

## Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

**STATE BOARD OF ADMINISTRATION**

RULE NOS.:	RULE TITLES:
19-8.028	Reimbursement Premium Formula
19-8.029	Insurer Reporting Requirements
19-8.030	Insurer Responsibilities

**PURPOSE AND EFFECT:** To discuss proposed amendments to the following rules: Rule 19-8.028, F.A.C., Reimbursement Premium Formula, Rule 19-8.029, F.A.C., Insurer Reporting Requirements, and Rule 19-8.030, F.A.C., Insurer Responsibilities.

**SUBJECT AREA TO BE ADDRESSED:** Insurer exposure and loss reporting requirements for the 2013/2014 Contract Year, premium formula requirements, and insurer responsibilities.

**RULEMAKING AUTHORITY:** 215.555 FS.

**LAW IMPLEMENTED:** 215.555 FS.

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

**DATE AND TIME:** January 8, 2013, 9:00 a.m. – 12:00 Noon (ET).

**PLACE:** Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308. Persons wishing to participate by phone may dial (888)670-3525 and enter conference code 7135858151.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Tracy Allen, Senior FHCF Attorney, State Board of Administration, P. O. Box 13300, Tallahassee, Florida 32317-3300; (850)413-1341; tracy.allen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

## Section II Proposed Rules

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.:	RULE TITLE:
61G4-12.011	Definitions

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update the definition of “services incidental thereto” as used in Section 489.103, Florida Statutes.

**SUMMARY:** The Board wants to clearly define the meaning of “services incidental thereto”

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

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

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

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

**RULEMAKING AUTHORITY:** 489.103(5), 489.105(3), 489.108, 489.113(3) FS.

**LAW IMPLEMENTED:** 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32399-5257

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

61G4-12.011 Definitions.

(1) through (8) No change.

(9) “Services incidental thereto” shall for the purpose of Section 489.103(1), F.S., only, mean all work on bridges, roads, streets, highways, tunnels, and railroads except building construction and those subcontractor categories, defined in Section 489.105(3)(d)-(q), F.S. However, notwithstanding the previous provision, services incidental thereto specifically includes storm drainage and excavation work necessary for the construction of bridges, roads, streets, highways, tunnels, and railroads; and includes directly contracting with a governmental entity for work on bridges, roads, street

highways, tunnels and railroads when any building construction included in the contract is subcontracted to a contractor appropriately licensed under Chapter 489, Part I, Florida Statutes, to perform building construction or those subcontractor categories defined in Section 489.105(3)(d)-(q), F.S., and such building construction does not constitute more than fifty (50) percent of the total contract amount.

(10) through (15) No change.

Rulemaking Authority 489.103(5), 489.105(3), 489.108, 489.113(3) FS. Law Implemented 489.103(5), 489.105(3), 489.113(3), 489.115(6), 489.119(5) FS. History--New 9-16-80, Formerly 21E-12.11, Amended 1-1-89, 4-18-89, 7-4-89, 4-22-90, 7-3-91, 12-21-92, Formerly 21E-12.011, Amended 11-4-93, 11-22-94, 10-10-95, 4-29-96, 9-18-96, 12-3-96, 11-25-97, Amended 10-4-99, 2-12-08, 11-9-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 7, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: 61G4-15.038  
RULE TITLE: Certification of Demolition Specialty Contractors

PURPOSE AND EFFECT: The Board proposes the promulgation and adoption of the new rule to clarify the requirements for certification of demolition specialty contractors.

SUMMARY: The requirements for certification of demolition specialty contractors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.213, 489.108 FS.

LAW IMPLEMENTED: 489.108, 489.115, 489.116, 489.117, 489.118 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.038 Certification of Building Demolition Specialty Contractors.

(1) The purpose of this rule is to provide for the voluntary certification of Building Demolition specialty contractors.

(2) Definition. A building demolition specialty contractor is a contractor whose contracting business consists of the execution of contracts requiring the experience, financial means, knowledge, and skill to demolish, if not prohibited by law, steel tanks 50 feet or less in height; towers 50 feet or less in height; other structures 50 feet or less in height, other than buildings or residences over three stories tall; and buildings or residences three stories or less in height. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classifications.

(3) Certification Procedures and Fees. Certification procedures and fees for Building Demolition Specialty Contractors shall be the same as those provided for the certification of other contractors as set forth in Sections 489.109, 489.111, 489.113, 489.114, 489.115 and 489.116, F.S., and related rules.

Rulemaking Authority 455.213, 489.108 FS. Law Implemented 489.108, 489.115, 489.116, 489.117, 489.118 FS. History--New

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NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 16, 2012

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

RULE NO.: 69L-3.001                      RULE TITLE: Purpose

PURPOSE AND EFFECT: Repeal of Rule 69L-3.001, F.A.C.  
 SUMMARY: Rule 69L-3.001, F.A.C., supplies no information or guidance that is not already provided throughout the balance of Rule Chapter 69L-3. F.A.C. Rule 69L-3.001, F.A.C., having been determined unnecessary, is therefore repealed.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Rule 69L-3.001, F.A.C., consists of a single paragraph that provides a brief overview of the responsibilities of employers and insurers to record and report workers' compensation accident information under Chapter 440, F.S. The balance of Rule Chapter 69L-3, F.A.C., which provides detailed guidance and information regarding the aforementioned employer/insurer responsibilities, remains unchanged. This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 440.591 FS.

