Admission=4):

(l) through (m) renumbered (k) through (l) No change.

(14) through (17) No change.

(18) Patient Discharge Status.

(a) through (h) No change.

(i) 21 – Discharged or transferred to court/law enforcement.

(i) through (p) renumbered (j) through (q) No change.

(19) No change.

(20) Principal Diagnosis Code. Prinicpal diagnosis code must contain a valid ICD-9-CM ~~or ICD-10-CM code~~ for the reporting period.

(21) Other Diagnosis Code (1), Must contain a valid ICD-9-CM code ~~or valid ICD-10-CM code~~ for the reporting period. Alpha characters must be in upper case.

(22) No change.

(23) Principal Procedure Code. Must contain a valid ICD-9-CM ~~or ICD-10-CM~~ procedure code for the reporting period. The code must be entered with use of a decimal point that is included in the valid code and without use of a zero or zeros that are not included in the valid code.

(24) Principal Procedure Date. The principal procedure date must be less than seven (7) days ~~four (4) days~~ prior to the admission date and not later than the discharge date.

(25) Other Procedure Code (1), Must be a valid ICD-9-CM ~~or ICD-10-CM~~ procedure code for the reporting period. The code must be entered with use of a decimal point that is included in the valid code and without use of a zero or zeros that are not included in the valid code.

(26) Other Procedure Code Date (1), The procedure date must be less than seven (7) days ~~four (4)~~ prior to the admission date and not later than the discharge date.

(27) through (29) No change.

(30) Operating or Performing Practitioner National Provider Identification (NPI). An unique ten (10) character identification number assigned to a provider who had primary responsibility for the Principal Procedure performed.

(31) No change.

(32) Other Operating or Performing Practitioner National Provider Identification (NPI). A unique ten (10) character identification number assigned to a provider who assisted the operating or performing practitioner or performed a secondary procedure who had primary responsibility for the Principal Procedure.

(33) No change.

(34) Nursery Level I Charges. Report charges for revenue code 170 and 171, or 179 if applicable, as used in the UB-04.

(35) Nursery Level II Charges. Accommodation charges for services which include provision of ventilator services. Report charges for revenue code 172, or 179 if applicable, as used in the UB-04.

(36) Nursery Level III Charges. Report charges for revenue code 173 and 174, or 179 if applicable, ~~(Level III)~~ as used in the UB-04.

(37) through (58) No change.

(59) Infant Linkage Identifier. Zero fill ~~No entry is permitted~~ if the patient is two (2) years of age or older. A required entry.

(60) Admitting Diagnosis. Must contain a valid ICD-9-CM code ~~or valid ICD-10-CM code~~ for the reporting period.

(61) External Cause of Injury Code (1), Must be a valid ICD-9-CM ~~or ICD-10-CM~~ cause of injury code for the reporting period. Alpha characters must be in upper case.

(62) through (63) No change.

(64) Special Indicator Code. A two-character code that describes patients admitted to the inpatient facility after receiving treatment in the facility's emergency department. Do not use this code for patients admitted to the hospital through the ED when the registration department is closed. Report using the two-character indicator code 'P7'. Otherwise zero fill using "00." A required field.

~~(65)~~(64) No change.

Rulemaking Authority 408.061(1)(e), 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 1-1-10, Amended.

Editorial note: see former rule 59E-7.014.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Patrick Kennedy at (850)412-3757

NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Thomas W. Arnold, AHCA Secretary

DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: August 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: July 16, 2010 Vol. 36/28

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NOS.:	RULE TITLES:
60BB-3.0251	Definitions Relating to Emergency Unemployment Compensation
60BB-3.0252	Eligibility for Emergency Unemployment Compensation
60BB-3.0253	Emergency Unemployment Compensation Individual Accounts
60BB-3.0254	How to Apply for Emergency Unemployment Compensation

PURPOSE AND EFFECT: The proposed amendments to the above referenced rules implement procedure and policy relating to the federally funded Emergency Unemployment Compensation Program authorized under Public Laws 110-252, 110-449, 111-5, 111-92, 111-118, 111-144, 111-157, and 111-205, and implemented in Florida through an agreement between the State of Florida and the United States Department of Labor.

SUMMARY: The proposed amendments incorporate changes set forth in Public Law 111-205 relating to the time period during which an individual may claim and receive Emergency Unemployment Compensation and to the amount of weekly benefits an individual may receive if he or she is still receiving such benefits more than one year after the claim for regular unemployment compensation is filed. The proposed amendments also streamline the administrative process relating to claims for Emergency Unemployment Compensation by eliminating forms that are no longer needed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 443.036, 443.091, 443.101, 443.111, 443.151, 443.191, 443.221(3) FS.

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

DATE AND TIME: Friday, September 24, 2010, 3:00 p.m. – 4:00 p.m.

PLACE: Agency for Workforce Innovation, Room 110, 107 East Madison Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850)245-7150, fax (850)921-3230, email john.perry@flaawi.com

THE FULL TEXT OF THE PROPOSED RULES IS:

60BB-3.0251 Definitions Relating to Emergency Unemployment Compensation.

(1) Emergency Unemployment Compensation: A federally funded program created by Public Laws 110-252, 110-449, 111-5, 111-92, 111-118, 111-144, ~~and~~ 111-157, and 111-205, and implemented in Florida through an agreement between the Agency for Workforce Innovation and the United States Department of Labor which provides additional weeks of unemployment benefits to qualified individuals who have exhausted their rights to regular unemployment compensation on claims that were effective on or after May 2, 2006.

(2) Extended unemployment compensation: Benefits, including benefits payable to federal civilian employees and to ex-servicemembers under 5 U.S.C. ss. 8501-8525, that are payable to an individual under Section 443.1115 or 443.1117, Florida Statutes.

(3) Qualifying benefit year: The benefit year established on a Florida claim for regular unemployment compensation which was effective on or after May 2, 2006, and is the basis of the individual’s eligibility for emergency unemployment compensation.

(4) Regular unemployment compensation: Benefits payable to an individual under Chapter 443, Florida Statutes, including benefits payable to federal civilian employees and to ex servicemembers under 5 U.S.C. ss. 8501-8525, other than extended unemployment compensation under Section 443.1115, Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.221(3) FS. History–New 8-11-10, Amended.

60BB-3.0252 Eligibility for Emergency Unemployment Compensation.

(1) Eligibility Conditions. Emergency Unemployment Compensation is available to individuals who:

(a) Have exhausted all rights to regular unemployment compensation on a Florida claim with a benefit year that ended on or after May 1, 2007;

(b) Have no rights to unemployment compensation under any other state or federal law;

(c) Are not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

(d) Are legally authorized to work in the United States.

(2) Exhaustion of Benefits. For purposes of this rule, an individual has exhausted all rights to regular unemployment compensation when that individual:

(a) Has received all regular unemployment compensation available on the qualifying benefit year; or

(b) Had rights to regular unemployment compensation on the qualifying benefit year, but has insufficient wage credits to establish a new benefit year for regular unemployment compensation.

(3) Exception to Exhaustion Requirement.

(a) Notwithstanding paragraph (1)(a) of this rule, the expiration of a qualifying benefit year during which the individual has earned sufficient wage credits to establish monetary eligibility for a new benefit year will not render the individual ineligible for emergency unemployment compensation if:

1. The individual has established entitlement to emergency unemployment compensation with respect to that qualifying benefit year;

2. The individual's qualifying benefit year expired on or after July 23, 2010;

3. The individual has remaining entitlement to emergency unemployment compensation benefits with respect to that benefit year; and

4. The weekly benefit amount established under the new benefit year is at least either 25% or \$100 less than the weekly benefit amount for the qualifying benefit year.

(b) If the criteria set forth in paragraph (3)(a) of this rule are satisfied, the Agency shall establish a new benefit year for the individual, but shall defer payment of regular unemployment compensation for the new benefit year until all emergency unemployment compensation payable to the individual has been exhausted.

(4)(3) Amount Payable.

(a) The amount of emergency unemployment compensation payable to an individual for any week of total unemployment will be equal to the amount of regular unemployment compensation payable during the individual's qualifying benefit year for a week of total unemployment.

(b) The maximum amount of emergency unemployment compensation payable to any individual will not exceed the amount established for such individual in the emergency unemployment compensation account described in Rule 60BB-3.0253, F.A.C.

(5)(4) Applicable Law. The terms and conditions of the law under which the individual claimed and received regular unemployment compensation will apply to claims for and payment of emergency unemployment compensation.

~~(6)(5)~~ Overpayments. An individual who receives emergency unemployment compensation to which he is not entitled will repay any such overpayment to the Agency for Workforce Innovation. The requirement to repay the overpayment will not be waived.

(a) The Agency may recoup any such overpayments by deducting 50 percent of the weekly benefit amount from any future payments until the overpayment is repaid in full.

(b) Recoupment of overpayments from future benefits may occur at any time during the 3-year period after the date the individual received the payment of the emergency unemployment compensation to which he was not entitled.

(c) No waiver of such recoupment may occur except as permitted by Section 443.151(6)(c), Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.111, 443.151(6), 443.221(3) FS. History—New 8-11-10, Amended \_\_\_\_\_.

60BB-3.0253 Emergency Unemployment Compensation Individual Accounts.

(1) Establishment of Account. Persons deemed eligible under Rule 60BB-3.0252, F.A.C., will be paid from emergency unemployment compensation accounts established for each individual with respect to that individual's benefit year.

(2) Eligibility Established Prior to November 23, 2008. The emergency unemployment compensation accounts of individuals whose period of eligibility began between July 6, 2008 and November 22, 2008, will be augmented as provided in this subsection.

(a) The amount established in an account under this subsection will equal the lesser of:

1. 50 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 13 times the individual's average weekly benefit amount for the benefit year.

(b) Benefits under this subsection may be paid only for weeks of unemployment beginning on or after July 6, 2008.

(c) If the individual exhausts these benefits before November 23, 2008, no further benefits may be paid to the individual except as provided in subsections (3), (4), (5), and (6) of this rule.

(3) Tier One.

(a) Tier One benefits may be paid only for weeks of unemployment beginning on or after November 23, 2008.

(b) The emergency unemployment compensation account of each individual whose period of eligibility began after November 22, 2008, will be augmented with an amount equal to the lesser of:

1. 80 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 20 times the individual's average weekly benefit amount for the benefit year.

(c) The emergency unemployment compensation account of an individual whose period of eligibility began before November 23, 2008 will, if the individual remains otherwise eligible, receive an additional augmentation equal to the amount previously paid under paragraph (b) of this subsection minus the amount actually received under subsection (2).

(d) Tier One benefits may be paid only in cases in which an individual's regular unemployment compensation benefits are exhausted by the week ending November 20 ~~May 22~~, 2010.

(4) Tier Two.

(a) The emergency unemployment compensation account of an individual who receives benefits pursuant to subsection (3) of this rule will receive an additional augmentation pursuant to paragraph (b) of this subsection if:

1. The individual exhausts all Tier One benefits by the week ending November 27 ~~May 29~~, 2010;

2. The individual remains otherwise eligible.

(b) Amount Added to Account. The amount established in an account under this subsection will equal the lesser of:

1. 54 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 14 times the individual's average weekly benefit amount for the benefit year.

(c) Tier two benefits may be paid only for weeks of unemployment beginning on or after November 23, 2008.

(5) Tier Three.

(a) The emergency unemployment compensation account of an individual who receives benefits pursuant to subsection (4) of this rule will receive an additional augmentation pursuant to paragraph (b) of this subsection if:

1. The individual exhausts all Tier Two benefits by the week ending November 27 ~~May 29~~, 2010;

2. The individual remains otherwise eligible; and

3. During or after the week these benefits are exhausted, but no later than the week ending November 27 ~~May 29~~, 2010, one of the following circumstances occur:

a. The rate of insured unemployment for the current week and the immediately preceding 12 weeks equals or exceeds 4 percent; or

b. The average rate of total unemployment, seasonally adjusted, for the most recent 3 month period for which data for all States are published equals or exceeds 6 percent.

(b) The amount established in an account under this subsection will equal the lesser of:

1. 50 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 13 times the individual's average weekly benefit amount for the benefit year.

(c) Tier Three benefits may be paid only for weeks of unemployment beginning on or after November 8, 2009.

(6) Tier Four.

(a) The emergency unemployment compensation account of an individual who receives benefits pursuant to subsection (5) of this rule will receive an additional augmentation pursuant to paragraph (b) of this subsection if:

1. The individual exhausts all Tier Three benefits by the week ending November 27 ~~May 29~~, 2010;

2. The individual remains otherwise eligible; and

3. During or after the week these benefits are exhausted, but no later than the week ending November 27 ~~May 29~~, 2010, one of the following circumstances occur:

a. The rate of insured unemployment for the current week and the immediately preceding 12 weeks equals or exceeds 6 percent; or

b. The average rate of total unemployment, seasonally adjusted, for the most recent 3 month period for which data for all States are published equals or exceeds 8.5 percent.

(b) The amount established in an account under this subsection will equal the lesser of:

1. 24 percent of the total amount of regular unemployment compensation payable to the individual during his or her benefit year; or

2. 6 times the individual's average weekly benefit amount for the benefit year.

(c) Tier Four benefits may be paid only for weeks of unemployment beginning on or after November 8, 2009.

(7) Termination of Emergency Unemployment Compensation. An individual who has a balance remaining in his or her individual account as of November 27 ~~May 29~~, 2010, will continue to receive emergency unemployment compensation from such balance for any week beginning after that date for which he or she meets the eligibility requirements of this rule, except that no compensation will be payable for any week beginning after April 30, 2011 ~~November 6, 2010~~.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.111, 443.191, 443.221(3) FS. History—New 8-11-10, Amended.

60BB-3.0254 How to Apply for Emergency Unemployment Compensation.

(1) Method of Application. Individuals whose regular unemployment compensation benefits are exhausted, whose benefit year expires between July 6, 2008 and May 29, 2010, or who are entitled to an augmentation of their emergency unemployment compensation accounts pursuant to Rule 60BB-3.0253, F.A.C., will receive notice regarding their eligibility or ineligibility for emergency unemployment compensation. Individuals who qualify for augmentation under any of the provisions set forth in subsections 60BB-3.0253(4)-(6), F.A.C., will be deemed eligible to receive these benefits without filing an application as long as they

comply with the continued claims reporting requirements set forth in Rule 60BB-3.015, F.A.C. All other individuals who wish to receive emergency unemployment compensation must submit an application for benefits to the Agency for Workforce Innovation. An application may be submitted:

(a) Online by clicking on the "Internet Unemployment Compensation Claim Application (Initial Claim)" link to the Online Internet Unemployment Compensation Claim Application (11/07), or by clicking on the "Solicitud de Reclamo de Compensacion por Desempleo en el Internet (Reclamo Inicial)" link to the Online Internet Unemployment Compensation Claim Application (Spanish version) (11/07), which are incorporated by reference in paragraphs 60BB-3.029(1)(yy) and (zz), F.A.C., and which are available at <https://www2.myflorida.com/fluid/>, ~~www.fluidnow.com~~; or

(b) In writing on one of the forms listed in subsection (2) of this rule, which are hereby incorporated by reference into this rule ~~and which are available at~~ [www.floridajobs.org/unemployment/ue\\_emp\\_claims.html](http://www.floridajobs.org/unemployment/ue_emp_claims.html).

(2) Submitting Written Applications.

~~(a)~~ To submit a written application for emergency unemployment compensation ~~under subsections (2), (3), or (4) of Rule 60BB-3.0253, F.A.C.~~, the claimant must complete and submit one of the following forms:

~~(a)1-~~ Form AWI-UC310EUC (Rev. 08/10 ~~10/09~~), Application for Emergency Unemployment Compensation, which may be found at [http://www.floridajobs.org/unemployment/EUC\\_09/EUC\\_app.pdf](http://www.floridajobs.org/unemployment/EUC_09/EUC_app.pdf);

~~(b)2-~~ Form AWI-UC310EUC (S) (Rev. 08/10 ~~10/09~~), Solicitud de Compensacion de emergencia por desempleo, which may be found at [http://www.floridajobs.org/unemployment/EUC\\_09/EUC\(s\)\\_app.pdf](http://www.floridajobs.org/unemployment/EUC_09/EUC(s)_app.pdf); or

~~(c)3-~~ Form AWI-UC310EUC (C) (Rev. 08/10 ~~10/09~~), Aplikasyon pou Alokasyon Chomaj sou Ka Dijan, which may be found at [http://www.floridajobs.org/unemployment/EUC\\_09/EUC\(c\)\\_app.pdf](http://www.floridajobs.org/unemployment/EUC_09/EUC(c)_app.pdf).

~~(b)~~ To submit a written application for emergency unemployment compensation ~~under subsections (5) or (6) of Rule 60BB-3.0253, F.A.C.~~, the claimant must complete and submit one of the following forms:

1. Form AWI-UC310EUC(H) (12-09), Application for Tier III;

2. Form AWI-UC310EUC(H) (Sp) (12-09), Agencia para la innovacion en la fuerza de trabajo de Florida Compensacion de emergencia por desempleo; or

3. Form AWI-UCB310EUC(H) (Cr) (12-09), Ajans pou Inovasyon Fos Travay "Agency for Workforce Innovation" Kompansasyon Chomaj Dijans.

(c) The applications described in paragraph (2)(b) of this rule will be mailed to:

1. All out of state claimants whose application for extended benefits was denied because the law of their state of residence did not permit payment of extended benefits; and

~~2. All claimants who did not qualify for extended benefits because their Tier Two benefits expired before February 27, 2009.~~

~~(d) All applications mailed pursuant to paragraph (2)(c) of this rule will be accompanied by Form AWI-UC310EUC(H) LTR(N) (Rev. 4/10), Emergency Unemployment Compensation Instruction Sheet or a Form AWI-UC310EUC(H) LTR(S) (Rev. 4/10), Emergency Unemployment Compensation Instruction Sheet, which are hereby incorporated by reference into this rule.~~

(3) Submitting Written Applications. The claimant must submit his or her application by mailing the completed form to the address set forth on the form and/or accompanying instructions, or by faxing the form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, (850)921-3938.

(4) Notice of Determination.

(a) Notice of ineligibility for cases in which a claimant does not exhaust his or her regular benefits by the week ending November 20, 2010, will be mailed to the claimant on a Form AWI-UCB11 EXH (08/10), Notice of EUC Ineligibility, Form AWI-UCB11 EXH(S) (08/10), Eligibilidad Nota de EUC, or a Form AWI-UCB11 EXH(C) (08/10), Avi Sou Kalifikasyon EUC, which are hereby incorporated by reference into this rule.

~~(b)~~ Notice of ineligibility for cases in which the claimant does not meet the eligibility requirements of Rule 60BB-3.0252, F.A.C., will be mailed to the claimant on a Form AWI-UCB11-I EUC (10/09), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

~~(c)~~ Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under subsections (2) or (3) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC (Rev. 7/10 ~~11/09~~), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

~~(d)~~ Notice of the Agency's determination of a claimant's eligibility or ineligibility for emergency unemployment compensation under paragraph (4)(b) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant:

1. On a Form AWI-UCB11 EUC-2 (Rev. 7/10 ~~4/10~~) Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule, when the claimant exhausts his Tier One benefits; or

2. On a Form AWI-UCB11 EUC-2R (12/09), Emergency Unemployment Compensation Tier II Monetary Determination, which is hereby incorporated by reference into this rule, when the claimant:

a. Claimed weeks on a Florida claim for extended benefits in a state in which extended benefits are not payable;

b. Received extended benefit payments for any week ending on or after November 14, 2009; or

c. Was determined to be entitled to an additional week of Tier Two benefits under the augmentation authorized by Public Law 111-92 for any week ending on or after November 14, 2009.

~~(e)(4)~~ Notice of the Agency’s determination of a claimant’s eligibility or ineligibility for emergency unemployment compensation under subsection (5) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC3 (Rev. 7/10 4/10) Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

~~(f)(e)~~ Notice of the Agency’s determination of a claimant’s eligibility or ineligibility for emergency unemployment compensation under subsection (6) of Rule 60BB-3.0253, F.A.C., will be mailed to the claimant on a Form AWI-UCB11 EUC4 (Rev. 7/10 4/10), Emergency Unemployment Compensation Monetary Determination, which is hereby incorporated by reference into this rule.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.101, 443.111, 443.151, 443.221(3) FS. History–New 8-11-10, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC110, Tallahassee, Florida 32399-4128, (850)245-7150, Fax (850)921-3230, email john.perry@flaawi.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cynthia R. Lorenzo, Director, Agency for Workforce Innovation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2010

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NOS.:	RULE TITLES:
60BB-3.0261	Definitions Relating to Extended Benefits
60BB-3.0262	How to Apply for Extended Benefits
60BB-3.0263	Diligent Work Search Requirements

PURPOSE AND EFFECT: The proposed amendments to the above referenced rules implement procedure and policy relating to the federally funded Extended Benefit Program authorized under Public Laws 110-252, 110-449, 111-118, 111-144, 111-157, and 111-205.

SUMMARY: The proposed amendments incorporate changes set forth in Public Law 111-205 relating to the time period during which an individual may claim and receive Extended Benefits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 443.1317(1)(b) FS.

LAW IMPLEMENTED: 443.036, 443.091, 443.1115, 443.1117 FS.

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

DATE AND TIME: Friday, September 24, 2010, 4:00 p.m. – 5:00 p.m.

PLACE: Agency for Workforce Innovation, Room 110, 107 East Madison Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850)245-7150, fax (850)921-3230, email john.perry@flaawi.com

THE FULL TEXT OF THE PROPOSED RULES IS:

60BB-3.0261 Definitions Relating to Extended Benefits.

For the purposes of extended benefits payable under Section 443.1117, Florida Statutes, and Rules 60BB-3.0261 through 60BB-3.0263, F.A.C., the following definitions apply:

(1) Good job prospects: An individual has good job prospects if he or she has a definite return to work date within 4 weeks of the eligibility notices referred to in subsection 60BB-3.0263(2), F.A.C.

(2) Regular unemployment compensation: Benefits payable to an individual under Chapter 443, Florida Statutes, including benefits payable to federal civilian employees and to ex servicemembers under 5 U.S.C. 8501-8525, other than emergency unemployment compensation, trade readjustment allowance, disaster unemployment assistance, and extended unemployment compensation under Sections 443.1115 and 443.1117, Florida Statutes.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.036, 443.1115, 443.1117 FS. History–New \_\_\_\_\_.

60BB-3.0262 How to Apply for Extended Benefits.

(1) Initiating a Claim for Extended Benefits. The Agency will mail a Form AWI-UC310EB (07/10), Application for Extended Benefits (EB), which is hereby incorporated by reference into this rule, to all individuals who exhaust their

available emergency unemployment compensation. This form will advise the recipient that the application for extended benefits may be filed using the form or by applying online at <http://www.floridajobs.org>. The online application report (AWI UCB-310EB-ONL (Rev. 2/10) Extended Benefit Online Application) is hereby incorporated by reference into this rule. When the individual is eligible for retroactive payment of extended benefits, the Agency will mail the claimant a Form AWI-UC310EBR (Rev 07/10) Information and Initial Claims Form for Retroactive Claims, which is hereby incorporated by reference into this rule. The Form AWI-UC310EB or Form AWI-UC310EBR may be submitted by:

(a) Mailing the completed form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, P. O. Drawer 5700, Tallahassee, Florida 32314-5350.

(b) Faxing the form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, (850)922-0107.

(2) Notice of Determination.

(a) Notice of the Agency's determination of an individual's eligibility or ineligibility for extended benefits will be mailed to the individual on a Form AWI-UCB11 EB (07/10), Monetary Determination/Redetermination for Extended Benefits, which is hereby incorporated by reference into this rule, when the Agency:

1. Determines that the individual is eligible for extended benefits; or

2. Determines that the individual is ineligible for extended benefits because:

a. The individual has available credits remaining on a claim for regular benefits or emergency unemployment compensation; or

b. The individual's claim for extended benefits was previously made in relation to the wrong regular unemployment claim.

(b) Notice of the Agency's determination of an individual's eligibility or ineligibility for extended benefits will be mailed to the individual on a Form AWI-UCB11-I EB (07/10), Extended Benefits Determination of Eligibility, which is hereby incorporated by reference into this rule, when the individual:

1. Has not exhausted his or her regular benefits or emergency unemployment compensation;

2. Did not exhaust his or her regular benefits or emergency unemployment compensation during his or her eligibility period;

3. Has rights to regular or extended benefits available or is potentially eligible for such benefits under the law of any state (which shall include Puerto Rico, the U.S. Virgin Islands, or the District of Columbia); or

4. Is receiving compensation under the unemployment compensation law of Canada.

(c) Any notice mailed pursuant to this rule will be accompanied by an EB BRI (7/10), Extended Benefits Benefit Rights Information, which is hereby incorporated by reference into this rule.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.1115, 443.1117 FS. History—New \_\_\_\_\_.

60BB-3.0263 Diligent Work Search Requirements.

(1) Claim Certification. Every two weeks, an individual determined to be eligible for extended benefits must report his or her work search activities. The individual may satisfy this requirement by reporting online at <http://www.floridajobs.org/unemployment/EB/index.html>, and clicking on the "Claim Your Weeks" icon. The individual may also file his or her report on a Form AWI UCB-60EB (07/10), Unemployment Compensation Benefit Weekly Claim Certification, or a Form AWI-UCB-60EBR (07/10) Information and Initial Claims Form for Retroactive Claims, in the manner prescribed in paragraphs 60BB-3.0262(1)(a) and (b), F.A.C. The Agency mails the Form AWI UCB-60EB and the Form AWI UCB-60EBR to the claimant for this purpose. The online work search reports (AWI UCB-60EB-ONL (Rev. 08/10) Weekly Claim Certifications and AWI UCB-60EB-ONL (S) (Rev. 08/10), Certificaciones para Reclamaciones Semanales), the Form AWI UCB-60EB and the Form AWI UCB-60EBR are hereby incorporated by reference into this rule.

(2) Work Search Requirements. Except as provided in subsection (3) of this rule, any eligible individual must conduct at least two work search activities on separate days per week.

(3) Good Job Prospects. Individuals who have been determined to have good job prospects, as defined in subsection 60BB-3.0261(1), F.A.C.:

(a) Are not required to seek other employment, except as provided by subsection (4) of this rule.

(b) Must list, in the Work Search Record portion of the report required in subsection (1) of this rule, the name and address of the employer to which the individual expects to report to work, and the date such work is expected to begin.

(4) Additional Reporting Requirement for Individuals with Good Job Prospects. If, after four weeks of extended benefits, an individual determined to have good job prospects remains unemployed, the Agency will mail him or her an AWI Form UCB231EB (Rev. 12/09), Unemployment Compensation Extended Benefits (EB) Eligibility Review Questionnaire, which is hereby incorporated by reference into this rule. The individual shall fill out and return this form within ten days of the mailing date, in the manner prescribed in paragraphs 60BB-3.0262(1)(a) and (b), F.A.C.

(5) Failure to Comply. Failure to comply with the requirements of this rule will result in the individual's disqualification from receiving extended benefits until:

(a) Four weeks have passed since the noncompliance; and



(b) The individual has earned wages that equal four times his or her weekly benefit amount.

Rulemaking Authority 443.1317(1)(b) FS. Law Implemented 443.091, 443.1115, 443.1117 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
John R. Perry, Assistant General Counsel, Agency for Workforce Innovation, Office of General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850)245-7150, fax (850)921-3230, email john.perry@flaawi.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cynthia R. Lorenzo, Director, Agency for Workforce Innovation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2010

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Florida Real Estate Appraisal Board

RULE NOS.: 61J1-8.002                      RULE TITLES: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes to amend the rule to update violations and penalties.

SUMMARY: Violations and penalties will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule will not have an impact on small business.

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: 455.2273, 475.614 FS.

LAW IMPLEMENTED: 455.227, 475.622, 475.6221(3), 475.624, 475.626 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas W. O'Bryant, Jr., Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-8.002 Disciplinary Guidelines.

(1) Pursuant to Section 455.2273, F.S., the Florida Real Estate Appraisal Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon licensees guilty of violating Chapter 455 or Part II, Chapter 475, F.S. (For purposes of this rule, the term licensee shall refer to registrants, license holders or certificate holders.) The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which normally will be imposed for each count following a Section 120.57, F.S. ~~during a formal or an informal~~ hearing. The brief description of each violation is provided for quick reference and is not meant to convey all elements of any given statutory provision; the full language of each statutory provision cited must be consulted in order to determine the conduct involved. For purposes of this rule, the order of penalties, ranging from lowest to highest, is: reprimand, fine, probation, suspension, and revocation or denial. Pursuant to Section 475.624, F.S., combinations of these penalties are permissible by law. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand, which may be included in the final penalty at the Board's discretion. Nothing in this rule shall preclude any discipline imposed upon a licensee pursuant to a stipulation or settlement agreement, nor shall the ranges of penalties set forth in this rule preclude the probable cause panel from issuing a letter of guidance in lieu of ~~upon~~ a finding of probable cause, where appropriate.

(2) No change.

