

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

**RULE NO.:**       **RULE TITLE:**  
64B19-11.005   Supervised Experience Requirements  
**PURPOSE AND EFFECT:** The rule amendment is proposed to expand the definition of "Supervisor" in (c).  
**SUBJECT AREA TO BE ADDRESSED:** Expand definition.  
**RULEMAKING AUTHORITY:** 490.004(4) FS.  
**LAW IMPLEMENTED:** 490.005(1) FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**DEPARTMENT OF HEALTH**

**Board of Psychology**

**RULE NO.:**       **RULE TITLE:**  
64B19-13.003   Continuing Psychological Education Credit  
**PURPOSE AND EFFECT:** Change the number of available continuing education credits for professional involvement.  
**SUBJECT AREA TO BE ADDRESSED:** Number of available credits.  
**RULEMAKING AUTHORITY:** 456.013(7), (9), 490.004(4), 490.0085(4) FS.  
**LAW IMPLEMENTED:**   456.013(7),   490.007(2), 490.0085(1), (3) FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

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**Section II**  
**Proposed Rules**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

**RULE NO.:**       **RULE TITLE:**  
59G-13.131    Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule  
**PURPOSE AND EFFECT:** The purpose of the amendment to Rule 59G-13.131, F.A.C., is to incorporate by reference the Florida Medicaid Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule, \_\_\_\_\_. The amendment updates services and procedure codes.  
**SUMMARY:** The revised fee schedule will reflect the services currently being provided and the procedure code, modifier, reimbursement per unit, and limits for each service. The procedure code for adaptive health and wellness is being deleted. The following procedure codes are being added: emergency alert response system installation, emergency alert response system monitoring and maintenance, occupational therapy, physical therapy, and residential habilitation.  
**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.  
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
**RULEMAKING AUTHORITY:** 409.919 FS.  
**LAW IMPLEMENTED:** 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

**DATE AND TIME:** August 12, 2013, 10:00 a.m. – 11:00 a.m.  
**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Caryl Jefferson at the Bureau of Medicaid Services, (850)412-4220. 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: Caryl Jefferson, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4220, e-mail: caryl.jefferson@ahca.myflorida.com.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.131 Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule.

(1) This rule applies to all providers of All traumatic brain injury and spinal cord injury waiver services who are enrolled in the Florida Medicaid program providers.

(2) All providers of traumatic brain injury and spinal cord injury waiver services and their billing agents, who submit claims on the provider's behalf, must be in compliance with the provisions of the Florida Medicaid Traumatic Brain Injury and Spinal Cord Injury Waiver Services Fee Schedule, \_\_\_\_\_ July 2009, which is incorporated by reference. The fee schedule is available from the Medicaid fiscal agent's Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies of the fee schedule may be obtained by calling the Provider Services Contact Center at ~~1-800-(800)-289-7799~~ and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 8-5-09, Amended 9-21-11, \_\_\_\_\_

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Caryl Jefferson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 4, 2013

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

RULE NOS.: RULE TITLES:

5B-67.004 Movement or Possession of Hosts and Regulated Articles; Conditions of Certification from Regulated Areas

5B-67.006 Treatment Areas, Treatment Procedures, Mitigative Measures, and Declaration of Eradication

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 53, March 18, 2013 issue of the Florida Administrative Register.

Note: This is to include the 2nd paragraph to the below Summary of SERC and Legislative Ratification which was omitted with the publication of the Notice of Proposed Rule:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon past experiences with giant African land snail activities and rules of this nature. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 570.07(23), (24), 581.031(1), (5), (7), (17) FS.

LAW IMPLEMENTED: 570.32(5), (6), 581.031(6), (7), (9), (15), (17), (20), (26), (30), 581.101, 581.161, 581.181 FS.

THE FULL TEXT OF THE NOTICE OF CHANGE IS:

5B-67.004 Movement or Possession of Hosts or Regulated Articles; Conditions of Certification from Regulated Areas.

(1) No change.

(2) It shall be unlawful for any person to move any giant African land snails or other regulated articles within, through, or out of the quarantine area unless he or she is in compliance with this rule chapter and has movement practices that have been authorized by the Department or the USDA-APHIS-PPQ via PPQ Permit 526. Applicants must apply for a PPQ 526 via website [www.aphis.usda.gov/permits/ppq\\_epermits.shtml](http://www.aphis.usda.gov/permits/ppq_epermits.shtml).

(3) All life stages of giant African land snails or other regulated articles may be moved within, through or out of a quarantine area if they are from an establishment that is under a compliance agreement, has been inspected and treated with an EPA-labeled molluscicide that is approved for use by the Department, and found to be free of the giant African land snail. Hosts or regulated articles shall be certified by the Department for movement out of a quarantine area for commercial or distribution purposes following confirmation by the Department of the method above. After confirmation, the Department shall issue a Temporary Certificate of Inspection, FDACS-08010, Rev. 07/12, as incorporated by reference in Rule 5B-2.010, F.A.C. Prior to movement of hosts or regulated articles, the method of treatment and location of the treatment facility must be documented in the "Additional Declarations" section of FDACS-08010, Rev. 07/12. ~~Interstate movement of hosts or regulated articles shall be governed by 7 CFR §301.32 Subpart Fruit Flies (§301.32 and §301.32-1 to §301.32-10, effective June 9, 2008) which is incorporated by reference in subsection 5B-66.004(3), F.A.C.~~

(4) through (5) No change.

(6) Giant African land snails and associated regulated articles may be moved within Florida for research purposes under a special permit issued by the Director of the Division of Plant Industry. The special permit shall be a letter written to an individual and will include giant African land snail conditions for containment, disposal, reporting and inspection under which the giant African land snails and associated regulated articles shall be transported ~~contain the stipulations of the safeguards necessary to contain the giant African land snail and regulated articles.~~

(7) The following documents are hereby adopted and incorporated by reference. These documents may be obtained by writing to the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Plant and Apiary Inspection, at, P. O. Box 147100, Gainesville, FL 32614-7100 or online as indicated.

(a) Compliance Agreement – Giant African Land Snail (GALS), Nursery/Stock Dealer/ Garden Center, FDACS-08486, Rev. ~~04/13~~ 06/13, available online via website [www.flrules.org/Gateway/reference](http://www.flrules.org/Gateway/reference).

(b) Compliance Agreement – Cooperative Giant African Land Snail (GALS) Solid Waste Facilities (Transfer Stations, Land Fills, Recycling/Mulching/Compost Facilities) and Commercial Trash Haulers, FDACS-08487, Rev. ~~04/13~~ 06/13, online via website [www.flrules.org/Gateway/reference](http://www.flrules.org/Gateway/reference).

(c) Compliance Agreement – Giant African Land Snail (GALS) Landscape / Lawn Maintenance, FDACS-08488, Rev. ~~04/13~~ 06/13, online via website [www.flrules.org/Gateway/reference](http://www.flrules.org/Gateway/reference).

Rulemaking Authority 570.07(23), 581.031(1), (5), (7), (17) FS. Law Implemented 570.32(5), (6), 581.031(6), (7), (9), (15), (17), (20), (26), (30), 581.101, 581.161, 581.181 FS. History–New \_\_\_\_\_.

5B-67.006 Treatment Areas, Treatment Procedures, Mitigative Measures, and Declaration of Eradication.

(1) Treatment areas and treatment procedures to eradicate a giant African land snail infestation will be dependent on the number of infested properties detected and the geographical area affected by the infestation, but will generally encompass an area of 200 yards beyond all known infested properties. The geographical boundaries of treatment areas shall be published in a major newspaper of general distribution in the treatment area, provided to affected industry groups, and published on the Department's website at [www.freshfromflorida.com/pi](http://www.freshfromflorida.com/pi). Treatment areas shall be treated under the direction of the Department ~~or the USDA-APHIS-PPQ~~. All pesticide applications will be applied in accordance with applicable federal and state regulations when implementing mitigative measures in order to reduce environmental and public impact as described in subsection 5B-67.006(3), F.A.C. The Department or other parties acting in concert with the Department through a compliance agreement shall use the following treatment activities or combinations thereof:

(a) Ground applications of an EPA-registered molluscicide, an Emergency Exempted product as authorized by Federal Insecticide Fungicide and Rodenticide Act (FIFRA), Section 18 [7 U.S.C. 136p, effective December 13, 1991], or a Special Local Need product as authorized by FIFRA, Section 24(c) [(7 U.S.C. 136v, effective October 25, 1988)] that are labeled as effective for giant African land snail

control as incorporated by reference in subparagraph 5B-66.004(6)(b)1., F.A.C., and paragraphs 5B-66.006(1)(a) and (2)(c), F.A.C.