LAW IMPLEMENTED: 440.20(8)(b), (15)(a), (20), 440.591 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: Monday, January 14, 2013, 10:30 a.m.

PLACE: 102 Hartman Building, 2012 Capital Circle Southeast, 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: (850)413-1708 or Pamela.Macon@

myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pam Macon, Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4224, (850)413-1708 or Pamela.Macon@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-3.001 Purpose.

Rulemaking Specific Authority 440.591 FS. Law Implemented 440.20(8)(b), (15)(a), (20), 440.591 FS. History–New 1-10-05, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Macon, Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2012

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

RULE NO.: 69L-6.009                      RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: Rule 69L-6.012, F.A.C., amended to incorporate by reference all forms contained in Rule 69L-6.009, F.A.C., has rendered Rule 69L-6.009, F.A.C., duplicative and unnecessary. Rule 69L-6.009, F.A.C., is thereby repealed.

SUMMARY: The amendment of Rule 69L-6.012, F.A.C., renders Rule 69L-6.009, F.A.C., duplicative and unnecessary. Rule 69L-6.009, F.A.C., is repealed.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no significant costs associated with the repeal of Rule 69L-6.009, F.A.C. Rule 69L-6.012, F.A.C., amended to adopt all forms referenced by Rule 69L-6.009, F.A.C., also

implements an electronic process for the submittal of these forms that will result in certain cost savings for affected employers and the Department.

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

RULEMAKING AUTHORITY: 440.05(9) FS.

LAW IMPLEMENTED: 440.05 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: Monday, January 14, 2013, 10:00 a.m.

PLACE: 102 Hartman Building, 2012 Capital Circle Southeast, 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: Robin Delaney, (850)413-1775 or Robin.Delaney@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1775 or Robin.Delaney@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.009 Forms and Instructions.

Rulemaking Specific Authority 440.05(9), 440.591 FS. Law Implemented 440.05 FS. History--New 11-20-79, Amended 4-15-81, 1-2-86, Formerly 38F-6.09, Amended 5-28-91, 2-15-94, 2-2-00, 3-5-02, Formerly 38F-6.009, 4L-6.009, Amended 2-19-07, 1-7-08, 12-31-08, 07-01-12, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robin Delaney, Chief, Bureau of Compliance, Division of Workers' Compensation, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2012

### Section III Notices of Changes, Corrections and Withdrawals

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Construction Industry Licensing Board

RULE NO.:	RULE TITLE:
61G4-18.001	Continuing Education Requirements for Certificateholders and Registrants

##### NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 62, October 31, 2012 issue of the Florida Administrative Register.

The change is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated November 16, 2012. The correction is as follows:

61G4-18.001(3)(g): reference to citation 489.115(4)(b)2.m. will be corrected to read as 489.115(4)(b)2.

61G4-18.001(6): reference to "Department of Community Affairs" will be corrected to read as "Department of Business and Professional Regulation."

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

### Section IV Emergency Rules

#### DEPARTMENT OF FINANCIAL SERVICES

##### OIR – Insurance Regulation

RULE NO.:	RULE TITLE:
69OER12-1	Emergency Adoption of Revised Notification of Personal Injury Protection Benefits Form

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Financial Services Commission and the Office of Insurance Regulation ("Office") hereby state that the following circumstances constitute an immediate danger to the public health, safety, or welfare:

The 2012 Legislature adopted substantial amendments to the Florida No-Fault Law (Sections 627.730 – 627.7405, F.S.), hereinafter referred to as the PIP Law, which modified the personal injury protection benefits available to an insured consumer on or after January 1, 2013. Section 627.7401, F.S. requires the Financial Services Commission to adopt by rule the form that must be provided to consumers when they file a claim. The revised form will allow the timely compliance with Florida law that requires all insurers that write PIP insurance in

this state to provide the consumer that has filed a claim on a policy, issued in compliance with the revised law, with proper notification of the benefits available. Requiring the utilization of the new form will prevent consumer confusion as to the new benefits that will be available pursuant to the revised PIP Law. REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Financial Services Commission believes that adopting an emergency rule is the fairest method to protect the public to assure that insureds are timely notified of their PIP Benefits as required by Florida Law. Furthermore rulemaking proceedings are being pursued to adopt the Notification of PIP Rights form on a permanent basis and interested parties will have an opportunity to participate in the standard rulemaking process. An Office bulletin addressed to all regulated persons and insurers would reach them, but would not be legally binding. A permanent rule would not have the flexibility and immediacy to protect the public welfare.

In consideration of the emergency conditions currently existing, and given the Office's responsibility to protect the public interest and implement the Insurance Code, an emergency rule is necessary.

SUMMARY: Emergency Rule 69OER12-1 requires insurers writing PIP insurance policies issued or renewed on or after January 1, 2013, in accordance with Chapter 2012-197, Laws of Florida, to utilize Form OIR-ER1-1149 (New 1-1-2013) "Notification of Personal Injury Protection Benefits".

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Michelle Brewer, Office of Insurance Regulation, Email Michelle.Brewer@flor.com

THE FULL TEXT OF THE EMERGENCY RULE IS:

69OER12-01 Emergency Adoption of Revised Notification of Personal Injury Protection Benefits Form.