(3) The penalties are as listed unless aggravating or mitigating circumstances apply pursuant to subsection (4):

VIOLATION	PENALTY RANGE	
	FIRST VIOLATION	SECOND AND SUBSEQUENT VIOLATIONS
(a) Section 475.622(1), F.S. Failed to place the registration, license or certification number adjacent to or immediately beneath the state designation.	Up to <del>30 90</del> days suspension <u>and an administrative fine of \$500.</u>	<u>Up to 90 days suspension and an administrative fine of \$1,000.</u>
(b) Section 475.622(1), F.S. Failed to include the appropriate designation and number in an advertisement.	Up to <del>30 90</del> days suspension <u>and an administrative fine of \$500.</u>	<u>Up to 90 days suspension and an administrative fine of \$1,000.</u>
(c) Section 475.622(2), F.S. Failed to use the state registration, license or certification designation in any appraisal report.	Up to <del>30 90</del> days suspension <u>and an administrative fine of \$500.</u>	<u>Up to 90 days suspension and an administrative fine of \$1,000.</u>
(d) <del>Section 455.227(1)(g), F.S. Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee. Section 475.624(1), F.S. Violated any provisions of this part or Section 455.227(1), F.S.</del>	<del>The usual action of the Board shall be to impose a penalty up to \$5,000.</del> Revocation and an administrative fine up to \$5,000.	<u>Revocation and an administrative fine of \$5,000.</u>
(e) Section 475.624(2), F.S. Guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme or device, culpable negligence or breach of trust, <u>or Section 455.227(1)(m), F.S.</u>	In the case of fraud, misrepresentation and dishonest dealing, <del>the usual action of the Board shall be to impose a penalty of revocation and an administrative fine up to \$5,000.</del>  In the case of concealment, false promises and false pretenses, <del>the usual action of the Board shall be to impose a penalty of a 3 to 5 year suspension and an administrative fine of \$1,000.</del>  In the case of culpable negligence and breach of trust, <del>the usual action of the Board shall be to impose a penalty from a \$1,000 fine to a 1 year suspension.</del>	<u>Revocation and an administrative fine of \$5,000.</u>  <u>Revocation and an administrative fine of \$5,000.</u>  <u>Revocation and an administrative fine of \$5,000.</u>
(f) Section 475.624(3), F.S. False, deceptive or misleading advertising, <u>or Section 455.227(1)(a), F.S.</u>	<del>The usual action of the Board shall be to impose a penalty from a \$1,000 fine to a 1 year suspension.</del>	<u>Revocation and an administrative fine of \$5,000.</u>

<p>(g) Section 475.624(4), F.S. Violated any of the provisions of this section or any lawful order or rule issued under the provisions of this section or Chapter 455, F.S., or Section 455.227(1)(b), F.S.</p>	<p><del>The usual action of the Board shall be to impose a penalty up to</del> <u>Revocation and an administrative fine up to \$5,000.</u></p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>
<p>(h) Section 475.624(5), F.S. Convicted or found guilty of a crime related to appraising or involves moral turpitude or fraudulent or dishonest dealing, or Section 455.227(1)(c), F.S.</p>	<p><del>The usual action of the Board shall be to impose a penalty from</del> <u>Suspension to revocation and an administrative fine up to \$2,500.</u></p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>
<p>(i) Section 475.624(6), F.S. Has license disciplined or acted against or an application denied by another jurisdiction, or Section 455.227(1)(f), F.S.</p>	<p>Imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida or suspension of the license until the license is unencumbered in the jurisdiction, in which the disciplinary action was originally taken, and an administrative fine of \$1,000.</p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>
<p>(j) Section 475.624(7), F.S. Impairment by drunkenness, or use of drugs or temporary mental derangement.</p>	<p><del>The usual action of the Board shall be to impose a penalty of</del> <u>Suspension for the period of incapacity and an administrative fine up to \$1,000.</u></p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>
<p>(k) Section 475.624(8), F.S. Confined in jail, prison or mental institution; or through mental disease can no longer practice with skill or in a confidential capacity.</p>	<p><u>Suspension and an administrative fine up to \$1,000</u> <del>The usual action of the Board shall be to impose a penalty of</del> <u>revocation.</u></p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>
<p>(l) Section 475.624(9), F.S. Failed to give the Board written notice within 30 days after a guilty or nolo contendere plea or having been convicted of any felony.</p>	<p><del>The usual action of the Board shall be to impose a penalty from a</del> <u>5 year suspension to revocation and an administrative fine of \$1,000.</u></p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>
<p>(m) Section 475.624(10), F.S. Guilty for the second time of misconduct in the practice of real estate appraisal that demonstrates incompetent dishonest or negligent dealings with those persons with whom the licensee sustains a confidential relationship.</p>	<p><del>Suspension to The usual action of the Board shall be to impose a penalty of</del> <u>revocation and an administrative fine up to \$5,000.</u></p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>
<p>(n) Section 475.624(11), F.S. Has made or filed a report or record which the licensee knows to be false or willfully failed to file a report or record or willfully impeded such filing as required by state or federal law, or Section 455.227(1)(l), F.S.</p>	<p><del>Suspension to The usual action of the Board shall be to impose a penalty of</del> <u>revocation and an administrative fine up to \$2,500.</u></p>	<p><u>Revocation and an administrative fine of \$5,000.</u></p>

(o) Section 475.624(12), F.S. Obtained a license by fraud, misrepresentation or concealment, or Section 455.227(1)(h), F.S.	<del>The usual action of the Board shall be to impose a penalty of R</del> revocation	<u>Revocation.</u>
(p) Section 475.624(13), F.S. Has paid money or other consideration to a member of the Board or employee of the Board to obtain a license registration or certification, or Section 455.227(1)(h), F.S.	<del>The usual action of the Board shall be to impose a penalty of R</del> revocation.	<u>Revocation.</u>
(q) Section 475.624(14), F.S. Has violated any standard for the development or communication of a real estate appraisal or other provision of the Uniform Standards of Professional Appraisal Practice.	<u>Probation up to a 1 year suspension</u> <del>The usual action of the Board shall be to impose a penalty from a 5 year suspension to revocation and an administrative fine of \$1,000.</del>	<u>Up to 5 year suspension to revocation and an administrative fine of \$5,000.</u>
(r) Section 475.624(15), F.S. Has failed or refused to exercise reasonable diligence in developing or preparing an appraisal report.	<del>The usual action of the board shall be to impose a penalty from a 5 year suspension to revocation and an administrative fine of \$1,000.</del>	<u>Up to 5 year suspension to revocation and an administrative fine of \$5,000.</u>
(s) Section 475.624(16), F.S. Has failed to communicate an appraisal without good cause.	<del>The usual action of the Board shall be to impose a penalty from a \$1,000 fine to a 1 year suspension.</del>	<u>Up to 5 year suspension to revocation and an administrative fine of \$5,000.</u>
(t) Section 475.624(17), F.S. Has accepted an appraisal assignment contingent upon the licensee reporting a predetermined result, analysis or opinion.	<u>30 day suspension up to</u> <del>The usual action of the Board shall be to impose a penalty of revocation.</del>	<u>Revocation.</u>
(u) Section 475.624(18), F.S. Has failed to timely notify the department of any change in business location, or has failed to fully disclose all business locations from which he operates as an appraiser.	<u>Up to 90 days suspension and an administrative fine of \$500.</u>	<u>Up to 6 month suspension and an administrative fine of \$1,000.</u>
(v) Section 475.626(1)(a), F.S. Has practiced without a valid and current license, registration or certification.	<del>The usual action of the Board shall be to impose a penalty from a 5 year suspension to revocation and an administrative fine of \$1,000.</del>	<u>Revocation and an administrative fine of \$5,000.</u>
(w) Section 475.626(1)(b), F.S. Has violated any order or rule of the Board.	<del>The usual action of the Board shall be to impose a penalty of R</del> revocation and an administrative fine of \$1,000.	<u>Revocation and an administrative fine of \$5,000.</u>
(x) Section 475.626(1)(d), F.S. Made a false affidavit or affirmation or gave false testimony before the Board.	<u>Up to 5 years suspension to revocation and an administrative fine of \$1,000.</u> <del>The usual action of the Board shall be to impose a penalty of revocation.</del>	<u>Revocation and an administrative fine of \$5,000.</u>

(y) Section 475.626(1)(e), F.S. Failed to comply with subpoena issued by the Department of Business and Professional Regulation, or Section 455.227(1)(q), F.S.	Up to 5 years suspension <u>to revocation</u> and an administrative fine of \$1,000.	<u>Revocation and an administrative fine of \$5,000.</u>
(z) Section 475.626(1)(f), F.S. Obstructed or hindered the enforcement of Part II of Chapter 475, F.S., or Section 455.227(1)(r), F.S.	<u>Up to 5 years suspension to revocation and an administrative fine of \$1,000.</u> <del>The usual action of the Board shall be to impose a penalty of revocation.</del>	<u>Revocation and an administrative fine of \$5,000.</u>
(aa) Section 475.626(1)(g), F.S. Knowingly concealed information relating to violations of Chapter 475, F.S., Part II.	Up to 90 days suspension <u>and an administrative fine of \$1,000.</u>	<u>Up to 5 year suspension and an administrative fine of \$5,000.</u>
(bb) Section 475.6221(3), F.S. Supervisory appraiser employed by a trainee appraiser.	<del>The usual action of the Board shall be to impose a penalty of up to</del> <u>Revocation and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(cc) Section 475.6222, F.S. Failure to provide direct supervision or training of trainee appraiser.	<del>The usual action of the Board shall be to impose a penalty of up to</del> <u>Revocation and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(dd) Section 455.227(1)(j), F.S. <u>Aiding unlicensed activity.</u>	<u>Revocation and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(ee) Section 455.227(1)(k), F.S. <u>Failure to perform any statutory or legal obligation.</u>	<u>Up to 5 years suspension and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(ff) Section 455.227(1)(n), F.S. <u>Excercising influence on client for licensee's or third party's financial gain.</u>	<u>Up to 5 years suspension and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(gg) Section 455.227(1)(o), F.S. <u>Practicing or offering to practice beyond permitted scope.</u>	<u>Up to a 5 year suspension and an administrative fine of \$1,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(hh) Section 455.227(1)(p), F.S. <u>Delegating beyond permitted scope.</u>	<u>Up to a 5 year suspension and an administrative fine of \$1,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(ii) Section 455.227(1)(t), F.S. <u>Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (more than 30 days late).</u>	<u>Reprimand and an administrative fine of \$1,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>

(4) No change.

Rulemaking Specific Authority 455.2273, 475.614 FS. Law Implemented 455.227, 475.622, 475.6221(3), 475.624, 475.626 FS. History--New 1-7-92, Formerly 21VV-8.002, Amended 1-9-94, 8-17-97, 6-8-03, 12-4-06, 11-25-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 3, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 5, 2010

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Beaches and Coastal Systems**

RULE NOS.:	RULE TITLES:
62B-41.002	Definitions
62B-41.003	General Prohibitions
62B-41.005	Policy and Eligibility Criteria for Coastal Construction Permits

**PURPOSE AND EFFECT:** To amend the existing rules that establish criteria for coastal construction authorization below the mean high water line.

**SUMMARY:** The Bureau proposes amendments to the rule in order address comments from the Joint Administrative Procedures Committee. The rule amendments will refine criteria for coastal construction permits for coastal armoring below the mean high water line, inlet construction and maintenance, and beach restoration and nourishment.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Estimated Regulatory Cost was prepared because the rule amendments will not impact small businesses.

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:** 161.041, 161.055, 161.085, FS.

**LAW IMPLEMENTED:** 161.021, 161.041, 161.042, 161.051, 161.055, 161.061, 161.063, 161.085, 161.088, 161.091, 161.142, 161.143, 161.144, 161.151, 161.161, 161.163, 379.2431 FS.

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

**DATE AND TIME:** October 5, 2010, 1:00 p.m.  
**PLACE:** Bureau of Beaches and Coastal Systems, 5050 W. Tennessee St., Rm #309, Tallahassee, Florida

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: Rosaline Beckham, (850)488-7708 or by e-mail at [rosaline.beckham@dep.state.fl.us](mailto:rosaline.beckham@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: West Gregory, (850)245-2542 or by e-mail at [west.gregory@dep.state.fl.us](mailto:west.gregory@dep.state.fl.us)

THE FULL TEXT OF THE PROPOSED RULES IS:

62B-41.002 Definitions.

(1) through (16) No change.

(17) "~~Feasible~~" describes an act which is technically possible to accomplish with current technology, or is economically viable when compared to alternative strategies to protect a structure. Economically viable, as it relates to dune enhancement, or modification or relocation of a structure threatened by erosion, means that the cost of dune enhancement, or modification or relocation of a structure to be protected is no more than twice the cost of the proposed protection structure or other alternatives. In determining economic feasibility, the cost estimates submitted to the Department shall not include costs related to ineligible structures, or costs associated with overhead, contingencies, remodeling or landscaping. The cost of a proposed protection structure shall include the costs associated with use of any related state owned property.

~~(17)~~(18) No change.

~~(18)~~(19) "Impacts" are defined as follows:

(a) "Adverse Impacts" are those impacts to the active portion of the coastal system resulting from coastal construction. Such impacts are caused by coastal construction that have which has a reasonable potential of causing a measurable interference with the natural functioning of the coastal system, damage to existing structures or properties, or denial or restriction of lateral beach access. The active portion of the coastal system extends offshore to the seaward limit of sediment transport and includes ebb tidal shoals and offshore bars.

(b) No change.

(c) "De Minimis Minimus Impacts" are impacts that are have been determined by the Department to be insignificant and do not have a measurable adverse impact not of a substantial nature either individually or cumulatively.

(d) "Significant Adverse Impacts" are adverse impacts of such magnitude that they are expected to alter the coastal system in a manner that results result in either:

1. An increase in the rate of erosion;
2. Rendering the coastal system unstable or vulnerable to the effects of coastal storms or interfere with its ability to recover from the effects of a coastal storm; or

3. A take, as defined in subsection 62B-41.002(46) 62B-41.002(48), F.A.C., unless, as provided for by the provisions of paragraph 379.2431(1)(f), F.S.; or

4. ~~An inconsistency with the provisions of paragraph 379.2431(1)(e)1., F.S.~~

(e) ~~“Minor Impacts” are those impacts associated with coastal construction which are not considered by the Department to be adverse impacts due to their magnitude or temporary nature.~~

(f) ~~“Other Impacts” are those impacts associated with coastal construction which may result in damage to existing structures or properties, or denial of lateral beach access.~~

(20) through (22) renumbered (19) through (21) No change.

~~(22)(23)~~ “Marine Turtle” is any turtle, including all life stages from egg to adult, found in Florida waters or using the beach as nesting habitat, including the following species: loggerhead *Caretta caretta* (*Caretta caretta* loggerhead), green *Chelonia Mydas* (*Chelonia Mydas* green), leatherback *Dermochelys coriacea* (*Dermochelys coriacea* leatherback), hawksbill *Eretmochelys imbricata* (*Eretmochelys imbricata* hawksbill), and Kemp’s ridley *Lepidochelys kemp* (*Lepidochelys kemp* Kemp’s ridley).

(24) through (26) renumbered (23) through (25) No change.

~~(26)(27)~~ “Mitigation” is an action or series of actions taken by the applicant that will offset ~~alleviate~~ adverse impacts to the coastal system caused by a proposed or existing coastal construction project.

~~(32)(33)~~ “Notice to Proceed” is the formal notification from the Department ~~Office~~ authorizing permitted coastal construction to commence.

~~(34)~~ “Office” is the Office of Beaches and Coastal Systems of the Department of Environmental Protection. ~~The head of the Office is the Director.~~

(35) through (43) renumbered (33) through (41) No change.

~~(42)(44)~~ “Staff” is the staff of the Bureau ~~Office~~ of Beaches and Coastal Systems.

(45) through (46) renumbered (43) through (44) No change.

~~(45)(47)~~ “Structure” is the composite result of putting together or building related components in an ordered scheme. For purposes of this chapter, “structure” includes:

(a) through (c) No change.

(d) “Minor Coastal Structures” are structures designed to be expendable and to minimize resistance to water forces associated with high frequency coastal storms, and to break away when subjected to such forces and are of such size or design that they have a de minimis ~~minor~~ impact on the coastal system.

(e) through (f) No change.

(48) through (49) renumbered (46) through (47) No change.

Rulemaking Specific Authority 161.041(1), 161.055(1),(2), 161.085(5), 379.2434 FS. Law Implemented ~~161.011, 161.021(1),(6),(7),(9), 161.041(1), 161.042, 161.051, 161.085(1),(2), 161.0535, 161.054, 161.061, 161.071, 161.081, 161.088, 161.091, 161.101, 161.111, 161.141, 161.142(1),(2),(5), 161.143(1), 161.151(3), 161.161(1), 161.163, 379.2431(1), 161.181, 161.191, 161.201, 161.211, 161.212, 379.407~~ FS. History–New 8-23-92, Formerly 16B-41.002, Amended 10-23-01,\_\_\_\_\_.

62B-41.003 General Prohibitions.

(1) No change.

(2) No coastal construction shall be allowed if, after considering any proposed mitigation plan, the proposed project as a whole ~~it~~ will result in a significant adverse impact.

(3) No coastal construction shall interfere, except during construction, with the use by the public of any area of a beach seaward of the mean high-water line (or an established erosion control line) unless the Department determines such interference is unavoidable for purposes of protecting the beach or any endangered upland structure determined to be eligible pursuant to the criteria listed in subsection 62B-41.005(6), F.A.C. If interference with public access is unavoidable, the applicant shall provide comparable alternative access.

(4) No coastal construction shall be allowed to result in a take of marine turtles, as defined in subsection 62B-41.002(46), F.A.C., unless, as provided for by the provisions of Section 379.2431(1)(h), F.S.

Rulemaking Specific Authority 161.041(1), 161.055(1),(2), ~~161.051, 161.061, 161.121, 379.2431(4)~~ FS. Law Implemented 161.021(1), 161.041(1),(2), 379.2431(1) ~~161.042, 161.141, 161.142, 379.407(1)~~ FS. History–New 8-23-92, Formerly 16B-41.003, Amended 10-23-01,\_\_\_\_\_.

62B-41.005 Policy and Eligibility Criteria for Coastal Construction Permits.

(1) No change.

(2) Coastal construction authorized by the Department pursuant to Chapter 62B-41, F.A.C., shall have a net positive benefit to the coastal system resulting from the project’s impacts, as demonstrated by the applicant, taking into account the considerations and requirements of Section 161.041, F.S., and when proposing inlet construction and maintenance, the considerations and requirements of Section 161.142, F.S. Coastal construction authorized under this chapter shall be limited. The necessity to conduct such coastal construction shall be stated and fully justified by the applicant. Further, the potential benefits or impacts to the coastal system shall be clearly identified.

(3) through (4) No change.

(5) Structures which interfere with the natural longshore and onshore/offshore movement of sediments shall not be allowed unless a net positive benefit to the coastal system can reasonably be expected to occur and mitigation is provided for

any adverse impacts which may occur to the coastal system. ~~Proposed coastal construction which is reasonably expected to have a significant adverse impact shall not be allowed.~~

(6)(a) through (b) No change.

(c) All other alternatives, including dune enhancement, beach restoration, structure relocation, and modification of the structure's foundation to make it no longer vulnerable to the erosion impacts of at least a five year return interval storm event, are determined not to be economically and physically practicable feasible;

(d) Such armoring does not result in a net reduction or restriction to public access along the beach below the mean high-water line. If interference with public access is unavoidable, the applicant shall provide comparable alternative access; and

(e) It is demonstrated that after considering any proposed mitigation plan, the proposed project as a whole there will not cause a be no significant adverse impact.

(7) through (10) No change.

(11) In addition to the other requirements of this chapter, opening of previously existing inlets that have been recently closed due to human activity, a Alteration or maintenance of natural inlets, intermittent inlets and flushing outlets, and stabilization of natural shorelines of existing unstabilized altered inlets will be approved upon a showing that:

(a) All impacts are avoided or minimized to the greatest extent practicable, including consideration of less impactful alternatives Significant adverse impacts will not occur as a result of the activity; and

(b) After avoidance and minimization, any adverse impacts that are reasonably likely to occur will be offset by a proposed mitigation plan. When evaluating the mitigation plan, the Department will consider the benefits of the long term sand management plan and the overall public benefit of the inlet activity including:

(b) ~~A less impactful alternative to achieve the proposed project purpose is not practicable; and~~

(c) ~~The project will provide public benefits including:~~

1. Meeting a recognized public need contained in the approved local comprehensive plan of the local government with jurisdiction over the inlet;

2. Conservation and enhancement of the supply of sand to adjacent beaches;

3. Preservation or enhancement of the natural functioning of the inlet system;

4. Protection and enhancement of the marine and beach habitat; and

5. Being consistent with an adopted inlet management plan and the statewide strategic beach management plan, where applicable, ~~or~~

(c) For the purposes of subsection 62B-41.005(11), F.A.C., previously existing inlets that have been recently closed due to human activity are areas of the coastal system that continue to exhibit features of an inlet such as an ebb or tidal shoal.

(d) ~~The project is required to relieve severe public hardship caused by a major natural disaster.~~

(12) Creation of new inlets have the potential to significantly impact the surrounding coastal system by interrupting or altering the natural drift of beach compatible sand resources, which often results in these sand resources being deposited in nearshore areas, in the inlet channel, or in the inland waterway adjacent to the inlet, instead of providing natural nourishment to the adjacent beaches. There is also a growing demand for beach compatible sand and a limited supply of such sand resources. Therefore, in addition to the criteria in subsection 62B-41.005(11) F.A.C., for projects proposing the the creation of new inlets the applicant must also demonstrate that: The artificial creation of new inlets or flushing outlets is prohibited. Previously existing inlets which have been closed due to recent human activity may be reopened if the reopened inlet will:

(a) The inlet will bBe hydraulically stable under normal conditions; and

(b) The inlet will balance the sediment budget such that beach restoration and nourishment of the adjacent beaches, or other forms of shoreline stabilization, including jetties, are not required. Not require shoreline stabilization

(c) ~~Restore water quality in disturbed coastal ecosystems to acceptable Department of Environmental Protection Water Quality Standards;~~

(d) ~~Not result in a significant adverse impact; and~~

(e) ~~Provide public benefits as described in paragraph 62B-41.005(12)(c), F.A.C.~~

(13) Maintenance of existing altered inlets and modification of existing unstabilized altered inlets are not subject to the requirements of subsections 62B-41.005(11) and 62B-41.005(12), F.A.C. shall be permitted in accordance with this chapter.

(14) through (16) No change.

(17) ~~If the Department determines that the proposed coastal construction is reasonably likely to have has the potential for adverse impacts to the coastal system, then the Department shall require the applicant shall to revise the project design to avoid or minimize those impacts to the greatest extent practicable. After all practicable revisions have been made to avoid and minimize impacts; any remaining adverse impacts or other impacts shall be offset by a mitigation plan that has been proposed by the applicant.~~

(18) No change.



~~Rulemaking Specific~~ Authority 161.041(1), 161.055(1), (2), 161.085(5) ~~379.407~~ FS. Law Implemented 161.041(1), (2), (3), (4), 161.042, 161.051, 161.055(1),(2), 161.061(1),(2), 161.085(1),(2), ~~161.088~~, 161.091, 161.142(1), (2), (5), (6), (7), 161.143(1), 161.144, 161.163, 379.2431(1) ~~379.407~~ FS. History–New 8-23-92, Formerly 16B-41.005, Amended 10-23-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mimi Drew, Deputy Secretary  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 11, 2010  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 22, 2009

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-6.003  
RULE TITLE: Reactivation of Inactive License  
PURPOSE AND EFFECT: The Board proposes this change to increase the number of hours of didactic education.  
SUMMARY: The rule amendment will increase the number of hours needed of didactic education.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 456.036, 464.006, 464.014 FS.

LAW IMPLEMENTED: 456.036, 464.014 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-6.003 Reactivation of Inactive License.

(1) An inactive license may be reactivated upon application to the Department and demonstration of compliance with the following conditions:

- (a) through (d) No change.
- (2) No change.

(3) If a license has been inactive for more than two consecutive biennial licensure cycles, and the licensee has not been practicing nursing in any jurisdiction for the two years immediately preceding the application for reactivation, the

applicant for reactivation will be required to complete a nursing ~~remedial refresher~~ course as described in Rule ~~64B9-3.0025~~, F.A.C., with clinical component appropriate to the licensure level of the licensee. The ~~remedial refresher~~ course must be given at a Board-approved program, and must include at least ~~860~~ hours of didactic education classroom instruction and 96 hours of clinical experience in medical/surgical nursing and any specialty area of practice of the licensee.

~~Rulemaking Specific~~ Authority 456.036, 464.006, 464.014 FS. Law Implemented 456.036, 464.014 FS. History–New 2-5-87, Amended 10-21-87, 6-21-88, Formerly 21O-14.005, Amended 9-7-93, 1-26-94, Formerly 61F7-6.003, Amended 1-1-96, Formerly 59S-6.003, Amended 3-14-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 2010

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-12.005  
RULE TITLE: Competency and Knowledge Requirements Necessary to Qualify the LPN to Administer IV Therapy

PURPOSE AND EFFECT: The Board proposes this change to add graduate practical nurse to requirements to administer IV therapy.

SUMMARY: The rule adds graduate practical nurse to requirements to administer IV therapy.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 464.006 FS.

LAW IMPLEMENTED: 464.003(b) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-12.005 Competency and Knowledge Requirements Necessary to Qualify the LPN to Administer IV Therapy.

(1) No change.

(2) Central Lines. The Board recognizes that through appropriate education and training, a Licensed Practical Nurse is capable of performing intravenous therapy via central lines under the direction of a registered professional nurse as defined in subsection 64B9-12.002(2), F.A.C. Appropriate education and training requires a minimum of four (4) hours of instruction. The requisite four (4) hours of instruction may be included as part of the thirty (30) hours required for intravenous therapy education specified in subsection (4) of this rule. The education and training required in this subsection shall include, at a minimum, didactic and clinical practicum instruction in the following areas:

(a) through (f) No change.

(g) CVL complications and remedial measures.

Upon completion of the intravenous therapy training via central lines, the Licensed Practical Nurse shall be assessed on both theoretical knowledge and practice, as well as clinical practice and competence. The clinical practice assessment must be witnessed by a Registered Nurse who shall file a proficiency statement regarding the Licensed Practical Nurse's ability to perform intravenous therapy via central lines. The proficiency statement shall be kept in the Licensed Practical Nurse's personnel file.

(3) No change.

(4) Educational Alternatives. The cognitive training shall include one or more of the following:

(a) Post-graduate Level Course. In recognition that the curriculum requirements mandated by subsection 64B9-2.006(3), F.A.C., for practical nursing programs are extensive and that every licensed practical nurse will not administer IV Therapy, the course necessary to qualify a licensed practical nurse or graduate practical nurse to administer IV therapy shall be not less than a thirty (30) hour post-graduate level course teaching aspects of IV therapy containing the components enumerated in subsection 64B9-12.005(1), F.A.C.

(b) Credit for Previous Education. The continuing education provider may credit the licensed practical nurse or graduate practical nurse for previous IV therapy education on a post-graduate level, providing each component of the course content of subsection 64B9-12.005(1), F.A.C., is tested by and competency demonstrated to the provider.

(c) No change.

(5) No change.

Rulemaking Specific Authority 464.006 FS. Law Implemented 464.003(3)(b) FS. History--New 1-16-91, Formerly 21O-21.005, 61F7-12.005, Amended 7-15-96, Formerly 59S-12.005, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Nursing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 9, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 16, 2010

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.:

RULE TITLE:

64B19-13.003

Continuing Psychological Education Credit

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the continuing education requirement regarding professional ethics and psychology laws and rules.

SUMMARY: The proposed rule amendment clarifies the continuing education requirement with regard to professional ethics and psychology laws and rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board prepared a Statement of Estimated Regulatory Costs for the rule. Specifically, the rule may have a fiscal impact on continuing education providers who will be required to restructure course offerings to include the subject areas outlined in the rule. CE Broker will incur costs in revising its system to ensure that both providers and licensees are in compliance with the appropriate continuing education.

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(7), 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 456.013(7), 490.007(2), 490.0085(1), (3) FS.

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

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 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-13.003 Continuing Psychological Education Credit.

(1) through (2) No change.

(3) As a condition of biennial licensure renewal, each licensee must complete forty (40) hours of continuing psychological education.

(a) Three (3) of the forty (40) hours must be on professional ethics and Florida Statutes and rules affecting the practice of psychology. Of those three hours, at least one hour shall be on professional ethics, and at least one hour shall be on Florida laws and rules relevant to the practice of psychology and shall include Chapters 456 and 490, F.S., and Rule Chapter 64B19, F.A.C.

(b) through (c) No change.

(4) through (5) No change.

Rulemaking Specific Authority 456.013(7), 490.004(4), 490.0085(4) FS. Law Implemented 456.013(7), 490.007(2), 490.0085(1), (3) FS. History--New 1-28-93, Amended 7-14-93, Formerly 21U-13.0042, Amended 6-14-94, Formerly 61F13-13.0042, Amended 2-8-96, 11-18-96, Formerly 59AA-13.003, Amended 1-10-01, 8-5-01, 5-21-02, 6-3-04, 1-2-06, 12-31-06, 2-24-08, 5-26-08, 1-7-09,\_\_\_\_\_.

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, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2010

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-15.003  
RULE TITLE: Reactivation of Inactive Licenses

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application for reactivation of an inactive license and to set forth the appropriate website address for obtaining said application.

SUMMARY: The proposed rule amendment incorporates the revised application for reactivation of an inactive license in the rule and sets forth the website address for the purpose of obtaining said application.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Board prepared a Statement of Estimated Regulatory Costs for the rule. The precise number of individuals affected is unknown since the number of inactive licensees who choose to reactivate an inactive license will vary each biennium. There appears to be no fiscal impact on licensees or small business with regard to the revised application form.

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: 456.036, 490.004(5) FS.

LAW IMPLEMENTED: 456.036 FS.

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

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 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-15.003 Reactivation of Inactive Licenses.

(1) A licensee may reactivate his or her own inactive license and thereby place the license on active status by:

(a) Making application on form DH-MQA 1239 ~~DOH/MQA/PY-REACT-APP/REV. 12/01~~, "Application for Reactivation of Inactive Psychologist Licensure," (revised 07/10, ~~effective 3-25-02~~, which is hereby adopted and incorporated by reference, and can be obtained from the Board of Psychology's website at <http://www.doh.state.fl.us/mqa/psychology/index.html>; ~~copies of which may be obtained from the Board office;~~

(b) through (e) No change.

(2) No change.

Rulemaking Specific Authority 456.036, 490.004(5) FS. Law Implemented 456.036 FS. History--New 1-19-84, Formerly 21U-13.015, 21U-13.0015, 21U-19.003, 61F13-19.003, Amended 1-7-96, Formerly 59AA-15.003, Amended 8-5-01, 3-25-02, 12-27-05,\_\_\_\_\_.

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, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 6, 2010

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-18.007  
RULE TITLE: Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes

PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate the APA Guidelines for Child Custody Evaluations in Divorce Proceedings, and the Specialty Guidelines for Forensic Psychologists into the Board's rule and to set forth the website for the purpose of obtaining said guidelines.

**SUMMARY:** The proposed rule amendments incorporates the APA Guidelines for Child Custody Evaluations in Divorce Proceedings, and the Specialty Guidelines for Forensic Psychologists into the Board’s rule and sets forth the website for the purpose of obtaining said guidelines.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The Board prepared a Statement of Estimated Regulatory Costs for the rule. The number of psychologist licensees who will be affected by the proposed rule is unknown. There appears to be no fiscal impact on licensees or small business with regard to the revised application form.

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:** 490.004(4) FS.

**LAW IMPLEMENTED:** 490.009(2)(s) FS.

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

**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 32399-3255

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64B19-18.007 Requirements for Forensic Psychological Evaluations of Minors for the Purpose of Addressing Custody, Residence or Visitation Disputes.