(b) Bait application of molluscicide products labeled by the EPA for residential use to control the giant African land snail will be applied to properties infested or suspected to be infested within treatment areas as described ~~defined~~ in subsection 5B- 67.006(1)(~~2~~), F.A.C.;

(c) The removal and disposal of plant parts and debris known or suspected to harbor any stage of the giant African land snail;

(d) The placement of traps as ~~and destruction by~~ an approved method of all collected giant African land snails;

(e) Removal and destruction by an approved method of giant African land snails through hand collection or ~~other~~ mechanical methods.

(2) through (5) No change.

Rulemaking Authority 570.07(23), (24), 581.031(1), (5), (7), (17) FS. Law Implemented 570.32(5), (6), 581.031(6), (7), (9), (15), (17), (20), (26), (30), 581.101, 581.161, 581.181 FS. History—New

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Marketing and Development**

RULE NOS.: RULE TITLES:  
 5H-23.001 Eligibility for Fair Permit  
 5H-23.002 Application for Fair Permit  
 5H-23.003 Fees for Fair Permit  
 5H-23.004 Waiver of Minimum Exhibit Requirements

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 138, July 17, 2013 issue of the Florida Administrative Register.

The date the Notice of Proposed Rule was approved by the agency head was inadvertently left out of the published version of the notice referenced above. The notice should have read as follows: DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 10, 2013

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:  
 59G-6.045 Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known as ICF/DD Facilities)

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 123, June 25, 2013 issue of the Florida Administrative Register.

A checklist was prepared by the Agency to determine the need for a SERC. Based upon this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:  
 65C-13.022 Definitions  
**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 91, December 14, 2012 issue of the Florida Administrative Register. The Notice of Change published on July 2, 2013 inadvertently included Rule 65C-13.022.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.: RULE TITLES:  
 65C-13.023 Background Screening Requirements  
 65C-13.024 Pre-service Training  
 65C-13.025 Initial Licensing Procedures  
 65C-13.026 In-Service Training  
 65C-13.027 Changes During the Licensed Year  
 65C-13.028 Re-Licensing  
 65C-13.029 Licensed Out-of-Home Team Member Roles  
 65C-13.030 Standards for Licensed Out-of-Home Caregivers  
 65C-13.031 Terms of a License  
 65C-13.032 Capacity, Placement, and Over-Capacity Assessments  
 65C-13.033 Babysitting, Respite and Other Supervision  
 65C-13.034 Complaint Investigations and foster Care Referrals  
 65C-13.035 Administrative Actions, Appeals and Closures

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 91, December 14, 2012 issue of the Florida Administrative Register.

65C-13.023 Background Screening Requirements  
 65C-13.024 Parent Preparation Pre-service Training  
 65C-13.025 Initial Licensing ~~Procedures~~  
 65C-13.026 Continuing Education ~~In-Service Training~~  
 65C-13.027 Changes During the Licensed Year  
 65C-13.028 Re-Licensing  
 65C-13.029 Licensed Out-of-Home Team Member Roles  
 65C-13.030 Standards for Licensed Out-of-Home Caregivers

- 65C-13.031 Terms of a License
- 65C-13.032 ~~Over-Capacity Assessments and Exceptions Capacity, Placement, and Over Capacity Placements~~
- 65C-13.033 ~~Babysitting, Overnight Care, Extended Overnight Care, and Other Supervision Arrangements Babysitting, Respite, and Other Supervision~~
- 65C-13.034 ~~Foster Care Referrals and Investigations Complaint Investigations and Foster Care Referrals~~
- 65C-13.035 Administrative Actions, Appeals, and Closures

65C-13.023 Background Screening Requirements.

(1) The department shall conduct background screenings for all persons considered by the department for initial licensure or re-licensure as an out-of-home caregiver and all adult household members pursuant to Section 409.175, F.S. The five year re-screens for the relicensing process must include fingerprints. ~~These screenings shall be completed before an applicant is shall be licensed as an out of home caregiver and before any children are placed in the home. Exemptions from background screening disqualification may be granted to potential licensed out of home caregivers for crimes or offenses based on covered by Sections 435.07(1) and (2), F.S., and according to the guidelines established under Sections 435.07(3) and (4), F.S. Failure to comply with any requirement for good moral character and background screening as described in this rule may be grounds for denial, suspension or revocation of an application or license. The supervising agency or the department has the discretion to request background screening for visitors to a family foster home if there is reasonable belief that:~~

- (a) through (c) No change.
- (2) These screenings shall, at a minimum, include fingerprinting; statewide criminal and juvenile records checks through the Florida Department of Law Enforcement; federal criminal records checks through the Federal Bureau of Investigation; local criminal record checks through local law enforcement agencies, and may include records of any responses to the home by law enforcement that did not result in criminal charges. Records checks through the department’s Statewide Automated Child Welfare Information System (SACWIS) regarding child abuse and neglect investigations and civil court records checks regarding domestic violence complaints and orders of protection must also be included. If the applicant or any other adult household member has resided in any other state during the past five years, requests for abuse and neglect histories must be made of those states, and the results of such requests included with the application packet. Only abuse and neglect reports in which the person being

considered for licensure was named as the “caregiver responsible” for the abuse or neglect may be used for initial licensing decisions. If the person applying is or was a licensee of the department and was named in any capacity in three or more reports during a five year period, regardless of classification, those reports may be reviewed by the department for their relevancy as it relates to the licensing decision. All reports in which the person seeking licensure or re-licensure was named as the “caregiver responsible” must be considered for licensing purposes. For homes being considered for licensure for longer than one year under Section 409.175(6)(j), F.S., all abuse reports with any findings shall be considered.

(3) Each applicant and adult household member being screened shall sign an “Affidavit of Good Moral Character”, CF 1649, ~~February 2013 August 2010~~, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), and a “Release of Information”, CF-FSP 5090, ~~February 2013 August 2010~~, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). ~~Failure to comply with any requirement for good moral character and background screening as described in this rule is considered when determining whether to deny, suspend or revoke an application or license.~~

(4) No change.

(5) ~~For children between the ages of twelve and eighteen, the background screening shall be limited to statewide criminal and juvenile records name checks through the Florida Department of Law Enforcement and does not require fingerprinting. Screening of Young young adults ages age 18 through 22 who are receiving services through Chapter 65C-31, F.A.C., and who have had no break in service provision are not required to be screened.~~

(6) ~~The background screenings under this section shall ensure that no out of home caregiver licensed by the department and no person residing in a family foster home has been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to any offense prohibited under Section 435.04, F.S., or similar statutes of another jurisdiction at any time. When the individual who is being screened is a former dependent child under 23 years of age and the security background screening reveals a disqualifying offense which was committed during or prior to the time that the child was dependent, that offense shall not automatically affect the licensure of the out-of-home caregivers. Exemptions for disqualifying offenses may be sought under Section 435.07, F.S.~~

(7) through (9) No change.

Rulemaking Authority 39.012, 39.0121, 435.01 (2), 409.175 FS. Law Implemented 39.0121, 409.175(5)(a)5, 435.04 FS. History—New 4-6-08, Amended.

65C-13.024 Parent Preparation Pre-service Training.