(1) Chapter 2012-197, Laws of Florida(House Bill 119) revised the benefits available under the Florida No-Fault Law (Sections 627.730 – 627.7405 F.S.), Personal Injury Protection (PIP) Benefit policies issued or renewed in this state on or after January 1, 2013 in accordance with the provisions of Chapter 2012-197, Laws of Florida will be required to utilize Form OIR-ER1-1149 (New 1-1-2013)."Notification of Personal Injury Protection Benefits" until such time as revisions to Form OIR-B1-1149 (Rev. 8/30/06) is adopted by rule. Form OIR-ER1-1149 (New 1-1-2013) is adopted and incorporated herein by reference and available at [www.flor.com](http://www.flor.com).

(2) Policies that do not provide the new benefits, shall continue to utilize Form OIR-B1-1149 (Rev. 8/30/06).

(3) This Emergency Rule shall be effective on January 1, 2013.

Rulemaking Authority 120.54(4), 624.308, 627.7401 FS. Law Implemented 627.7401 FS. History--New 1-1-13.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 1, 2013

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

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

RULE NO.: RULE TITLE:

27P-14.005: Late Fees

NOTICE IS HEREBY GIVEN that on November 26, 2012, the Division of Emergency Management, Bureau of Preparedness, Technological Hazards Section, received a petition for South Bay Hospital.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

RULE NO.: RULE TITLE:

27P-14.005: Late Fees

NOTICE IS HEREBY GIVEN that on December 10, 2012, the Division of Emergency Management, Bureau of Preparedness, Technological Hazards Section, received a petition for Hunters Green County Club.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mindy Dowling, Bureau of Preparedness, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On December 18, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Empire Building, filed December 3, 2012, and advertised in Vol. 38, No. 86, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.3.2 ASME A17.3, 1996 edition, and Rule 303.3d ASME A17.1 1982 edition as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by Rule 61C-5.001(1)(a) Florida Administrative Code that requires upgrading the elevators for firefighters' emergency

operations, platform guards and supply line shutoff valve until July 1, 2014 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-387).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On December 18, 2012, the Department issued a Final Order that was in response to a Petition for Variance from The Arc Jacksonville Westside, filed September 18, 2012, and advertised on September 28, 2012 in Vol. 38, No.39, 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 unspecified elevator codes and unspecified edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators operations because the Petitioner failed to provide information required by Chapter 28-104.002, Florida Administrative Code and Section 120.542(5), Florida Statutes (VW 2012-303).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850) 488-1133.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On December 17, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from St. Petersburg Kennel Club-Plaza Building, filed November 28, 2012, and advertised in Vol. 38, No. 82, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.10.4(t) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by Rule

61C-5.001(1)(a), Florida Administrative Code that requires providing keyed stop switch until January 1, 2015 because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-385).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:

64B7-32.002: Proof of Graduation

NOTICE IS HEREBY GIVEN that on December 18, 2012, the Board of Massage Therapy, received a petition for Thomas Michael Smith, seeking a variance or waiver of Rule 64B7-32.002, Florida Administrative Code, asking the board to waive the requirement of an Official Transcript documenting training, as education requirements have been met.

Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-13.003: Continuing Psychological Education Credit

NOTICE IS HEREBY GIVEN that on December 17, 2012, the Board of Psychology received a petition for a variance or waiver, filed by Harris L. Friedman, PhD, ABPP, of Rule 64B19-13.003(1)(d), F.A.C., which requires that licensees must attend Workshops/seminars offered by providers approved by the American Psychological Association or any of its affiliates, or providers approved by the Board for continuing psychological education credit.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017: Personnel

NOTICE IS HEREBY GIVEN that on November 20, 2012, the Department of Children and Families, received a petition for waiver of Rule 65C-15.017, Florida Administrative Code, from Choices Network Systems, Inc. and Rodney Howard. Rule 65C-15.017, F.A.C., requires agency staff responsible for supervision shall have a bachelor's or master's degree in social work or related area of study from an accredited college or university and at least two years of experience in human services or child welfare programs. Four years of experience in human services or child welfare programs may be substituted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

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## Section VI

### Notices of Meetings, Workshops and Public Hearings

#### STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:

19-8.029: Insurer Reporting Requirements

19-8.030: Insurer Responsibilities

The Florida Hurricane Catastrophe Fund Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 8, 2013, 1:00 p.m. (ET) until conclusion of meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain approval for the filing of a Notice of Proposed Rule for 19-8.029, F.A.C., Insurer Reporting Requirements and Rule 19-8.030, Insurer Responsibilities, and for the filing of these two rules for adoption if no member of the public timely requests a rule hearing or if a hearing is requested but no Notice of Change is needed. In addition, other general business of the Council may be addressed.

A copy of the agenda may be obtained by contacting: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, tracy.allen@sbafla.com, (850)413-1341.

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: Tracy Allen at the email or number listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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#### PUBLIC SERVICE COMMISSION

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. 110200-WU

PREHEARING CONFERENCE

DATE AND TIME: Wednesday, January 9, 2013, 10:00 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING:

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.

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 or at (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, which can be reached at (800)955-8771 (TDD) or (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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#### PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: January 8, 2013, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from [www.floridapsc.com](http://www.floridapsc.com). Persons needing ADA

accommodation to participate should contact the FPSC at least five days prior to the conference via (800)955-8770 (voice) or (800)955-8771 (TDD) Florida Relay Service.

DEPARTMENT OF ELDER AFFAIRS

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

DATE AND TIME: Wednesday, January 9, 2013, 9:00 a.m. – 11:00 a.m. (EST).