- (1) No change.
- (2) The minimum standard of performance in court-ordered child custody evaluation and family law proceedings includes, but is not limited to, the following:
  - (a) The psychologist shall adhere to the “APA Guidelines for Child Custody Evaluations in Divorce Proceedings,” effective July, 1994, and the “Specialty Guidelines for Forensic Psychologists,” effective March 9, 1991. ~~These guidelines are incorporated by reference and copies may be obtained from the Board office. These~~ The “APA Guidelines for Child Custody Evaluations in Divorce Proceedings,” and the “Specialty Guidelines for Forensic Psychologists” are adopted and incorporated by reference and can be obtained from the Board of Psychology’s website at: [http://doh.state.fl.us/mqa/psychology/psy\\_statutes.html](http://doh.state.fl.us/mqa/psychology/psy_statutes.html), are also available at: [www.apa.org/practice/childcustody.html](http://www.apa.org/practice/childcustody.html) effective 3-25-02, which is hereby incorporated by reference.
  - (b) through (e) No change.
- (3) No change.

**Rulemaking Specific Authority** 490.004(4) FS. Law Implemented 490.009(2)(s) FS. History--New 6-14-94, Formerly 61F13-20.007, Amended 1-7-96, Formerly 59AA-18.007, Amended 9-30-04,\_\_\_\_\_.

**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, 2010  
**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** August 6, 2010

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

**RULE NO.:** 64D-3.046  
**RULE TITLE:** Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes

**PURPOSE AND EFFECT:** The Bureau of Immunization proposes an amendment to update forms and guidelines that are incorporated by reference.

**SUMMARY:** This rule amendment updates forms DH-680, Florida Certification of Immunization and DH Form 150-615, Immunization Guidelines – Florida Schools, Child Care Facilities and Family Day Care Homes.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Estimated Regulatory Cost was prepared.

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:** 381.0011(13), 381.003(1), (2), 381.005(2), 1003.22 FS.

**LAW IMPLEMENTED:** 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 FS.

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

**DATE AND TIME:** September 20, 2010, 10:00 a.m. (EDT)  
**PLACE:** 2585 Merchants Row Blvd., Room 105J, Tallahassee, FL 32399-1719

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Susan Lincicome, Senior Management Analyst Supervisor, Department of Health, Bureau of Immunization, 2585 Merchants Row Blvd., Room 210N, Tallahassee, FL 32399-1719

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64D-3.046 Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, Kindergarten Through 12, and Adult Education Classes.

(1)(a) Immunization and Documentation Requirements for School Entry/Attendance:

(a)(b) A student may attend a public or non-public school, grades preschool through 12 or an adult education class if younger than 21, if prior to admittance, attendance or transfer, they present one of the following for inspection for validity by an authorized school official:

1. DH Form 680, Florida Certification of Immunization (July 2010 ~~July 2008~~), incorporated by reference, available from Department of Health (DOH) county health departments (CHDs), or physicians' offices; or

2. DH Form 681, Religious Exemptions for Immunizations (English/Spanish/Haitian-Creole) (February 2002), incorporated by reference, available at DOH CHDs, must be signed by the local county health department medical director or designee. Documentation of receipt of or exemption from must be noted for the following immunizations: diphtheria, tetanus, pertussis, poliomyelitis, measles (rubeola), rubella, mumps, varicella and hepatitis B. The manner and frequency of administration of the immunizations shall conform to recognized standards of medical practice.

(b)(2) Specific immunization requirements by grade, in addition to those in paragraph (1)(a) which must be documented prior to admittance, attendance or any other initial entrance are detailed in the Immunization Guidelines-Florida Schools, Childcare Facilities and Family Daycare Homes (July 2010), incorporated by reference, available online at: [www.doh.state.fl.us/disease\\_ctr/immune/schoolguide.pdf](http://www.doh.state.fl.us/disease_ctr/immune/schoolguide.pdf) transfer.

~~1. Preschool Completion of Haemophilus influenzae type b vaccination.~~

~~(b) Preschool or kindergarten effective with the 2001/2002 school year completion of varicella vaccination. Each subsequent year thereafter the next highest grade will be included in the requirement so that students transferring into Florida schools are added to the varicella immunized cohort.~~

~~1. 7th Grade Completion of a tetanus diphtheria booster.~~

~~2. Additional Documentation Requirements for Exemptions:~~

~~1.3. Temporary or permanent medical exemption DH Form 680 must be signed by a practitioner licensed under Chapter 458 or 459, Florida Statutes, or their authorized representative. For temporary or permanent medical exemption the signing practitioner must possess medical records documenting the medical basis for each such exemption. For exemption from the rubeola immunization the practitioner must include with DH Form 680, Florida Certification of Immunization, incorporated by reference in subsection 64D 3.046(1), F.A.C., documentation on their own stationery of the physician's request for exemption, asserting that the~~

~~student had an illness comprised of a generalized rash lasting three or more days, a fever of 101 degrees Fahrenheit or greater, a cough, and/or coryza, and/or conjunctivitis and, in the physician's opinion, has had the ten-day measles (rubeola) or serologic evidence of immunity to measles.~~

~~2.(e) A DH Form 680 that does not include a temporary or permanent medical exemption must be signed. Forms are to be fully executed by a practitioner licensed under Chapter 458, 459, 460, or 464, F.S., or their authorized representative (where permitted in the particular certification) per instructions for the appropriate school year as provided in DH Form 150-615, Immunization Guidelines-Florida Schools, Child Care Facilities and Family Day Care Homes (July 2008), incorporated by reference, available online at: [www.doh.state.fl.us/disease\\_ctr/immune/schoolguide.pdf](http://www.doh.state.fl.us/disease_ctr/immune/schoolguide.pdf).~~

3. Florida SHOTS (State Health Online Tracking System) Electronically Certified DH Form 680 accessed directly by the school is considered certified in writing and signed by the Florida SHOTS private provider produced by a CHD or a physician's office, as provided in subsection (7), may be utilized.

~~(e) DH Forms 681, Religious Exemptions for Immunizations (English/Spanish/Haitian Creole) (February 2002), incorporated by reference, available at DOH CHDs, must be issued and signed by the local county health department medical director or designee.~~

~~(f) Otherwise, required immunizations not performed must be accounted for under the Temporary or Permanent Medical Exemptions, DH Form 680, Florida Certification of Immunization, Parts B and C, incorporated by reference in subsection 64D 3.046(1), F.A.C.~~

~~(2)(3) Documentation Requirements for Schools:~~

~~(a) The original or a copy of a valid original of the form(s) required under this rule paragraph (1)(a) shall remain in the student's cumulative health record unless verified in Florida SHOTS.~~

~~(b) Antigen doses by dates of immunization shall be transferred as data elements through the Florida Automated System for Transferring Education Records (FASTER).~~

~~(c) Compliance Reporting:~~

1. Each public and nonpublic school with a kindergarten and/or seventh grade shall submit an annual compliance report. The report shall be completed on DH Form 684, Immunization Annual Report of Compliance for Kindergarten and Seventh Grade (June 2009 ~~2007~~), incorporated by reference, available at DOH CHDs. The report shall include the immunization status of all children who were attending kindergarten and seventh grades at the beginning of the school year. The report shall be forwarded to the CHD director/administrator no later than October 1 of each school year where the data will be compiled on DH Form 685, Kindergarten and Seventh Grade Annual Report of Compliance County Summary (June 2009

~~November 2006~~, incorporated by reference, available at DOH CHDs; or electronically generated by the Department of Education.

2. After consultation with the Department of Education, the Department of Health shall require compliance reports from public and nonpublic schools and preschools for selected grades (K-12 and preschool) in special situations of vaccine preventable disease outbreak control or identified need for monitoring through surveys for immunization compliance levels. Such reports shall include the status of all children who were attending school at the beginning of the school year. Reports shall be forwarded to the CHD director/administrator within a specified period, as determined by the DOH.

~~(3)(4)~~ Homeless, Transfers and Juvenile Justice – A temporary exemption to requirements of subsection ~~(1)(2)~~ above not to exceed 30 days may be issued by an authorized school official for any of the following, consistent with the definitions in Section 1003.01, F.S.:

- (a) A homeless child.
- (b) A transfer student.
- (c) A student who enters a juvenile justice education program or school.

(d) Children of military families as defined under Section 1000.36, F.S.

~~(4)(5)~~ Notwithstanding subsection (2), the Department may:

- (a) Designate any required immunization as unnecessary or hazardous, according to recognized standards of medical practice.
- (b) Upon determination that a shortage of vaccine exists, approve issuance of temporary medical exemption with extended expiration dates by practitioners or authorized school officials until such time as, in the DOH’s opinion, vaccine will be available in sufficient quantity for such deferred vaccinations to be completed.

~~(5)(6)~~ Florida SHOTS (State Health Online Tracking System) Opt Out Provision – Parents or guardians may elect to decline participation in the Florida immunization registry, Florida SHOTS, by submitting a Florida SHOTS Notification and Opt Out Form to the DOH. The form, either a DH Form 1478 (English) or DH Form 1478S (Spanish) or DH Form 1478H (Haitian-Creole), incorporated by reference, is available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The immunization records of children whose parents choose to opt-out will not be shared with other entities that are allowed by law to have access to the children’s immunization record via authorized access to Florida SHOTS.

~~(6)(7)~~ Florida SHOTS Private Provider Participation – Any health care practitioner licensed in Florida under Chapters 458, 459 or 464, F.S., may request authorization to access Florida SHOTS by filling out a DH Form 1479, Authorized Private Provider User Agreement for Access to Florida

SHOTS (January 2007), incorporated by reference, available from the DOH Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 1479 will be returned to the Department of Health for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user’s license or registration has expired or has been suspended or revoked.

~~(7)(8)~~ Florida SHOTS School and Licensed or Registered Child Care Facility Participation – Any public or nonpublic school, or licensed or registered child care facility may request authorization to access Florida SHOTS by completing a DH Form 2115, Authorized School and Licensed or Registered Child Care Facility User Agreement for Access to Florida SHOTS (January 2007), incorporated by reference, available from the DOH, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A-11, Tallahassee, FL 32399-1719. The DH Form 2115 will be returned to the DOH for processing and authorization to access Florida SHOTS. Notification of access approval and instructions for accessing Florida SHOTS will be provided by the DOH. The authorized user and the applicable licensing authority or agency shall notify the DOH, Bureau of Immunization Florida SHOTS personnel when an authorized user’s license or registration has expired or has been suspended or revoked.

Rulemaking Specific Authority 381.0011(13), 381.003(1), (2), 381.005(2), 1003.22 FS. Law Implemented 381.0011(4), 381.003(1), 381.005(1)(i), 1003.22 FS. History–New 11-20-06, Amended 7-15-07, 7-28-08,\_\_\_\_\_.

Editorial Note: Formerly 10D-3.88, 10D-3.088 and 64D-3.011.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Susan Lincicome, Senior Management Analyst Supervisor  
Department of Health, Bureau of Immunization, 2585 Merchants Row Blvd., Room 210N, Tallahassee FL 32399-1719

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: State Surgeon General, Ana. M Viamonte Ros

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 20, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 23, 2010

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.:	RULE TITLE:
65A-1.603	Food Assistance Program Income and Expenses

**PURPOSE AND EFFECT:** The proposed rule amendment amends the standard utility allowance, the basic utility allowance and the telephone standard.

**SUMMARY:** The proposed rule amendment increases the utility allowances.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Estimated Regulatory Cost was prepared.

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:** 414.45 FS.

**LAW IMPLEMENTED:** 414.31 FS.

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

**DATE AND TIME:** September 28, 2010, 10:30 a.m.

**PLACE:** 1317 Winewood Boulevard, Building 2, Room 204-V, Tallahassee, Florida 32399-0700

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, cindy\_keil@dcf.state.fl.us, (850)410-3291

**THE FULL TEXT OF THE PROPOSED RULE IS:**

65A-1.603 Food Assistance Program Income and Expenses.

(1) No change.

(2) Standard Utility Allowance. A standard utility allowance (SUA) of \$340 ~~\$317~~ must be used by AGs who incur or within the certification period expect to incur heating or cooling expenses separate and apart from their rent or mortgage and by AGs who receive direct or indirect assistance authorized under the Low Income Home Energy Assistance Act of 1981. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(3) Basic Utility Allowance. A basic utility allowance (BUA) of \$279 ~~\$258~~ must be used by AGs who do not incur heating or cooling expenses, but do incur utility expenses such as electricity, fuel, water, sewerage, or garbage pickup,

separate and apart from their rent or mortgage. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(4) Telephone Standard. A telephone standard of \$35 ~~\$32~~ must be used by AGs who incur only a telephone expense. Actual telephone expenses are not allowed. Any additional utility expenses, including the SUA or BUA, are not used.

(5) No change.

Rulemaking Authority 414.45 FS. Law Implemented 414.31 FS. History—New 1-31-94, Formerly 10C-1.603, Amended 1-12-99, 5-25-03, 8-22-05, 2-17-09, 12-13-09,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Nathan Lewis

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** George H. Sheldon

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** August 6, 2010

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** July 30, 2010

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Agency for Persons with Disabilities**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65G-4.0021	Tier Waivers
65G-4.0022	Tier One Waiver
65G-4.0023	Tier Two Waiver
65G-4.0024	Tier Three Waiver
65G-4.0025	Tier Four Waiver

**PURPOSE AND EFFECT:** The purpose of repealing these rules is to delete rules that were determined to be invalid in the case of *Moreland vs APD*, 19 So.3d 1009 (Fla 1DCA 2009). The Agency has since adopted replacement Rules 65G-4.0026, 65G-4.0027, 65G-4.0028, 65G-4.0029 and 65G-4.00291.

**SUMMARY:** These obsolete and invalid rules are being repealed.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Estimated Regulatory Cost was prepared.

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:** 393.0661(3) FS.

**LAW IMPLEMENTED:** 393.0661(3) FS.

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

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: Percy W. "Pete" Mallison, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)921-3779. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Percy W. "Pete" Mallison, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)921-3779

THE FULL TEXT OF THE PROPOSED RULES IS:

65G-4.0021 Tier Waivers.

Rulemaking Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 10-20-08, Repealed.

65G-4.0022 Tier One Waiver.

Rulemaking Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 10-20-08, Repealed.

65G-4.0023 Tier Two Waiver.

Rulemaking Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 10-20-08, Amended 7-15-09, Repealed.

65G-4.0024 Tier Three Waiver.

Rulemaking Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 10-20-08, Repealed.

65G-4.0025 Tier Four Waiver.

Rulemaking Specific Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 10-20-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Percy W. "Pete" Mallison, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)921-3779

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jim Debeaugrine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2010

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:	RULE TITLE:
690-138.047	Description of Actuarial Memorandum Including an Asset Adequacy Analysis and Regulatory Asset Adequacy Issues Summary

PURPOSE AND EFFECT: To adopt changes to the NAIC Model Regulation by adding an additional requirement to the Regulatory Asset Adequacy Issues Summary as a result of changes to Rules 690-162.203 and 690-164.020, F.A.C.

SUMMARY: This rule calls for adopting changes to the NAIC Model Regulation. To take advantage of changes in rules 690-162.203 and 690-164.020, F.A.C., the rule requires disclosure of significant interim results, such as the impact of the insufficiency of assets to support payment of benefits and expenses and the establishment of statutory reserves.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 625.121(3)(a) FS.

LAW IMPLEMENTED: 625.121(3) FS.

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

DATE AND TIME: September 28, 2010, 9:30 a.m.

PLACE: 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-138.047 Description of Actuarial Memorandum Including an Asset Adequacy Analysis and Regulatory Asset Adequacy Issues Summary.

(1) General.

(a)1. In accordance with subsection (3) of the Standard Valuation Law, the appointed actuary shall prepare a memorandum to the company describing the analysis done in support of his or her opinion regarding the reserves.

2. The memorandum shall be made available for examination by the Office upon its request. Any memorandum in support of the opinion, and any other material provided by the company to the Office in connection therewith, is confidential and exempt from the provisions of Section 119.07(1), F.S., as provided in Section 625.121(3)(a)10., Florida Statutes.



(b) In preparing the memorandum, the appointed actuary may include as a part of his or her own memorandum, memoranda prepared and signed by other actuaries who are qualified within the meaning of subsection 69O-138.043(2), F.A.C., with respect to the areas covered in the memoranda, and shall so state in their memoranda.

(c) If the Office requests a memorandum and no such memorandum exists, or if the Office finds that the analysis described in the memorandum fails to meet the standards of the Actuarial Standards Board or the standards and requirements of this part, the Office may designate a qualified actuary to review the opinion and prepare for review the required supporting memorandum. The reasonable and necessary expense of the independent review shall be paid by the company but shall be directed and controlled by the Office.

(d)1. The reviewing actuary shall have the same status as an examiner for purposes of obtaining data from the company.

2. The work papers and documentation of the reviewing actuary shall be retained by the Office.

3. Any information provided by the company to the reviewing actuary and included in the work papers shall be considered as material provided by the company to the Office and kept confidential to the same extent prescribed by law with respect to other material provided by the company to the Office pursuant to the statute governing this part.

4. The reviewing actuary shall not be an employee of a consulting firm involved with the preparation of any prior memorandum or opinion for the insurer pursuant to this part for the current year or any one of the preceding 3 years.

(e) In accordance with Section 625.121(3), Florida Statutes, the appointed actuary shall prepare a regulatory asset adequacy issues summary, the contents of which are specified in subsection 69O-138.047(3), F.A.C.

1. The regulatory asset adequacy issues summary shall be submitted no later than March 15 of the year following the year for which a statement of actuarial opinion based on asset adequacy is required.

2. The regulatory asset adequacy issues summary shall be kept confidential to the same extent and under the same conditions as the actuarial memorandum.

(2) Details of the Memorandum Section Documenting Asset Adequacy Analysis. When an actuarial opinion is provided, the memorandum shall demonstrate that the analysis has been done in accordance with the standards for asset adequacy referred to in subsection 69O-138.043(3), F.A.C., and any additional standards under this part. It shall specify:

(a) For reserves:

1. Product descriptions, including market description, underwriting, and other aspects of a risk profile, and the specific risks the appointed actuary deems significant;

2. Source of liability in force;

3. Reserve method and basis;

4. Investment reserves;

5. Reinsurance arrangements.

6. Identification of any explicit or implied guarantees made by the general account in support of benefits provided through a separate account or under a separate account policy or contract and the methods used by the appointed actuary to provide for the guarantees in the asset adequacy analysis.

7.a. Documentation of assumptions to test reserves for the following:

(I) Lapse rates (both base and excess);

(II) Interest crediting rate strategy;

(III) Mortality;

(IV) Policyholder dividend strategy;

(V) Competitor or market interest rate;

(VI) Annuitization rates;

(VII) Commissions and expenses; and

(VIII) Morbidity.

b. The documentation of the assumptions shall be such that an actuary reviewing the actuarial memorandum can form a conclusion as to the reasonableness of the assumptions.

(b) For assets:

1. Portfolio descriptions, including a risk profile disclosing the quality, distribution, and types of assets;

2. Investment and disinvestment assumptions;

3. Source of asset data;

4. Asset valuation bases; and

5.a. Documentation of assumptions made for:

(I) Default costs;

(II) Bond call function;

(III) Mortgage prepayment function;

(IV) Determining market value for assets sold due to disinvestment strategy; and

(V) Determining yield on assets acquired through the investment strategy.

b. The documentation of the assumptions shall be such that an actuary reviewing the actuarial memorandum can form a conclusion as to the reasonableness of the assumptions.

(c) For the analysis basis:

1. Methodology;

2. Rationale for inclusion/exclusion of different blocks of business, and how pertinent risks were analyzed;

3. Rationale for degree of rigor in analyzing different blocks of business (include in the rationale the level of "materiality" that was used in determining how rigorously to analyze different blocks of business);

4. Criteria for determining asset adequacy (include in the criteria the precise basis for determining if assets are adequate to cover reserves under "moderately adverse conditions" or other conditions as specified in relevant actuarial standards of practice); and

5. Whether the impact of federal income taxes was considered and the method of treating reinsurance in the asset adequacy analysis.

(d) Summary of material changes in methods, procedures, or assumptions from prior year’s asset adequacy analysis;

(e) Summary of Results; and

(f) Conclusion(s).

(3) Details of the Regulatory Asset Adequacy Issues Summary.

(a) The regulatory asset adequacy issues summary shall include:

1. Descriptions of the scenarios tested (including whether those scenarios are stochastic or deterministic) and the sensitivity testing done relative to those scenarios.

a. If negative ending surplus results under certain tests in the aggregate, the actuary should describe those tests and the amount of additional reserve as of the valuation date which, if held, would eliminate the negative aggregate surplus values.

b. Ending surplus values shall be determined by either extending the projection period until the in force and associated assets and liabilities at the end of the projection period are immaterial or by adjusting the surplus amount at the end of the projection period by an amount that appropriately estimates the value that can reasonably be expected to arise from the assets and liabilities remaining in force.

2. The extent to which the appointed actuary uses assumptions in the asset adequacy analysis that are materially different than the assumptions used in the previous asset adequacy analysis;

3. The amount of reserves and the identity of the product lines that had been subjected to asset adequacy analysis in the prior opinion but were not subject to analysis for the current opinion;

4. Comments on any interim results that may be of significant concern to the appointed actuary; For example, the impact of the insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods;

5. The methods used by the actuary to recognize the impact of reinsurance on the company’s cash flows, including both assets and liabilities, under each of the scenarios tested; and

6. Whether the actuary has been satisfied that all options whether explicit or embedded, in any asset or liability (including but not limited to those affecting cash flows embedded in fixed income securities) and equity-like features in any investments have been appropriately considered in the asset adequacy analysis.

(b) The regulatory asset adequacy issues summary shall contain the name of the company for which the regulatory asset adequacy issues summary is being supplied and shall be signed and dated by the appointed actuary rendering the actuarial opinion.

(4) Conformity to Standards of Practice. The memorandum shall include a statement:

“Actuarial methods, considerations, and analyses used in the preparation of this memorandum conform to the appropriate Standards of Practice as promulgated by the Actuarial Standards Board which form the basis for this memorandum.”

(5) Use of Assets Supporting the Interest Maintenance Reserve and the Asset Valuation Reserve.

(a) An appropriate allocation of assets in the amount of the Interest Maintenance Reserve (IMR), whether positive or negative, shall be used in any asset adequacy analysis.

1. Analysis of risks regarding asset default may include an appropriate allocation of assets supporting the Asset Valuation Reserve (AVR); these AVR assets may not be applied for any other risks with respect to reserve adequacy.

2. Analysis of these and other risks may include assets supporting other mandatory or voluntary reserves available to the extent not used for risk analysis and reserve support.

(b)1. The amount of the assets used for the AVR shall be disclosed in the Table of Reserves and Liabilities of the opinion and in the memorandum.

2. The method used for selecting particular assets or allocated portions of assets shall be disclosed in the memorandum.

(6) Documentation. The appointed actuary shall retain on file for at least seven (7) years sufficient documentation so that it will be possible to determine the procedures followed, the analyses performed, the bases for assumptions and the results obtained.

Rulemaking Specific Authority 625.121(3)(a) FS. Law Implemented 625.121(3) FS. History–New 5-18-93, Amended 1-23-03, Formerly 4-138.047, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.:  
69O-162.203

RULE TITLE:  
Adoption of 2001 Commissioners Standard Ordinary (CSO) Preferred Mortality Tables for Determining Reserve Liabilities for Ordinary Life Insurance

**PURPOSE AND EFFECT:** To adopt changes to the NAIC Model Regulation and explain the conditions for use of the preferred class structure mortality tables and to permit use of the mortality tables for policies issued prior to the adoption date of the original rule.

**SUMMARY:** This rule calls for adopting changes to the NAIC Model Regulation. The rule allows for use of the 2001 CSO Preferred Class Structure Mortality Table for policies issued prior January 1, 2007, but only with the consent of the commissioner and subject to conditions on reserve credits.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** No Statement of Estimated Regulatory Cost was prepared.

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:** 624.308(1), 625.121 FS.

**LAW IMPLEMENTED:** 624.307 (1), 625.121 FS.

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

**DATE AND TIME:** September 28, 2010, 9:30 a.m.

**PLACE:** 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com

**THE FULL TEXT OF THE PROPOSED RULE IS:**

690-162.203 Adoption of 2001 Commissioners Standard Ordinary (CSO) Preferred Mortality Tables for Determining Reserve Liabilities for Ordinary Life Insurance.

(1) Scope. This rule shall govern mortality tables for use in reserves as set forth in Section 625.121, F.S.

(2) Purpose. The purpose of this rule is to recognize, permit and prescribe the use of mortality tables that reflect differences in mortality between Preferred and Standard lives in determining minimum reserve liabilities in accordance with Section 625.121(5)(a)3., F.S., and subsection 690-164.020(5), F.A.C.

(3) Definitions.

(a) “2001 CSO Mortality Table” means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the NAIC in December 2002. The 2001 CSO Mortality Table is included in the Proceedings of the NAIC (2nd Quarter 2002) and supplemented by the 2001 CSO Preferred Class Structure Mortality Table defined below in Subsection (b). Unless the context indicates otherwise, the “2001 CSO Mortality Table” includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables. Mortality tables in the 2001 CSO Mortality Table include the following:

1. “2001 CSO Mortality Table (F)” means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO Mortality Table.

2. “2001 CSO Mortality Table (M)” means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO Mortality Table.

3. “Composite mortality tables” means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers.

4. “Smoker and nonsmoker mortality tables” means mortality tables with separate rates of mortality for smokers and nonsmokers.

(b) “2001 CSO Preferred Class Structure Mortality Table” means mortality tables with separate rates of mortality for Super Preferred Nonsmokers, Preferred Nonsmokers, Residual Standard Nonsmokers, Preferred Smokers, and Residual Standard Smoker splits of the 2001 CSO Nonsmoker and Smoker tables as adopted by the NAIC September 10, 2006, which is available in the NAIC Proceedings (3rd Quarter 2006) which is adopted herein and incorporated by reference. Unless the context indicates otherwise, the “2001 CSO Preferred Class Structure Mortality Table” includes both the ultimate form of that table and the select and ultimate form of that table. It includes both the smoker and nonsmoker mortality tables. It includes both the male and female mortality tables and the gender composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality table.

(c) “Statistical agent” means an entity with proven systems for protecting the confidentiality of individual insured and insurer information; demonstrated resources for and history of ongoing electronic communications and data transfer ensuring data integrity with insurers, which are its members or subscribers; and a history of and means for aggregation of data and accurate promulgation of the experience modifications in a timely manner.

(4) 2001 CSO Preferred Class Structure Table.

(a) At the election of the company, for each calendar year of issue, for any one or more specified plans of insurance and subject to satisfying the conditions stated in this rule, the 2001 CSO Preferred Class Structure Mortality Table may be substituted in place of the 2001 CSO Smoker or Nonsmoker Mortality Table as the minimum valuation standard for policies issued on or after January 1, 2007.

1. On valuation dates beginning with December 31, 2010, for policies issued on or after January 1, 2005 for policies not issued in this state, and on or after June 8, 2005, for policies issued in this state, and prior to January 1, 2007 wherever issued, these tables may be substituted with the consent of the commissioner and subject to the conditions of subsection (5).

2. In determining such consent, the commissioner may rely on the consent of the commissioner of the company's state of domicile.

(b) No such election shall be made until the company demonstrates at least 20% of the business to be valued on this table is in one or more of the preferred classes.

(c) A table from the 2001 CSO Preferred Class Structure Mortality Table used in place of a 2001 CSO Mortality Table, pursuant to the requirements of this rule, will be treated as part of the 2001 CSO Mortality Table only for purposes of reserve valuation pursuant to the requirements of Rule 69O-162.201, F.A.C., Adoption of 2001 Commissioners Standard Ordinary (CSO) Mortality Tables.

(5) Conditions.

(a) For each plan of insurance with separate rates for Preferred and Standard Nonsmoker lives, an insurer may use the Super Preferred Nonsmoker, Preferred Nonsmoker, and Residual Standard Nonsmoker tables to substitute for the Nonsmoker mortality table found in the 2001 CSO Mortality Table to determine minimum reserves. At the time of election and annually thereafter, except for business valued under the Residual Standard Nonsmoker Table, the appointed actuary shall certify that:

1. The present value of death benefits over the next ten years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class.

2. The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the valuation basic table corresponding to the valuation table being used for that class.

(b) For each plan of insurance with separate rates for Preferred and Standard Smoker lives, an insurer may use the Preferred Smoker and Residual Standard Smoker tables to substitute for the Smoker mortality table found in the 2001

CSO Mortality Table to determine minimum reserves. At the time of election and annually thereafter, for business valued under the Preferred Smoker Table, the appointed actuary shall certify that:

1. The present value of death benefits over the next ten years after the valuation date, using the anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the Preferred Smoker valuation basic table corresponding to the valuation table being used for that class.

2. The present value of death benefits over the future life of the contracts, using anticipated mortality experience without recognition of mortality improvement beyond the valuation date for each class, is less than the present value of death benefits using the Preferred Smoker valuation basic table.

(c) The use of the 2001 CSO Preferred Class Structure Table for the valuation of policies issued prior to January 1, 2007 shall not be permitted in any statutory financial statement in which a company reports, with respect to any policy or portion of a policy coinsured, either of the following:

1. In cases where the mode of payment of the reinsurance premium is less frequent than the mode of payment of the policy premium, a reserve credit that exceeds, by more than the amount specified in this paragraph as Y, the gross reserve calculated before reinsurance. Y is the amount of the gross reinsurance premium that (a) provides coverage for the period from the next policy premium due date to the earlier of the end of the policy year and the next reinsurance premium due date, and (b) would be refunded to the ceding entity upon the termination of the policy.

2.a. In cases where the mode of payment of the reinsurance premium is more frequent than the mode of payment of the policy premium, a reserve credit that is less than the gross reserve, calculated before reinsurance, by an amount that is less than the amount specified in this paragraph as Z. Z is the amount of the gross reinsurance premium that the ceding entity would need to pay the assuming company to provide reinsurance coverage from the period of the next reinsurance premium due date to the next policy premium due date minus any liability established for the proportionate amount not remitted to the reinsurer.

b. For purposes of this condition, the reserve (i) for the mean reserve method shall be defined as the mean reserve minus the deferred premium asset, and (ii) for the midterminal reserve method shall include the unearned premium reserve. A company may estimate and adjust its accounting on an aggregate basis in order to meet the conditions to use the 2001 CSO Preferred Class Structure Table.

(6) Effective Date. This rule shall be effective for policies issued on or after January 1, 2007, for valuation dates on or after the date this rule becomes effective.

Rulemaking Specific Authority 624.308(1), 625.121 FS. Law Implemented 624.307(1), 625.121 FS. History--New 1-16-08, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

## FINANCIAL SERVICES COMMISSION

### OIR – Insurance Regulation

RULE NO.: RULE TITLE:

690-164.020 Valuation of Life Insurance Policies

PURPOSE AND EFFECT: To adopt changes to the NAIC Model Regulation reducing the minimum premium deficiency reserve requirement, subject to certain conditions to ensure adequacy of reserves.