~~(1) All prospective out of home caregivers shall successfully complete a department approved parent preparation pre-service training as a condition of licensure.~~

~~(1)(2) Parent preparation pre-service training shall meet the requirements of Section 409.175, F.S., and shall include training for out-of-home caregivers on decision-making related to the balance of normalcy for children in care and their safety. The parent preparation pre-service curriculum shall also include training related to the administration of psychotropic medication, the social and emotional development of children and youth, the role of mentors and other helpers, development of life skills for teens in foster care, and the caregiver's foster parent's role in supporting and promoting the educational progress of the foster child. The training on administration of psychotropic medication shall consist of a review of the proper dosage of medication and the importance of monitoring for possible side effects and intended effects of the specific medications administered to the child. All caregivers are required to complete a minimum of 21 hours of pre-service training.~~

~~(2)(3) Each parent preparation pre-service training class shall be led by a certified child protection professional according to Section 402.40, F.S., who has a bachelor's degree or a master's degree from an accredited college or university, and who has also successfully met any curriculum-specific requirements to train the department approved parent preparation pre-service training curriculum (e.g., curriculum trainer certification). Each parent preparation pre-service training class shall follow the recommendations of the curriculum designer regarding the number and type of facilitators involved in the training process. If the agency is the designer of the curriculum, the number and types of facilitators to be involved in the training process must be clearly defined. ~~should include a licensed out of home caregiver as a co facilitator; in addition, a young adult formerly in foster care must be invited to participate in one or more sessions of the training; this invitation would provide an opportunity for the prospective out of home caregivers to benefit from a former foster youth's perspective.~~~~

~~(3)(4) No change.~~

~~(4)(5) As a part of pre service training the prospective out of home caregivers shall complete training regarding the administration and monitoring of psychotropic medication. The training shall consist of a review of the proper dosage of medication and the importance of monitoring for possible side effects and intended effects of the specific medications administered to the child.~~

~~(5)(6) The lead agency is authorized to approve the completion of individualized pre-service training. If~~

individualized training is done, the certified child protection professional is responsible for complying with the requirements set forth for parent preparation pre-service training in Section 409.175(14)(b), F.S., and the requirements set forth in this Chapter.

~~(6)(7) Prospective out-of-home caregivers and adoptive parents have the option to attend parent preparation pre-service training as defined in subsection (2) of this section, offered by any licensed child placing agency. Agencies shall ~~are expected to~~ work cooperatively with each other and prospective licensed out-of-home caregivers and adoptive parents to ensure the ongoing availability of such training.~~

~~(7)(8) No change.~~

~~(8)(9) When prospective out-of-home caregivers successfully complete or commence and fail to complete, the parent preparation pre-service training but do not continue the licensing process, the supervising agency staff shall document the reason the process was discontinued on the Person Provider Page, under the Training Tab, in Florida Safe Families Network (FSFN) in the State Automated Child Welfare Information System. Completed Parent preparation pre-service training is valid for five years from the date of verified curriculum completion. Previously licensed out-of-home caregivers who have a break in service of eighteen months or less, but who completed parent preparation pre-service training within the last five years, have the option to apply to be licensed without completing parent preparation pre-service training.~~

Rulemaking Authority 409.175, 402.40(6), 402.40(10) FS. Law Implemented 409.175, 402.40, 402.40(7) FS. History—New 4-6-08, Amended \_\_\_\_\_.

## 65C-13.025 Initial Licensing

(1) General.

(a) Each applicant wishing to become a licensed out-of-home caregiver shall complete the "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013 ~~September 2007~~, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). Parenting figures living together shall both be licensed. After successfully completing training and the home study process, any person who requests an application either verbally or in writing shall be provided one.

(b) through (c) No change.

(2) References.

~~(a) The applicant(s) shall provide the names of three personal references that are not related to the applicant(s) and that shall have known the applicant(s) for at least two years. Each of the three personal references must be able to attest to the applicant's parenting skills. References are to be verified either verbally or in writing by the supervising agency staff.~~

~~(b) The supervising agency staff shall make reasonable efforts to obtain references from the adult children of each applicant. These references shall address the applicant's suitability to become a licensed out of home caregiver. All unsuccessful attempts to solicit information shall be documented and the overall impact of the missing information considered as a part of the recommendation to license or not to license.~~

~~(c) The supervising agency shall obtain a current employment reference for each applicant. At a minimum, this reference shall include sufficient information to establish or corroborate the applicant's current employment status. If current employment is less than two consecutive years in duration, secondary employment references shall be obtained.~~

~~(d) The supervising agency shall obtain references from school personnel of each school age child residing in the home.~~

~~(e) The supervising agency shall obtain references be obtained from the childcare provider of any preschool age child residing in the home who is enrolled in a childcare program.~~

~~(3) Verifications. The applicant(s) shall provide the agency with proof of the following, if applicable: documentation of Florida residency, proof of legal status in the United States (for non citizens), driver's licenses, auto insurance coverage, financial capability and income, and pet vaccinations.~~

~~(2)(4)(a) through (d) No change.~~

~~(e) The notarized document, Attestation For Foster Home Licensure, CF-FSP 5357, February 2013, October 2014, is incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). The Community-Based Care lead agency must also submit the completed Licensing Standards Checklist For 24-Hour Family Care, CF-FSP 5358, February 2013 September 2014, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). The the checklist must be signed by the supervising agency licensing counselor and supervisor.~~

~~(f) Community-Based Care agencies participating in the Attestation Model for licensure must enter into a Memorandum of Agreement with the Regional Licensing office. The Memorandum of Agreement, CF-FSO 5356, September 2011, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).~~

~~(3)(5) No change.~~

~~(a) through (d)1. No change.~~

~~2. A description of the home, including location and verification of operating fire extinguishers with current tag and smoke detectors, storage of medications, cleaning~~

~~supplies, and toxins and safety nets for trampolines. The description shall also include the storage of alcoholic beverages, weapons and ammunition, location of burglar bars, fireplaces, handrails on stairways and space heaters, if applicable. All prospective, licensed out of home caregivers must complete The Fire Arms Acknowledgement CF-FSP 5346, February 2012 incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).~~

~~3. No change.~~

~~(e) No change.~~

~~(f) Social History. A description of the following shall be included:~~

~~1. Background and Family History. Background and family history including education, types of discipline used in the family, the family's willingness and ability to use appropriate discipline as described in the Partnership Plan for Children in Out-of-Home Care, CF-FSP 5226, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), family values, and any prior residences in or out of Florida.~~

~~2. through 7. No change.~~

~~(g) Transportation. The licensed out-of-home caregiver shall have transportation available twenty-four hours a day. All vehicles used to transport children shall be in safe condition and equipped with seat belts for each child transported as required by Section 316.614, F.S., and car seats as required by Section 316.613, F.S. Vehicles shall be smoke free when children are being transported. The licensed out-of-home caregiver shall ensure appropriate safety equipment is utilized. Describe the family's plan for safely transporting children placed in the home. All drivers must be 22 years of age or older and have a valid Florida Driver's license and motor vehicle insurance.~~

~~(h)-(i) No change.~~

~~(j) Other Adult Household Members. The responsibilities the applicant(s) will expect the other adults in the household to have with children placed in the home. The following information shall be obtained and documented for any other adult household members, whether or not they intend to supervise or assist with the care of the child:~~

~~1. Background Screening,~~

~~2. Medical History, and~~

~~3. The responsibilities the applicant(s) will expect the other adults in the household to have with children placed in the home.~~

~~(k) through (l) No change.~~

~~(4)(6) No change.~~

~~(a) No change.~~

(b) A traditional licensing application packet shall consist of the following documentation:

1. "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

2. "Release of Information", CF-FSP 5090, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

3. "Authorization for Release of Health and Medical Information for Prospective Foster or Adoptive Parents", CF-FSP 5230, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/)(as needed);

4. through 5. No change.

6. A Partnership Plan for Out-of-Home Care, CF-FSP 5226, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

7. No change.

8. Parent Preparation Pre-service biographical profile, which shall be the demographic and narrative portions of the Unified Home Study as completed by the applicant(s);

9. Documentation of water safety training, if applicable. As a prerequisite to licensure, potential licensed out-of-home caregivers who have swimming pools or whose homes are adjacent to bodies of water unprotected by a barrier of at least four feet will be required to complete a basic water safety course administered by the American Red Cross, YMCA or a trainer certified in water safety training. This requirement does not apply to homes with ~~temporary wading pools or, which are temporary and~~ portable pools with a depth of less than two feet. Standing water shall not remain in wading pools when not in use;

10. "Confidentiality Agreement", CF-FSP 5087, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

11. No change.

a. "Affidavit of Good Moral Character", CF 1649, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/);

b. Local Law Enforcement check;

c. through g. No change.