PLACE: Reserve your Webinar seat now at: <https://www2.gotomeeting.com/register/542406562>. Audio information: This webinar will be presented using Voice Over Internet Protocol (VOIP). To utilize VOIP, please have speakers and a microphone connected to your computer. If speakers and a microphone are not available to you, or your computer doesn't have a sound card, please login to the webinar and follow the prompts to call the conference line (long distance charges apply). To avoid long distance charges, please see the audio options below. If you have any questions prior to the webinar regarding the audio options, please contact: Shandra McGlohon, Florida Department of Elder Affairs, email: [mcglohonsa@elderaffairs.org](mailto:mcglohonsa@elderaffairs.org), (850)414-2317. Audio options (USB equipment is ideal): (1) USB or analog headset. (2) Headphones and microphone. (3) Speakers and microphone. (4) Speakers only – Questions and comments can be submitted via the Question Pane. After registering you will receive a confirmation email containing information about joining the Webinar. System Requirements, PC-based attendees: required – Windows® 7, Vista, XP, 2003 Server or 2000. Macintosh®-based attendees: required – Mac OS® X 10.4.11 (Tiger®) or newer.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The work of the Purple Ribbon Task Force will be discussed.

A copy of the agenda may be obtained by contacting: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: [spagnolaj@elderaffairs.org](mailto:spagnolaj@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: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: [spagnolaj@elderaffairs.org](mailto:spagnolaj@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: [spagnolaj@elderaffairs.org](mailto:spagnolaj@elderaffairs.org).

DEPARTMENT OF ELDER AFFAIRS

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

DATE AND TIME: Monday, January 28, 2013, 9:00 a.m. – 11:00 a.m. (EST).

PLACE: Reserve your Webinar seat now at: <https://www2.gotomeeting.com/register/290308226>. Audio information: This webinar will be presented using Voice Over Internet Protocol (VOIP). To utilize VOIP, please have speakers and a microphone connected to your computer. If speakers and a microphone are not available to you, or your computer doesn't have a sound card, please login to the webinar and follow the prompts to call the conference line (long distance charges apply). To avoid long distance charges, please see the audio options below. If you have any questions prior to the webinar regarding the audio options, please contact: Shandra McGlohon, Florida Department of Elder Affairs, email: [mcglohonsa@elderaffairs.org](mailto:mcglohonsa@elderaffairs.org), (850)414-2317. Audio options (USB equipment is ideal): (1) USB or analog headset. (2) Headphones and microphone. (3) Speakers and microphone. (4) Speakers only – Questions and comments can be submitted via the Question Pane. After registering you will receive a confirmation email containing information about joining the Webinar. System Requirements, PC-based attendees: required - Windows® 7, Vista, XP, 2003 Server or 2000. Macintosh®-based attendees: required – Mac OS® X 10.4.11 (Tiger®) or newer.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The work of the Purple Ribbon Task Force will be discussed, including the approval of the Interim Report to be submitted to the Legislature.

A copy of the agenda may be obtained by contacting: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: [spagnolaj@elderaffairs.org](mailto:spagnolaj@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: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: [spagnolaj@elderaffairs.org](mailto:spagnolaj@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: [spagnolaj@elderaffairs.org](mailto:spagnolaj@elderaffairs.org).

DEPARTMENT OF ELDER AFFAIRS

Statewide Public Guardianship Office

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



DATE AND TIME: January 18, 2013, 9:30 a.m. – 3:00 p.m. EST

PLACE: Conference call number (888)670-3525, conference code 7919129022

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Foundation for Indigent Guardianship. A copy of the agenda may be obtained by contacting: Erika Burgess at (850)414-2381, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399, email: [burgesse@elderaffairs.org](mailto:burgesse@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: Erika Burgess at (850)414-2381, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399, email: [burgesse@elderaffairs.org](mailto:burgesse@elderaffairs.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Board of Professional Engineers

The Florida Board of Professional Engineers announces a public meeting to which all persons are invited.

DATE AND TIME: January 8, 2013, 11:00 a.m. (EST) or soon thereafter.

PLACE: Florida Board of Professional Engineers, 2639 N. Monroe St., Ste. B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: orientation for the new chair and vice chair of the Florida Board of Professional Engineers.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (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: Rebecca Sammons, [rsammons@fbpe.org](mailto:rsammons@fbpe.org).

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Building Commission

The Florida Building Commission, “the Commission”, Fire Technical Advisory Committee concurrent with The Florida Fire Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 3, 2013, 9:00 a.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically conference call. Teleconference number: (888)670-3525; code: 2977013986. Public point of access: Rm 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss a possible conflict between the Florida Building Code and Florida Fire Prevention Code with regard to the fire flow requirements for one- and two- family dwellings as depicted in Section 18.4.5.1 of the 2010 Florida Fire Prevention Code.

A copy of the agenda may be obtained by contacting: Mr. Ken Cureton, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, or call (850)487-1824.

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: Ms. Pat Harvey, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-0772, phone (850) 487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, phone (850)487-1824, fax (850)414-8436, website: [www.floridabuilding.org](http://www.floridabuilding.org).

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#### DEPARTMENT OF HEALTH

##### Division of Medical Quality Assurance

The Department of Health, the Board of Psychology announces a Legislative Committee meeting conference call to which all persons are invited.

