

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave, #102, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Agenda Items for presentation to the Board of Supervisors, Nursery BMP Lab, MIL Lab, CBO, and District Projects and Reports.

A copy of the agenda may be obtained by contacting: Norma Wilson, (305)242-1288.

For more information, you may contact: Mr. Morgan Levy, Administrator, (305)242-1288.

**BERMELLO AJAMIL & PARTNERS, INC.**

The Florida **Department of Transportation**, District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 12, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Dave and Mary Alper Jewish Community Center, 11155 S.W. 112 Ave., Rotunda (Building 3), Miami, FL 33176

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project on State Road (SR) 985/S.W. 107 Avenue from North of SR 990/Killian Parkway to South of SR 94/Kendall Drive to discuss the project’s design and scope of work. The project identification number is: 425913-1. The public meeting will follow an informal, open house format allowing the public to arrive at any time from 6:00 p.m. – 8:00 p.m. Graphic displays will be shown at the meeting, and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Marta Rodriguez at (305)470-5349, email: marta.rodriguez@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Ave., Miami, FL 33172, email: brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist, Marta Rodriguez at (305)470-5349, email: marta.rodriguez@dot.state.fl.us.

**KIMLEY-HORN AND ASSOCIATES, INC.**

The Florida **Department of Transportation**, District Four announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 21, 2011, 5:30 p.m. – 7:30 p.m. Open House: 5:30 p.m., Presentation: 6:00 p.m.

PLACE: Indian River State College, 3209 Virginia Avenue, Fort Pierce, Florida 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Public Alternatives Meeting is being conducted to present the project progress to date and obtain comments from the general public on the roadway alternatives being considered for the Project Development and Environment Study. The proposed improvements consist of widening Kings Highway (SR 713) from Okeechobee Road (SR 70) north of Indrio Road (SR 614) from the existing two (2) lanes to four (4) lanes. Other improvements include adding bicycle lanes, a shared use path, and sidewalks as well as evaluating access along the corridor. The project corridor is approximately 10.2 miles and is located in St. Lucie County, Florida (Financial Project Identification Number 230256-5-22-01).

A copy of the agenda may be obtained by contacting: Ms. Bing Wang, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, by telephone (954)777-4406 or toll free at 1(866)336-8435, ext. 4406 or by email at bing.wang@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Bing Wang at (954)777-4406 or toll free at (866)336-8435, ext. 4406 or by email at bing.wang@dot.state.fl.us Any persons who require translation services (free of charge) should also contact Ms. Bing Wang seven (7) days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Bing Wang, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, by telephone (954)777-4406 or toll free at 1(866)336-8435, ext. 4406 or by email at bing.wang@dot.state.fl.us.

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has received the petition for declaratory statement from Nurse-on-Call, Inc. The petition seeks the agency’s opinion as to the applicability of Section 400.474(6), Florida Statutes, as it applies to the petitioner.

The Agency for Health Care Administration has received the petition for declaratory statement of Nurse on Call, Inc. on June 1, 2011. The petition seeks the Agency’s opinion as to the

applicability of Section 400.474(6), Florida Statutes, to conduct contemplated by the petitioner, owner and operator of licensed home health agencies.

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Robert R. Smith, Petitioner, In Re: Seven Springs Villas Association, Inc., Docket No. 2011029873 on June 13, 2011. The petition seeks the agency's opinion as to the applicability of Sections 718.112(2)(d)1. and 718.112(2)(h)1., Florida Statutes, as it applies to the petitioner.

Whether Seven Springs Villas Association, Inc. validly amended its bylaws to allow board members to serve two-year staggered terms under Sections 718.112(2)(d)1. and 718.112(2)(h)1., Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

NOTICE IS HEREBY GIVEN that the Florida Department of Environmental Protection has received the petition for declaratory statement from the Clam Bayou Neighbors' Association and Mr. Ralph Clark on June 6, 2011. The petition has been assigned OGC Case No. 11-0850. The petition seeks the agency's opinion as to the applicability of Chapter 120 of the Florida Statutes to the City of Sanibel's administration of the Mangrove Trimming and Preservation Act codified at Sections 403.9321-403.9333, Florida Statutes, as it applies to the petitioner.

The Department delegated administration of the Mangrove Trimming and Preservation Act to the City of Sanibel in accordance with Section 403.9324, Florida Statutes, and an order of delegation dated November 21, 1995. The petitioners seek an opinion as to whether Chapter 120, Florida Statutes, applies to the City of Sanibel's administration of the Mangrove Trimming and Preservation Act under the order of delegation. The petition further requests that the Department revoke the delegation to the City of Sanibel if it does not conduct its mangrove program in accordance with Chapter 120, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Stacey Cowley, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., M.S. 35, Tallahassee, Florida 32399-3000, telephone (850)245-2219 or e-mail: stacey.cowley@dep.state.fl.us.