12. References including:

a. The applicant(s) shall provide the names of three personal references that are not related to the applicant(s) and that shall have known the applicant(s) for at least two years. Each of the three personal references must provide information related to the applicant's parenting skills. References are to be verified either verbally or in writing by the supervising agency staff. ~~Three personal references that speak to the prospective caregiver's parenting skills;~~

b. The supervising agency shall obtain a current employment reference for each applicant. At a minimum, this reference shall include sufficient information to establish or corroborate the applicant's current employment and income. If current employment is less than two consecutive years in duration, secondary employment references shall be obtained. ~~Employment reference;~~

c. The supervising agency staff shall make reasonable efforts to obtain references from the adult children of each applicant. These references shall address the applicant's suitability to become a licensed out-of-home caregiver. All unsuccessful attempts to solicit information shall be documented, and the overall impact of the missing information considered as a part of the recommendation to grant or deny a license. ~~References from adult children;~~

d. The supervising agency shall obtain references from school personnel of each school age child residing in the home. ~~School references on all school age children;~~

e. The supervising agency shall obtain references from the child care provider of any preschool age child residing in the home who is enrolled in a child care program. ~~Childcare references for all preschool children receiving child care services;~~

f.g. References and documentation regarding any previous licensure as out-of-home caregivers.

13. Family Documents:

a. Documentation of legal Florida residency, proof of legal status in the United States (for non-citizens) for applicants not born in the United States (United States citizenship is not required);

b. Driver's license(s) and driving record(s) for household members who may transport children;

c. Vehicle insurance.

14.13. Family Foster Home Safety Documentation:

a. Satisfactory home environmental health inspection report completed by a licensing specialist who has been trained by the state or from the local health department in the areas of water supply, food holding temperature, plumbing, vermin and vector control, sewage, and garbage and rubbish disposal;

b. Radon testing results (when applicable);

c. through g. No change.

15. All prospective, licensed out-of-home caregivers must complete The Fire Arms Acknowledgement form CF-FSP 5343, February 2013, CF-FSP 5346, February 2012 incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

~~(5)(7)~~ No change.

~~(6)(8)~~ If the application packet is approved, a license shall be issued to the applicant(s). The license shall include the name and address of the caregiver(s), the name of the



supervising agency, ~~along with~~ the licensed capacity, and the dates for which the license is valid. The Regional Managing Director ~~regional administrator~~ or designee within upper level management shall sign the license. Any limitations shall be displayed on the license if the home study indicates the necessity for such restrictions, such as specific age or gender preference. An initial license is valid for one year from the date of issuance unless the license is revoked or voluntarily relinquished.

~~(7)(9)~~ A copy of the license shall be provided by the Regional Licensing Authority to the lead agency.

~~(8)(10)~~ When the department determines that the application shall be denied, the department shall promptly notify the applicant and supervising agency by certified mail, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S. The denial and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

~~(9)(11)~~ No change.

Rulemaking Authority 409.175, 435.01 FS. Law Implemented 409.175, 435.04 FS. History—New 4-6-08, Amended\_\_\_\_\_.

#### 65C-13.026 Continuing Education.

~~(1) Prior to the annual renewal of a traditional foster home license, each licensed out-of-home caregiver shall successfully complete at least 8 eight hours of continuing education. Foster homes that qualify for a three year license shall complete 24 twenty four hours of continuing education prior to the renewal of the license.~~ The supervising agency may require therapeutic and medical foster homes to complete additional continuing education hours based on the level of therapeutic and medical care they provide. Licensed out-of-home caregivers shall be offered continuing education opportunities by their supervising agency. Continuing education opportunities shall be offered no less than quarterly and at times and places convenient to the licensed out-of-home caregiver. For those licensed out-of-home caregivers unable to attend, other methods shall be developed for satisfying this requirement. Continuing education materials shall be approved by the supervising agency prior to use. Documentation of completed continuing education shall be documented on the provider training page in Florida Safe Families Network.

~~(2)~~No change.

~~(3)~~ If the absence of the caregiver during training would leave children without approved adult supervision, the supervising agency shall make arrangements for child care or shall reimburse the caregiver for child care purchased at a reasonable rate by the parents for children in their care.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended\_\_\_\_\_.

#### 65C-13.027 Changes During the Licensed Year.

(1) Requirements.

(a) The licensed out-of-home caregiver shall report law enforcement involvement with any household member. Law enforcement involvement includes arrests, incidents of domestic violence, driving infractions and any local law enforcement response to the home over the course of the licensed year. In addition, the caregiver shall report a change in marital status; a change in household composition; a change of physical address; changes in financial situation such as bankruptcy, repossessions and evictions; serious health issue such as a debilitating injury or communicable disease regarding a household member; change in contact information; change in employment or significant change in work schedule to the supervising agency within ~~48 forty eight~~ business hours of the change occurring. A significant change in work schedule occurs when a licensed caregiver's work schedule differs from the work schedule at initial licensure, and the new schedule causes the caregiver to seek child care. For example, a licensed caregiver's work schedule changes from part-time to full-time employment. The supervising agency shall notify the lead agency within ~~24 twenty four~~ business hours of learning of any of these changes. Failure to do so may be reason to suspend, deny or revoke a license if the non-reported situation threatens the safety or well-being of any child in care, or results in the non-conformity with licensing requirements stated in this rule.

(b) No change.

(c) All new household members age 18 and older shall be fingerprinted within five days of residence and those fingerprints shall be submitted to the Florida Department of Law Enforcement within five days of the receipt of the fingerprints by the supervising agency. All household members shall meet the requirements for background screening.

~~(2) Significant Change in Household Changes Composition.~~

~~(a) The licensed out-of-home caregiver must also report the following significant household changes: Marital Status. Reportable changes include marriage, separation, reconciliation, divorce or death of a spouse.~~

~~(b) Within 10 calendar days from H~~ a licensed out-of-home caregiver marrying marries or reconciling reconciles with an unlicensed spouse or partner, the unlicensed spouse or partner shall complete an "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), submit fingerprints within five calendar days of residence for background screening, unless previously completed, attend parent preparation pre-service training, if not previously

completed within the last five years, and meet all licensing requirements. The unlicensed spouse or partner shall have six months from the date of marriage or reconciliation to complete pre-service training. Failure to meet the licensing and background screening provisions which may threaten the safety of any child in care, or place the home in violation of the licensing standards, are grounds for denial, suspension or revocation of an application or license. During this evaluation period, the home remains licensed and previously placed children may remain in the home pending the outcome of the assessment. No new children shall be placed in the home until the application has been completed and approved. The supervising agency will update the home study summary, including interviews with all children in the home, verification of satisfactory background screening, and verification of income and expenses, and submit to the lead agency within 30 days of any marriage or reconciliation.

~~(e) The supervising agency will update the home study summary, including interviews with all children in the home, verification of satisfactory background screening, and verification of income and expenses, and notify the lead agency and the department within 30 days of any marriage or reconciliation. Once all licensing requirements have been met, the supervising agency shall update the home study summary and submit a request to the licensing authority for the issuance of a new license.~~

~~(b)(4)~~ In cases of separation, divorce or death of a spouse, paramour, or partner, the supervising agency shall update the home study summary and assess its impact upon the children placed in the home. The home study summary update shall include interviews with the children, if age appropriate, verification of income and expenses and the remaining caregiver's plan to meet all financial obligations. The updated home study shall be submitted to the Regional Licensing Authority within 45 forty five calendar days for issuance of an amended license.

~~(c)(e)~~ New Household Member. When new members join the household, the supervising agency shall update the home study summary, address the changes in sleeping arrangements, and submit to the lead agency at the time the home is relicensed within thirty days.

~~(d)(f)~~ Once all licensing requirements have been met, the supervising agency shall update the home study summary and submit a request to the licensing authority for the issuance of an amended a new license.

~~(3)(g)~~ Change of Location. A license is issued for a specific location and is not transferable. A licensed out-of-home caregiver shall notify the supervising agency no less than 30 thirty days prior to the expected date of the relocation. The supervising agency shall complete a relocation packet for

submission to the Regional Licensing Authority for issuance of a license.

~~(a)(h)~~ Within Region.

1. Changing location within the region shall require an "Application for License to Provide Out-of-Home Care for Dependent Children", CF-FSP 5007, February 2013, September 2007, available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/); an updated home study which contains a description of the home and neighborhood, school changes, sleeping arrangements, a satisfactory environmental health inspection of the new residence, the current floor plan, disaster plan, home emergency evacuation plan, fire inspection where required by local zoning laws and radon testing where applicable. A provisional license may be issued prior to the health inspection after the supervising agency conducts a safety assessment of the new location. This provisional license will expire within 90 days of issuance by the Regional Licensing Authority. No new children shall be placed in a home that is provisionally licensed.