DATE & TIME: January 4, 2013 beginning at approximately 8:00 a.m. or soon thereafter.

GENERAL SUBJECT MATTER TO BE DISCUSSED: Proposed Legislation

MEET ME NUMBER: 1(888)670-3525. After dialing the meet me number, when prompted, enter conference code 4389078941#.

A copy of the agenda may be obtained by writing to Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, or by calling the board office at (850)245-4373, ext. 3467 or by visiting our website at [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the department at least 48 hours before the workshop/hearing/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the department by calling 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above-cited meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NO.: RULE TITLE:

- 65E-14.001: Applicability
- 65E-14.002: Retention and Access Requirements for Records
- 65E-14.003: Audits of Contractors Participating in the Substance Abuse and Mental Health Programs
- 65E-14.004: Program Income
- 65E-14.005: Matching
- 65E-14.006: Valuation of Donated and Volunteer Services
- 65E-14.007: Appraisal of Real Property
- 65E-14.010: Property
- 65E-14.012: Contract Closeout, Suspension, and Termination
- 65E-14.014: Contractor's Financial Management Responsibilities
- 65E-14.016: Transactions Resulting in Additional Cost to the Program
- 65E-14.017: Cost Principles
- 65E-14.018: Sliding Fee Scale
- 65E-14.019: Methods of Paying for Services
- 65E-14.020: Cost Reimbursement Method of Payment
- 65E-14.021: Unit Cost Method of Payment
- 65E-14.022: Data Requirements
- 65E-14.023: Managing Entity Standards

The Department of Children and Families, Substance Abuse and Mental Health Program Office in the Southern Region announces a workshop to which all persons are invited.

DATE AND TIME: Friday, January 11, 2013, 1:00 p.m. – 4:00 p.m.

PLACE: Rohde Building – 401 NW 2nd Avenue; Miami, FL 33128 – Conference Room N-1011

GENERAL SUBJECT MATTER TO BE CONSIDERED: Amendments to the Community Substance Abuse and Mental Health Services Financial Rules. Additional information regarding this rulemaking is available on the Department's website at [www.dcf.state.fl.us/programs/samh/pubs\\_reports.shtml](http://www.dcf.state.fl.us/programs/samh/pubs_reports.shtml)

A copy of the agenda may be obtained by contacting: Lourice Khoury, Florida Department of Children and Families SAMH Program Office, (786)257-5180; e-mail: [lourice\\_khoury@dcf.state.fl.us](mailto:lourice_khoury@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 24 hours before the workshop/meeting by contacting Aldrin Sanders, DCF - Human Resources – Office of Civil Rights, 1317 Winewood Boulevard, Bldg. 1, Rm. 108, Tallahassee, Florida 32399-0700; phone: (850)717-4566 or (850)487-1901, e-mail: [aldrin\\_sanders@dcf.state.fl.us](mailto:aldrin_sanders@dcf.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact Deborah Dummitt, DCF Regional SAMH Performance/CQI Analyst, 401 NW 2nd Ave. Suite N-812, Miami, FL 33128; (786)257-5172, e-mail [deborah\\_dummitt@dcf.state.fl.us](mailto:deborah_dummitt@dcf.state.fl.us); or Jimmers Micallef, Department of Children and Families, 1317 Winewood Blvd., Building 6, Room 292, Tallahassee, FL 32399, (850)717-4294, e-mail: [jimmers\\_micallef@dcf.state.fl.us](mailto:jimmers_micallef@dcf.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NO.: RULE TITLE:

- 65E-14.001: Applicability
- 65E-14.002: Retention and Access Requirements for Records
- 65E-14.003: Audits of Contractors Participating in the Substance Abuse and Mental Health Programs
- 65E-14.004: Program Income
- 65E-14.005: Matching
- 65E-14.006: Valuation of Donated and Volunteer Services
- 65E-14.007: Appraisal of Real Property
- 65E-14.010: Property
- 65E-14.012: Contract Closeout, Suspension, and Termination
- 65E-14.014: Contractor's Financial Management Responsibilities
- 65E-14.016: Transactions Resulting in Additional Cost to the Program
- 65E-14.017: Cost Principles
- 65E-14.018: Sliding Fee Scale

65E-14.019: Methods of Paying for Services  
 65E-14.020: Cost Reimbursement Method of Payment  
 65E-14.021: Unit Cost Method of Payment  
 65E-14.022: Data Requirements  
 65E-14.023: Managing Entity Standards

The Department of Children and Families Substance Abuse and Mental Health Program announces a workshop to which all persons are invited.

DATE AND TIME: January 10, 2013, 9:30 a.m. – 11:30 a.m.

PLACE: Chappie James Building, 160 Governmental Center, Room 101, Pensacola, Florida 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: Amendments to the Community Substance Abuse and Mental Health Services Financial Rules. Additional information regarding this rulemaking is available on the Department's website at [http://www.dcf.state.fl.us/programs/samh/pubs\\_reports.shtml](http://www.dcf.state.fl.us/programs/samh/pubs_reports.shtml).