SUMMARY: This rule calls for adopting changes to the NAIC Model Regulation. The rule reduces the minimum premium deficiency reserve requirements, subject to conditions to ensure the adequacy of reserves. The rule eliminates the reserve requirements placed on the X factor percentage that it not (1) be less than a minimum 20% and (2) decrease in successive policy years.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 624.308(1), 625.121(5) FS.

LAW IMPLEMENTED: 624.307(1), 625.121(5) FS.

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

DATE AND TIME: September 28, 2010, 9:30 a.m.

PLACE: 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-164.020 Valuation of Life Insurance Policies.

(1) Purpose.

(a) The purpose of this rule is to provide:

1. Tables of select mortality factors, identified as Appendix to Rule 690-164.020, F.A.C., which is hereby adopted and incorporated by reference, and rules for their use;

2. Rules concerning a minimum standard for the valuation of plans with nonlevel premiums or benefits; and

3. Rules concerning a minimum standard for the valuation of plans with secondary guarantees.

(b) The method for calculating basic reserves defined in this rule will constitute the Commissioners' Reserve Valuation Method for policies to which this rule is applicable.

(2)(a) This rule is consistent with Appendix A-830 of the NAIC Accounting Practices and Procedures Manual as adopted in Rule 690-137.001, F.A.C.

(b) This rule applies to policies issued during calendar year 2000 in addition to those issued on or after January 1, 2001.

(3) Applicability. This rule shall apply to all life insurance policies, with or without nonforfeiture values, issued on or after January 1, 2000, subject to the following exceptions and conditions:

(a) Exceptions.

1. This rule shall not apply to any individual life insurance policy issued on or after the effective date of this rule if the policy is issued in accordance with and as a result of the exercise of a reentry provision contained in the original life insurance policy of the same or greater face amount, issued before January 1, 2000, that guarantees the premium rates of the new policy. This rule also shall not apply to subsequent policies issued as a result of the exercise of such a provision, or a derivation of the provision, in the new policy.

2. This rule shall not apply to any universal life policy that meets all the following requirements:

a. Secondary guarantee period, if any, is 5 years or less;

b. Specified premium for the secondary guarantee period is not less than the net level reserve premium for the secondary guarantee period based on the CSO valuation tables as defined in paragraph (4)(f), or the ultimate mortality tables specified in subsection 690-162.201(6), F.A.C., and the applicable valuation interest rate; and

c. The initial surrender charge is not less than 100 percent of the first year annualized specified premium for the secondary guarantee period.

3. This rule shall not apply to any variable life insurance policy that provides for life insurance the amount or duration of which varies according to the investment experience of any separate account or accounts.

4. This rule shall not apply to any variable universal life insurance policy that provides for life insurance the amount or duration of which varies according to the investment experience of any separate account or accounts.

5. This rule shall not apply to a group life insurance certificate unless the certificate provides for a stated or implied schedule of maximum gross premiums required in order to continue coverage in force for a period in excess of one year.

(b) Conditions.

1. Calculation of the minimum valuation standard for policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits (other than universal life policies), or both, shall be in accordance with the provisions of subsection (6).

2. Calculation of the minimum valuation standard for flexible premium and fixed premium universal life insurance policies that contain provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period shall be in accordance with the provisions of subsection (7).

(4) Definitions. For purposes of this rule:

(a) "Basic reserves" means reserves calculated in accordance with Section 625.121(7), Florida Statutes.

(b)1. "Contract segmentation method" means the method of dividing the period from issue to mandatory expiration of a policy into successive segments, with the length of each segment being defined as the period from the end of the prior segment (from policy inception for the first segment) to the end of the latest policy year as determined below. All calculations are made using the 1980 CSO valuation tables, as defined in paragraph (f), or the mortality tables specified in subsection 690-162.201(6), F.A.C., and, if elected, the optional minimum mortality standard for deficiency reserves stipulated in paragraph (5)(b) of this rule.

2. The length of a particular contract segment shall be set equal to the minimum of the value  $t$  for which  $G_t$  is greater than  $R_t$  (if  $G_t$  never exceeds  $R_t$  the segment length is deemed to be the number of years from the beginning of the segment to the mandatory expiration date of the policy), where  $G_t$  and  $R_t$  are defined as follows:

$$G_t = \frac{GP_{x+k+t}}{GP_{x+k+t-1}}$$

where:

$x$  = original issue age;

$k$  = the number of years from the date of issue to the beginning of the segment;

$t = 1, 2, \dots$ ;  $t$  is reset to 1 at the beginning of each segment;

$GP_{x+k+t-1}$  = Guaranteed gross premium per thousand of face amount for year  $t$  of the segment, ignoring policy fees only if level for the premium paying period of the policy.

$q_{x+k+t}$

$R_t = \frac{q_{x+k+t}}{100}$ ; however,  $R_t$  may be increased or decreased by one

$q_{x+k+t-1}$  percent in any policy year, at the company's option, but  $R_t$  shall not be less than one;

where:

$x$ ,  $k$  and  $t$  are as defined above, and

$q_{x+k+t-1}$  = valuation mortality rate for deficiency reserves in policy year  $k+t$  but using the mortality of Section 5B(2) of Section 5B(3) is elected for deficiency reserves.

However, if  $GP_{x+k+t}$  is greater than 0 and  $GP_{x+k+t-1}$  is equal to 0,  $G_t$  shall be deemed to be 1000. If  $GP_{x+k+t}$  and  $GP_{x+k+t-1}$  are both equal to 0,  $G_t$  shall be deemed to be 0.

(c) "Deficiency reserves" means the excess, if greater than zero, of

1. Minimum reserves calculated in accordance with Section 625.121(11), Florida Statutes, over

2. Basic reserves.

(d) "Guaranteed gross premiums" means the premiums under a policy of life insurance that are guaranteed and determined at issue.

(e) "Maximum valuation interest rates" means the interest rates defined in Section 625.121(6), Florida Statutes, (Computation of Minimum Standard by Calendar Year of Issue) that are to be used in determining the minimum standard for the valuation of life insurance policies.

(f) "1980 CSO valuation tables" means the Commissioners' 1980 Standard Ordinary Mortality Table (1980 CSO Table) without 10-year selection factors, incorporated into the 1980 amendments to the NAIC Standard Valuation Law, and variations of the 1980 CSO Table approved by the NAIC, such as the smoker and nonsmoker versions approved in December 1983.

(g) "Scheduled gross premium" means the smallest illustrated gross premium at issue for other than universal life insurance policies. For universal life insurance policies, scheduled gross premium means the smallest specified premium described in subparagraph (7)(a)3., if any, or else the minimum premium described in subparagraph (7)(a)4.

(h)1. "Segmented reserves" means reserves, calculated using segments produced by the contract segmentation method, equal to the present value of all future guaranteed benefits less the present value of all future net premiums to the mandatory expiration of a policy, where the net premiums within each segment are a uniform percentage of the respective guaranteed gross premiums within the segment. The uniform percentage

for each segment is such that, at the beginning of the segment, the present value of the net premiums within the segment equals:

- a. The present value of the death benefits within the segment, plus
- b. The present value of any unusual guaranteed cash value (see paragraph (6)(d)) occurring at the end of the segment, less
- c. Any unusual guaranteed cash value occurring at the start of the segment, plus
- d. For the first segment only, the excess of the Item (I) over Item (II), as follows:

(I) A net level annual premium equal to the present value at the date of issue of the benefits provided for in the first segment after the first policy year; divided by the present value at the date of issue of an annuity of 1 per year payable on the first and each subsequent anniversary within the first segment on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the 19 year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one year higher than the age at issue of the policy.

(II) A net 1 year term premium for the benefits provided for in the first policy year.

2. The length of each segment is determined by the "contract segmentation method," as defined in this rule.

3. The interest rates used in the present value calculations for any policy shall not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the sum of the lengths of all segments of the policy.

4. For both basic reserves and deficiency reserves computed by the segmented method, present values shall include future benefits and net premiums in the current segment and in all subsequent segments.

a. The segmentation requirement shall not be limited to plans with no cash surrender values; otherwise companies could avoid segmentation entirely by designing policies with minimal (positive) cash values.

b. Segmentation for plans with cash surrender values shall be based solely upon gross premium levels.

c. Basing segmentation upon the level of cash surrender values introduces complications because of the inter-relationship between minimum cash surrender values and gross premium patterns.

d. The requirements of this rule relating to reserves for plans with unusual cash values and to reserves if cash values exceed calculated reserves serve to link required reserves and cash surrender values.

e. The calculation of segmented reserves shall not be linked to the occurrence of a positive unitary terminal reserve at the end of a segment.

f. The requirement of this rule to hold the greater of the segmented reserve or the unitary reserve eliminates the need for any linkage.

(i) "Tabular cost of insurance" means the net single premium at the beginning of a policy year for 1 year term insurance in the amount of the guaranteed death benefit in that policy year.

(j) "Ten-year select factors" means the select factors adopted with the 1980 amendments to the NAIC Standard Valuation Law.

(k)1. "Unitary reserves" means the present value of all future guaranteed benefits less the present value of all future modified net premiums, where:

a. Guaranteed benefits and modified net premiums are considered to the mandatory expiration of the policy; and

b. Modified net premiums are a uniform percentage of the respective guaranteed gross premiums, where the uniform percentage is such that at issue the present value of the net premiums equals the present value of all death benefits and pure endowments, plus the excess of Item (I) over Item (II), as follows:

(I) A net level annual premium equal to the present value at the date of issue of the benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per year payable on the first and each subsequent anniversary of the policy on which a premium falls due. However, the net level annual premium shall not exceed the net level annual premium on the 19 year premium whole life plan of insurance of the same renewal year equivalent level amount at an age 1 year higher than the age at issue of the policy.

(II) A net 1 year term premium for the benefits provided for in the first policy year.

2. The interest rates used in the present value calculations for any policy shall not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the length from issue to the mandatory expiration of the policy.

(l) "Universal life insurance policy" means any individual life insurance policy under the provisions of which separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds, or other supplementary accounts) and mortality or expense charges are made to the policy.

(5) General Calculation Requirements for Basic Reserves and Premium Deficiency Reserves.

(a) At the election of the insurer for any one or more specified plans of life insurance, the minimum mortality standard for basic reserves may be calculated using the 1980 CSO valuation tables with select mortality factors or the mortality tables specified in subsection 690-162.201(6), F.A.C. If select mortality factors are elected for use with the 1980 CSO valuation tables, they may be:

1. The 10 year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law; or  
 2. The select mortality factors in the Appendix.

(b) Deficiency reserves, if any, are calculated for each policy as the excess, if greater than zero, of the quantity A over the basic reserve.

1. The quantity A is obtained by recalculating the basic reserve for the policy using guaranteed gross premiums instead of net premiums when the guaranteed gross premiums are less than the corresponding net premiums.

2. At the election of the insurer for any one or more specified plans of insurance, the quantity A and the corresponding net premiums used in the determination of quantity A may be based upon the 1980 CSO valuation tables with select mortality factors or the mortality tables specified in subsection 690-162.201(6), F.A.C. If select mortality factors are elected for use with the 1980 CSO valuation tables, they may be:

- a. The 10 year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law;
- b. The select mortality factors in the Appendix of this rule;
- c. For durations in the first segment, X percent of the select mortality factors in the Appendix, subject to the following:

(I) X may vary by policy year, policy form, underwriting classification, issue age, or any other policy factor expected to affect mortality experience;

~~(II) X shall not be less than 20 percent;~~

~~(III) X shall not decrease in any successive policy years;~~

~~(II)(IV)~~ X is such that, when using the valuation interest rate used for basic reserves, item (A) is greater than or equal to Item (B);

(A) The actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X;

(B) The actuarial present value of future death benefits calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date;

~~(III)(V)~~ X is such that the mortality rates resulting from the application of X are at least as great as the anticipated mortality experience, without recognition of mortality improvement beyond the valuation date, in each of the first 5 years after the valuation date;

~~(IV)(VI)~~ The appointed actuary shall increase X at any valuation date where it is necessary to continue to meet all the requirements of subparagraph (b)3.;

~~(V)(VII)~~ The appointed actuary may decrease X at any valuation date as long as X does not decrease in any successive policy years and as long as it continues to meet all the requirements of subparagraph (b)3.; and

~~(VI)(VIII)~~ The appointed actuary shall specifically take into account the adverse effect on expected mortality and lapsation of any anticipated or actual increase in gross premiums.

~~(VII)(IX)~~ If X is less than 100 percent at any duration for any policy, the following requirements shall be met:

(A) The appointed actuary shall annually prepare an actuarial opinion and memorandum for the company in conformance with the requirements of Rule Chapter 690-138, F.A.C.; and

(B) The appointed actuary shall annually opine for all policies subject to this rule as to whether the mortality rates resulting from the application of X meet the requirements of subparagraph (b)2.c.

I. The opinion shall be supported by an actuarial report, subject to appropriate Actuarial Standards of Practice promulgated by the Actuarial Standards Board of the American Academy of Actuaries.

II. The X factors shall reflect anticipated future mortality without recognition of mortality improvement beyond the valuation date, taking into account relevant emerging experience.

(C) The appointed actuary shall disclose, in the Regulatory Asset Adequacy Issues Summary, the impact of the insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods;

(c) This subsection applies to both basic reserves and deficiency reserves. Any set of select mortality factors may be used only for the first segment. However, if the first segment is less than 10 years, the appropriate 10 year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law may be used thereafter through the tenth policy year from the date of issue.

(d) In determining basic reserves or deficiency reserves, guaranteed gross premiums without policy fees may be used where the calculation involves the guaranteed gross premium, but only if the policy fee is a level dollar amount after the first policy year. In determining deficiency reserves, policy fees may be included in guaranteed gross premiums even if not included in the actual calculation of basic reserves.

(e) Reserves for policies that have changes to guaranteed gross premiums, guaranteed benefits, guaranteed charges, or guaranteed credits that are unilaterally made by the insurer after issue and that are effective for more than 1 year after the date of the change shall be the greatest of the following:

- 1. Reserves calculated ignoring the guarantee;
- 2. Reserves assuming the guarantee was made at issue; and
- 3. Reserves assuming that the policy was issued on the date of the guarantee.



(f) The company shall document the extent of the adequacy of reserves for material blocks, including policies issued prior to the effective date of this rule. The documentation shall include:

1. A demonstration of the extent to which aggregation with immaterial blocks of business is relied upon in the formation of the appointed actuary opinion pursuant to and consistent with the requirements of Chapter 69O-138, F.A.C.; and

2. A definition of material.

(6) Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Gross Premiums or Guaranteed Nonlevel Benefits (Other than Universal Life Policies).

(a) Basic Reserves. Basic reserves shall be calculated as the greater of the segmented reserves and the unitary reserves. Both the segmented reserves and the unitary reserves for any policy shall use the same valuation mortality table and selection factors. At the option of the insurer in calculating segmented reserves and net premiums either of the adjustments described in subparagraph 1. or 2. below may be made:

1. Treat the unitary reserve, if greater than zero, applicable at the end of each segment as a pure endowment and subtract the unitary reserve, if greater than zero, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment.

2. Treat the guaranteed cash surrender value, if greater than zero, applicable at the end of each segment as a pure endowment; and subtract the guaranteed cash surrender value, if greater than zero, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment.

(b) Deficiency Reserves.

1. The deficiency reserve at any duration shall be calculated:

a. On a unitary basis if the corresponding basic reserve determined by paragraph (a) is unitary;

b. On a segmented basis if the corresponding basic reserve determined by paragraph (a) is segmented; or

c. On the segmented basis if the corresponding basic reserve determined by paragraph (a) is equal to both the segmented reserve and the unitary reserve.

2. This subsection shall apply to any policy for which the guaranteed gross premium at any duration is less than the corresponding modified net premium calculated by the method used in determining the basic reserves, but using the minimum valuation standards in paragraph (5)(b) and rate of interest.

3. Deficiency reserves, if any, shall be calculated for each policy as the excess if greater than zero, for the current and all remaining periods, of the quantity A over the basic reserve, where A is obtained as indicated in paragraph (5)(b).

4. For deficiency reserves determined on a segmented basis, the quantity A is determined using segment lengths equal to those determined for segmented basic reserves.

(c) Minimum Value.

1. Basic reserves shall not be less than the tabular cost of insurance for the balance of the policy year if mean reserves are used.

2. Basic reserves shall not be less than the tabular cost of insurance for the balance of the current modal period or to the paid-to-date, if later, but not beyond the next policy anniversary, if mid-terminal reserves are used.

3. The tabular cost of insurance shall use the same valuation mortality table and interest rates as that used for the calculation of the segmented reserves.

4. Mortality tables specified in subsection 69O-162.201(6), F.A.C., may be used.

5. However, if select mortality factors are used with the 1980 CSO valuation tables, they shall be the 10 year select factors incorporated into the 1980 amendments of the NAIC Standard Valuation Law.

6. In no case may total reserves (including basic reserves, deficiency reserves and any reserves held for supplemental benefits that would expire upon contract termination) be less than the amount that the policyowner would receive (including the cash surrender value of the supplemental benefits, if any, referred to above), exclusive of any deduction for policy loans, upon termination of the policy.

(d) Unusual Pattern of Guaranteed Cash Surrender Values.

1. For any policy with an unusual pattern of guaranteed cash surrender values, the reserves actually held prior to the first unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the first unusual guaranteed cash surrender value as a pure endowment and treating the policy as an n year policy providing term insurance plus a pure endowment equal to the unusual cash surrender value, where n is the number of years from the date of issue to the date the unusual cash surrender value is scheduled.

2. The reserves actually held subsequent to any unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the policy as an n year policy providing term insurance plus a pure endowment equal to the next unusual guaranteed cash surrender value, and treating any unusual guaranteed cash surrender value at the end of the prior segment as a net single premium, where

a. n is the number of years from the date of the last unusual guaranteed cash surrender value prior to the valuation date to the earlier of:

(I) The date of the next unusual guaranteed cash surrender value, if any, that is scheduled after the valuation date; or

(II) The mandatory expiration date of the policy; and

b. The net premium for a given year during the n year period is equal to the product of the net to gross ratio and the respective gross premium; and

c. The net to gross ratio is equal to Item I divided by Item II as follows:

(I)(A) The present value at the beginning of the n year period of death benefits payable during the n year period, plus

(B) The present value at the beginning of the n year period of the next unusual guaranteed cash surrender value, if any, minus

(C) The amount of the last unusual guaranteed cash surrender value, if any, scheduled at the beginning of the n year period.

(II) The present value at the beginning of the n year period of the scheduled gross premiums payable during the n year period.

3. For purposes of this subsection, a policy is considered to have an unusual pattern of guaranteed cash surrender values if any future guaranteed cash surrender value exceeds the prior year's guaranteed cash surrender value by more than the sum of:

a. 110 percent of the scheduled gross premium for that year;

b. 110 percent of one year's accrued interest on the sum of the prior year's guaranteed cash surrender value and the scheduled gross premium using the nonforfeiture interest rate used for calculating policy guaranteed cash surrender values; and

c. 5 percent of the first policy year surrender charge, if any.

(e) Optional Exemption for Yearly Renewable Term Reinsurance. At the option of the company, the following approach for reserves on YRT reinsurance may be used:

1. Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.

2. Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in paragraph (c).

3. Deficiency reserves.

a. For each policy year, calculate the excess, if greater than zero, of the valuation net premium over the respective maximum guaranteed gross premium.

b. Deficiency reserves shall never be less than the sum of the present values, at the date of valuation, of the excesses determined in accordance with paragraph (a) above.

4. For purposes of this subsection, the calculations use the maximum valuation interest rate and the 1980 CSO mortality tables with or without 10 year select mortality factors or the mortality tables specified in subsection 69O-162.201(6), F.A.C.

5. A reinsurance agreement shall be considered YRT reinsurance for purposes of this subsection if only the mortality risk is reinsured.

6. If the assuming company chooses this optional exemption, the ceding company's reinsurance reserve credit shall be limited to the amount of reserve held by the assuming company for the affected policies.

(f) Optional Exemption for Attained-Age-Based Yearly Renewable Term Life Insurance Policies. At the option of the company, the following approach for reserves for attained-age-based YRT life insurance policies may be used:

1. Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.

2. Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in paragraph (6)(c).

3. Deficiency reserves.

a. For each policy year, calculate the excess, if greater than zero, of the valuation net premium over the respective maximum guaranteed gross premium.

b. Deficiency reserves shall never be less than the sum of the present values at the date of valuation of the excesses determined in accordance with sub-subparagraph a. above.

4. For purposes of this subsection, the calculations use the maximum valuation interest rate and the 1980 CSO valuation tables with or without 10 year select mortality factors or the mortality tables specified in subsection 69O-162.201(6), F.A.C.

5. A policy shall be considered an attained-age-based YRT life insurance policy for purposes of this subsection if:

a. The premium rates on both the initial current premium scale and the guaranteed maximum premium scale are based upon the attained age of the insured such that the rate for any given policy at a given attained age of the insured is independent of the year the policy was issued; and

b. The premium rates on both the initial current premium scale and the guaranteed maximum premium scale are the same as the premium rates for policies covering all insureds of the same sex, risk class, plan of insurance, and attained age.

6. For policies that become attained-age-based YRT policies after an initial period of coverage, the approach of this subsection may be used after the initial period if:

a. The initial period is constant for all insureds of the same sex, risk class, and plan of insurance; or

b. The initial period runs to a common attained age for all insureds of the same sex, risk class, and plan of insurance; and

c. After the initial period of coverage, the policy meets the conditions of subparagraph 5. above.

7. If this election is made, this approach shall be applied in determining reserves for all attained-age-based YRT life insurance policies issued on or after the effective date of this rule.

(g) Exemption from Unitary Reserves for Certain n-Year Renewable Term Life Insurance Policies. Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met:

1. The policy consists of a series of n-year periods including the first period and all renewal periods where n is the same for each period, except that for the final renewal period, n may be truncated or extended to reach the expiry age, provided that:

a. This final renewal period is less than 10 years and less than twice the size of the earlier n-year periods, and

b. For each period, the premium rates on both the initial current premium scale and the guaranteed maximum premium scale are level;

2. The guaranteed gross premiums in all n-year periods are not less than the corresponding net premiums based upon the 1980 CSO Table with or without the 10 year select mortality factors or the mortality tables specified in subsection 690-162.201(6), F.A.C.; and

3. There are no cash surrender values in any policy year.

(h) Exemption from Unitary Reserves for Certain Juvenile Policies. Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met, based upon the initial current premium scale at issue:

1. At issue, the insured is age 24 or younger;

2. Until the insured reaches the end of the juvenile period, which shall occur at or before age 25, the gross premiums and death benefits are level, and there are no cash surrender values; and

3. After the end of the juvenile period, gross premiums are level for the remainder of the premium paying period, and death benefits are level for the remainder of the life of the policy.

(7) Calculation of Minimum Valuation Standard for Flexible Premium and Fixed Premium Universal Life Insurance Policies that Contain Provisions Resulting in the Ability of a Policyowner to Keep a Policy in Force Over a Secondary Guarantee Period.

(a) General.

1. Policies with a secondary guarantee include:

a. A policy with a guarantee that the policy will remain in force at the original schedule of benefits, subject only to the payment of specified premiums;

b. A policy in which the minimum premium at any duration is less than the corresponding 1 year valuation premium, calculated using the maximum valuation interest rate and the 1980 CSO valuation tables with or without 10 year select mortality factors or the mortality tables specified in subsection 690-162.201(6), F.A.C.; or

c. A policy with any combination of subparagraph a. and b.

2. A secondary guarantee period is the period for which the policy is guaranteed to remain in force subject only to a secondary guarantee.

a. When a policy contains more than one secondary guarantee, the minimum reserve shall be the greatest of the respective minimum reserves at that valuation date of each unexpired secondary guarantee, ignoring all other secondary guarantees.

b. Secondary guarantees that are unilaterally changed by the insurer after issue shall be considered to have been made at issue.

c. Reserves described in paragraphs (b) and (c) below shall be recalculated from issue to reflect these changes.

3. Specified premiums mean the premiums specified in the policy, the payment of which guarantees that the policy will remain in force at the original schedule of benefits but which otherwise would be insufficient to keep the policy in force in the absence of the guarantee if maximum mortality and expense charges and minimum interest credits were made and any applicable surrender charges were assessed.

4.a. For purposes of this section, the minimum premium for any policy year is the premium that, when paid into a policy with a zero account value at the beginning of the policy year, produces a zero account value at the end of the policy year.

b. The minimum premium calculation shall use the policy cost factors (including mortality charges, loads, and expense charges) and the interest crediting rate which are all guaranteed at issue.

5.a. The 1 year valuation premium means the net 1 year premium based upon the original schedule of benefits for a given policy year.

b. The 1 year valuation premiums for all policy years are calculated at issue.

c. The select mortality factors defined in subparagraphs (5)(b)2., 3., and 4. shall not be used to calculate the 1 year valuation premiums.

6. The 1 year valuation premium shall reflect the frequency of fund processing, as well as the distribution of deaths assumption employed in the calculation of the monthly mortality charges to the fund.

(b) Basic Reserves for the Secondary Guarantees.

1. Basic reserves for the secondary guarantees shall be the segmented reserves for the secondary guarantee period.

2. In calculating the segments and the segmented reserves, the gross premiums shall be set equal to the specified premiums, if any, or otherwise to the minimum premiums that keep the policy in force.

3. The segments will be determined according to the contract segmentation method as defined in paragraph (4)(b).

(c) Deficiency Reserves for the Secondary Guarantees. Deficiency reserves, if any, for the secondary guarantees shall be calculated for the secondary guarantee period in the same

manner as described in paragraph (6)(b) with gross premiums set equal to the specified premiums, if any, or otherwise to the minimum premiums that keep the policy in force.

(d) Minimum Reserves. The minimum reserves during the secondary guarantee period are the greater of:

1. The basic reserves for the secondary guarantee plus the deficiency reserve, if any, for the secondary guarantees; or
2. The minimum reserves required by Rule 690-164.010, F.A.C., governing universal life plans.

(9) Effective Date.

(a) This rule shall be effective for policies issued on or after January 1, 2000 for valuation dates on or after the date this rule is adopted.

(b) For valuation dates prior to the effective date of this rule, at the option of the company, the company may report reserves for policies issued in calendar year 2000 based upon this rule.

Rulemaking Specific Authority 624.308(1), 625.121(5) FS. Law Implemented 624.307(1), 625.121(5) FS. History—New 12-24-03, Formerly 4-164.020, Amended 6-8-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kerry Krantz, Office of Insurance Regulation, E-mail Kerry.krantz@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF TRANSPORTATION**

RULE NO.:	RULE TITLE:
14-15.012	Manual on Speed Zoning for Highways, Roads, and Streets in Florida

**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. 36, No. 27, July 9, 2010 issue of the Florida Administrative Weekly.

In response to comments from the Joint Administrative Procedures Committee, Rule 14-15.012, F.A.C., Manual on Speed Zoning for Highways, Roads, and Streets in Florida, is being corrected. The effective date of Form 750-10-03 is being amended from “10/99” to “03/10.”

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Motor Vehicles**

RULE NOS.:	RULE TITLES:
15C-18.001	Electronic Filing System
15C-18.006	Electronic Filing System Requirements; Disclosure to Customer

**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. 36, No. 33, August 20, 2010 issue of the Florida Administrative Weekly.

These changes were omitted in error from the approved rule text.

15C-18.001(2), shall have the following paragraph (i) added:

(i) “Sales Agreement” means the document that buyer and seller sign memorializing the terms of the sale and includes, but is not limited to a buyer’s order and a bill of sale.

15C-18.006, subsection (5) shall read:

(5) If an EFS agent charges a fee to the customer for use of the electronic filing system in a title or registration transaction, the fee shall be disclosed separately and conspicuously in the sales agreement as an optional fee. The EFS agent may not disclose or disguise this as a State or Government fee.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**Division of Motor Vehicles**

RULE NOS.:	RULE TITLES:
15C-18.001	Electronic Filing System
15C-18.002	Electronic Filing System Features
15C-18.003	Tax Collector Responsibilities
15C-18.004	EFS Agent Participation Requirements
15C-18.005	Service Providers; Certification; Requirements
15C-18.006	Electronic Filing System Requirements; Disclosure to Customer
15C-18.007	Enforcement; Service Providers; EFS Agents; Tax Collectors

**NOTICE OF PUBLIC HEARING**

The Department of Highway Safety and Motor Vehicles announces a hearing regarding the above rule, as noticed in Vol. 36, No. 33, August 20, 2010 Florida Administrative Weekly.

DATE AND TIME: September 27, 2010, 2:00 p.m. – 4:00 p.m.  
PLACE: Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, 2900 Apalachee Parkway, Auditorium A427, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any comments from the public on the proposed rule revisions to Rules 15C-18.001 through 15C-18.007, F.A.C., as published in the August 20, 2010 Florida Administrative Weekly. A copy of the agenda and proposed rule revisions may be obtained by contacting: Julie Baker by email: juliebaker@flhsmv.gov or by telephone (850)617-3001.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Julie Baker, juliebaker@flhsmv.gov or (850)617-3001. 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).

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-501.401  
 RULE TITLE: Admissible Reading Material  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 31, August 6, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.202  
 RULE TITLE: Use of Inmates in Public Works  
 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. 35, No. 48, December 4, 2009 issue of the Florida Administrative Weekly.

33-601.202 Use of Inmates in Public Works.

(1) through (5) No change.

(6) Non-department supervisors.

(a) Individuals other than Department of Corrections employees may supervise minimum and community custody inmates under this rule only upon the approval of the warden or designee. In making this determination, the warden or designee shall consider the following:

1. The individual's criminal history as determined by an initial National Crime Information Center/Florida Crime Information Center (NCIC/FCIC) NCIC/FCIC background check;

2. through 4. No change.

(b) through (d) No change.

(e) The warden may suspend or revoke a non-department supervisor's authorization to supervise when an incident occurs or when the warden receives information indicating that the individual is unable or unwilling to safely and effectively supervise inmates participating in a public works program. Incidents and information that may subject a non-department supervisor to suspension or revocation include:

1. Criminal history or activity;

2. Failure to maintain required training;

3. Failure to ensure that inmates follow safety requirements, such as hazardous materials handling requirements, vision and hearing protection requirements, and sanitary practices;

4. Allowing inmates to use or handle tools and equipment for which they have not been trained;

5. Failure to inventory and account for tools and equipment;

6. Failure to maintain communication with the institution regarding the location and operations of outside work squads;

7. Failure to report inmate injuries and misconduct;

8. Permitting inmates to use commercial or business restrooms; and

9. Failure to adequately supervise the behavior of inmates based on the inmates' custody classification and the particular safety risks of the work assignment, and such failure to supervise results in injury, escape, escape attempt, loss or destruction of property, tools, or equipment, or inability of the squad to engage in or complete its assigned work.