2. The supervising agency shall obtain all required documentation and submit it to the lead agency and Regional Licensing Authority for review. The lead agency will submit all required documents to the Regional Licensing Authority to initiate the for issuance of a standard license.

3. through 5. No change.

~~(b)(i)~~ Between Regions.

1.a. through b. No change.

2. The current supervising agency shall secure a release of information form from the family that is relocating, "Release of Information", CF-FSP 5090, February 2013, incorporated by reference and available at www.dcf.state.fl.us/publications/. The current supervising agency shall then send the new supervising agency information to allow the agency to access the family's information in FSFN. If the new supervising agency does not have access to FSFN, the current supervising agency shall provide a complete copy of the licensing file, including the new contact information for the out-of-home caregiver, to the new supervising agency send the new supervising agency a complete copy of the licensing file to include the new contact information for the out of home caregiver.

3. through 4. No change.

5. Prior to submission of the home study and application packet, the new home remains unlicensed but a provisional license may be issued after the safety assessment is completed and received by the new Regional Licensing Authority and prior to the satisfactory home environmental health inspection report completed by a licensing specialist who has been trained by the state or local health department to conduct such inspections by the county health department. This provisional license will expire within 90 days of issuance by the Regional

Licensing Authority. No new children shall be placed in a home that is provisionally licensed.

6. No change.

7. If the decision is made to deny the new application, the Regional Licensing Authority will notify the applicant and supervising agency by certified mail within five working days of the decision to deny, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S. The denial and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency. If there are any children that moved with the caregiver from the former region, the Regional Licensing Authority will notify the new supervising agency within twenty-four hours of the decision to deny the application. The new supervising agency shall notify the former supervising agency and the contracted service provider responsible for courtesy supervision within twenty-four hours of receiving the notice. All possible placement options, the possible risk to the children and their best interest shall be considered and a decision made regarding their placement within twenty-four hours of receipt of the notification. The removal and placement of the children is the responsibility of the former supervising agency and the contracted service provider with primary responsibility for supervision of the children.

~~(c)(f)~~ Out of State. The same process as outlined for a change in region is to be followed. However, if the children are to move out of state with the licensed out-of-home caregiver, the primary case manager is required to initiate an Interstate Compact for the Placement of Children request pursuant to Section 409.401, F.S. In any instance where the decision to relocate to another state is made or it is intended to send or bring the child to the receiving state, or the child and existing family unit have already been sent or brought to the receiving state, an ICPC-100A, Interstate Compact Placement Request, CF 0791, February 2013 ~~0794~~, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), the required supporting documentation shall be prepared immediately upon the making of the decision, processed within five (5) business days by the sending agency's state compact administrator and transmitted to the receiving state compact administrator with notice of the intended placement date. The sending agency's state compact administrator shall request that the receiving state respond to the case within five (5) business days of receipt of the request and with due regard for the desired time for the child to be sent or brought to the receiving state. If the family unit and child are already present in the receiving state, the receiving state's compact

administrator shall determine within five (5) business days of receipt of the 100A and complete home study request packet whether provisional approval shall be granted and provide the decision in writing to the sending state compact administrator by facsimile, mail, overnight mail or electronic transmission, if acceptable. If extenuating circumstances exist, the case manager shall provide an explanation and documentation of the circumstances surrounding the move for consideration and processing by the Florida Interstate Compact for the Placement of Children Office.

~~(4)(k) Change of Supervising Agency. Between supervising agencies.~~

~~(a)1-~~ A currently licensed out-of-home caregiver wishing to change providers shall file an "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), with the desired supervising agency.

~~(b)2-~~ The desired supervising agency shall:

~~1.a-~~ Request all information concerning the performance of the respective licensed out-of-home caregiver from the current supervising agency, including their recommendation for licensure;

~~2.b-~~ Consider the application and advise the applicant in writing of whether it does or does not find the family appropriate for transfer to their agency within 30 thirty days of receipt of the application; and

~~3.e-~~ Notify the sending agency and the department of the determination.

~~4.d-~~ If the family is found to be inappropriate for continued licensure, the supervising agency and Regional Licensing Authority shall deny the application and the department shall make the family aware of the appeal process. The denial and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

~~(c)3.~~ No change.

~~(d)4-~~ No change.

~~(e)5-~~ If the request to change providers occurs during the licensure year, the new supervising agency need only submit an "Application for License to Provide Out-of-Home Care for Dependent Children" CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), and letter of acceptance in accordance with the regional licensing submission process. The Regional Licensing Authority will issue an amended license to reflect the new supervising agency for the remainder of the established licensure year. The new supervising agency assumes all responsibility for the annual re-licensure activities.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended\_\_\_\_\_.

65C-13.028 Re-Licensing.

(1) No change.

(a) No change.

(b) Out-of-home caregivers requesting to be re-licensed shall Complete the “Application for License to Provide Out-of-Home Care for Dependent Children”, CF-FSP 5007, February 2013, September 2007, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). Persons living together in a caretaking role shall both sign the application. Any licensed out-of-home caregiver that requests an application either verbally or in writing for re-licensure shall be provided one.

(c) No change.

(d) The supervising agency shall ensure the completion of the application process by doing the following:

1. Request a home environmental health inspection report to be completed by a licensing specialist who has been trained by the state or local health department an environmental inspection from the local health department. The request shall be made 60 days in advance of the home’s re-licensing due date to facilitate the receipt of a satisfactory environmental health inspection report prior to the expiration of the license. For the homes that are issued a three-year license, the health inspection is not required annually; however, the home health inspection must be completed before the end of the three-year licensure period. In the event the home is issued a three year license, an annual inspection will not be required; however, the home will be inspected at the time the three year license expires.

2. No change.

(e) No change.

(f) References. The supervising agency responsible for completing the re-licensing home study shall obtain and review information about the home from the-“Case Manager’s Review of the Licensed Out-of-Home Caregiver’s Performance”, CF-FSP 5223, June 2011 March 2007 incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/), for the case managers who have supervised children in the home during the previous licensing year.

~~2.~~

(g) through (h) No change.

(2) No change.

(a) No change.

(b) The supervising agency shall review and discuss The Partnership Plan for Children in Out-of-Home Care, CF-FSP 5226, March 2013, June 2011, incorporated by reference and

available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications). with the applicants.

(c) through (e) No change.

(3) Re-licensing Home Study. As a part of the re-licensing application packet, the supervising agency shall make a thorough evaluation of each licensed out-of-home caregiver and document this evaluation using the Unified Home Study module in FSFN. The updated in a re-licensing home study, which shall include, at a minimum:

(a) through (h) No change.

(i) Family life.

1. Documentation of the licensed out-of-home caregiver’s support and integration of children into the family, such as attendance at and involvement with children’s activities; ensuring children have reliable transportation to school, social events, medical appointments; and inclusion in other family activities. The licensed out of home caregiver shall attend children’s activities, transport children to school, social events, medical appointments and include them in family activities. The supervising agency will dDescribe the licensed out-of-home caregiver’s attentiveness to the provision of clothing and allowances to the children in their care.

2. No change.

3. Documentation Document of the licensed out-of-home caregiver’s compliance with proper administration and monitoring of medication, cooperation with medical directives and appointments;

4. No change.

(j) through (m) No change.

(n) Other Adult Household Members. Documentation of the The following information shall be obtained and documented for any other adult household members whether or not they intend to supervise or provide care to the foster child:

1. All required background screening; The responsibilities the applicant(s) will expect the other adults in the household to have with children placed in the home.

2. Medical History that may impact the care and safety of the child;

3. Role in the family and involvement with the child;

(o) through (p) No change.

(q) Youth Exit Interviews. An exit interview, Exit Interview with Foster Child About Foster Parents, CF-FSP 5353, March 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications), must be conducted and assessed with every child ages five through eighteen who lived in the home for 30 days or longer ~~must be conducted and assessed;~~

(r) through (t) No change.

1. through 2. No change.

3. If re-licensure is not recommended, the applicant must be made aware of the appeal process by the Regional Licensing Authority. Attempts must be made to assist the licensed out-of-home caregiver in overcoming identified deficiencies; The denial of re-licensure and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

4. No change.

~~(4)(5) Re-Licensing Process. Re-licensing Application Packet. All re-licensing documentation shall be submitted using either the Attestation Model or traditional model for re-licensing~~

(a) If the region and community based care lead agency do not participate in the attestation model for license, ~~within ten working days of receipt of the re-licensing packet,~~ the Regional Licensing Authority shall determine if the re-licensing application packet is complete and notify the lead supervising agency in writing of the need for any additional materials or information within 10 working days of receipt of the re-licensing packet. The lead supervising agency must submit the necessary materials or information to the Regional Licensing Authority within ten working days of receipt of the written notice. A license cannot be issued until all information has been received in order to ensure the safety and well-being of children.