A copy of the agenda may be obtained by contacting: Susan B. Sweeney, 160 Governmental Center, Suite 713, Pensacola, Florida 32502, (850)595-8369; [Susan\\_Sweeney@dcf.state.fl.us](mailto:Susan_Sweeney@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 24 hours before the workshop/meeting by contacting: Susan B. Sweeney, 160 Governmental Center, Suite 713, Pensacola, Florida 32502, (850)595-8369, [Susan\\_Sweeney@dcf.state.fl.us](mailto:Susan_Sweeney@dcf.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For additional information, you may contact: Jimmers Micallef, Department of Children and Families, 1317 Winewood Blvd., Building 6, Room 292, Tallahassee, FL 32399; (850)717-4294, [jimmers\\_micallef@dcf.state.fl.us](mailto:jimmers_micallef@dcf.state.fl.us).

#### DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Department of Financial Service, Division of State Fire Marshal; Florida Fire Code Advisory Council concurrent with the Florida Building Commission, Fire Technical Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 3, 2013, 9:00 a.m.

PLACE: Via teleconference call: conference call telephone number: (888)670-3525; access code: 2977013986. Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to discuss a possible conflict between the Florida Building Code and Florida Fire Prevention

Code with regard to the fire flow requirements for one- and two- family dwellings as depicted in Section 18.4.5.1 of the 2010 Florida Fire Prevention Code.

A copy of the agenda may be obtained by contacting: Belinda Chukes, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3619, fax: (850)414-6119.

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: Belinda Chukes, Division of State Fire Marshal, Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3619, fax: (850)414-6119. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

#### FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The FAJUA announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 18, 2013, 9:00 a.m.

PLACE: York Risk Services Group, 605 Crescent Executive Court Suite 300, Lake Mary, FL 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review Claims Provider performance in claims handling and any other matters that may come before the committee.

A copy of the agenda may be obtained by contacting: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, [lstoutamire@fajua.org](mailto:lstoutamire@fajua.org).

#### MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The Florida Cancer Control & Research Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 20, 2012, 3:00 p.m.

PLACE: Dial: (877) 791-9829, passcode: 2120535

GENERAL SUBJECT MATTER TO BE CONSIDERED: Goal III (Treatment & Access to Care) Committee

A copy of the agenda may be obtained by contacting: [luke.ihnen@gmail.com](mailto:luke.ihnen@gmail.com).

#### NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2013, 9:00 a.m. – 3:00 p.m.

PLACE: Department of Business & Professional Regulation, Professions Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Director Interviews

A copy of the agenda may be obtained by contacting: monicacash1@yahoo.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 3 days before the workshop/meeting by contacting: Monica Cash, (850)921-4479. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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.

MARION COUNTY SHERIFF'S OFFICE

The Florida Model Jail Standards PREA Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: January 7, 2013, 9:00 a.m. – 3:00 p.m.

PLACE: Sumter County Sheriff's Office, 1010 North Main Street, Bushnell, Florida 33513

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Model Jail Standards PREA subcommittee will be holding a public hearing on new proposed federal laws in regards to inmate sexual abuse prevention and reporting standards.

A copy of the agenda may be obtained by contacting: Bernard Johns, Manager, Seminole County Juvenile Detention Center, (407) 665-4170.

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: Bernard Johns at (407)665-4170. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Bernard Johns at (407) 665-4170.

Section VII

Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

NOTICE IS HEREBY GIVEN that the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has declined to rule on the petition for

declaratory statement filed by Gulfstream Park Thoroughbred After Racing Program, Inc., Petitioner, in DBPR Case No. 2012031503, Petition No. DS 2012-058, on July 17, 2012. The following is a summary of the agency's declination of the petition:

The Petition listed Sections 550.0745 and 550.002(8), Florida Statutes, as the statutory provision(s) upon which a declaratory statement was being sought. The Petition requested the Division of Pari-Mutuel Wagering to state whether the Petitioner was the permitholder with the smallest amount of pari-mutuel play during either the state fiscal year 2011/2012 or the state calendar year for 2011 for each county in which it operated, in order to determine the Petitioner's eligibility for a summer jai-alai permit under Section 550.0745, Florida Statutes. Pursuant to Petitioner's Notice of Voluntary Withdrawal of Petition for Declaratory Statement filed September 21, 2012, the Division issued an Order on November 29, 2012, ruling the original Petition to be moot and therefore withdrawn without prejudice.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202; (850)921-0342.

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

University of Central Florida

Landscape & Natural Resources Tree Service

NOTICE TO CONTRACTORS

The University of Central Florida announces that continuing contracting services for certain projects are required in the following discipline: Tree Care Services.

Projects included in the scope of this agreement will be specific projects for the University of Central Florida main and associated campuses. These services will include working with the University's Facilities Planning and Landscape & Natural Resources Departments on various projects.

Campus Service contracts for these projects provide that the contractor will be available on an as-needed basis. The contractor receiving the award will not have an exclusive contract to perform services for these projects. The university will have additional campus service contractors under contract during the same period.

Firms desiring to tree care services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm. Firms will be evaluated in the following areas: experience of professional personnel, recent and projected workload, location, past performance.

Carefully review the Contract and General Conditions documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at [www.fp.ucf.edu](http://www.fp.ucf.edu) with the advertisement.