(7) through (8) No change.

Rulemaking Authority 944.09, 946.40(1) FS. Law Implemented 944.09, 944.10(7), 946.002, 946.40(1) FS. History--New 6-20-84, Formerly 33-3.17, Amended 2-26-86, 10-31-86, 1-29-98, 8-13-98, Formerly 33-3.017, Amended 2-7-02, 12-28-04,\_\_\_\_\_.

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.217  
 RULE TITLE: Elderly Offender Housing  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 33, August 20, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.: 40C-400.211  
 RULE TITLE: Processing Procedures for Noticed General Permits

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule development in Vol. 36, No. 34, August 27, 2010 issue of the Florida Administrative Weekly.

The previously published notice of rule development included amendments to Rule 40C-400.211, F.A.C.; however, that rule was transferred and renumbered to Rule 40C-1.1013, F.A.C. The published amendments will be made to Rule 40C-1.1013, F.A.C., rather than Rule 40C-400.211, F.A.C.

**DEPARTMENT OF VETERANS' AFFAIRS**

**Division of Veterans' Benefits and Assistance**

RULE NO.: RULE TITLE:  
55A-3.006 Continuing Certification

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 27, July 9, 2010 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

**DEPARTMENT OF VETERANS' AFFAIRS**

**Division of Veterans' Benefits and Assistance**

RULE NO.: RULE TITLE:  
55A-3.007 Failure to Attend Training Refresher Course

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 27, July 9, 2010 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

**DEPARTMENT OF VETERANS' AFFAIRS**

**Division of Veterans' Benefits and Assistance**

RULE NO.: RULE TITLE:  
55A-5.008 Supervisory Inspection Review

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 27, July 9, 2010 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

RULE NOS.: RULE TITLES:  
58A-5.0181 Admission Procedures, Appropriateness of Placement and Continued Residency Criteria

**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. 36, No. 31, August 6, 2010 issue of the Florida Administrative Weekly.

AHCA Form 1823 has been amended to delete the "Total Assistance Column" on page 3, Section 2-A, Subsection A., Ability to perform self-care tasks. The amended form can be found on the following website: <http://elderaffairs.state.fl.us/english/rulemaking.php>.

58A-5.0181 Admission Procedures, Appropriateness of Placement and Continued Residency Criteria.

(1) No change.

(2) HEALTH ASSESSMENT. As part of the admission criteria, an individual must undergo a face-to-face medical examination completed by a licensed health care provider, as specified in either paragraph (a) or (b) of this subsection.

(a) No change.

(b) A medical examination completed after the resident's admission to the facility within 30 calendar days of the admission date. The examination must be recorded on AHCA Form 1823, Resident Health Assessment for Assisted Living Facilities, \_\_\_\_\_ 2010. The form is hereby incorporated by reference. A faxed copy of the completed form is acceptable. A copy of AHCA Form 1823 may be obtained from the Agency Central Office or its website at [www.fdhc.state.fl.us/MCHQ/Long\\_Term\\_Care/Assisted\\_living/pdf/AHCA\\_Form\\_1823.pdf](http://www.fdhc.state.fl.us/MCHQ/Long_Term_Care/Assisted_living/pdf/AHCA_Form_1823.pdf). The form must be completed as follows:

1. through 2. No change.

~~3. ALF providers may continue to use AHCA Form 1823, April 2010, for up to six months after the effective date of this rule amendment. After that date, providers must use AHCA Form 1823, \_\_\_\_\_, 2010.~~

(c) through (g) No change.

(3) through (5) No change.

Rulemaking Authority 429.07, 429.41 FS. Law Implemented 429.07, 429.26, 429.41 FS. History--New 9-17-84, Formerly 10A-5.181, Amended 10-20-86, 6-21-88, 8-15-90, 9-30-92, Formerly 10A-5.0181, Amended 10-30-95, 6-2-96, 10-17-99, 7-30-06, 10-9-06, 4-15-10, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NOS.:	RULE TITLES:
59G-11.001	Purpose
59G-11.002	Definitions
59G-11.003	Agency Certification Process and Requirements
59G-11.004	Revocation of a 211 Number

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 26, July 2, 2010 issue of the Florida Administrative Weekly.

Correction to be made is;

NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Thomas W. Arnold

Statement of Regulatory Costs

RULE NOS.: 59G-11.001, .002, .003, .004

ENTITIES AFFECTED: Twenty.

STATE OR LOCAL GOVERNMENT COSTS: Repeal of these rules will result in an approximately \$5,000 saving to the Agency for Health Care Administration per year. No other government entity is affected.

TRANSACTIONAL COSTS: None. There were no licensing fees or other operational costs to any public or private entity associated with this program.

## DEPARTMENT OF MANAGEMENT SERVICES

### Agency for Workforce Innovation

RULE NO.: RULE TITLE:  
60BB-8.210 Reenrollment for Good Cause and  
Extreme Hardship in the Voluntary  
Prekindergarten Education Program

#### 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. 36, No. 12, March 26, 2010 issue of the Florida Administrative Weekly.

Paragraph (1) is revised and renumbered as follows:

(1) Definitions. As used in this rule:

~~(a) "Delayed enrollment" means recording the initial enrollment of a student in a Voluntary Prekindergarten Education Program (VPK) class after VPK instruction has begun.~~

~~(a)(b)~~ "Reenrollment" means the enrollment of a student in a new VPK program type (school-year or summer) or with a new VPK provider following the student's removal or withdrawal from enrollment with a VPK provider after the student has attended a portion of VPK instruction.

~~(b)(e)~~ "Substantial completion" means a student has been enrolled in a VPK provider's class for more than 70 percent of the instructional hours for the program type (school-year or summer).

Paragraph (2)(c) is revised as follows:

(c) The student's parent or guardian completes the ~~Delayed Enrollment and~~ Reenrollment Application (Form AWI-VPK 05), dated April 9, 2010, which is hereby incorporated by reference, and submits it to the early learning coalition as documentation that the student was or is prevented from attending the VPK class for good cause. The Reenrollment Application (Form AWI-VPK 05) may be obtained as described in Rule 60BB-8.900, F.A.C. The following are examples of situations which prevent the student from attending the VPK class for good cause:

1. The illness of:

- a. The student;
  - b. An individual living in the student's household;
  - c. An individual which the student's parent or guardian is responsible for caring for; or
  - d. The student's parent, guardian, sibling, grandparent, step-parent, step-sibling, or step-grandparent.
2. A disagreement between the parent or guardian and the VPK provider or school concerning policies, practices, or procedures at the provider's or school's VPK program;
  3. A change in the student's residence;
  4. A change in the employment schedule or place of employment of the student's parent or guardian;
  5. The VPK provider's inability to meet the student's health or educational needs;
  6. The termination of the student's VPK class before 70 percent of the class instructional hours is delivered;
  7. The student is dismissed by a VPK provider for failure to comply with the provider's attendance policy;
  8. The provider's designation as a low performing provider under Section 1002.67, F.S.;
  9. Any condition described as an extreme hardship in paragraph (3)(c) below; or

10. Another reason not expressly stipulated in this rule which prevents the student from attending the VPK provider's class or which prevents the VPK provider from serving the student in accordance with the requirements of the VPK program.

Paragraph (3)(c) is revised as follows:

(3) Reenrollment for extreme hardship. A student may be reenrolled and reported for funding purposes as one full-time equivalent student, as defined by Section 1002.71(2), F.S., in the summer VPK program, if all the following applies:

(c) The student's parent or guardian completes and submits to the early learning coalition the ~~Delayed Enrollment and~~ Reenrollment Application, and, where documentation is not supplied by the coalition or provider, supporting written documentation of extreme hardship of one or more of the following:

1. The illness of the student, as documented in writing by a physician licensed under Chapter 458 or 459, F.S., if the illness would result in the student being absent from more than 30 percent of the number of hours in the program type in which the student is enrolled;
2. The provider's misconduct or noncompliance which results in the provider's inability to offer the VPK program, as documented by the early learning coalition;
3. The parent's or guardian's inability to meet the basic needs of the student, including, but not limited to, a lack of food, shelter, clothing, or transportation, as documented in writing by a federal, state, or local governmental official;

4. The provider’s inability to meet the student’s educational needs due to the student’s learning or developmental disability as documented by a federal, state, or local governmental official;

5. The provider’s inability to meet the student’s health needs as documented by a physician licensed under Chapter 458 or 459, F.S., or a federal, state, or local governmental official; or

6. Displacement of a student from his or her place of residence or closure of the student’s VPK provider as a result of a state of emergency as declared by a federal, state, or local governmental official.

Paragraph (5) is stricken in its entirety.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Agency for Workforce Innovation**

RULE NOS.:	RULE TITLES:
60BB-8.300	Provider and Class Registration Procedures; Application; Eligibility Determination
60BB-8.301	Statewide Provider Agreement for the VPK Program

**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. 36, No. 19, May 14, 2010 issue of the Florida Administrative Weekly.

60BB-8.300 Provider and Class Registration Procedures; Application; Eligibility Determination.

Paragraph (1)(a) is amended as follows:

(1) Statewide Provider Registration Application; Supporting Documents.

(a) A VPK provider registering for the VPK Program on or after January 1, 2011, ~~September 30, 2010~~, must annually complete and sign Form AWI-VPK 10 (Statewide Provider Registration Application), dated April 30, 2010, which is hereby incorporated by reference, with instructions, and may be obtained as described in Rule 60BB-8.900, F.A.C.

Paragraph (1)(c) is revised as follows:

(c) If submitted information changes, a VPK provider must submit written notice of the changes ~~in a form prescribed by the early learning coalition~~, to the early learning coalition within 14 calendar days after the submitted information changes.

Paragraph (2) is revised as follows:

(2) Class registration application; supporting documentation.

(a) A VPK private provider or public school must annually complete and sign Parts A and B of Form AWI-VPK 11 (Class Registration Application), dated April 30, 2010, which is hereby incorporated by reference, with instructions, and may be obtained as described in Rule 60BB-8.900, F.A.C.

(b) Before delivering instruction or receiving payment for the VPK Program, a VPK provider must submit a complete and signed Form AWI-VPK 11, Parts A and B, including supporting documents, to the coalition.

(c) If submitted information changes, a VPK provider must submit written notice of the changes ~~in a form prescribed by the early learning coalition~~ to the early learning coalition within 14 calendar days after the changes. The written notice of changes must include, at a minimum:

1. The VPK provider’s name.
2. The VPK provider’s physical address.
3. The date of the change.
4. From what and to what the information is changing, and
5. A verbatim copy of the following certification signed by an authorized representative of the VPK provider: “I have examined this application and, to the best of my knowledge and belief, the information provided is true and correct. If any of this information changes, I understand that the provider must submit updated information to the coalition, in writing, within 14 days of the change. I also understand that the provider is encouraged to submit updated information before a change is implemented as the provider may be out of compliance with the requirements of the VPK program if the changes are implemented before the coalition approves of the changes.”

Paragraph (1) is revised as follows:

60BB-8.301 Statewide Provider Agreement for the VPK Program.

(1) An early learning coalition may not pay a VPK provider which registers to offer the VPK program on or after January 1, 2011, ~~September 30, 2010~~, except under a provider agreement with the coalition. A coalition must be a party to a provider agreement. A school district may sign a single provider agreement on behalf of all public school VPK providers in the district, ~~at the discretion of the coalition~~. The owner or manager of multiple private VPK providers may sign a single provider agreement on behalf of all of his or her private VPK providers. A VPK provider may not offer VPK services or instruction until the VPK provider receives notice of its eligibility to offer the VPK program. The coalition shall notify a VPK provider of its eligibility to offer the VPK program by sending a copy of a provider agreement which has been signed by the VPK provider and its early learning coalition.

(1) An early learning coalition may not pay a VPK provider which registers to offer the VPK program on or after January 1, 2011, ~~September 30, 2010~~, except under a provider agreement with the coalition. A coalition must be a party to a provider agreement. A school district may sign a single provider agreement on behalf of all public school VPK providers in the district, ~~at the discretion of the coalition~~. The owner or manager of multiple private VPK providers may sign a single provider agreement on behalf of all of his or her private VPK providers. A VPK provider may not offer VPK services or instruction until the VPK provider receives notice of its eligibility to offer the VPK program. The coalition shall notify a VPK provider of its eligibility to offer the VPK program by sending a copy of a provider agreement which has been signed by the VPK provider and its early learning coalition.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Administrative Hearings**

RULE NO.:	RULE TITLE:
60Q-6.107	Amendment and Dismissal of Petition for Benefits



**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. 36, No. 29, July 23, 2010 issue of the Florida Administrative Weekly.

~~(4) Upon motion by the employer or carrier, the judge may require the claimant to file a verified motion for attorney’s fees and costs and adjudicate the verified motion for attorney’s fees and costs. Any party seeking an order determining the entitlement to or amount of attorney’s fees or costs shall file the motion therefor within 365 days after the provision of benefits, dismissal of claim, judicial order, or appellate mandate from which the movant claims attorney’s fees or costs are due. Untimely motions or petitions for attorney’s fees or costs will be dismissed.~~

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE NO.:                      RULE TITLE:  
61C-1.001                      Definitions

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 21, May 28, 2010 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Barbers’ Board**

RULE NO.:                      RULE TITLE:  
61G3-19.011                      Barbershop Requirements

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 40, October 9, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NOS.:                      RULE TITLES:  
64B15-14.0051                      Standards of Practice for Physicians Practicing in Pain Management Clinics  
64B15-14.0052                      Requirement for Pain Management Clinic Registration; Inspection or Accreditation

**NOTICE OF ADDITIONAL PUBLIC HEARING**

The Board of Osteopathic Medicine hereby gives notice of an additional public hearing on Rules 64B15-14.0051 and 64B15-14.0052, F.A.C., to be held via telephone conference call on Monday, September 13, 2010, 1:00 p.m., or shortly thereafter. The telephone Conference Call number is: (888)808-6959; Conference Code 6321783289. The rule was originally published in Vol. 36, No. 16, of the April 23, 2010, issue of the Florida Administrative Weekly. The Board held two public hearings on these rules on June 18, 2010, and August 20, 2010. At the public hearing held on August 20, 2010, the Board considered draft changes for these rules which inadvertently omitted part of the language recommended by the Boards of Medicine and Osteopathic Medicine Pain Management Clinic Standards of Practice Joint Committee on July 24, 2010. The purpose of this public hearing is to consider the language inadvertently omitted from the draft changes considered by the Board on August 20, 2010.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

**Office of Information Security**

RULE NOS.:                      RULE TITLES:  
71A-1.004                      Agency Information Technology Workers  
71A-1.011                      Configuration Management  
71A-1.016                      Media Protection  
71A-1.017                      Physical and Environmental Protection  
71A-1.019                      Personnel Security and Acceptable Use

**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. 36, No. 24, June 18, 2010 issue of the Florida Administrative Weekly.

The changes published in this Notice of Change apply to the proposed rule published on June 18, 2010 and supersede changes to any previous versions of the same provisions.

71A-1.004 Agency Information Technology Workers.

~~(1) Agency heads are responsible to ensure information technology workers are managed appropriately and effectively.~~

(1)(2) ~~Agency heads are advised to designate~~ information technology positions with access to information processing facilities, or positions that have system, database, developer, network, or other administrative capabilities for systems, applications, or servers with risk categorization of moderate or high ~~as are~~ positions of special trust.

(3) through (7) renumbered (2) through (6) No change.

71A-1.011 Configuration Management.

(3) The agency shall specify and document standard configurations used to harden software and hardware and assure the configurations address known security vulnerabilities ~~and are consistent with industry-accepted system hardening standards.~~

71A-1.016 Media Protection

(2) The agency shall maintain electronic data in accordance with the same applicable regulatory retention requirements that apply to agency data in non-electronic formats.

71A-1.017 Physical and Environmental Protection.

(5) Visitors shall be recorded and, in locations housing systems categorized as moderate impact or high impact, they shall be supervised. (See Rule 71A-1.020.)

71A-1.019 Personnel Security and Acceptable Use

(14) Users shall change their passwords at least every 60 days for high risk systems, every 90 days for moderate risk systems and every 180 days for low risk systems. (See Rule 71A-1.020.)

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## Section IV Emergency Rules

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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

### DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on August 12, 2010, the Criminal Justice Standards and Training Commission has issued an order.

On July 22, 2010, the Criminal Justice Standards and Training Commission, received a petition for waiver of subparagraphs 11B-20.0014(3)(d)5. and 6., F.A.C., by Jonathan Kinney and St. Johns River Community College Director of Criminal Justice Training, Gary Killam. The Petitioners seek to waive that portion of the rule requiring breath test instructors to be actively certified prior to instructing a breath test operator renewal course. Both Petitioner Kinney and the Petitioner college assert that Petitioner Kinney was otherwise qualified at the time that he taught the class, and that Petitioner Kinney has, indeed, now received the necessary certification. Receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 31, August 6, 2010.

On August 12, 2010, at its regularly scheduled business agenda meeting held in Tampa, Florida, the Commission found that the Petitioners' situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that alcohol breath test operator instructors are certified prior to instructing courses, will be met by granting this waiver request. The Commission found that the Petitioner Kinney had the knowledge, skills, and abilities required to instruct and, indeed, did become certified soon after instructing the course. The failure of Petitioner Kinney to become certified was an oversight by the Petitioner college and was not flagrant. The Commission granted the Petitioner's waiver.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32327, (850)410-7676.

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NOTICE IS HEREBY GIVEN THAT on August 12, 2010, the Criminal Justice Standards and Training Commission has issued an order.

This matter concerned a request for a permanent waiver of paragraphs 11B-27.00213(4)(a) and (b), F.A.C., by Tabitha Williams received by the agency on July 16, 2010. The rule at issue requires officers employed on a Temporary Employment Authorization (TEA) to have a four year break in service before they may enter another TEA if they terminate the first TEA prior to completion. Petitioner Williams was terminated

from her TEA for cause by her employer. She seeks a permanent waiver of the rule for her present situation in order to permit her to seek another TEA immediately so she does not have to wait four years to begin a new TEA. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 30, on July 30, 2010.

On August 12, 2010, at its regularly scheduled business agenda meeting held in Tampa, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner did not demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness because she was terminated from her TEA for cause. The Commission found that the purposes of the underlying statutes, to ensure that officers are properly trained and TEAs are properly administered, will not be met by granting this waiver request because the Commission's statutes do not contemplate termination for cause as reflecting good recruiting. The Commission found that the Petitioner's situation was caused by, nor was she harmed by the strict operation of the Commission's rule. The Commission denied Petitioner Williams the requested waiver.

A copy of the Order may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32327, (850)410-7676.

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#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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#### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN THAT on July 15, 2010, the St. Johns River Water Management District, received a petition for variance and a first amended petition for variance on August 6, 2010, from the Indian River County Board of County Commissioners. Pursuant to Section 373.414(17), F.S., the County seeks a variance from paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters, including Sections 10.1.1(c), 12.1.1(d) and 12.2.5(c), and the provisions of Section 373.414, F.S., with respect to Environmental Resource Permit Application 4-061-114751-2, to construct an extension to a boat ramp dock and dredging activities. The County proposes to construct directly in the Indian River Lagoon, which is classified by the Department of Agriculture and Consumer Services as restricted for shellfish harvesting. The petition, as amended, has been assigned F.O.R. Number 2010-33.

Comments on this petition should be filed with: Sandra Bertram, Acting District Clerk, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Karen Coffman, Assistant General Counsel, at the same address, or by telephone at (386)329-4288.

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NOTICE IS HEREBY GIVEN THAT on August 19, 2010, the South Florida Water Management District (SFWMD), received a petition for Variance (Application 100819-27) from Avatar Properties, Inc., 201 Alhambra Circle, 12th Floor, Coral Gables, FL 33134, for a project known as Poinciana Parkway, Sections 1 and 2, located in Polk and Osceola Counties. The petition seeks relief from provisions in Rule 40E-4.321, F.A.C., pertaining to duration of permits.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by e-mail: [permits@sfwmd.gov](mailto:permits@sfwmd.gov) or, by accessing the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk. For additional information, contact: Mark Daron at (407)858-6100, ext. 3805 or e-mail: [mdaron@sfwmd.gov](mailto:mdaron@sfwmd.gov).

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NOTICE IS HEREBY GIVEN THAT on August 12, 2010, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No.: 2010-152-DAO-ROW was issued to the Town of Davie (Application No.: 08-0918-1M). The petition for waiver was received by the District on June 15, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 36, No. 25, on June 25, 2010. No public comment was received. This Order provides a waiver of the District's criteria to allow for the proposed addition of greenway trail landscaping and trail signage within the north right of way of the C-11 Canal; Sections 28, 29, 30 & 25, Township 50 South, Range 41 & 42 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within works of lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly

interfere with the District’s current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Petitioner from suffering a substantial hardship and would violate principles of fairness.

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

NOTICE IS HEREBY GIVEN THAT on August 12, 2010, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No.: 2010-153-DAO-ROW was issued regarding existing facilities along the Deer Fence Canal (G-3W) between County Road 846 and L-3; Hendry County. This Order provides a waiver of Rule 40E-6.601, Florida Administrative Code, which governs the payment of application processing fees, and paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which establishes the criteria in which people can connect with and make use of Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities existed prior to the donation of land to the District and adoption of the Deer Fence Canal as a Work of the District; 2) the facilities will not significantly interfere with the District’s current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 3) the Order granting a waiver from the subject rule is based upon principles of fairness.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on August 18, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order.

That Final Order was in response to a Petition for Variance from Culbreath Key Bayside Condo Association, Inc., filed May 19, 2010, and advertised in Vol. 36, No. 24 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.2.1, ASME A17.1a, 2005 edition which prohibits machinery not associated with the use of the elevator in the machine room, as

adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, because the Petitioner has not demonstrated that the purpose of the statute underlying the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-341).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT on August 9, 2010, the Board of Accountancy, received a petition for Julie Bass, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on August 10, 2010, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Variance, filed on February 18, 2010, by April Ann DiSegna. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 11, of the March 19, 2010, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules” which requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release for the first test section passed. The Board considered the instant Petition at a duly-noticed public meeting held on May 14, 2010, in Tampa, Florida. The Board’s Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

NOTICE IS HEREBY GIVEN THAT on August 10, 2010, the Board of Accountancy has issued an order.

The Order is regarding the Petition for Variance, filed on March 1, 2010, by Tammy Eastman. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 11, of the March 19, 2010, Florida Administrative Weekly. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules" which requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release for the first test section passed. The Board considered the instant Petition at a duly-noticed public meeting held on May 14, 2010, in Tampa, Florida. The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found 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 may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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NOTICE IS HEREBY GIVEN THAT on August 12, 2010, the Board of Accountancy, received a petition for Alwyn Kruger, seeking a variance or waiver of paragraph 61H1-27.001(5)(a), Florida Administrative Code, which lists the requirements for an applicant for licensure who holds a degree from a college that is not accredited. Petitioner also seeks a variance of waiver of paragraph 61H1-27.002(2)(b), F.A.C., which requires that the applicant have completed 36 semester or 54 quarter hours in general business education that includes not less than the equivalent of 6 semester or 8 quarter hours in business law courses that include coverage of the uniform commercial code, contracts and torts.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on August 4, 2010, the Board of Accountancy, received a petition for Kevin M. Payne, seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that each Florida certified public accountant, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial license renewal, report on forms prescribed by the Board, compliance with continuing professional education requirements completed during the applicable reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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NOTICE IS HEREBY GIVEN THAT on August 25, 2010, the Department of Environmental Protection has issued an order.

The order is for the JRW Bioremediation LLC variance petition (OGC File No.: 10-1502), received on April 26, 2010. The petition requested a variance from the zone of discharge (ZOD) prohibition for discharges through wells under subsection 62-522.300(3) (renumbered as subsection 62-520.310(9)), F.A.C., for the use of CHITOREM® to cleanup sites contaminated with halogenated aromatic and aliphatic hydrocarbons and other chemicals. Specifically, the variance requested a ZOD for antimony, arsenic, selenium, and thallium within a 50-foot radius from the point of discharge for duration of 3 years. Notice of receipt of this petition was published in the Florida Administrative Weekly, on May 21, 2010. No public comment was received. The final order granted a variance from the ZOD prohibition because the petitioner demonstrated a substantial hardship, and that the purposes of the underlying statutes would be met with the conditions imposed by the Department. The conditions require that the use of this product must be through a Department-approved remedial action plan, or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of Chapter 62-528, F.A.C.; that the extent of the ZOD for antimony, arsenic, selenium, and thallium shall be a 50-foot radius from the point of injection and the duration of the ZOD shall be three years; that the injection of CHITOREM® shall be at such a rate and volume that no undesirable migration occurs of the product, it's by-products, or the contaminants already present in the aquifer; and that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of CHITOREM® based on site-specific hydrogeology and conditions.

A copy of the Order may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS #3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654.

NOTICE IS HEREBY GIVEN THAT on August 6, 2010, the Bureau of Beaches and Coastal Systems, received a petition for waiver, pursuant to Section 120.542, Florida Statutes, and Rule 28-104, F.A.C., from Chapter 62B-36, F.A.C., which provides the criteria where the Department may enter into a cost sharing agreement with eligible governmental entities for the implementation of beach management projects. The petition was received from the Pelican Landing Community Assoc. and Hyatt Regency Coconut Point Resort. The project is located on Big Hickory Is., between DEP R-Monuments 222.7 and 223.9, in Lee County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Vincent George at (850)413-7783 or by email: vincent.george@dep.state.fl.us. Any comments should be filed in writing with the: Department at 3900 Commonwealth Blvd., MS #300, Tallahassee, Florida 32399-3000, and should be submitted within 14 days of the date of this publication.

#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on August 18, 2010, the Board of Medicine, received a petition for waiver or variance filed on behalf of Lianette M. Campos-Sackley, M.D., from subsection 64B8-4.004(1), F.A.C., with regard to the requirement for the year of accredited post-graduate training to be completed at one institution. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on August 20, 2010, the Board of Medicine, Council on Physician Assistants has issued an order.

The Petition for Waiver and/or Variance was filed by Teresa Hoye Doolittle, PA-C, on July 6, 2010, seeking a waiver or variance from Rule 64B8-30.003, F.A.C., with regard to the requirement for letters of recommendation for physician assistant applicants. The Notice was published in Vol. 36, No. 23, of the Florida Administrative Weekly, on July 23, 2010. The Council on Physician Assistants, at its meeting held on August 5, 2010, voted to grant the Petition for Waiver finding

that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute, and that application of the rule would violate the principles of fairness.

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

NOTICE IS HEREBY GIVEN THAT on August 20, 2010, the Florida Department of Health, Division of Emergency Medical Operations, Office of Trauma has issued an order.

The following is a summary of the proceeding and Order Closing File for the petition for variance or waiver:

A petition was filed on June 1, 2010 by Manatee Technical Institute for a variance or waiver of paragraph 64J-1.0201(3)(a), Florida Administrative Code, as it relates to the minimum qualifications for Program Directors at Florida-approved EMS Training Programs. Subsequently, the Petitioner filed a letter of withdrawal on July 27, 2010. The Department filed an Order Closing File on August 20, 2010 based on the letter of withdrawal filed by Petitioner.

A copy of the Order may be obtained by contacting: John Bixler, Chief, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, FL 32399-1738, (850)245-4055, Fax: (850)488-9408, email: john\_bixler@doh.state.fl.us.

#### FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN THAT on August 18, 2010, the Florida Housing Finance Corporation, received a petition for Waiver/Variance from subsections 67-48.004(5), 67-48.004(13) and paragraph 67-48.004(13)(d), F.A.C. (2009) and proposed subsections 67-48.004(5), 67-48.004(13) and paragraph 67-48.004(13)(d), F.A.C., for the 2011 Universal Cycle and from subsections 67-21.003(5), 67-21.003(13) and paragraph 67-21.003(13)(d), F.A.C., from PACES Foundation, Inc., Chastain Development Corporation, Mark M. Dumas, O.C. Adams, Leigh C. Westraad and Douglas F. Dumas. The petition is seeking a waiver of the Rules adopted and to be adopted by Florida Housing that authorize Florida Housing to preclude applicants from participating in the Universal Application Cycle process based solely on alleged outstanding financial obligations.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website: [www.floridahousing.org](http://www.floridahousing.org). Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on

the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

### **FISH AND WILDLIFE CONSERVATION COMMISSION**

NOTICE IS HEREBY GIVEN THAT on July 22, 2010, the Florida Fish and Wildlife Conservation Commission (FWC) has issued an order.

The Order denies a petition submitted by Nick Taylor for a temporary 3-year variance from portions of the Manatee County manatee protection rule (Rule 68C-22.014, Florida Administrative Code). The petition sought authorization for the applicant or others associated with the applicant to operate personal watercraft (PWC) at speeds greater than Slow Speed (up to 20 MPH) in 14 shallow water areas while wakeskating. The FWC received the petition on March 10, 2010, and a notice of petition was published in the Florida Administrative Weekly on April 2, 2010. One letter was submitted within 14 days following publication of the notice. The petition was denied because issuance of the variance would not meet the purposes of the underlying statute, Section 379.2431(2), Florida Statutes, and because the petitioner failed to demonstrate substantial hardship or that application of the rule would violate principles of fairness.

A copy of the Order may be obtained by contacting: Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section (Mail Station 6A), 620 South Meridian Street, Tallahassee, FL 32399-1600.

## **Section VI Notices of Meetings, Workshops and Public Hearings**

### **DEPARTMENT OF STATE**

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 9, 2010, 4:00 p.m. – 5:30 p.m.

PLACE: Mission Room, 2100 W. Tennessee Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The newly appointed board members will meet to discuss their roles and be introduced to each other and staff. This is an orientation meeting only. No business items to be discussed.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)245-6379.

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: Jessica Shiver at (850)245-6379. 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: Jessica Shiver at (850)245-6379 or jbshiver@dos.state.fl.us.

The **Division of Cultural Affairs** and the **Florida Council on Arts and Culture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 6, 2010, 9:00 a.m. – conclusion

PLACE: This meeting will be held via teleconference. Please visit: <http://www.florida-arts.org/about/calendar/> for more instructions.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council. If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

Please Note: This meeting is subject to cancellation or change, please call to confirm the meeting date and time.

A copy of the agenda may be obtained by contacting: Michelle Proctor at (850)245-6337 or email: [mproctor@dos.state.fl.us](mailto:mproctor@dos.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 48 hours before the workshop/meeting by contacting: Jennifer Hoelsing at (850)245-6462 or email: [jshoelsing@dos.state.fl.us](mailto:jshoelsing@dos.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).

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: The Division of Cultural Affairs at (850)245-6470 or visit our website: [www.florida-arts.org](http://www.florida-arts.org).