(b) through (c) No change.

(d) If the submitted application packet is not complete at the time the existing license expires, the renewal date of licensure shall be the actual date of approval by the Regional Licensing Authority. No child shall be placed or remain in an unlicensed setting.

(e) A copy of the license shall be provided by the Regional Licensing Authority to the lead agency for dissemination to the supervising agency. The supervising agency is responsible for sending the license to the family.

(f) If the supervising agency or Regional Licensing Authority determines that the out-of-home caregivers have not satisfactorily met the standards for continued licensure, the licensing authority shall consult with the Regional Legal Counsel, lead agency and supervising agency, concerning the appropriate course of action.

(g) If the Regional Licensing Authority denies the application for re-licensure, and the applicant does not voluntarily withdraw the application, the Regional Licensing Authority shall proceed with formal actions.

(h) Licensed out-of-home caregivers meeting the criteria of Section 409.175, F.S., may be issued a license for longer than one year, but no longer than three years. During the three-year period the licensing counselor shall annually conduct a minimum of one face to face visit in the home. The licensing agency shall submit local law enforcement screenings, abuse

registry checks, FBI and FDLE clearance based on the five year renewal date and other documentation outlined in this section and submit it to the Regional Licensing Authority with a statement certifying that the family continues to meet all licensing requirements annually.

~~(5)(3) Three-Year License. Section 409.175, Florida Statutes, and subsection 65C-13.028(4)(5)(h), (i), Florida Administrative Code, grant the authority to licensing agents to issue a license for up to three years to a family foster home (this includes does not include medical or therapeutic foster homes) meeting specific criteria. A family foster home shall meet the following criteria to be considered for a three year license:~~

~~(a) through (f) No change.~~

~~(g) The number and frequency of placements that result in disruptions Trends in placement and disruptions will be considered and used in the decision as to whether to issue a three-year license.~~

~~(6)(4) Documentation. A brief, yet concise summary that is completed annually using the Unified Home Study module in FSFN will replace the Re-licensing Summary for Licensed Homes for Dependent Children. This summary must address all changes that have occurred in the household during the licensing year and allow foster parents to discuss any issues, concerns or triumphs they experienced during the licensing period. The summary shall include:~~

~~(a) Youth exit interviews and case manager reviews will be included in the summary.~~

~~(b) through (g) No change.~~

~~(h) The annual health inspection is waived for three-year licensed homes and only occurs at the expiration of the three year licensing period. Family foster homes that are dependent upon well water for drinking, cooking and bathing, must have their water tested anytime during the licensure period if contamination is suspect, such as during inclement weather.~~

~~(7)(5) No change.~~

~~(a) through (b) No change.~~

~~(c) Applicants who have previously completed a departmentally approved pre-service training curriculum in the past five years, and who can provide proof of completion, shall not be required to complete pre-service training. Applicants who completed pre-service training in another state may be exempt from pre-service training if the curriculum is the same as an approved version of pre-service training offered in Florida. Supervising agencies shall submit a copy of the curriculum to the Regional Licensing Authority for review and approval if the previously completed training is not an approved curriculum in Florida.~~

~~(8)(6) No change.~~

~~(d) Required background screening for previously licensed out-of-home caregivers shall be completed no more~~

than ~~90 then ninety~~ days prior to the submission of the application.

(e) No change.

(f) A copy of the license shall be provided by the Regional Licensing Authority to the supervising agency.

(g) If the Regional Licensing Authority denies the application for re-licensure and the applicant does not voluntarily withdraw the application, the Regional Licensing Authority shall proceed with formal actions. The denial of re-licensure and reason(s) for denial shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended \_\_\_\_\_.

65C-13.029 Licensed Out-of-Home Team Member Roles.

(1) Responsibilities of the Licensed Out-of-Home Caregiver to the Child.

~~(a) The licensed out of home caregiver is a valued and respected member of a team that supports children and youth in out of home care. The team consists of the professionals representing the department, the lead agency, the licensing authority or supervising agency, the case manager, caregiver, and other professionals with responsibility for the welfare of children in care. With support from the team, caregivers have primary responsibility for the care, nurture and development of a child in his or her home. They have a voice in the case plan and as to the decisions made by the team and other professionals with responsibility for the welfare of children in their care. They are recognized partners in ensuring that children are safe, loved, and nurtured when they are in department custody. As part of the team, the caregiver is authorized by the department to promote normalcy for the child to the fullest extent possible, and to ensure that the child is allowed to participate in age appropriate activities at home, in school and in the community. The caregiver advocates for and supports the child in order to minimize trauma to the greatest degree possible, including trauma stemming from the transition from and to their home and other placements. As part of the team, the caregiver supports the child in maintaining progress in school or exceeding past performance when possible. The caregiver helps the child to acquire life and social skills consistent with their age and maturity level. With support from the team, the caregiver ensures that the child receives appropriate health, dental and mental health care as needed, and works with families, where permitted by the court, to promote visitation and the safe return of children to their families care. Caregivers are encouraged to share their perspectives with team members and the courts with respect to the best interest of the child(ren) in their care. The licensed out-of-home caregiver shall be a is a valued and respected~~

member of a team that supports children and youth in out-of home care. The team consists of the professionals representing the department, the lead agency, the Regional Licensing Authority or supervising agency, the case manager, caregiver, and other professionals with responsibility for the welfare of children in care. Caregivers ~~With support from the team, caregivers~~ have primary responsibility for the care, nurture and development of a child in his or her home. The caregiver is required to promote normalcy for the child to the fullest extent possible. Therefore, caregivers shall:

1. Provide input into the development of the child’s case plan and other decisions made by the team.

2. Ensure that children in their care are safe, loved, and nurtured.

3. Allow the child to participate in age-appropriate activities at home, in school, and in the community.

4. Advocate for and support the child in order to minimize trauma to the greatest degree possible, including trauma stemming from the transition from and to their home and other placements.

5. Support the child in maintaining progress in school or exceeding past performance when possible.

6. Help the child to acquire life and social skills consistent with their age and maturity level.

7. Ensure that the child receives appropriate health, dental, and mental health care as needed.

8. Work with families, where permitted by the court, to promote visitation and the safe return of children to their families’ care.

9. Share their perspectives with team members and the courts with respect to the best interest of the child(ren) in their care.

(b) through (f) No change.

(g) 1. through 7. No change.

8. Licensed out-of-home caregivers shall ~~should~~ work in partnership with the child’s case manager in maintaining awards, legal documents, special recognitions, family photos, and other items that will help the child maintain a sense of his or her identity and connections.

(h) through (m) No change.

(n) 1.a. through e. No change.

f. Children in out-of-home care shall be encouraged and assisted in participating in activities such as having his or her picture taken for publication in a newspaper or yearbook; receiving public recognition for accomplishments; participating in school or after-school organizations or clubs; and participating in community events. Children shall be able to participate in activities that promote personal and social growth, self-esteem and independence ~~as long as they are not identified as dependent children~~. Confidentiality requirements for department records shall not restrict the children’s

participation in customary activities appropriate for the child's age and developmental level.

g. Children in licensed out-of-home care shall be afforded every opportunity for social development, recreation, and normalization of their lives. Children in licensed out-of-home care may attend overnight or planned outings if such activities are determined to be safe and appropriate by the licensed out-of-home caregiver. The case manager shall be available for consultation ~~and must be notified of the activity~~. The child's case manager shall be notified within 48 hours of overnight trips exceeding one night. These trips must not interfere with visitation schedules. Background screening is not necessary for participation in normal school or community activities and outings, such as school field trips, dating, scout campouts and activities with friends, families, school and church groups.

h. No change.