Attach to each letter of application:

1. A copy of the applicant's current contractor license from the appropriate governing board. An applicant must be properly licensed at the time of application to provide tree care services in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

2. Cover Letter: Include a brief introductory letter summarizing the statement of qualifications. It must be signed by a person authorized to make representations on behalf of the landscape contractor.
3. Company Profile: Provide a summary of the tree care serviced contractor's history, methods, strengths, and experience meeting the needs of its clients. Mention any awards or commendations the tree care contractor has received.
4. Tree Care Service Team: Describe the composition and experience of the tree care and arborist team that the contractor would assign to UCF projects with a summary of their qualifications.
  - a. include credential of all International Society of Arboriculture Certified Arborists on staff who may work on UCF projects.
  - b. designate supervisory staff who will be primary point of contact for UCF projects.
5. General Procedures for hazard tree removals, stump grinding or removal of soft and hardwood trees, palm pruning and structural pruning.
  - a. describe plans for securing areas for traffic and public safety for each of the above actions.
  - b. describe decontamination procedures to be used on equipment between pruning actions on individual trees.
6. Badging, Identification, and Uniform plans
  - a. provide descriptions of approved uniforms with clearly visible vendor identification badges with photos
  - b. describe safety vests and uniform procedures when working in parking areas and roadways.
  - c. include description of vehicles markings with vendor name and contact number.
7. Previous experience in hazard tree removals, stump grinding or removal, palm pruning and structural pruning.
  - a. explain experience with these types of tree services.
  - b. provide details on number of accounts, projects, including types of venues, and length of service contract.
  - c. provide at least three (3) references or letters of recommendation for previous contract holders.

Submit five (5) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application materials will not be returned. Late submissions will not be accepted.

The contractor will agree to provide all necessary information and consent required for the University to run a background check on the contractor. Additionally, the contractor's subcontractors, suppliers, employees, agents or representatives or any other person or entity employed by the contractor that will have direct contact with University staff, faculty or students must also be prepared to provide required information for a background check. Background checks on the

contractor’s subcontractors, suppliers, employees, agents or representatives or any other person or entity employed by the contractor will be conducted at the discretion of the University. In some instance the contractor may be responsible for the cost of background checks.

As required by University of Central Florida Regulations 7.102.22, a contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The University of Central Florida Construction Management Qualifications Supplement and the Project Fact Sheet may be obtained at the website [www.fp.ucf.edu](http://www.fp.ucf.edu) (click on advertisements) or by contacting: Ms. Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard, Post Office Box 163020, Orlando, FL 32816-3020, Phone: (407)823-2166, Fax: (407)823-5141, Email: [gseabroo@mail.ucf.edu](mailto:gseabroo@mail.ucf.edu).

Five (5) bound copies of the required proposal data shall be submitted to: Ms. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time on January 28, 2013. Facsimile (FAX) submittals are not acceptable and will not be considered.

DEPARTMENT OF EDUCATION

University of Central Florida

Landscape & Natural Resources Landscape Construction and Maintenance

NOTICE TO CONTRACTORS

The University of Central Florida announces that continuing contracting services for certain projects are required in the following discipline: Landscape Construction and Maintenance.

Projects included in the scope of this agreement will be specific projects for the University of Central Florida main and associated campuses. These services will include working with the University’s Facilities Planning and Landscape & Natural Resources Departments on various projects.

Campus Service contracts for these projects provide that the contractor will be available on an as-needed basis. The contractor receiving the award will not have an exclusive contract to perform services for these projects. The university will have additional campus service contractors under contract during the same period.

Firms desiring to provide construction and maintenance services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime

factor in the selection of the firm. Firms will be evaluated in the following areas: experience of professional personnel, recent and projected workload, location, past performance.

Carefully review the Contract and General Conditions documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at [www.fp.ucf.edu](http://www.fp.ucf.edu) with the advertisement.

Attach to each letter of application:

1. A copy of the applicant’s current contractor license from the appropriate governing board. An applicant must be properly licensed at the time of application to provide construction services in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.
2. Cover Letter: Include a brief introductory letter summarizing the statement of qualifications. It must be signed by a person authorized to make representations on behalf of the landscape contractor.
3. Company Profile: Provide a summary of the landscape contractor’s history, methods, strengths, and experience meeting the needs of its clients. Mention any awards or commendations the landscape contractor has received.
4. Construction Team: Describe the composition and experience of the construction team that the landscape contractor would assign to UCF projects with a summary of their qualifications.
5. Maintenance Team: Describe the composition and experience of the landscape maintenance team that the landscape contractor would assign to UCF projects with a summary of their qualifications.
6. Subcontractors: Please identify any subcontractors, if any, that are used regularly by the landscape contractor and provide a brief summary of their experience and qualifications.
7. Representative List of Projects: Describe recent construction and maintenance projects completed by the landscape contractor that are similar in scope and type to those required by UCF. Provide at least representative projects of each. Include the following information about each project:
  1. Project name and brief description of landscape work performed.
  2. Beginning and end date of landscape project/maintenance
  3. Location of project/maintenance
  4. Photos of project
  5. Monetary amount of the landscape project or maintenance contract
  6. Owner of project/contact person/phone number with area code

8. References: Provide at least three (3) written references, including contact names, phone numbers, and a brief description of the work completed by the landscape contractor. Submit five (5) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application materials will not be returned. Late submissions will not be accepted.

As required by University of Central Florida Regulations 7.102.22, a contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The contractor will agree to provide all necessary information and consent required for the University to run a background check on the contractor. Additionally, the contractor’s subcontractors, suppliers, employees, agents or representatives or any other person or entity employed by the contractor that will have direct contact with University staff, faculty or students must also be prepared to provide required information for a background check. Background checks on the contractor’s subcontractors, suppliers, employees, agents or representatives or any other person or entity employed by the contractor will be conducted at the discretion of the University. In some instance the contractor may be responsible for the cost of background checks.