The **Division of Cultural Affairs** and the **Florida Council on Arts and Culture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 6, 2010, 9:00 a.m. – conclusion

PLACE: This meeting will be held via teleconference. Please visit: <http://www.florida-arts.org/about/calendar/> for more instructions.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council. If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

Please Note: These meetings are subject to cancellation or change, please call to confirm the meeting date and time.

A copy of the agenda may be obtained by contacting: Michelle Proctor at (850)245-6337 or email: [mproctor@dos.state.fl.us](mailto:mproctor@dos.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 48 hours before the workshop/meeting by contacting: Jennifer Hoelsing at (850)245-6462 or email: [jshoelsing@dos.state.fl.us](mailto:jshoelsing@dos.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).

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: Division of Cultural Affairs at (850)245-6470 or visit our website: [www.florida-arts.org](http://www.florida-arts.org).

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#### DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, September 16, 2010, 11:00 a.m.

**PLACE:** Please call (850)414-3300 for instructions on participation

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Business meeting of the Florida Commission on the Status of Women to consider Awards and Recognition recommendations.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

Note in the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded, although no formal action will be taken. If you have any questions, please call: (850)414-3300.

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

**DATE AND TIME:** October 5, 2010, 9:30 a.m. – 11:00 a.m.

**PLACE:** The Renaissance Resort at World Golf Village, 500 South Legacy Trail, St. Augustine, FL 32092

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Florida Propane Education, Safety and Research Council and representatives of the Florida Department of Agriculture and Consumer Services to discuss and review Council programs and budget issues.

A copy of the agenda may be obtained by contacting: Lisa M. Bassett, Bureau Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32399-1650, (850)921-8001.

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: Ms. Bassett at the number 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).

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

**DATE AND TIME:** October 5, 2010, 11:00 a.m. – 12:00 Noon

**PLACE:** The Renaissance Resort at World Golf Village, 500 South Legacy Trail, St. Augustine, FL 32092

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the LP Gas Advisory Board and representatives of the Florida Dept. of Agriculture and Consumer Services to discuss and review Board programs and budget issues.

A copy of the agenda may be obtained by contacting: Lisa M. Bassett, Bureau Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite N, Tallahassee, Florida 32399-1650, (850)921-8001.

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: Ms. Bassett at the number 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 EDUCATION

The **Budget and Finance Committee, the Facilities Committee and the Legislative Committee of the Board of Governors, State University System** of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: Student Union Ballroom, University of North Florida, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2010-11 SUS Operating Budgets; Report from Tuition and Fee Work Group; Notice of Intent to Amend Board Regulation 7.001, Tuition and Fees; Notice of Intent to Amend Board Regulation 7.003, Special Fees, Fines and Penalties; 2011-2012 SUS Legislative Budget Request; 2011-2012 Board Office Legislative Budget Request; Board of Governors Revised Debt Management Guidelines; 2011-2012 Fixed Capital Outlay Legislative Budget Request; Resolution of the Board of Governors authorizing the Florida Gulf Coast University Financing Corporation to Issue Debt to Finance the Acquisition of Student Residences, Phase XI, and Associated Improvements, Main Campus, FGCU; Resolution of the Board of Governors authorizing the University of South Florida Financing Corporation to Issue Debt to Finance the Construction of a Medical Conference Facility, Tampa; Resolution of the Board of Governors authorizing the Florida Atlantic University Financing Corporation to Issue Debt to Finance the Construction of an Athletic Stadium, Main Campus, FAU; Preparing for 2011 Legislative Session; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Strategic Planning Committee and the Academic and Student Affairs Committee of the Board of Governors, State University System** of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: September 16, 2010, 8:30 a.m. – 11:00 a.m.

PLACE: Student Union Ballroom, University of North Florida, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update, Educational Sites; Notice of Intent to Promulgate new Board Regulation 2.003, Equity and Access; Student Affairs Updates on Student Health Insurance, Council for Student Affairs and Florida Student Association; Discussion, Academic Program Efficiencies; Discussion, Distance Learning; Requests for Limited Access Status for baccalaureate programs at FIU: Accounting, Business Administration in Management, Business Administration in Finance, Business Administration in International Business Management, Business Administration in Management Information Systems, Business Administration in Business Marketing Management, Business Administration in Real Estate, Business Administration in Human Resource Management, Health Services Administration, Theatre, Social Work, Music, Communication, and Hospitality Management; Termination, Ed.D., Education of Specified Learning Disabilities, FAU; Notice of Intent to Adopt New Board Regulation, Johnson Scholarship Program; Status Report, "New Florida 2010," and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Board of Governors**, State University System of Florida, announces a public meeting to which all persons are invited.

DATE AND TIME: September 16, 2010, 11:00 a.m. – 4:00 p.m.

PLACE: Student Union Ballroom, University of North Florida, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2010-11 SUS Operating Budgets; Report, Tuition and Fee Work Group; Notice of Intent to Amend Board Regulation 7.001, Tuition and Fees; Notice of Intent to Amend Board Regulation 7.003, Special Fees, Fines and Penalties; 2011-2012 SUS Legislative Budget Request; 2011-2012 Board Office Legislative Budget Request; Final approval, Board Regulation 7.008, Waiver of Tuition and Fees; Final approval, Board Regulation 9.009, Preparation of SUS Financial Statements; Approval, Board of Governors Revised Debt Management Guidelines; Approval, 2011-2012 Fixed Capital Outlay Legislative Budget Request; Resolution of the Board of Governors authorizing the Florida Gulf Coast University Financing Corporation to Issue Debt to Finance the Acquisition of Student Residences, Phase XI, and Associated Improvements, Main Campus, FGCU; Resolution of the Board of Governors authorizing the University of South Florida Financing Corporation to Issue Debt to Finance the Construction of a Medical Conference Facility, Tampa; Resolution of the Board of Governors authorizing the Florida Atlantic University Financing Corporation to Issue Debt to Finance the Construction of an Athletic Stadium, Main Campus, FAU; Preparing for 2011 Legislative Session; Final Approval, Board Regulation 1.001, University Board of Trustees Powers and Duties; Final Approval, Board Regulation 9.012, Disclosure of Gifts from Foreign Governments and Persons; Intent to Notice new Board Regulation 2.003, Equity and Access; Requests for Limited Access Status for the following baccalaureate programs at FIU: Accounting, Business Administration in Management, Business Administration in Finance; Business Administration in International Business Management; Business Administration in Management Information Systems, Business Administration in Business Marketing Management, Business Administration in Real Estate, Business Administration in Human Resource Management, Health Services Administration, Theatre, Social Work, Music, Communication and Hospitality Management; Termination, Ed.D., Education of Specified Learning Disabilities, FAU; Notice of Intent to Promulgate New Board Regulation 6.019, Johnson Scholarship Program; Final Approval, Board Regulation 6.018, Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and for Graduation by Students with

Disabilities; Final Approval, Board Regulation 8.010, Common Prerequisites; Final Approval, Ed.D., Education, FGCU; and other related business.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIMES: A Teacher Hearing Panel, September 16, 2010, 9:00 a.m. or as soon thereafter as can be heard; A Teacher Hearing Panel, 1:00 p.m. or as soon thereafter as can be heard

PLACE: Senate Office Building (Room 110), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

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: Kathleen M. Richards at (850)245-0455. 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: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Education Practices Commission** announces a hearing to which all persons are invited.

**DATE AND TIMES:** An Administrator Hearing Panel, September 17, 2010, 9:00 a.m. or as soon thereafter as can be heard; A Business Meeting, 10:00 a.m. or as soon thereafter

**PLACE:** Senate Office Building (Room 110), 404 South Monroe Street, Tallahassee, Florida 32399, (850)245-0455

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

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: Kathleen M. Richards at (850)245-0455. 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: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, September 17, 2010, 8:00 a.m.

**PLACE:** Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, FL 32084

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Matters pertaining to the Endowment Investment Committee.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210.

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: L. Daniel Hutto, President, at the afore mentioned address. 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: L. Daniel Hutto, President, at the afore mentioned address.

The **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, September 17, 2010, 9:00 a.m.

**PLACE:** Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, or by calling (904)827-2210.

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: L. Daniel Hutto, President, at the afore mentioned address. 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: L. Daniel Hutto, President, at the afore mentioned address.

#### **DEPARTMENT OF COMMUNITY AFFAIRS**

The **Florida Communities Trust** announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 30, 2010, 9:00 a.m. – 1:00 p.m. or until business is concluded, whichever occurs first

**PLACE:** Department of Community Affairs, Randall Kelley Room, 3rd Floor, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss issues regarding the Indian Street Bridge located in Martin County, consideration of a proposed land exchange in the Caloosahatchee Creeks Preserve project and to conduct any other business that the Governing Board deems necessary.

**ACTION TO BE TAKEN:** Consideration of above-stated business.

A copy of the agenda may be obtained by contacting: The Trust at (850)922-2207.

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: Florida Communities Trust at (850)922-2207. 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: Florida Communities Trust at (850)922-2207.

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#### DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 2 announces a workshop to which all persons are invited.

DATE AND TIME: Monday, September 13, 2010, 4:30 p.m. – 6:30 p.m.

PLACE: Orange Park Town Hall, 2042 Park Avenue, Orange Park, FL 32073

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 208207-4, otherwise known as SR 15 (US 17) Landscape Enhancement Project, from Holly Point Drive East to Elbow Road, Clay County, Florida. The Florida Department of Transportation invites you to come by anytime between 4:30 p.m. – 6:30 p.m. to review landscaping alternatives for this segment of roadway. Comments are needed to choose between (1) landscaping and a perimeter wall; or (2) landscaping without a wall.

A copy of the agenda may be obtained by contacting: Mr. John Thrasher, Project Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, M.S. #2002, Lake City, FL 32025-5874.

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: Mr. John Thrasher, Project Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2002, Lake City, FL 32025-5874, (386)961-7481 or 1(800)749-2967, extension 7481. 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).

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The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 14, 2010, 1:30 p.m. – until conclusion of business

PLACE: FDOT, 605 Suwannee Street, FTC Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Executive Committee Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

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The **Florida Transportation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: September 14, 2010, 3:00 p.m. – until conclusion of business

PLACE: FDOT, 605 Suwannee Street, Executive Conference Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Workshop.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

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The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 15, 2010, 8:30 a.m. – until conclusion of business

PLACE: FDOT, 605 Suwannee Street, Burns Auditorium, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Meeting and Annual Performance Review.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Tallahassee, Florida 32399-0450, (850)414-4105.

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

DATE AND TIMES: Thursday, September 16, 2010, Open House, 5:30 p.m.; Formal Presentation, 6:00 p.m. – 7:30 p.m.

PLACE: The New Smyrna Beach Garden Club, 2000 Turnbull Bay Road, New Smyrna Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Turnbull Bay Road Bridge Concept Development. FDOT is developing a report that examines options to rehabilitate or replace the Turnbull Bay Road Bridge, New Smyrna Beach, FL. The structure is safe, but future planning to improve or replace the bridge is vital and necessary. We need to hear from constituents concerning the location; conceptual design; and social, economic, and environmental effects of this project. Department staff will be available to answer questions.

Anyone wishing to submit written statements or other exhibits may do so at the public meeting or by sending them to: Albert Neumann, E.I. Project Manager, Florida Department of Transportation, 1650 N. Kepler Road, DeLand, Florida 32724, email: Albert.Neumann@dot.state.fl.us.

All submissions received or postmarked on or before September 27, 2010, will become a part of the public record.

A copy of the agenda may be obtained by contacting: Albert Neumann, E.I. Project Manager at (386)740-3466.

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: Albert Neumann, E.I. Project Manager at (386)740-3466 or e-mail: Albert.Neumann@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).

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

DATES AND TIMES: Thursday, October 7, 2010, 9:00 a.m. – 5:00 p.m.; Friday, October 8, 2010, 9:00 a.m. – 3:00 p.m.

PLACE: Hilton Pensacola Beach Gulf Front, 12 Via de Luna Drive, Pensacola Beach, FL 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Transportation announces a Steering Committee Meeting to gather input for the 2060 Florida Transportation Plan and we invite your participation in this process. The FTP establishes long range goals that will provide a policy framework for expenditure of federal and state transportation funds in Florida. FDOT is updating this Plan to respond to new trends and challenges to meet the future mobility needs of Florida's residents, visitors, and businesses.

A copy of the agenda may be obtained by contacting: Paula San Gregorio at (850)414-4811.

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: Paula San Gregorio at (850)414-4811. 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: [www.2060ftp.org](http://www.2060ftp.org).

#### **BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 15, 2010, 6:00 p.m. – 8:00 p.m.

PLACE: Guana Tolomato Matanzas NERR Marineland Office, 9741 Ocean Shore Blvd., St. Augustine, FL 32080

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Management Advisory Group (MAG) for Guana Tolomato Matanzas National Estuarine Research Reserve (GTMNERR) will hold a meeting to provide advisory input for the management of the GTMNERR.

A copy of the agenda may be obtained by contacting: Annette Odom by e-mail: [Annette.Odom@dep.state.fl.us](mailto:Annette.Odom@dep.state.fl.us), phone: (904)823-4500 or by mail: 505 Guana River Road, Ponte Vedra Beach, Florida 32082.

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: Annette Odom at (904)823-4500. 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).

**STATE BOARD OF ADMINISTRATION**

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 23, 2010, 1:30 p.m.  
 PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

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

A copy of the agenda may be obtained by contacting: Camielle Adams, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308.

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: James Linn at (850)413-1166. 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 CITRUS**

The Florida **Department of Citrus**, Florida Citrus Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 15, 2010, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, rulemaking, and other matters addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Linda Gurney at (863)537-3953.

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: Dianne Screws at (863)537-3984. 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: Linda Gurney at (863)537-3953.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 9, 2010, 9:00 a.m.  
 PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Commission Meeting.

A copy of the agenda may be obtained by contacting: Julie Gillette, Commissioner's Office at (850)488-0476.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Julie Gillette, Commissioner's Office at (850)488-0476. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Parole Commission** and the Florida Parole Commission Qualifications Committee announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2010, 2:00 p.m.  
 PLACE: Via telephone conference call. To hear the telephone conference you may call 1(888)808-6959, Conference Code: 4884460#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the upcoming Parole Commissioner vacancy.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, Attention: Beatriz Caballero, 4070 Esplanade Way, Tallahassee, Florida 32399.

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: Florida Parole Commission, Attention: Beatriz Caballero, 4070 Esplanade Way, Tallahassee, Florida 32399. 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: Florida Parole Commission, Attention: Beatriz Caballero, 4070 Esplanade Way, Tallahassee, Florida 32399.

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### **PUBLIC SERVICE COMMISSION**

The Florida **Public Service Commission** announces a continuation of the hearing in the following docket to which all persons are invited:

**DOCKET NO. AND TITLES:** Docket Number 090478-WS – Application for original certificates for proposed water and wastewater system, in Hernando and Pasco Counties, and request for initial rates and charges, by Skyland Utilities, LLC.  
**HEARING**

**DATE AND TIME:** Thursday, September 23, 2010, 9:30 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this continuation of hearing is for the Commission to address the application for original certificates for proposed water and wastewater system, in Hernando and Pasco Counties, and request for initial rates and charges, by Skyland Utilities, LLC.

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

Any person requiring some accommodation at the hearing because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. 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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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The Florida **Public Service Commission** announces a public meeting in the following docket to which all persons are invited.

**TITLE:** Application for increase in water rates in Franklin County by Water Management Services, Inc.

**Docket No.** 100104-WU

**PREHEARING CONFERENCE**

**TIME AND DATE:** Monday, September 27, 2010, 1:30 p.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. 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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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### **EXECUTIVE OFFICE OF THE GOVERNOR**

The **Florida Gubernatorial Fellows Program** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday September 21, 2010, 10:00 a.m. – 11:00 a.m.

**PLACE:** Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Gubernatorial Fellows Program Board of Directors to review and discuss administrative costs, fundraising efforts, and current program status.

A copy of the agenda may be obtained by contacting: Kelli Gebbia at (850)410-0501.

For more information, you may contact: Kelli Gebbia at (850)410-0501 or email: [Kelli.Gebbia@eog.myflorida.com](mailto:Kelli.Gebbia@eog.myflorida.com).

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The **Office of Drug Control** announces a public meeting to which all persons are invited.

**DATE AND TIME:** October 14, 2010, 10:00 a.m. – 3:00 p.m.

**PLACE:** Conference Room 2103, The Capitol, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Seaport Security Standards Advisory Council.

A copy of the agenda may be obtained by contacting: Matt Dunagan at (850)488-9557.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Matt Dunagan at (850)488-9557. 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: Matt Dunagan at (850)488-9557.

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### REGIONAL PLANNING COUNCILS

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

DATE AND TIMES: Monday, September 20, 2010, 4:00 p.m.; Executive Committee, 3:00 p.m.

PLACE: Niceville City Hall, 208 Partin Drive, Niceville, FL

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

A copy of the agenda may be obtained by contacting: Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at email: [terry.joseph@wfrpc.org](mailto:terry.joseph@wfrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: Ms. Terry Joseph, Executive Director, WFRPC, at email: [terry.joseph@wfrpc.org](mailto:terry.joseph@wfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council at email: [terry.joseph@wfrpc.org](mailto:terry.joseph@wfrpc.org).

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

DATE AND TIME: September 13, 2010, 1:00 p.m.

PLACE: County Public Library Meeting Room, 378 Northwest College Loop, Madison, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Madison County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

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

DATE AND TIME: September 14, 2010, 10:00 a.m.

PLACE: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, FL 32653

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Comprehensive Economic Development Strategy Committee.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, FL 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

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The **Withlacoochee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: WRPC Board of Directors Meeting, Thursday, September 16, 2010, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S.W. 10th Street, Ocala, FL 34471-0323

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

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.



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.

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

DATE AND TIME: Wednesday, September 15, 2010, 10:00 a.m.

PLACE: ECFRPC Offices, 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the East Central Florida Regional Planning Council (Visit our website: [www.ecfrpc.org](http://www.ecfrpc.org) for map and directions).

A copy of the agenda may be obtained by contacting: Tuesdai Brunsonbyrd-Bowden at [tbyrd@ecfrpc.org](mailto:tbyrd@ecfrpc.org) or visit our website: [www.ecfrpc.org](http://www.ecfrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Tuesdai Brunsonbyrd-Bowden at email: [tbyrd@ecfrpc.org](mailto:tbyrd@ecfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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The **Tampa Bay Regional Planning Council**, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2010, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council Executive/Budget Committee.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. 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: Wren Krahl at (727)570-5151, ext. 22 or email: [wren@tbrpc.org](mailto:wren@tbrpc.org).

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The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2010, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. 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: Wren Krahl at (727)570-5151, ext. 22 or [wren@tbrpc.org](mailto:wren@tbrpc.org).

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

DATE AND TIME: Thursday, September 16, 2010, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting of the SWFRPC Board.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or email: [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Visit our website: [www.swfrpc.org](http://www.swfrpc.org).

**REGIONAL TRANSPORTATION AUTHORITIES**

The **Tampa Bay Area Regional Transportation Authority**, Board of Directors and its advisory committees announces a public meeting to which all persons are invited.

DATE AND TIME: Board Meeting, Friday, September 24, 2010, 9:30 a.m.

PLACE: Florida Department of Transportation (FDOT), District Seven Office, 11201 N. McKinley Drive, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss implementing a comprehensive Regional Transportation Master Plan for Citrus, Hernando, Hillsborough, Manatee, Pasco, Pinellas, and Sarasota Counties. Transit Management Committee (TMC).

DATE AND TIME: Wednesday, September 15, 2010, 10:00 a.m.

PLACE: Pinellas Suncoast Transit Authority (PSTA), 3201 Scherer Dr., St. Petersburg, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consisting of representatives of the region’s transit and transportation agencies, this group advises the Board on implementation of the Master Plan.

Citizens Advisory Committee (CAC)

DATE AND TIME: Wednesday, September 15, 1:30 p.m.

PLACE: USF Connect Bldg., Oak View Room, 3720 Spectrum Blvd., Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: This group of volunteers provides region-oriented advice to the Board from a citizen’s perspective.

A copy of the agenda may be obtained by contacting: Michelle Greene, Project Manager at (813)282-8200 or <http://www.tbarta.com/meetings/calendar> (3) three days prior to the meeting.

Additional Board subcommittee meetings will be noticed on the TBARTA website. All meetings of the TBARTA Board and its advisory committees are open to the public. These meetings are being conducted pursuant to Section 120.525, Florida Statutes, and Title VI and Title VIII of the United States Civil Rights Acts of 1964 and 1968.

Individuals requiring accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Michelle Greene, Project Manager, (813)282-8200, at least ten (10) days prior to the meeting. Public participation is solicited without regard to race, color, religion, sex, age, nation origin, disability, or family status.

**METROPOLITAN PLANNING ORGANIZATIONS**

The **Metropolitan Planning Organization**, Advisory Council Policy and Technical Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 10, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Lake-Sumter MPO, 1616 South 14th Street, Leesburg, FL 34748

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues that pertain to the 26 Florida Metropolitan Planning Organizations in the state.

A copy of the agenda may be obtained by contacting: Brigitte Messina at (850)414-4037 or email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Brigitte Messina at (850)414-4037 or email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Brigitte Messina at (850)414-4037 or email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org).

The **Miami-Dade County Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: September 14, 2010, 1:30 p.m.

PLACE: Stephen P. Clark Center, 12th Floor, Conference Room A, 111 N. W. 1st Street, Miami, FL 33132

GENERAL SUBJECT MATTER TO BE CONSIDERED: ACTION ITEMS:

- A. BY-LAWS REVIEW AND ADOPTION.
- B. TRANSPORTATION DISADVANTAGED (TD) GRIEVANCE PROCEDURES ADOPTION.
- C. MEDICAID NON-EMERGENCY TRANSPORTATION (MNET) GRIEVANCE PROCEDURES ADOPTION.
- D. TD AND MNET GRIEVANCE COMMITTEE APPOINTMENTS.
- E. COORDINATION AGREEMENT BETWEEN THE COMMUNITY TRANSPORTATION COORDINATOR (CTC) AND THE MNET SUBCONTRACTED TRANSPORTATION PROVIDER (STP)

INFORMATION ITEMS:

- A. INDEPENDENT EVALUATION OF THE CTC BY THOMAS HOWELL FERGUSON, PA
- B. TD TRANSPORTATION PROGRAM UPDATE.
- C. SPECIAL TRANSPORTATION SYSTEM (STS) UPDATE.
- D. MNET SERVICES UPDATE.

**E. 18TH ANNUAL TRANSPORTATION DISADVANTAGED TRAINING & TECHNOLOGY CONFERENCE.**

A copy of the agenda may be obtained by contacting: Elizabeth Rockwell at email: [erock@miamidade.gov](mailto:erock@miamidade.gov) or (305)375-1881.

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: (305)375-1881. 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: Elizabeth Rockwell at email: [erock@miamidade.gov](mailto:erock@miamidade.gov) or (305)375-1881.

The **Charlotte County Transportation Disadvantaged, Local Coordinating Board (LCB)** announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 9, 2010, 10:00 a.m.

**PLACE:** Charlotte County Transit Division, Conference Room, 25490 Airport Road, Punta Gorda, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Brief overview on Annual Operating Report and Quarterly Report.

A copy of the agenda may be obtained by contacting: Charlotte County-Punta Gorda MPO at (941)883-3535.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Charlotte County-Punta Gorda MPO at (941)883-3535. 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: Ms. Wendy Scott at (941)883-3535 or email: [scott@ccmpo.com](mailto:scott@ccmpo.com).

The **Collier Metropolitan Planning Organization** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, September 15, 2010, 2:00 p.m.

**PLACE:** Collier County Government Center, Building B (Human Resources Training Room), 3301 E. Tamiami Trail, Naples, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular LCB business. The LCB agenda will be posted on the MPO's Web site not less than two weeks prior to the meeting.

To access the LCB's agenda packet, go to [www.colliermpo.net](http://www.colliermpo.net), select the calendar and click on the meeting date.

A copy of the agenda may be obtained by contacting: Collier MPO at (239)252-8192.

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: MPO Director, Phil Tindall at (239)252-8192. 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: (239)252-8192.

#### **WATER MANAGEMENT DISTRICTS**

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 15, 2010, 9:00 a.m.

**PLACE:** Council Chambers, City Hall, Lake City, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Joint Quarterly Meeting of The Ichetucknee Partnership and the Ichetucknee Springs Working Group. The Ichetucknee Partnership (TIP) and the Ichetucknee Springs Basin Working Group (ISBWG) will host a joint quarterly meeting at 9 a.m. in the Council Chambers at City Hall, at the corner of North Marion Avenue and Madison Street in downtown, Lake City, FL, to introduce and welcome the new ISBWG coordinator. Coordination between the two programs and development of an Ichetucknee Springs restoration plan, formation of an ISBWG steering committee, and TIP projects will be among the items on the agenda. All interested members of the public are encouraged to attend.

For more information, contact Cindy Johnson at (386)362-1001 or Ondine Wells at (352)372-4747, ext. 7009.

A copy of the agenda may be obtained by contacting: Cindy Johnson at (386)362-1001.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Cindy Johnson at (386)362-1001. 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: Cindy Johnson at (386)362-1001.

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The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 28, 2010, 5:05 p.m.

PLACE: This is a meeting conducted by means of communications media technology at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meeting via telephone or web conferencing technology. Public should attend in person at the District Headquarters.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official presentation and adoption of the FY 2010-2011 final millage rate and final budget and opportunity to receive public comment prior to consideration and adoption by the Governing Board.

A copy of the agenda may be obtained by contacting: Missy McDermont, 4049 Reid Street, Palatka, Florida 32177, (386)329-4101 or by visiting the District's website: [www.floridaswater.com](http://www.floridaswater.com). A copy of the FY 2010-2011 Final Budget may be obtained by contacting: Vicki Kroger, Office of Budget and Management Reporting at (386)329-4217.

For more information, or if you wish to submit written or other physical evidence during the proceeding, you may contact: Missy McDermont at the above referenced address or phone number. Written and physical evidence must be submitted at least 48 hours before the workshop/meeting.

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: District Clerk at (386)329-4500. 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.

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The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATES AND TIME: September 14, 21, 22, 2010, 9:00 a.m.

PLACE: September 14, 2010: Lowry Park Zoo, 1101 West Sligh Avenue, Tampa, FL 33604-5958; September 21, 2010: St. Petersburg Pier, 800 Second Avenue, N. E., St. Petersburg, FL 33701-3521; September 22, 2010: Sheraton Tampa Riverwalk Hotel, 200 North Ashley Drive, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hillsborough River Watershed Tours. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: [www.watermatters.org](http://www.watermatters.org) or 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4753 (Ad Order EXE0070).

For more information, you may contact: Virginia.Sternberger@WaterMatters.org, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4753

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The **Southwest Florida Water Management District (SWFWMD)** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 14, 2010, 5:01 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Tentative Budget Hearing: Governing Board adoption of District and Watershed Basin tentative millage rates and budget for Fiscal Year 2011. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: [WaterMatters.org](http://WaterMatters.org) – Boards, Meetings and Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: [LuAnne.Stout@Watermatters.org](mailto:LuAnne.Stout@Watermatters.org) 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0069).

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The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, September 14, 2010, 6:30 p.m.

PLACE: Hillsborough Community College Trinkle Center, 1206 North Park Road, Plant City, FL 33563

GENERAL SUBJECT MATTER TO BE CONSIDERED: January 2010 Freeze Event Workshop: Discussion of issues relative to the recent unprecedented freeze event to inform the public and stakeholders about new procedures and proposed rule changes. One or more Governing Board, Basin Board or Advisory Committee members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Carol.Lynch@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4336 (Ad Order EXE0068).

The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, September 16, 2010, 9:30 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Basin Board Education Committee Workshop on Educational Programming: To inform Board members about educational programs at the District, including how the programs are evaluated. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar, 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@

swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Toi.Basso@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4756 (Ad Order EXE0067).

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 15, 2010, 10:00 a.m.

PLACE: South Florida Water Management District, Building B-1, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL, 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center

2301 McGregor Blvd.

Fort Myers, FL 33901

Martin/St. Lucie Service Center

780 S. E. Indian Street

Stuart, FL 34997

Orlando Service Center

1707 Orlando Central Parkway Suite 200

Orlando, FL 32809

The meeting will also be webcast.

A copy of the agenda may be obtained by contacting: (7) days prior to the meeting date. You may obtain a copy of the agenda by going to our website at: [www.swfwmd.gov](http://www.swfwmd.gov).

- Hold mouse over the “Topics” tab, scroll down to “Permits” and click
- Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link.

For additional information, you may also call our information line: (561)682-6207 or Florida Toll-free 1(800)432-2045, ext. 6207.

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: District Clerk’s Office at (561)682-2087. 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: District Clerk's Office at (561)682-2087.

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**DEPARTMENT OF ELDER AFFAIRS**

The **Department of Elder Affairs, Communities for a Lifetime**, announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 30, 2010, 9:00 a.m. – 11:00 a.m. (EDT)

PLACE: The Mae Volen Senior Center, 1515 West Palmetto Park Road, Boca Raton, Florida 33486

GENERAL SUBJECT MATTER TO BE CONSIDERED: Participants will develop elder-friendly strategies for the business community in Palm Beach County.