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#### **DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN that the Board of Dentistry has received the petition for declaratory statement from Michael J. Jumber, D.M.D. The petition seeks the agency's opinion as to the applicability of Section 466.024, Florida Statutes, as it applies to the petitioner.

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 17, of the April 29, 2011, Florida Administrative Weekly. The petition seeks the Board's interpretation of Section 466.024, Florida Statutes, and asks whether a dentist may perform HgA1C diabetes screening in the dental office by auxiliaries, under Chapter 466, Florida Statutes. The Board considered the petition at its meeting held on May 20, 2011, in Jacksonville, Florida. The Board's Order, filed on June 2, 2011, declined to issue a declaratory statement in response to this petition because the petition is not in substantial compliance with Section 120.565, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE IS HEREBY GIVEN THAT on June 15, 2011, the Board of Medicine issued a Final Order on the petition for declaratory statement filed by Rogerio S. Faillace, M.D., on December 16, 2010. The Notice of the Petition was published in Vol. 36, No. 52, of the December 30, 2010 issue of the Florida Administrative Weekly. The Board reviewed the Petition at its meeting held on February 6, 2011. The Board's Final Order finds that under the facts set forth in the Petition a physician who terminates his practice and properly lets his patients know of the termination is not excused from complying with future requests for copies of medical records from that same patient. Additionally, the Board finds that after the physician who terminated his practice has already provided a copy of a patient's medical record to the patient himself, to that patient's legal guardian, or to the patient's parent (when patient is a minor), the physician's duties regarding disposition of that patient's records are not extinguished. Finally, the Board finds that the person or entity who obtains medical records from the Petitioner does become an owner of those records and must maintain them according to Florida law but that does not terminate the Petitioner's duty to maintain that patient's medical records or from continuing to comply with Sections 456.057 and 456.058, Florida Statutes, and Rule 64B8-10.002, Florida Administrative Code.

A copy of the Final Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Florida Department of Financial Services has received the petition for declaratory statement from the Bogen Law Group and Mark Bogen on June 2, 2011. The petition seeks the agency’s opinion as to the applicability of Section 626.9541(1)(h), F.S., as it applies to the petitioner.

The petition seeks the Department’s opinion as to whether or not an attorney at law licensed in the state of Florida may lawfully enter into a referral agreement with a Florida licensed resident insurance agent wherein the attorney will be paid an annual flat fee by the insurance agent for any and all legal clients referred to the agent for the potential purchase of insurance policies. Petitioner represents in the petition that the amount of the referral agreement will not be dependant in any sense on whether or not the referred legal client actually purchases insurance from the agent. Petitioner asks the Department to agree that such a referral agreement will not constitute an unlawful rebate or unlawful inducement under Section 626.9541(1)(h), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Heather Lewis at (850)413-4256 or email: heather.lewis@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:**

Bayfront Medical Center, Inc. vs. Department of Health; Case No.: 11-2602RX; Rule No.: 64J-2.010

Florida Health Sciences Center, Inc. d/b/a Tampa General Hospital vs. Department of Health; Case No.: 11-2603RX; Rule No.: 64J-2.010

St. Joseph’s Hospital, Inc. d/b/a St. Joseph’s Hospital vs. Department of Health; Case No.: 11-2746RX; Rule No.: 64J-2.010

Shands Jacksonville Medical Center, Inc. vs. Department of Health; Case No.: 11-2796RX; 64J-2.010

North Star Associates, LLC, A Florida Limited Liability Company and Philip J. Stoddard, as Managing Member vs. Department of Financial Services; Case No.: 11-2433RU

Medical Arts Pharmacy, Inc. vs. Department of Health, Drug, Device, and Cosmetic Program; Case No.: 11-2660RU

Noven Pharmaceuticals, Inc. vs. Department of Health, Drug, Devices, and Cosmetics Program; Case No.: 11-2790RU

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

Medical Arts Pharmacy, Inc. vs. Department of Health, Drug, Device, and Cosmetic Program; Case No.: 11-2660RU; Dismissed

**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**

**NOTICE TO ARCHITECT/ENGINEER**

The University of Central Florida on behalf of its Board of Trustees announces that Professional Services in the disciplines of architecture will be required for the project listed below:

Minor projects are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$2,000,000 or less, or studies for which the fee for professional services is \$25,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year.