The University of Central Florida Construction Management Qualifications Supplement and the Project Fact Sheet may be obtained at the website [www.fp.ucf.edu](http://www.fp.ucf.edu) (click on advertisements) or by contacting: Ms. Gina Seabrook, Office of Facilities Planning, University of Central Florida, 4000 Central Florida Boulevard, Post Office Box 163020, Orlando, FL 32816-3020, Phone: (407)823-2166, Fax: (407)823-5141, Email: [gseabroo@mail.ucf.edu](mailto:gseabroo@mail.ucf.edu).

Five (5) bound copies of the required proposal data shall be submitted to: Ms. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 P.M. local time on January 28th, 2013. Facsimile (FAX) submittals are not acceptable and will not be considered.

DEPARTMENT OF MANAGEMENT SERVICES

MSFM-12003160 – Low Bid

Re-advertisement to bid construction

State of Florida Department of Management Services  
Division of Real Estate Development and Management

Public announcement requesting bids from qualified  
general contractors

Bid proposals are requested from qualified general contractors by the department of management:

Project number: MSFM-12003160

Project name & location: Elevator Modernization and Replacement, R. A. Gray Building, Tallahassee, Florida

Mandatory pre-bid meeting: January 8, 2013, 9:00 a.m.

Location: R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

Bid opening: January 22, 2013, 2:00 p.m.

Estimated base bid construction budget: \$800,000.00

NOTE: Modernization of Elevators 1, 2, 3, & 4, and Rehabilitation of the Freight Elevator to all existing floor openings – +Additive Alternate to raise the Freight Elevator to exit on the 6th floor.

Relevant experience prequalified bidders only: Refer to DMS website (below) for further details.

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

Please visit the Department’s website [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu) and click on “Search Advertisements” – “Division of Real Estate Development and Management” Look for “Opportunities for Design and Construction Firms” and click on link.

Section XII  
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under the State’s Generic Permit for MS4’s

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from Naval Station Mayport. The application is being processed and are available for public inspection during normal business hours, 8 a.m. to 5 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500), Tallahassee, FL 32399-2400.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Intent to Issue A Variance Under Section 403.201, F.S.

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance (File No. 0144913-020-EV-VE) to PCS Phosphate – White Springs (PCS), Post Office Box 300, White Springs, Florida 32096,

under Section 403.201(1)(a), F.S., from the provisions of Rule 62-302.530(30), F.A.C., which provides minimum standards for dissolved oxygen levels in surface waters. This variance will authorize the dissolved oxygen levels in the hypolimnia (the deepest layer) of the reclaimed phosphate mine pit lakes within the Hamilton County Mine to fall below the minimum levels set by Rule 62-302.530, F.A.C.

The Hamilton County Mine is an approximately 99,588-acre site located in Hamilton County, Florida approximately eight miles north of White Springs. The project site is located to the west and north of the Suwannee River, along both the east and west sides of Interstate 75, and south of the Georgia border. The mine area is located in Sections 1, 2, 11 - 15, 22 - 28, and 33 - 36, Township 1 North, Range 14 East; Sections 1 - 5, and 10 - 14, Township 1 South, Range 14 East; Sections 19 - 21, and 28 - 34, Township 2 North, Range 15 East; Sections 1 - 36, Township 1 North, Range 15 East; Sections 1- 27, 35, and 36, Township 1 South, Range 15 East; Section 1, Township 2 South, Range 15 East; Sections 5 - 8, 16 - 23, 26 - 35, Township 1 North, Range 16 East; Sections 1 - 35, Township 1 South, Range 16 East; and Sections 7 and 8, Township 1 South, Range 17 East. The Hamilton County Mine lies entirely within the watershed of the Upper Suwannee River, an Outstanding Florida Water (OFW), and Class III waters.

Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S. A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) a statement of when and how the petitioner received notice of the agency decision; (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of



appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

## DEPARTMENT OF HEALTH

## Board of Medicine

## Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Eric Nathan Grosch, M.D. License # ME 50726. 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 (2011). 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.

## DEPARTMENT OF HEALTH

## Board of Nursing

## Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lorie Ann McClain, R.N. License # RN 9275529. 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 (2011). 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.

## DEPARTMENT OF HEALTH

## Board of Nursing

## Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kaliope N. Mott, C.N.A. License # CNA 197582. 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 (2011). 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.

## DEPARTMENT OF HEALTH

## Board of Nursing

## Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Leigh Ann Harper, R.N. License #RN 2004512. 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 (2011). 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.

## DEPARTMENT OF HEALTH

## Board of Nursing

## Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Janet G. Townley, RN. License # RN 9192102. 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 (2011). 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.

## DEPARTMENT OF HEALTH

## Board of Nursing

## Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Rebecca L. Sanford, R.N. License # RN 5164197. 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 (2011).

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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DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dawn Mauge, C.N.A., License # CNA 60254. 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 (2011). 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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DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Patricia Ann Cason, R.N. License # RN 9275765. 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 (2011). 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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DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Nancy Jane Coyer, R.N. License # RN 9202836. 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 (2011). 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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DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 18, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jana Ellen Myrick, R.N. License # RN 9216452. 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 (2011). 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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Section XIII  
Index to Rules Filed During Preceding Week

**NOTE: The above section will be published on Tuesday beginning October 2, 2012.**

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