A copy of the agenda may be obtained by contacting: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2373 or email: harrisj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2373 or email: harrisj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2373 or email: harrisj@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: September 13, 2010; October 11, 2010; November 8, 2010; December 13, 2010, 10:00 a.m. – 12:00 Noon (EDT)

PLACE: 3601 Kirby Loop Road, Ft. Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: Treasure Coast District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Nancy Schoemig, Department of Elder Affairs, 1903 S. 25th St., Ste. 100, Ft. Pierce, FL 34947, (772)595-1385 or email: schoemign@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Nancy Schoemig, Department of Elder Affairs, 1903 South 25th Street, Ste. 100, Ft. Pierce, Florida 34947, (772)595-1385 or email: schoemign@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nancy Schoemig, Department of Elder Affairs, 1903 S. 25th St., Ste. 100, Ft. Pierce, Florida 34947, (772)595-1385 or email: schoemign@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: September 13, 2010; October 18, 2010; November 15, 2010; December 13, 2010, 11:00 a.m. – 12:30 p.m. (EDT)

PLACE: 111 South Sapodilla Ave., Room #113B, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Palm Beach District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: John McGovern, 111 S. Sapodilla Ave., #125 A-B-C, West Palm Beach, Florida 33401, (561)837-5038 or email: mcgovernj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: John McGovern, 111 S. Sapodilla Ave., #125 A-B-C, West Palm Beach, FL 33401, (561)837-5038 or email: mcgovernj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: John McGovern, 111 S. Sapodilla Ave., #125 A-B-C, West Palm Beach, FL 33401, (561)837-5038 or email: mcgovernj@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: September 14, 2010; October 12, 2010; November 9, 2010; December 14, 2010, 10:00 a.m. – 11:00 a.m. (EDT)

PLACE: Elder Source, 4160 Woodcock Drive, Bldg. 2800, 2nd Floor, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Coast District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Michael Milliken, 4161 Carmichael Ave., Ste. 141, Jacksonville, FL 32207, (904)391-3942 or email: millikenm@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Michael Milliken, 4161 Carmichael Ave., Ste. 141, Jacksonville, Florida 32207, (904)391-3942 or email: millikenm@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Milliken, 4161 Carmichael Ave., Ste. 141, Jacksonville, FL 32207, (904)391-3942 or email: millikenm@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: September 14, 2010; October 12, 2010; November 9, 2010; December 14, 2010, 1:00 p.m. – 2:15 p.m. (EDT)

PLACE: 1400 West Commercial Blvd., 2nd Floor, Room 205, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Broward District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: David Gillespie, 7771 W. Oakland Park Blvd., Sunrise, FL 33351, (954)474-7919 or email: gillespied@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: David Gillespie, 7771 W Oakland Park Blvd., Sunrise, FL 33351, (954)474-7919 or email: gillespied@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David Gillespie, 7771 W. Oakland Park Blvd., Sunrise, FL 33351, (954)474-7919 or email: gillespied@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: September 15, 2010; October 20, 2010; November 17, 2010; December 15, 2010, 9:30 a.m. – 11:00 a.m. (EDT)

PLACE: Department of Environmental Protection, 3800 Common Wealth Blvd., Carr Bldg., Room 170, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Panhandle District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, Florida 32301, (850)921-4703 or email: harveyj@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, FL 32301, (850)921-4703 or email: harveyj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janice Harvey, Department of Elder Affairs, 2002 Old St. Augustine Road, E49, Tallahassee, Florida 32301, (850)921-4703 or email: harveyj@elderaffairs.org.

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The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: September 16, 2010; October 21, 2010; November 18, 2010; December 16, 2010, 10:30 a.m. – 12:00 Noon (EST)

PLACE: 11351 Ulmerton Rd., Room 136, Largo, FL 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mid & South Pinellas District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Natalie Clanzly, 11351 Ulmerton Road, Suite 303, Largo, FL 33778, (727)588-6912 or email: clanzyn@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Natalie Clanzly, 11351 Ulmerton Road, Suite 303, Largo, Florida 33778, (727)588-6912 or email: clanzyn@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Natalie Clanzy, 11351 Ulmerton Road, Suite 303, Largo, Florida 33778, (727)588-6912 or email: clanzyn@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: September 16, 2010; October 21, 2010; November 18, 2010; December 9, 2010, 12:30 p.m. 2:30 p.m. (EDT)

PLACE: Haven Hospice, 4200 N. W. 90th Blvd., Gainesville, FL 32606

GENERAL SUBJECT MATTER TO BE CONSIDERED: North Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Ryan Miller, 3801 N. W. 40th Terrace, Suite A, Gainesville, FL 32606, (352)955-5015 or email: millerr@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ryan Miller, 3801 N. W. 40th Terrace, Suite A, Gainesville, Florida 32606, (352)955-5015 or email: millerr@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ryan Miller, 3801 N. W. 40th Terrace, Suite A, Gainesville, Florida 32606, (352)955-5015 or email: millerr@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: September 17, 2010; October 15, 2010; November 19, 2010; December 17, 2010, 11:00 a.m. – 12:00 Noon (EDT)

PLACE: First Presbyterian Church of Brandon, 121 Carver Ave., Room D, Brandon, FL 33510

GENERAL SUBJECT MATTER TO BE CONSIDERED: West Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, Florida 33612, (813)558-5591 or email: bakerr@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, Florida 33612, (813)558-5591 or

email: bakerr@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, Florida 33612, (813)558-5591 or email: bakerr@elderaffairs.org.

#### AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency For Health Care Administration** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, September 16, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Teleconference. To participate, dial: (641)593-6241, Pass Code: 5384968#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)412-3730

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: Fors Gregg at (850)412-3752, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting.

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: Fors Gregg at (850)412-3752. 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: Fors Gregg at (850)412-3752.

The **Agency for Health Care Administration, Medicaid Pharmaceutical and Therapeutics Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 29, 2010, 9:00 a.m. – 2:30 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting.



A copy of the agenda may be obtained by contacting: Vern Hamilton at Vern.Hamilton@ahca.myflorida.com. The number of speakers is limited and will be accommodated in the order of notification. Because of unforeseen events that may cause changes, interested parties are encouraged to watch for updates on the website: [http://ahca.myflorida.com/Medicaid/Prescribed\\_Drug\\_Procedures](http://ahca.myflorida.com/Medicaid/Prescribed_Drug_Procedures) to follow for speakers is also available on the website.

A copy of the agenda may be obtained by contacting: Vern Hamilton at Vern.Hamilton@ahca.myflorida.com.

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#### DEPARTMENT OF MANAGEMENT SERVICES

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

DATE AND TIME: Thursday, September 16, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: To attend the Pre-Bid Conference by telephone, please call: 1(888)808-6959, Conference Code Number: 5394709177#; Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pre-Bid Conference for the Department of Management Services' Invitation to Negotiate, Mobile Communications Services.

A copy of the agenda may be obtained by contacting: Jon Yeaton, Division of Telecommunications, Department of Management Services, 4030 Esplanade Way, Suite 125J, Tallahassee, Florida 32399-0950, (850)414-1159, Jon.Yeaton@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jon Yeaton, Division of Telecommunications, Department of Management Services at (850)414-1159 or email: Jon.Yeaton@dms.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).

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

DATE AND TIME: Tuesday, October 5, 2010, 1:00 p.m. – 4:00 p.m.

PLACE: To attend the conference by telephone, please call: 1(888)808-6959, Conference Code: 5394709177#; Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conference on OaSIS, the establishment of the Proof of Concept and the back office technology that will be used to

support the services being procured in the Department of Management Services' Invitation to Negotiate, Mobile Communications Services.

A copy of the agenda may be obtained by contacting: Jon Yeaton, Division of Telecommunications, 4030 Esplanade Way, Suite 125J, Tallahassee, Florida 32399-9050, (850)414-1159, email: Jon.Yeaton@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jon Yeaton at (850)414-1159, email: Jon.Yeaton@dms.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).

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The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 21, 2010, 9:00 a.m.

PLACE: This is a telephonic meeting. Please contact: Casey Snipes, Executive Assistant at (850)488-7082, ext. 1001 or casey.snipes@fchr.myflorida.com for call-in information

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to discuss the daily functions and activities of FCHR.

A copy of the agenda may be obtained by contacting: Casey Snipes, Executive Assistant at (850)488-7082, ext. 1001 or by visiting the FCHR website: <http://fchr.state.fl.us>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Casey Snipes, Executive Assistant at (850)488-7082, ext. 1001, casey.snipes@fchr.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: Casey Snipes, Executive Assistant at (850)488-7082, ext. 1001 or casey.snipes@fchr.myflorida.com.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIME: September 20, 2010, 1:30 p.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

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: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. 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: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

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

DATE AND TIME: Thursday, September 30, 2010, Budget Task Force meeting, 10:00 a.m. – until all business in concluded

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9299108#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Budget Task Force will meet to discuss board financial statements.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, Florida 32607.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: June Carroll at (352)333-2505. 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: June Carroll at (352)333-2505.

The **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 23, 2010, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Janet Garrett at 1(888)862-7010.

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: Janet Garrett at 1(888)862-7010. 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: Janet Garrett, Executive Director, FMHRC, P. O. Box 3047 Tallahassee, FL 32315, 1(888)862-7010.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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

DATE AND TIME: September 17, 2010, 8:45 a.m. – 4:00 p.m.

PLACE: City of North Port, 4970 City Hall Blvd., Room 224, North Port, FL 34286

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business for administering the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Natalie Balcer, Division of Recreation and Parks, District 4 Administration, 1843 South Tamiami Tr., Osprey, FL 34229, (941)486-2052.

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: Natalie Balcer at (941)486-2052. 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.

The Florida **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 14, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: Coronado Springs Resort, 1000 West Buena Vista Drive, Lake Buena Vista, FL 32830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting: Becky Prado by e-mail: rebecca.prado@dep.state.fl.us, by phone: (850)245-2094, mail: 3900 Commonwealth Blvd., MS #235, Tallahassee, FL 32399.

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: Becky Prado at email: rebecca.prado@dep.

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).

## DEPARTMENT OF HEALTH

The **Governor's Task Force on Autism Spectrum Disorders** announces a telephone conference call to which all persons are invited.

DATES AND TIME: September 7-8, 2010, 1:00 p.m. – conclusion

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9439484#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call for the Governor's Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of issues to be addressed as listed in Executive Order 09-82.

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: Deleah Sims at (850)488-9547 or by email: Deleah\_Sims@apd.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: [www.healthyfloridians.com/autism.html](http://www.healthyfloridians.com/autism.html).

The Florida **Department of Health, Division of Medical Quality Assurance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 13, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Capital City Office Complex (Southwood), 4052 Bald Cypress Way, Building 4052, Conference Room 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss and share best practices and initiatives with other state agencies.

A copy of the agenda may be obtained by contacting: Eunice Filar, Ph.D., Project Manager, Strategic Planning Services, Division of Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, FL 32399-3253.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Medical Quality Assurance at (850)245-4224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Health, Board of Medicine**, Dietetics and Nutrition Practice Council announces a telephone conference call to which all persons are invited.

DATES AND TIME: May 6, 2011; August 5, 2011; October 28, 2011, 9:30 a.m. or soon thereafter

PLACE: Meet Me Number: 1(888)808-6959, After dialing the meet me number, when prompted, enter conference code 1022351047 followed by the # sign in order to join the meeting  
GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, (850)245-4373, ext. 3475 or by visiting our website: [www.doh.state.fl.us/mqa/dietetics](http://www.doh.state.fl.us/mqa/dietetics).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Council Office at (850)488-0595. 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.

The **Board of Chiropractic Medicine**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 28, 2010, 1:00 p.m.  
 PLACE: Meet Me Number: 1(888)808-6959, Conference Code: 9849329103#; Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: [www.doh.state.fl.us/mqa/chiro/index.html](http://www.doh.state.fl.us/mqa/chiro/index.html).

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: Sherra Causey at (850)245-4444, ext. 3617. 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.

The **Board of Dentistry** announces a public meeting to which all persons are invited.

DATE AND TIME: October 15, 2010, 9:00 a.m.  
 PLACE: Department of Health, Building 4042, Room 301, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3258, (850)245-4474  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster at (850)245-4474.

The Florida **Board of Nursing**, North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 14, 2010, 10:00 a.m. – 12:00 Noon  
 PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Conference Code: 2454640#  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office. 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.

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 16, 2010, 10:00 a.m. – 1:00 p.m.  
 PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888) 808-6959, Conference Code: 2458182#  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office. 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.

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The Florida **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 13, 2010, 1:00 p.m. or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6321783289#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular board business.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

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: Christy Robinson at (850)245-4161. 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.

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The **Department of Health** announces a workshop to which all persons are invited.

DATE AND TIME: October 27, 2010, 9:00 a.m.

PLACE: Marathon Fire Station, Conference Room, 8900 Overseas Highway (Gulfside), Marathon, Florida 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: Develop rules to incorporate necessary technical changes, implement the provisions of 2010 legislation, specifically, SB 550 (2010-205, Laws of Florida), and incorporate modifications proposed through the Technical Review and Advisory Panel. Areas to be discussed include but are not limited to: Onsite sewage treatment and disposal system design, permitting, construction, modification, repair, maintenance, operation, sampling and reporting in the Florida

Keys. Rules subject to amendment include Rules 64E-6.017, 64E-6.018, 64E-6.0181 and 64E-6.0182, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713.

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: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Dale Holcomb, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713.

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

DATE AND TIME: Monday, September 27, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 245-4144#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues related to Physician Workforce Advisory Council.

This is a public meeting. If you would like to participate, have questions, or require further information, please contact: Jessica Swanson at (850)245-4444, ext. 2711. or email: Jessica\_swanson@doh.state.fl.us. Meeting materials will be posted online at: <http://www.doh.state.fl.us/pubmeeting.htm>.

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: Jessica Swanson at (850)245-4444, ext. 2711. or email: Jessica\_swanson@doh.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).

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: Jessica Swanson at (850)245-4444, ext. 2711. or email: Jessica\_swanson@doh.state.fl.us.

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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

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

DATE AND TIME: September 23, 2010, 9:00 a.m.

PLACE: Crowne Plaza Hotel Orlando-Airport, Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Committee to the Department of Children and Families for the Deaf or Hard-of-Hearing will meet to commence its responsibilities as outlined in the Settlement Agreement between the Department of Children and Families and the United States Department of Health and Human Services.

A copy of the agenda may be obtained by contacting: yasmine\_gilmore@dcf.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: yasmine\_gilmore@dcf.state.fl.us, (850)922-6829; TDD (850)922-9220. 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).

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The **Department of Children and Family Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, September 14, 2010, 11:00 a.m. – 12:30 p.m.

PLACE: These meetings will be held via conference call. The conference call number is: 1(888) 808-6959, Code: 4883169#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a subcommittee meeting of the Advisory Committee on Economic Security subcommittee to strengthen economic security. The subcommittee will review services offered for citizens with income at or below 200% of the poverty level. Strategies for improvement of life will be discussed focusing on the areas of education, income and health.

A copy of the agenda may be obtained by contacting: ACCESS Headquarter's Office at (850)488-3169.

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: Cathy Kenyon at cathy\_kenyon@dcf.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).

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The **Department of Children and Family Services** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Wednesday, September 29, 2010, 10:00 a.m. – 11:30 a.m.; Friday, October 15, 2010, 1:30 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4883169#

GENERAL SUBJECT MATTER TO BE CONSIDERED: These are subcommittee meetings of the Advisory Committee on Economic Security subcommittee to strengthen economic security. The subcommittee will continue to review services offered for citizens with income at or below 200% of the poverty level. Recommendations on improvement of services will be discussed.

A copy of the agenda may be obtained by contacting: ACCESS Headquarter's Office at (850)488-3169.

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: Cathy Kenyon at email: cathy\_kenyon@dcf.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).

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

DATE AND TIME: September 3, 2010, 1:15 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The opening of replies for Refugee Student Academic Enrichment Services ITNs for Broward (ITN #08K10BS1), Collier (ITN #08K10BS2), Duval (ITN #08K10BS3), Hillsborough (ITN #08K10BS4), Miami-Dade (ITN #08K10BS5), Orange (ITN #08K10BS6), Palm Beach (ITN #08K10BS7), and Pinellas (ITN #08K10BS8) Counties, as provided for in Section 2.6 of the respective ITNs, published on the Vendor Bid System (VBS) on August 17, 2010.

A copy of the agenda may be obtained by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.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).

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.

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

DATE AND TIME: September 3, 2010, 3:30 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, Florida 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The initial meeting of Department Evaluators for Refugee Student Academic Enrichment Services, as provided for in Section 2.6 of ITNs 08K10BS1, 08K10BS2, 08K10BS3, 08K10BS4, 08K10BS5, 08K10BS6, 08K10BS7, and 08K10BS8, published on the Vendor Bid System (VBS) on August 17, 2010.

A copy of the agenda may be obtained by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.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).

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.

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The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 8, 2010, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Children and Families, 5920 Arlington Expressway, Jacksonville, Florida 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Jacksonville Refugee Task Force meetings is to increase awareness of the refugee populations, share best practices, build collaborations between agencies, spot trends in refugee populations, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debbie Ansbacher at email: Debbie\_Ansbacher@dcf.state.fl.us, Fax: (904)723-2144 or mail: Debbie Ansbacher, 5920 Arlington Expressway, Room 216L, Jacksonville, Florida 32211. 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: Debbie Ansbacher at (904)726-1540, email: Debbie\_Ansbacher@dcf.state.fl.us, Fax: (904)723-2144 or mail: Debbie Ansbacher, 5920 Arlington Expressway, Room 216L, Jacksonville, Florida 32211; Taddese Fessehayat at email: Taddese\_Fessehayat@dcf.state.fl.us.

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

DATE AND TIME: September 10, 2010, 2:00 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The debriefing meeting of the Department Evaluators for Refugee Student Academic Enrichment Services, as provided for in Section 2.6 of ITNs 08K10BS1, 08K10BS2, 08K10BS3, 08K10BS4, 08K10BS5, 08K10BS6, 08K10BS7, and 08K10BS8, published on the Vendor Bid System (VBS) on August 17, 2010.

A copy of the agenda may be obtained by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Anna Bethea, Procurement Manager, Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700 or Anna\_Bethea@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 16, 2010, 10:00 a.m. – 12:00 Noon

PLACE: To be determined

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Broward Refugee Task Force meetings is to increase awareness of the refugee populations, share best practices, build collaborations between agencies, spot trends in refugee populations, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

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: Miriam Rosario at email: Miriam\_Rosario@dcf.state.fl.us, Fax: (561)837-5106 or mail: Miriam Rosario, 111 S. Sapodilla Avenue, West Palm Beach, Florida 33401. 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: Miriam Rosario at (561)837-5022, email: Miriam\_Rosario@dcf.state.fl.us, Fax: (561)837-5106 or mail: Miriam Rosario, 111 S. Sapodilla Avenue, West Palm Beach, Florida 33401; Taddese Fessehaye at email: Taddese\_Fessehaye@dcf.state.fl.us.

The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 17, 2010, 10:00 a.m. – 12:00 Noon

PLACE: To be determined

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Palm Beach Refugee Task Force meetings is to increase awareness of the refugee populations, share best practices, build collaborations between agencies, spot trends in refugee populations, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

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: Miriam Rosario at email: Miriam\_Rosario@dcf.state.fl.us, Fax: (561)837-5106 or mail: Miriam Rosario, 111 S. Sapodilla Avenue, West Palm Beach, Florida 33401. 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: Miriam Rosario at (561)837-5022, email: Miriam\_Rosario@dcf.state.fl.us, Fax: (561)837-5106 or mail: Miriam Rosario, 111 S. Sapodilla Avenue, West Palm Beach, Florida 33401; Taddese Fessehaye at email: Taddese\_Fessehaye@dcf.state.fl.us.

The **Department of Children and Families**, Domestic Violence Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: September 22, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Hilton Garden Inn, 1330 Blair Stone Road, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Three year State Implementation Plan meeting for the STOP Violence Against Women grant funds.

A copy of the agenda may be obtained by contacting: Susan Prater DeBeaugrine, 1317 Winewood Blvd., Building 3, Room 331, Tallahassee, FL 32399-0700, (850)414-8312.



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: Susan Prater DeBeaugrine, 1317 Winewood Blvd., Building 3, Room 331, Tallahassee, Florida 32399-0700, (850)414-8312. 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: Susan Prater DeBeaugrine, 1317 Winewood Blvd., Building 3, Room 331, Tallahassee, FL 32399-0700, (850)414-8312.

The **Agency For Persons with Disabilities** announces a public meeting to which all persons are invited.

**DATES AND TIMES:** September 13, 2010, 12:30 p.m. – 5:00 p.m.; September 14, 2010, 8:30 a.m. – 4:00 p.m.

**PLACE:** Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 301, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of stakeholders to discuss the agency's plan for individual budgets.

An agenda and telephone conference call numbers will be posted seven (7) days prior to the meeting at: <http://apdmy.florida.com/ibudget/meetings-and-schedules.htm>.

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 72 hours before the workshop/meeting by contacting: Stephanie Rogers, Agency for Persons with Disabilities, Central Office, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)488-4877, (850)410-0665 (Fax), Toll Free: 1(866)APD-CARES (1(866)273-2273), email:

[stephanie\\_rogers@apd.state.fl.us](mailto:stephanie_rogers@apd.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: Hilary Brazzell, Agency for Persons with Disabilities, Central Office, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)488-4877, (850)410-0665 (Fax), Toll Free: 1(866)APD-CARES (1(866)273-2273), email: [hilary\\_brazzell@apd.state.fl.us](mailto:hilary_brazzell@apd.state.fl.us).

## NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, September 10, 2010, 4:00 p.m.

**PLACE:** Venice City Hall, 401 W. Venice Avenue, Venice, FL 34285

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Navigation District.

A copy of the agenda may be obtained by contacting: WCIND, 200 E. Miami Avenue, Venice, FL 34285.

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.

## FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

**DATES AND TIME:** Tuesday, September 14, 2010; Thursday, September 23, 2010, 10:00 a.m. (Eastern Time)

**PLACE:** Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The first Review Committee meeting will be to discuss and evaluate the proposals submitted in response to Florida Housing Finance Corporation's Request for Qualifications #2010-09 relating to Guaranteed Investment Contract Broker Services. The second Review Committee meeting will be to provide scores and rank each proposal and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197 or [sherry.green@floridahousing.org](mailto:sherry.green@floridahousing.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sherry Green at (850)488-4197 or [sherry.green@floridahousing.org](mailto:sherry.green@floridahousing.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Florida Housing Finance Corporation**, Board of Directors announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 16, 2010, 8:30 a.m. – until adjourned

**PLACE:** Doubletree Hotel, 101 Adams Street, Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.

2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the September 16, 2010, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida

32301-1329, (850)488-4197 approximately 2 days prior to the meeting, or by visiting the Corporation’s website: [www.floridahousing.org](http://www.floridahousing.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney, Florida Housing Finance Corporation at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **FHFC II, Inc.**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: September 16, 2010, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting – until adjourned

PLACE: Doubletree Hotel, 101 Adams Street, Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

1. Conduct business necessary for the organization of FHFC II, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the September 16, 2010, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 approximately 2 days prior to the meeting, or by visiting the Corporation’s website: [www.floridahousing.org](http://www.floridahousing.org).

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

agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney, Florida Housing Finance Corporation at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

The **FHFC III, Inc.**, Board of Directors announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 16, 2010, 11:00 a.m. or upon adjournment of the Florida Housing Finance Corporation, Board of Directors meeting – until adjourned

**PLACE:** Doubletree Hotel, 101 Adams Street, Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

1. Conduct business necessary for the organization of FHFC III, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the September 16, 2010, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, approximately 2 days prior to the meeting, or by visiting the Corporation's website: [www.floridahousing.org](http://www.floridahousing.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney, Florida Housing Finance

Corporation at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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## **FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 8, 2010, 9:00 a.m.

**PLACE:** Bryant Building, 620 South Meridian Street, Room #272, Tallahassee, FL 32399-1600

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This is a meeting of the Steering Committee for the Florida Beaches Habitat Conservation Plan (HCP). Topics to be discussed include staff updates on progress during the last quarter and the Coastal Construction Control Line Program permitting process. The committee will vote on 3 items: Term limit for the Incidental Take Permit; Inclusion of critically eroded beaches in the plan area; and Protection of non-federally listed, at-risk species through the HCP.

A copy of the agenda may be obtained by contacting: Kat Diersen, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS #2A, Tallahassee, Florida 32399-1600, (850)410-0656, ext. 17323, [katherine.diersen@myfwc.com](mailto:katherine.diersen@myfwc.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kat Diersen, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS #2A, Tallahassee, Florida 32399-1600, (850)410-0656, ext. 17323, [katherine.diersen@myfwc.com](mailto:katherine.diersen@myfwc.com).

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## **FINANCIAL SERVICES COMMISSION**

The **Office of Insurance Regulation** in conjunction with the Florida Health Insurance Advisory Board announces a public meeting to which all persons are invited.

**DATE AND TIMES:** September 24, 2010, 10:00 a.m. – 12:30 p.m.; 1:30 p.m. 4:00 p.m.

PLACE: Room 401, Senate Office Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

10:00 a.m. – 12:30 p.m. Public Hearing on Medical Loss Ratio by Office of Insurance Regulation in conjunction with the Florida Health Insurance Advisory Board.

1:30 p.m. – 4:00 p.m. Business Meeting of Florida Health Insurance Advisory Board at which the Board will conduct its business.

A copy of the agenda may be obtained by contacting: Torre A. Grissom at email: edFHIAB@gmail.com or (919)773-8996.

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: Torre A. Grissom at email: edFHIAB@gmail.com or (919)773-8996. 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: Torre A. Grissom at email: edFHIAB@gmail.com or (919)773-8996.

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#### **AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

The **Agency for Enterprise Information Technology (AEIT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 13, 2010, 1:00 p.m. – 3:00 p.m.

PLACE: Room 225A, 4030 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Services Strategic Plan – meeting of the workgroup to discuss and document enterprise services plan.

A copy of the agenda may be obtained by contacting: Damu Kuttikrishnan at Damu.Kuttikrishnan@aeit.myflorida.com or (850)410-2954.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Damu Kuttikrishnan at (850)410-2954. 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).

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#### **TREASURE COAST EDUCATION, RESEARCH AND DEVELOPMENT AUTHORITY**

The **Treasure Coast Education, Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: September 9, 2010, 2:00 p.m.

PLACE: UF / IRREC, 2199 S. Rock Road, Room 219, Fort Pierce, FL 34945

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any business as the Authority may deem appropriate or as may come before the Authority, Committee Reports, Minutes of July 13, 2010 meeting.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) Office at (772)467-3107.

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: Treasure Coast Research Park (TCRP) Office at (772)467-3107. 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.

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#### **SOUTHWOOD SHARED RESOURCE CENTER**

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 13, 2010, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Board of Trustees.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.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: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

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#### **FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION**

The **First Florida Governmental Financing Commission** announces a workshop to which all persons are invited.

DATE AND TIME: September 7, 2010, 11:00 a.m.  
 PLACE: Room 513, Broward County Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, FL  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational workshop on proposed 2010-2011 operating budget and other general matters.  
 A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Executive Director at (850)878-1874 or [ffgfc@embarqmail.com](mailto:ffgfc@embarqmail.com) or [www.ffgfc.com](http://www.ffgfc.com).

**NATIONAL COUNCIL ON COMPENSATION INSURANCE**

The **Florida Workers Compensation Appeals Board** announces a public meeting to which all persons are invited.  
 DATE AND TIME: September 16, 2010, 9:00 a.m.  
 PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Workers Compensation Premium disputes.  
 For more information, you may contact: Maureen Longanacre, National Council on Compensation Insurance at (915)222-8131.

**SMALL BUSINESS REGULATORY ADVISORY COUNCIL**

The **Small Business Regulatory Advisory Council**, along with its Advisors announces a public meeting to which all persons are invited.  
 DATE AND TIME: September 7, 2010, 11:00 a.m. – 1:00 p.m. (Eastern Time)  
 PLACE: Offices of Greenburg-Traurig, 101 East College Avenue, Tallahassee, Florida  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Advisors and Council Members – Strategies for the Upcoming Fiscal Year.  
 A copy of the agenda may be obtained by contacting: Vicky Baker at email: [vicky.baker@floridasbrac.org](mailto:vicky.baker@floridasbrac.org) or (850)473-7816.  
 For more information, you may contact: Vicky Baker, at [vicky.baker@floridasbrac.org](mailto:vicky.baker@floridasbrac.org) or (850) 473-7816.

**FLORIDA DEVELOPMENT FINANCE CORPORATION**

The **Florida Development Finance Corporation** announces a hearing to which all persons are invited.  
 DATE AND TIME: September 10, 2010, 1:00 p.m. or as soon thereafter as practicable  
 PLACE: Enterprise Florida, Inc. offices, 325 John Knox Road, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of a resolution approving the issuance by the Corporation of not exceeding \$75,000,000 of its Educational Facilities Revenue Bonds (Renaissance Charter Schools Project) (the “Bonds”) in one or more series of tax-exempt and taxable bonds. The proceeds of the Bonds will be loaned by the Corporation to Renaissance Charter School, Inc., and/or affiliates, subsidiaries or related entities thereof, or such other entities designated by Renaissance Charter School, Inc. (collectively, the “Borrowers”). The Borrowers will use the proceeds of the Bonds to: (A) finance and/or refinance the cost of (or reimburse itself for prior expenditures for) the acquisition, construction, renovation and improving of certain educational facilities located within the State of Florida (collectively, the “Project”), and (B) pay costs and fund necessary reserves associated with the issuance of the Bonds. The Project will be located at the following locations: (a) a 4-acre parcel located at 100 Bell Tel Way, Jacksonville, Florida 32216, (b) 300 N. W. Cashmere Boulevard, Port St. Lucie, Florida 34986, (c) 8200 S. W. 17th Street, North Lauderdale, Florida 33068, (d) 1601 Kingman Road (S. E. 28th Avenue), Homestead, Florida 33035, and (e) on a 4-acre parcel at 10651 N. W. 19th Street, Doral, Florida 33172.

The Bonds are being issued under the authority of the Florida Development Financing Corporation Act of 1993, as amended (the “Act”), and are being loaned to the Borrowers to finance and refinance the costs of the Project pursuant to the Act. The Bonds shall be payable solely from the revenues derived from a loan and other financing documents to be executed between the Corporation and the Borrowers prior to or contemporaneously with the issuance of the Bonds. Such Bonds and the interest thereon shall not constitute an indebtedness or pledge of the general credit or taxing power of the State of Florida or any political subdivision or agency thereof. Issuance of the Bonds is subject to several conditions including satisfactory documentation and receipt of necessary approvals for the financing. The aforementioned meeting shall be a public meeting and all persons who may be interested will be given an opportunity to be heard concerning the same.

A copy of the agenda may be obtained by contacting: Executive Director, Florida Development Finance Corporation, 800 North Magnolia Avenue, Suite 1100, Orlando, Florida 32803.

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: Executive Director, Florida Development Finance Corporation, 800 North Magnolia Avenue, Suite 1100, Orlando, Florida 32803, (407)956-5696. 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.

**DESOTO COUNTY TRANSPORTATION DISADVANTAGED COORDINATING BOARD**

The **DeSoto County Transportation Disadvantaged Coordinating Board**, Grievance Committee announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, September 9, 2010, 2:00 p.m. or soon thereafter – until completion

PLACE: DeSoto County Board of County Commissioners Meeting Room, DeSoto County Administrative Building, 201 East Oak Street, Suite 103, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide the members with information and allow discussion in regards to the DeSoto County Transportation Disadvantaged rules and procedures for formal complaints and grievances.

A copy of the agenda may be obtained by contacting: Peggy Waters, Social Services Manager, DeSoto County Community Services Department, 201 East Oak Street, Suite 202, Arcadia, Florida 34266, (863)993-4858.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Peggy Waters, Social Services Manager, DeSoto County Community Services Department at 201 East Oak Street, Suite 202, Arcadia, Florida 34266, (863)993-4858. 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: Peggy Waters, Social Services Manager, DeSoto County Community Services Department, 201 East Oak Street, Suite 202, Arcadia, Florida 34266, (863)993-4858.