~~i. The licensed out of home caregiver is expected to allow children to experience circumstances without adult supervision depending on the child's age, maturity, and ability to make appropriate decisions. The licensed out of home caregiver's familiarity with the child and the circumstances in which the child shall be unsupervised shall be the primary factors in the decision making. The licensed out of home caregiver is ultimately responsible for the supervision of the child. Therefore the licensed out of home caregiver shall be prudent and conscientious about circumstances where the child is granted independence, including trips to the movies, mall, athletic events and work.~~

~~j. The licensed out of home caregiver shall have knowledge of where and with whom the child is staying and the type of supervision and care the child shall be receiving before approving an outing or overnight activity. The licensed out of home caregivers shall meet the adult who will be supervising prior to allowing the child to spend the night away from their licensed placement or exercise the same reasonable and prudent decision making they would use in making this decision for their own children. Overnight trips exceeding one night must be approved by the child's case manager and must not interfere with visitation schedules.~~

~~i.k. No change.~~

2. Food and Nutrition.

a. The licensed out-of-home caregiver shall provide nutritionally balanced meals and age appropriate snacks daily.

b. through c. No change.

3. Clothing and Personal Belongings.

a. through c. No change.

d. Licensed out-of-home caregivers shall keep an inventory of belongings the child brought to the home, as well as those purchased or subsequently obtained for the child. When the child leaves the family home, the licensed out-of-home caregiver must send along with the child ~~him~~ all

serviceable clothing and personal belongings bought for, earned or given to the child. This includes any toys, bicycles, radios, or other things that are the child's personal belongings.

4. No change.

5. Discipline.

a. No change.

b. Licensed out-of-home caregivers shall use positive methods of discipline. Acceptable methods of discipline include: ~~are~~ reinforcing acceptable behavior, expressing verbal disappointment of the child's behavior, loss of privileges, grounding, restricting the child to the house or yard, ~~or~~ sending the child out of the room and away from the family activity, and redirecting the child's activity.

c. through j. No change.

6. Health Care.

~~a.~~ Licensed out-of-home caregivers are responsible for ensuring the child has routine medical, vision and dental care. The case manager shall promptly provide licensed out-of-home caregivers with the child's prescription medication and information regarding any medical, vision and dental interventions necessary for the child's health and well-being. Licensed out-of-home caregivers are responsible for administering and documenting medication as prescribed for the child. The amount, date and time the medication is administered to the child shall be documented and kept with the child's resource record. Licensed out-of-home caregivers shall keep accurate records of the administering of all medications, including psychotropic medications, and of medical treatment and interventions. No child shall be given prescription medication without a physician's prescription or medication prescribed to another person.

~~b. Maintaining and keeping the medical history current is the responsibility of the licensed out of home caregivers.~~

~~c. Licensed out of home caregivers shall transport and accompany children for necessary medical, dental or other appointments. If transportation cannot be provided by the licensed out of home caregiver, he or she shall contact the child's case manager who shall be responsible for arranging transportation.~~

~~d. Licensed out of home caregivers shall ensure that each child who needs medical attention receives appropriate and adequate medical services promptly.~~

~~e. Licensed out of home caregivers shall notify the case manager or supervising agency of any serious illness or any injury that requires medical treatment for a child. Licensed out of home caregivers shall notify the supervising agency immediately if any of the following occur a child requires hospitalization or emergency medical treatment; or a child dies; or any other life threatening situation occurs.~~

7. No change.

8. ~~Medicine.~~

~~a. Licensed out-of-home caregivers are responsible for administering and documenting medication prescribed for the child. The amount, date and time the medication is administered to the child shall be documented and kept with the child's resource record.~~

~~b. No child shall be given prescription medication without a physician's prescription or medication prescribed to another person.~~

~~8.9. Resource Records. The child's resource record (CRR) shall be maintained by the licensed out of home care giver. The CRR is a standardized record developed and maintained for every child entering out-of-home care that contains copies of the basic legal, demographic, available and accessible educational, and available and accessible medical and psychological information pertaining to a specific child, as well as any documents necessary for a child to receive medical treatment and educational services. Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information must be in the file. The Child's Resource Record (CRR) shall be housed where the child is placed and shall accompany the child to every health encounter and shall be updated as events occur as set forth in paragraph 65C-30.011(5)(a), F.A.C.~~

~~9.10. i. Education. Licensed out-of-home caregivers shall work in partnership with the child's case manager to address the child's educational needs and to allow for the continuation of school. To further promote visibility within the community, children in care may not be home schooled.~~

~~10.11. j. Allowances. Children in licensed out-of-home care shall receive an allowance. The licensed out-of-home caregiver shall not expect the child to use this allowance for purchasing personal hygiene items, school supplies, clothing or other necessities. Allowances are not to be withheld as a form of discipline.~~

(2) No change.

(a) through (f) No change.

(g) Licensed out-of-home caregivers shall notify the child's case manager ~~at least two weeks~~ in advance of vacations in which the child shall be participating.

(h) Licensed out-of-home caregivers shall notify the child's case manager within 24 hours of any sexually inappropriate action or behavior by the child.

(i) No change.

(3) No change.

(a) through (f) No change.

(4) Responsibilities of the Licensed Out-of-Home Caregivers to the Regional Licensing Authority and Supervising Agency.

(a) through (d) No change.

(e) Licensed out-of-home caregivers shall keep confidential all information about the child and the child's family. Discussing this information shall be limited to a Regional Licensing Authority or agency staff member, Guardian Ad Litem, or other authorized professional working with the child.

~~(e) Licensed out-of-home caregivers shall keep confidential all information about the child and the child's family. Discussing this information shall be limited to a licensing authority or agency staff member, Guardian Ad Litem, or other authorized professional working with the child~~

(5) Responsibilities of the Supervising Agency and the Regional Licensing Authority to the Licensed Out-of-Home Caregiver and Children in Care.

(a) through (d) No change.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 4-6-08, Amended \_\_\_\_\_.

65C-13.030 Standards for Licensed Out-of-Home Caregivers.

(1) Requirements.

(a) There shall be no more than five children in a licensed home, including the licensed out-of-home caregiver's children unless an over capacity exception waiver has been approved.

(b) There shall be no more than two children under the age of two years in a home, including the licensed out-of-home caregiver's children unless exception waiver has been approved.

(c) There shall be no more than two children placed in a therapeutic family foster home unless an exception a wavier has been approved.

(d) Each licensed out-of-home caregiver shall sign a Partnership Plan for Children in Out-of Home Care, CF-FSP 5225, February 2013, incorporated by reference and available at [www.dcf.state.fl.us/publications](http://www.dcf.state.fl.us/publications). The agreement shall be reviewed, and discussed with a licensing counselor prior to initial licensure and again at each re-licensure. The document must be signed by a representative from the supervising agency and the potential or licensed out-of-home caregiver.

~~(e)(d)~~ No change.

~~(f)(e)~~ No change.

1. through 3. No change.

(2)(a) through (c) No change.

(d)(f) Child care. Child care for children in licensed out-of-home care shall be chosen by the caregiver(s) according to the following order: shall be with a licensed or registered child care provider.

1. Gold Seal accredited child care providers or providers participating in a quality rating system;



2. Licensed child care providers;

3. Public school providers;

4. License exempt child care providers, including religious exempt, registered, and non-public schools. These providers must be participating in the school readiness program through the local early learning coalition with a licensed or registered child care provider.

If there is no available Gold Seal accredited child care provider or space for the child at the Gold Seal provider, then the caregiver shall chose a licensed child care provider. If a licensed child care provider has no availability, the caregiver shall chose a public school provider. If there is no availability at a public school provider, the caregiver shall chose a license exempt child care provider per subparagraph 65C-13.030(2)(d)4., F.A.C. The cost of child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable.

(3) Physical Environment.

(a) The home shall be inspected by a licensing specialist who has been trained by the state or local health department to conduct such inspections. The home must ~~representative of the environmental health office of the local public health department and~~ receive a satisfactory inspection result for water supply, food holding temperature, plumbing, vermin and vector control, sewage, and garbage and rubbish disposal, prior to initial licensing and annually prior to re-licensing.

1. through 5. No change.

(b) No change.

~~(c)(b)~~ Outdoor Area. No change.

~~(d)(e)~~ Water Safety and Supervision. No change.

~~(e)(d)~~ In Ground Swimming Pools.

1. Swimming pools shall have a barrier on all sides at least four feet high. The barrier may consist of the house plus a fence on the remaining sides or fence enclosing the pool. ~~If a wall of a dwelling serves as part of the barrier, it must not contain any door or window that opens to provide access to the swimming pool.~~

2. through 3. No change.