**FLORIDA LEAGUE OF CITIES**

The **Florida League of Cities** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 23, 2010, 10:00 a.m.

PLACE: Don CeSar Hotel, 3400 Gulf Blvd., St. Pete Beach, Florida 33706, (727)360-1881, Fax: (727)363-5034

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 10:00 a.m. Florida Municipal Loan Council
- 11:00 a.m. Florida Municipal Pension Trust Fund
- 12:00 Noon Joint Luncheon (FMPTF/FMIvT/FMLC)
- 1:00 p.m. FMPTF/FMIvT Joint Meeting (to receive reports from Atlanta Capital/ACG)
- 2:00 p.m. Florida Municipal Investment Trust

A copy of the agenda may be obtained by contacting: Linda Bridges at email: lbridges@flcities.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 10 days before the workshop/meeting by contacting: Linda Bridges at email: lbridges@flcities.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If 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: Linda Bridges at email: lbridges@flcities.com.

**SOIL AND WATER CONSERVATION DISTRICTS**

The **Clay County Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: September 13, 2010, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 SR16 W, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sally Doyle at (904)284-6355.

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

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Construction Industry Licensing Board hereby gives notice that on August 9, 2010, it received a Petition for Declaratory Statement filed by Bruce Landers. The petition seeks the Board’s interpretation of Sections 489.105(3)(b) and (15), Florida Statutes, and whether the Petitioner is properly licensed pursuant to Sections 489.105(3)(b) and (15), Florida Statutes, to preform remodeling, repairing or improvement of any size building if the services do not affect the structure members of the building.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT the Board of Acupuncture has received the petition for declaratory statement from Matthew S. Enright, AP. The petition seeks the agency’s opinion as to the applicability of Section 120.565, F.S. as it applies to the petitioner.

The petitioner seeks the Board’s approval to provide acupuncture treatment to patients who are virtually unable to physically travel to his office for treatment.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C01, Tallahassee, Florida 32399-3256, (850)245-4161. Comments must be made within 14 days of publication of this notice.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Louis Gagliardi on June 1, 2010. The following is a summary of the agency’s disposition of the petition:

Petitioner asks whether Banyan Bay Club Condominiums, consisting of six, two-story buildings, with a total of 44 units constructed in 1972, is an apartment building subject to NFPA 101-31.3.4.5., and, if so, whether the local fire marshal has the authority to immediately order that the buildings install smoke alarm protection. The answer to both questions is “yes.”

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises) or by e-mailing your request to: [Lesley.Mendelson@myfloridacfo.com](mailto:Lesley.Mendelson@myfloridacfo.com).

**Section VIII  
Notices 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 have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

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

**NONE**

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

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

Invitation to Bid (ITB)

The Florida State University Facilities Purchasing will receive sealed bids until the dates and times shown for the following projects. Bids may be brought to the bid opening or sent to:

Florida State University  
 Facilities Maintenance, Purchasing  
 114F Mendenhall Building A  
 Tallahassee, Florida 32306

prior to bid opening. Bidder must reference bid number, opening date and time on outside of bid package to insure proper acceptance. Bids submitted by facsimile are not acceptable. For information relating to the Invitation(s) to Bid, contact the

Bid Number: FAC80792-10  
 Procurement Associate: Betty-Jean (BJ) Lewis, Facilities  
 Public Bid Opening: September 21, 2010  
 Time: 2:00 p.m. (EST)  
 FSU-Facilities Maintenance  
 Facilities Maintenance Purchasing  
 969 Learning Way  
 114 Mendenhall, Building A  
 Tallahassee, Florida 32306-4150

Bid Documents: Scope: FSU is soliciting non-chemical coil cleaning for all chilled water, hot water, steam, and direct expansion (DX) air conditioning equipment and associated systems owned or operated by the University.

Contact Person:  
 Betty-Jean (BJ) Lewis, Procurement Associate  
 blewis@admin.fsu.edu

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF MANAGEMENT SERVICES**

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES CONTINUING CONTRACTS FOR ASBESTOS, LEAD, INDOOR AIR QUALITY, MOLD AND INDUSTRIAL HYGIENE CONSULTING SERVICES NORTHWEST FLORIDA REGION**

The State of Florida, Department of Management Services (DMS), Division of Real Estate Development and Management, requests qualifications from asbestos licensed consulting firms that are also accredited to provide lead, indoor air quality, mold and industrial hygiene consulting services primarily in the Northwest Florida Region. These services may be used for projects anywhere in the State of Florida, however, it is anticipated that the firms selected during this process will be activated for projects in the Northwest part of the State. The Northwest Region is defined as all counties west of and

including Taylor and Madison County. Projects will vary in size up to \$2,000,000.00 for (construction) and up to \$200,000.00 for (planning or study fees).

Response Due Date: Wednesday, October 6, 2010 by 4:00 p.m. (Local Time)

Please visit the Department's Website listed below and click on "Search Advertisements – Division of Real Estate Development and Management" [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu).

**PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES CONTINUING CONTRACTS FOR ASBESTOS, LEAD, INDOOR AIR QUALITY, MOLD AND INDUSTRIAL HYGIENE CONSULTING SERVICES SOUTH FLORIDA REGION**

The State of Florida, Department of Management Services (DMS), Division of Real Estate Development and Management, requests qualifications from asbestos licensed consulting firms that are also accredited to provide lead, indoor air quality, mold and industrial hygiene consulting services primarily in the South Florida Region. These services may be used for projects anywhere in the State of Florida, however, it is anticipated that the firms selected during this process will be activated for projects in the Southern part of the State. The South Florida Region is defined as all counties south of and including Charlotte, Glades, and St. Lucie County. Projects will vary in size up to \$2,000,000.00 for (construction) and up to \$200,000.00 for (planning or study fees).

Response Due Date: Wednesday, October 13, 2010 by 4:00 p.m. (Local Time)

Please visit the Department's Website listed below and click on "Search Advertisements – Division of Real Estate Development and Management" [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**FLORIDA HOUSING FINANCE CORPORATION**

Notice of Bid/Request for Proposal  
 RFQ 2010-10 Special Counsel Services

The Florida Housing Finance Corporation invites all qualified attorneys who wish to provide legal services in accordance with the terms and conditions for and on behalf of Florida Housing in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ) 2010-10, to submit proposals for consideration. Florida Housing expects to select two attorneys to act as Special Counsel for Single Family Financings and more than two attorneys to act as Special



Counsel for Multifamily Financings. Florida Housing also expects to designate an attorney to act as primary Special Counsel for the Guarantee Fund. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Thursday, October 1, 2010, to the Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Sherry Green at (850)488-4197 or [sherry.green@floridahousing.org](mailto:sherry.green@floridahousing.org).

To obtain a copy of the Request for Qualifications, which outlines selection criteria and applicant's responsibilities, please submit your request to the Attention: Sherry Green or you can download the Request for Qualifications from the Florida Housing Finance Corporation web site: [http://apps.floridahousing.org/StandAlone/FHFC\\_ECM/AppPage\\_LegalRFQs.aspx](http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFQs.aspx). Any modifications that occur to the Request for Qualifications will be posted at the web site and may result in an extension of the deadline.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

ADVERTISEMENT FOR BIDS

BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 10/11-05  
 PROJECT NAME: J. W. CORBETT WMA ROAD IMPROVEMENT  
 PROJECT LOCATION: WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA

FOR:  
 Work on this proposed contract comprises installation of geotextiles and 4" of reclaimed asphalt pavement to cover 7.5 miles of 24-foot wide existing crushed concrete capped road that contains metal debris. Also, to install 20 traffic calming devices (speed humps).

QUALIFICATION:  
 Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit qualification data of their eligibility to submit proposals with their bid.

PRE-BID CONFERENCE:  
 A non-mandatory pre-bid conference has been scheduled for 2:00 p.m. (EDT) on Tuesday September 14, 2010, on site (J. W. Corbett WMA, North Entrance at Check Station, just north of the intersection of SR 710 and SR 706, Palm Beach County, Florida)

REQUIRED BONDS:  
 Bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

After award of contract, a 100% performance bond and a 100% labor and material payment bond will be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: October 5, 2010, 3:00 p.m. (EDT)

PLACE:  
 Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3428

PROPOSAL:  
 Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions.

BID PACKAGE:  
 Bid documents shall be obtained from the Commission, upon payment of \$50.00, non-refundable, for one set. The payment envelope MUST be plainly marked on the outside with the bid number. The bid package will be sent overnight upon receiving payment by the above-mentioned Purchasing Office. Provide contact information, phone and fax number, as well as complete return address. DO NOT PROVIDE POST OFFICE BOX FOR RETURN ADDRESS.

or by downloading at no cost from:  
[http://vbs.dms.state.fl.us/vbs/search.criteria\\_form](http://vbs.dms.state.fl.us/vbs/search.criteria_form)  
 search for Number: FWC 10/11-05.

CONTACT PERSON:  
 Direct questions to the Project Manager:  
 Mr. James Schuette  
 J. W. Corbett Wildlife Management Area  
 11835 Seminole Pratt Whitney Road  
 West Palm Beach, FL 33412  
 (561)624-6989  
 e-mail: [James.Schuette@MyFWC.com](mailto:James.Schuette@MyFWC.com)

**SCHOOL BOARD OF PASCO COUNTY**

INVITATION TO BID

11-046-LR Combination Locks – “As Needed” / FEPC  
 On behalf of Florida Education Purchasing Consortium Notice is hereby given that sealed bids will be accepted, and publicly opened thereafter, at the office of the Purchasing Agent, 20430 Gator Lane, Land O’ Lakes, FL 34638-2803 on or until September 27, 2010, 2:30 p.m. (EST). Bids will be accepted and publicly opened on September 27, 2010, if date/time stamped 2:30 p.m.; date/time stamps of 2:30:01 p.m. or later will be rejected and returned unopened. Late bids, regardless of reason, will be considered non-responsive.

PROJECT: BID NO.: 11-046-LR, Combination Locks  
 The intent of this bid is to establish a three-year contract (renewable annually upon mutual consent of both parties) between the District School Board of Pasco County and a

supplier for Combination Locks on an “as needed” basis for various members of the Florida Education Purchasing Consortium, throughout the state of Florida. The award of this bid will be based on an “all or none” basis to the lowest and best, responsive and responsible, bidder meeting written specifications for the estimated quantities listed.

**DOCUMENTS:** Available through  
<http://purchasing.pasco.k12.fl.us/>

**INSURANCE:** Standard Workman’s Comprehensive,  
 General Liability, etc.

**PLANS:** None

The District School Board of Pasco County reserves the right to waive minor formalities in any bid and to accept any bid which they consider to be in the best public interest, and to reject any part of, or any and all bids. Award will be made to the lowest and best, responsive and responsible, bidder in the opinion and at the option of the Board. Their decision shall be final and conclusive.

**CLARK CONSTRUCTION GROUP, LLC**

Lowell Reception Center

Bachelor Officers’ Quarters & Bus Maintenance Building

Clark Construction Group, LLC, the Construction Manager for the Lowell Reception Center being constructed in Marion County, Florida, will be receiving bids in the field office of Clark Construction Group, LLC, 11205 Northwest Gainesville Road, Ocala, Florida 34482, 10:00 a.m., Tuesday, September 28, 2010, for the following Bid Packages associated with the Bachelor Officers’ Quarters and Bus Maintenance Building: Fencing, Concrete, Masonry, Millwork, Wood Trusses, Light Gauge Trusses, Metal Roof, Doors/Frames/Hardware, Rolling Doors, Windows, Drywall, Carpet/VCT, Tile, Painting/Caulking, Misc. Specialties, Pre-Engineered Metal Building, Mechanical, Plumbing, Fire Protection, and Electrical.

The Bachelor Officers’ Quarters are comprised of two buildings with 22 dwelling units in each building. The total dollar value of the above referenced Bid Packages is approximately \$2.5 million.

A Pre-Bid Meeting is scheduled for 10:00 a.m., Tuesday, September 14, 2010, 11496 N. W. Gainesville Road, Ocala, Florida 34482.

Interested Bidders should notify Clark via email: [angela.messier@clarkconstruction.com](mailto:angela.messier@clarkconstruction.com).

Bidders will be required to furnish a Bid Bond in the amount of 5% of the bid value for all bids in the amount of \$100,000 or greater.

**Section XII  
 Miscellaneous**

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Notice of Publication for a New Point  
 Franchise Motor Vehicle Dealer in a County of More  
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that E-Z-Go Division of Textron, Inc., intends to allow the establishment of Advantage Golf Cars, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-Go Division Of Textron, Inc. (EZGO) at 6606 Kingspointe Parkway, Orlando (Orange County), Florida 32819, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Advantage Golf Cars, Inc., are dealer operator(s): Bill Mercier, 6606 Kingspointe Parkway, Orlando, Florida 32819; principal investor(s): Bill Mercier, 6606 Kingspointe Parkway, Orlando, Florida 32819.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-Go Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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.

Notice of Publication for a New Point  
 Franchise Motor Vehicle Dealer in a County of More  
 than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that E-Z-Go Division of Textron, Inc., intends to allow the establishment of Golf Coast Golf Cars, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-Go

Division of Textron, Inc. (EZGO) at 1770 North Washington Boulevard, Sarasota (Sarasota County) Florida 34234, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Golf Coast Golf Cars, Inc., are dealer operator(s): Rick Mills, 1770 North Washington Boulevard, Sarasota, Florida 34234; principal investor(s): Rick Mills, 1770 North Washington Boulevard, Sarasota, Florida 34234.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-Go Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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.

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#### Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that E-Z-Go Division of Textron, Inc., intends to allow the establishment of Lender Services, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-Go Division Of Textron, Inc. (EZGO) at 830 West Michigan Avenue, Pensacola (Escambia County), Florida 32505, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Lender Services, Inc., are dealer operator(s): Eddie Mercer, 830 Michigan Avenue, Pensacola, Florida 32505; principal investor(s): Eddie Mercer, 830 Michigan Avenue, Pensacola, Florida 32505.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-Go Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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.

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#### Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Jonway Motorcycles USA Co., Ltd., intends to allow the establishment of Dan Nettuno, Sr., LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd. (JMST) at 4520 Manatee Avenue West, Bradenton (Manatee County), Florida 34209, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Dan Nettuno, Sr., LLC, are dealer operator(s): Dan Nettuno, Sr., 4520 Manatee Avenue West, Bradenton, Florida 34209; principal investor(s): Dan Nettuno, Sr., 4520 Manatee Avenue West, Bradenton, Florida 34209.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Dan Nettuno Sr., LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd. (SHEN) at 4520 Manatee Avenue West, Bradenton (Manatee County), Florida 34209, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Dan Nettuno, Sr., LLC, are dealer operator(s): Dan Nettuno, 4520 Manatee Avenue West, Bradenton, Florida 34209; principal investor(s): Dan Nettuno, 4520 Manatee Avenue West, Bradenton, Florida 34209.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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.

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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 E-Z-Go Division Of Textron, Inc., intends to allow the establishment of Rob-Roy Investments, Inc., as a

dealership for the sale of low-speed vehicles manufactured by E-Z-Go Division Of Textron, Inc. (EZGO) at 116 A. North Holiday Road, Miramar Beach (Walton County) Florida 32550, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Rob-Roy Investments, Inc., are dealer operator(s): Robert Launch, Jr., 116 A. North Holiday Road, Miramar Beach, Florida 32550, principal investor(s): Robert Launch, 116 A. North Holiday Road, Miramar Beach, Florida 32550.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-Go Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Puma Cycles Corporation, intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by Foshan City Fosti Motorcycle Manufacturer Co., Ltd. (FSTI) at 853 US 41 Bypass South, Venice (Sarasota County) Florida 34285, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc., are dealer operator(s): Robert Shapiro, 853 US 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 US Highway 41 Bypass South, Venice, Florida 34285.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Josef Stutz, Puma Cycles Corporation, 1550 South Sinclair Street, Anaheim, California 92806.

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.

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Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of B & C Automotive Division, Ltd., d/b/a Tamiami Chrysler Jeep Dodge of West Kendall, as a dealership for the sale of automobiles manufactured by

Chrysler Group Carco, LLC (CHRY) at 13355 Southwest 137th Avenue, Miami (Miami-Dade County), Florida 33186, on or after October 4, 2010.

The name and address of the dealer operator(s) and principal investor(s) of B & C Automotive Division, Ltd., d/b/a Tamiami Chrysler Jeep Dodge of West Kendall are dealer operator(s): Carlos Planas, 8250 Southwest 8th Street, Miami, Florida 33144; principal investor(s): Bernat Tagliaferro, 8250 S. W. 8th St., Miami, Florida 33144, and Carlos Planas, 8250 Southwest 8th Street, Miami, Florida 33144.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P. R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of B & C Automotive Division, Ltd., d/b/a Tamiami Chrysler Jeep Dodge of West Kendall as a dealership for the sale of automobiles manufactured by Chrysler Group Carco, LLC (DODG) at 13355 Southwest 137th Avenue, Miami (Miami-Dade County), Florida 33186, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of B & C Automotive Division, Ltd., d/b/a Tamiami Chrysler Jeep Dodge of West Kendall are dealer operator(s): Carlos Planas, 8250 Southwest 8th Street, Miami, Florida 33144; principal investor(s): Bernat Tagliaferro, 8250 S. W. 8th St., Miami, Florida 33144, and Carlos Planas, 8250 Southwest 8th Street, Miami, Florida 33144.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P. R. Langley, Chrysler Group Carco LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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.

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Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of B & C Automotive Division, Ltd., d/b/a Tamiami Chrysler Jeep Dodge of West Kendall as a dealership for the sale of automobiles manufactured by Chrysler Group Carco, LLC (JEEP) at 13355 Southwest 137th Avenue, Miami (Miami-Dade County), Florida 33186, on or after October 4, 2010.

The name and address of the dealer operator(s) and principal investor(s) of B & C Automotive Division, Ltd., d/b/a Tamiami Chrysler Jeep Dodge of West Kendall are dealer operator(s): Carlos Planas, 8250 Southwest 8th Street, Miami, Florida 33144; principal investor(s): Bernat Tagliaferro, 8250 S.W. 8th St., Miami, Florida 33144, and Carlos Planas, 8250 Southwest 8th Street, Miami, Florida 33144.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P. R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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.

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 E-Z-Go Division Of Textron, Inc., intends to allow the establishment of Thomas Chrysler Dodge Jeep, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-Go Division Of Textron, Inc. (EZGO) at 1724 West Jefferson Street, Quincy (Gadsden County) Florida 32351, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Thomas Chrysler Dodge Jeep, Inc., are dealer operator(s): Wayne Chandler, 1724 West Jefferson Street, Quincy, Florida 32351, principal investor(s): Wayne Chandler, 1724 West Jefferson Street, Quincy, Florida 32351.

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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-Z-Go Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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.

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that E-Z-Go Division of Textron, Inc., intends to allow the establishment of West Coast Golf Cars, Inc., as a dealership for the sale of low-speed vehicles manufactured by E-Z-Go Division of Textron, Inc. (EZGO) at 120 South Pebble Beach Boulevard, Sun City Center (Hillsborough County), Florida 33573, on or after October 3, 2010.

The name and address of the dealer operator(s) and principal investor(s) of West Coast Golf Cars, Inc., are dealer operator(s): Stuart M. Anderson, 120 South Pebble Beach Boulevard, Sun City Center, Florida 33573; principal investor(s): Stuart M. Anderson, 120 South Pebble Beach Boulevard, Sun City Center, Florida 33573.

The notice indicates intent to establish the new point location in a county of more 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: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Rusty McGahee, E-A-Go Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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.

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### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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### AGENCY FOR HEALTH CARE ADMINISTRATION

#### DECISIONS ON BATCHED APPLICATIONS

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for Other Beds and Programs batching cycle with an application due date of May 19, 2010:

County: Clay Service District: 4  
 CON # 10076 Decision Date: 8/20/2010 Decision: A  
 Facility/Project: Haven Hospice  
 Applicant: North Central Florida Hospice, Inc.  
 Project Description: Establish an 18-bed inpatient hospice facility  
 Approved Cost: \$5,013,661.00  
 County: Orange Service District: 7  
 CON # 10078 Decision Date: 8/20/2010 Decision: D  
 Facility/Project: The Nemours Foundation  
 Applicant: The Nemours Foundation  
 Project Description: Establish a pediatric cardiac catheterization program  
 Approved Cost: \$0  
 County: Orange Service District: 7  
 CON # 10079 Decision Date: 8/20/2010 Decision: A  
 Facility/Project: Florida Hospital  
 Applicant: Adventist Health System/Sunbelt, Inc.  
 Project Description: Establish a pediatric cardiac catheterization program  
 Approved Cost: \$10,000.00

County: Orange Service District: 7  
 CON # 10080 Decision Date: 8/20/2010 Decision: D  
 Facility/Project: The Nemours Foundation  
 Applicant: The Nemours Foundation  
 Project Description: Establish a pediatric open heart surgery program  
 Approved Cost: \$0  
 County: Orange Service District: 7  
 CON # 10081 Decision Date: 8/20/2010 Decision: A  
 Facility/Project: Florida Hospital  
 Applicant: Adventist Health System/Sunbelt, Inc.  
 Project Description: Establish a pediatric open heart surgery program  
 Approved Cost: \$10,995,614.00  
 County: Lee Service District: 8  
 CON # 10082 Decision Date: 8/20/2010 Decision: D  
 Facility/Project: Compassionate Care Hospice of Florida, Inc.  
 Applicant: Compassionate Care Hospice of Florida, Inc.  
 Project Description: Establish a new hospice program  
 Approved Cost: \$0  
 County: Broward Service District: 10  
 CON # 10083 Decision Date: 8/20/2010 Decision: D  
 Facility/Project: Compassionate Care Hospice of Florida, Inc.  
 Applicant: Compassionate Care Hospice of Florida, Inc.  
 Project Description: Establish a new hospice program  
 Approved Cost: \$0  
 County: Broward Service District: 10  
 CON # 10084 Decision Date: 8/20/2010 Decision: D  
 Facility/Project: Douglas Gardens of Broward, Inc.  
 Applicant: Douglas Gardens of Broward, Inc.  
 Project Description: Establish a hospice program  
 Approved Cost: \$0  
 County: Broward Service District: 10  
 CON # 10085 Decision Date: 8/20/2010 Decision: A  
 Facility/Project: Hospice of Palm Beach County, Inc.  
 Applicant: Hospice of Palm Beach County, Inc.  
 Project Description: Establish a new hospice program  
 Approved Cost: \$842,938.00  
 County: Broward Service District: 10  
 CON # 10086 Decision Date: 8/20/2010 Decision: D  
 Facility/Project: Odyssey Health Care of Central Florida  
 Applicant: Odyssey Health Care of Collier County, Inc.  
 Project Description: Establish a new hospice program  
 Approved Cost: \$0  
 County: Broward Service District: 10  
 CON # 10087 Decision Date: 8/20/2010 Decision: A  
 Facility/Project: Broward General Medical Center  
 Applicant: North Broward Hospital District  
 Project Description: Establish an adult liver transplantation program

Approved Cost: \$1,035,049.00  
 County: Miami-Dade Service District: 11  
 CON # 10091 Decision Date: 8/20/2010 Decision: D  
 Facility/Project: Compassionate Care Hospice of Florida, Inc.  
 Applicant: Compassionate Care Hospice of Florida, Inc.  
 Project Description: Establish a new hospice program  
 Approved Cost: \$0

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

Spring Hill Regional Hospital Emergency Service Exemption  
 The Agency for Health Care Administration has received an application for an emergency service exemption from Spring Hill Regional Hospital located at 10461 Quality Dr., Spring Hill, FL 34609, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Thoracic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, FL 32308, (850)412-4549 or e-mail: Julie.Young@ahca.myflorida.com.

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

#### **Notice of Entry of Final Order Adopting Lower St. Johns River Tributaries II Basin Management Action Plan**

The Department of Environmental Protection gives Notice that, pursuant to Section 403.067, F.S., a Final Order was entered on August 18, 2010, adopting the Lower St. Johns River Basin Tributaries (LSJT) Basin Management Action Plan (BMAP). The LSJT BMAP identifies the management strategies necessary to achieve the fecal coliform TMDLs for

the following fifteen water body segments (WBIDs) in the basin: Craig Creek (WBID 2297), McCoy Creek (WBID 2257), Williamson Creek (WBID 2316), Fishing Creek (WBID 2287), Deep Bottom Creek (WBID 2361), Moncrief Creek (WBID 2228), Blockhouse Creek (WBID 2207), Hopkins Creek (WBID 2266), Cormorant Branch (WBID 2381), Wills Branch (WBID 2282), Sherman Creek (WBID 2227), Greenfield Creek (WBID 2240), Pottsburg Creek (WBID 2265B), Upper Trout River (WBID 2203), and Lower Trout River (WBID 2203A). The BMAP was developed as part of the Department's Total Maximum Daily Load (TMDL) Program, as authorized under the Florida Watershed Restoration Act (Section 403.067, Florida Statutes). The Final Order has been assigned OGC Case No.: 10-2159.

A copy of the BMAP is available at the Department of Environmental Protection's Northeast District Office, 7825 Baymeadows Way, Suite 200, Jacksonville, Florida. The final order and adopted BMAP may also be obtained from the FDEP website: <http://www.dep.state.fl.us/water/watersheds/bmap.htm>. A person whose substantial interests are affected by this final order may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S., in accordance with the full notice of rights language contained in the final order. The petition, which must contain the information identified in the full notice of rights language contained in the final order, must be filed (received by the clerk) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice or within 21 days of receipt of the written notice, whichever occurs first.

The final order also may be obtained by contacting: Ms. Holly Pelt, Department of Environmental Protection, 2600 Blair Stone Road (MS #3565), Tallahassee, Florida 32399-2400, (850)245-8556 or by email: [holly.pelt@dep.state.fl.us](mailto:holly.pelt@dep.state.fl.us).

#### **DEPARTMENT OF JUVENILE JUSTICE**

The Florida Department of Juvenile Justice has posted one revised policy and procedures and two revised procedures for review and comment on MyFlorida.com at: [http://www.djj.state.fl.us/policies\\_procedures/policyreview.html](http://www.djj.state.fl.us/policies_procedures/policyreview.html).

Property Management and Control Policy and Procedures – (FDJJ 1312) establishes procedures for the management, control and inspection of state owned, tangible personal property. Procedures provide accountability for property



through: assigning duties to employees responsible for inventory management, creation of records of all Operating Capital Outlay (OCO) property received, maintained and/or transferred by the Department and establishing uniform procedures for handling damaged, surplused, missing, lost or stolen property. The revised policy and procedures are posted for a single 20 working day review and comment period, with a closure date of October 1, 2010 for submission of comments. (The deadline for comments based on the date this notice appears in the Florida Administrative Weekly.)

Network User Accounts Procedures – (FDJJ 1205.50P) establishes a standard for the creation, maintenance and deletion of Department of Juvenile Justice (DJJ) Network User Accounts.

Provider Access to the Juvenile Justice Information System (JJIS) and JJIS Data Procedures – (FDJJ 1205.60P) establishes standards for Provider access to the DJJ Juvenile Justice Information System (JJIS) and JJIS data, in order to protect the integrity of confidential DJJ and JJIS data from unauthorized access, disclosure and transmission. Minor changes were made to both procedures in response to an Auditor General Review #2010-091. The two procedures are posted for a single 20 working day review and comment periods, with a closure date of September 22, 2010 for submission of comments.

Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

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#### **DEPARTMENT OF HEALTH**

On August 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Jolyn Caplan-Steier, L.M.H.C. License #MH 6018. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On August 20, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Algirdas

Krisciunas, M.D. License #ME 65803. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On August 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Brian Regis Gerety, R.N. License #RN 3186242. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On August 20, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Katherine Ann Kovich, R.N. License #RN 9173765. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On August 20, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Sheila Teresa McCann R.N. License #RN 1628132. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon

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

On August 19, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Heather Marie Newsom, L.P.N. License #PN 5153152. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 20, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Joel Robert Savitch, A.R.N.P. License #RN 980072. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 19, 2010 Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Restriction Order with regard to the license of David Glickman, D.O., License #OS 1485. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method

available to adequately protect the public. For additional information, contact the Department of Health, Agency Clerk's Office.

**DEPARTMENT OF FINANCIAL SERVICES**

**NOTICE TO ALL POLICYHOLDERS, CREDITORS AND CLAIMANTS HAVING BUSINESS WITH CORAL INSURANCE COMPANY**

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA**

**CASE NO.: 2009-CA-1367**

**In Re: The Receivership of CORAL INSURANCE COMPANY, a Florida corporation.**

**NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH CORAL INSURANCE COMPANY**

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, effective the 26th day of July, 2010, the Department of Financial Services of the State of Florida was appointed as Receiver of CORAL INSURANCE COMPANY and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of CORAL INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59:59 p.m. on Monday, July 25, 2011, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for CORAL INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110. Additional information may be found at: [www.floridainsurancereceiver.org](http://www.floridainsurancereceiver.org).

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

RULES FILED BETWEEN August 16, 2010  
 and August 20, 2010

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

5E-14.110	8/17/10	9/6/10	36/26	
5E-14.111	8/17/10	9/6/10	36/26	

**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-1.09401	8/16/10	9/5/10	36/26	36/29
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**STATE BOARD OF ADMINISTRATION**

19-7.010	8/16/10	9/5/10	36/24	
19-7.011	8/16/10	9/5/10	36/24	
19-7.012	8/16/10	9/5/10	36/24	
19-7.013	8/16/10	9/5/10	36/24	
19-7.015	8/16/10	9/5/10	36/24	
19-7.016	8/16/10	9/5/10	36/24	
19-7.017	8/16/10	9/5/10	36/24	

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

40B-2.901	8/18/10	9/7/10		36/23
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**Southwest Florida Water Management District**

40D-1.6051	8/16/10	9/5/10	36/28	
40D-1.607	8/16/10	9/5/10	36/28	
40D-1.659	8/16/10	9/5/10	36/28	
40D-4.051	8/16/10	9/5/10	36/28	
40D-4.091	8/16/10	9/5/10	36/28	
40D-4.101	8/16/10	9/5/10	36/28	
40D-40.301	8/16/10	9/5/10	36/28	

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid Program Office**

59G-9.070	8/18/10	9/7/10	36/18	36/29
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-306.100	8/17/10	9/6/10	36/14	
62-306.200	8/17/10	9/6/10	36/14	36/27
62-306.300	8/17/10	9/6/10	36/14	36/27
62-306.400	8/17/10	9/6/10	36/14	36/27
62-306.500	8/17/10	9/6/10	36/14	
62-306.600	8/17/10	9/6/10	36/14	36/27
62-306.700	8/17/10	9/6/10	36/14	
62-306.800	8/17/10	9/6/10	36/14	36/27

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

69A-64.005	8/20/10	9/9/10	36/25	
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