4. Swimming pools, in ground and above ground, shall be equipped with one of the following life saving devices: ring buoy; rescue tube; flotation device with a rope; or a shepherd's hook of sufficient length to cover the area.

~~(f)(e)~~ Above Ground Pools.

1. through 3. No change.

~~4.6-~~ Hot tubs and spas not adjoined to an in ground pool shall be required to have a safety cover that is locked when not in use.

~~(g)(f)~~ Other Bodies of Water.

1. through 2. No change.

~~(h)(g)~~ Interior Environment.

1. through 3. No change.

4. The door of each bathroom shall have a lock ~~that may be opened from the outside in an emergency.~~

5. through 10. No change.

11. No change.

~~(i)(h)~~ Sleeping Arrangements.

1. through 4. No change.

5. Bunk beds shall be safe and sturdy. Bunk beds shall be equipped with safety rails on the upper tier for a child under the age of ten or for any child whose physical, mental, or emotional condition indicates the need for such protection. Beds bunked higher than two tiers must have a manufacturer sticker of safety and must not be placed under or near ceiling fans. Children five years old and younger may not sleep on the third tier of a three tiered bunk bed. Beds shall not be bunked higher than two tiers.

6. through 14. No change.

~~(j)(i)~~ Family Foster Home Safety.

1. through 5. No change.

6. Storage of guns shall comply with the requirements of CF-FSP 5343, Acknowledgement of Firearms Safety Requirements, effective February ~~2013~~ 2012, which is hereby incorporated by reference and available online at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/). A copy of the form is also available upon request by contacting the Office of Family Safety at 1317 Winewood Boulevard, Tallahassee, Florida 32399. ~~If an agency receives a public records request after the promulgation of this rule, identifying information such as number of guns owned, or place of storage of guns, must be redacted.~~

7. No change.

~~(k)(j)~~ Fire Safety.

1. through 6. No change.

7. through 10. No change.

~~(l)(k)~~ Transportation Safety.

1. through 3. No change.

4. The licensed out-of-home caregiver shall not transport children in vehicles such as truck beds, motorcycles, or any other high-risk method of transportation. The licensed out-of-home caregiver shall follow Chapter 316, F.S., related to transportation of children.

~~(m)(l)~~ Disaster Plans.

1. through 2. No change.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 4-6-08, Amended 7-21-10,\_\_\_\_\_.

65C-13.031 Terms of a License.

(1) through (11) No change.

(12) Record Confidentiality. Any information made confidential by Section 409.175, F.S., shall be exempt from release unless otherwise ordered by the court. This confidentiality and exemption also applies to records

maintained by community-based care providers acting as contractors for the department pursuant to Section 119.011, F.S.

(13) File Retention.

(a) 1. through 2. No change.

3. Waivers and exceptions; and

4. Other additional documentation obtained regarding the licensed home.

(b) through (f) No change.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended\_\_\_\_\_.

65C-13.032 Over-Capacity Assessments and Exceptions Waivers.

(1) through (3) No change.

(4) Over-Capacity Exception Waiver and Age Differential Approvals.

(a) Written approval of the exception waiver shall be obtained prior to placement when the licensed capacity and recommended ages of children are exceeded. The exception waiver shall be approved by the supervisor in writing or via electronic method and shall be approved personally and in writing the next business day by the Regional Managing Director Administrator or the Chief Executive Officer for the Community-Based Care Lead Agency or their designee.

(b) No change.

(c) The approval for the over-capacity exception waiver shall automatically expire when the total number of children in the home is at or below the licensed capacity.

(d) No change.

(e) All child placements shall be recorded in the Florida Safe Families Network by the supervising agency within forty-eight hours of placement. When such a placement causes a home to exceed a total of five children, the approval shall be recorded on the provider licensing screen.

Rulemaking Authority 409.175 FS. Law Implemented 409.175(3)(a), 409.175(3)(b)-(c), 409.175(5)(a)4., ~~409.175(5)(b)~~ FS. History—New 4-6-08, Amended\_\_\_\_\_.

65C-13.033 Babysitting, Overnight Care, Extended Overnight Care and Other Supervision Arrangements.

(1) No change.

~~(2) All respite care providers shall be furnished with written information on the children in their care including:~~

~~(a) Telephone numbers for the services worker in case of an emergency;~~

~~(b) Medical authorization and instructions on seeking medical care;~~

~~(c) Medications, instructions for administering, and the log for recording proper administration of the medications;~~

~~(d) Physician's name and telephone number;~~

~~(e) School;~~

~~(f) Medicaid number; and~~

~~(g) Medical, physical or behavioral concerns.~~

~~(2)(3)~~ A licensed out-of-home caregiver is entitled to paid respite. Six hours or more shall constitute a paid respite day. Each licensed out-of-home caregiver may receive up to is entitled to a minimum of twelve paid respite days per year.

~~(3)(6)~~ No change.

(4) No change.

~~(5)(7)~~ Extended Other overnight care.

(a) Families ~~shall should be expected to~~ take children in their care on family vacations and trips whenever possible.

(b) The following procedures apply when the parent must be absent for more than 48 hours overnight and the child cannot reasonably accompany them:-

1. Foster parents will be allowed to select families or individuals who are well known to them to care for the children in their absence.

2. Except in emergency circumstances, the adults in these families must have criminal and child abuse background checks, including finger printing. In emergency circumstances, the CBC or designee will perform a local criminal abuse background check and a child abuse background check within 24 hours of the family or individual taking responsibility for the child(ren). A full background screening will be initiated the next business day. Foster parents are strongly encouraged to identify and screen multiple persons to provide care in emergency situations. Such persons shall be recorded in the Unified Home Study module in Florida Safe Families Network.

3. The foster parent will certify to the CBC or CBC designee that the home is safe and free from hazards considering the age, maturity and developmental level unique circumstances of the child.

4. The CBC shall develop a process for approving these supervision arrangements and the case manager will be informed of the arrangements.

~~(6)(8)~~ No change.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended\_\_\_\_\_.

65C-13.034 Foster Care Referrals and Investigations.

(1) The Regional Licensing Authority maintains responsibility for ensuring appropriate follow-up actions are taken on all foster care referrals and investigations. The supervising agency shall ensure that all licensed out-of-home caregivers are notified of foster care referrals. Licensed out-of-home caregivers shall be notified of investigations by the child protective investigator.

(2) The Regional Licensing Authority, lead agency and supervising agency have the right to inspect the entire premises of the licensed out-of-home caregiver at any time.

(3) Foster Care Referrals. Upon receipt of a foster care referral by the child protection investigation unit, the foster care referral shall be immediately forwarded to the appropriate licensing staff. If the foster care referral is regarding a family foster home, the referral shall be immediately forwarded by the child protection investigator to the supervising agency. ~~If the foster care referral is regarding a residential group home, the foster care referral shall be immediately forwarded by the child protection investigator to the regional licensing authority.~~ The licensing staff receiving the foster care referral shall:

(a) Respond to the foster care referral and document any needed actions within ~~forty-eight~~ twenty-four hours.

(b) The supervising agency shall prepare a written corrective action plan to correct the deficiencies that are a result of a foster care referral. ~~If licensing violations are found which do not pose an immediate threat to the health, safety or well-being of the child, the supervising agency shall prepare a written corrective action plan to correct the deficiencies.~~ The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

(c) If there are concerns regarding abuse or neglect, a call shall be made to the Abuse Hotline. The Abuse Hotline staff shall immediately notify the placement unit, or on-call placement unit if after hours.

(4) Investigations. When the supervising agency is notified of an investigation, a staffing shall be coordinated according to local protocol. If licensing violations are found which do not pose an immediate threat to the health, safety or well-being of the child, the supervising agency ~~or regional licensing authority~~ shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency ~~or regional licensing authority~~ in conjunction with the licensed ~~licenses~~ out-of-home caregivers ~~or residential group home managers~~ and shall be approved by the Regional Licensing Authority.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History—New 4-6-08, Amended \_\_\_\_\_.

65C-13.035 Administrative Actions, Appeals and Closures.

(1) General Information. All licensing action negatively impacting an out-of-home caregiver, including a denial, suspension or revocation, is subject to the procedures set forth in Section 120.60, F.S. The department is the Regional Licensing Authority for all family foster homes and has final authority for approval, denial or suspension of any license.

(a) The denial, revocation, or suspension of a license shall promptly be recorded in the Florida Safe Families Network by the supervising agency.

(b) The Regional Licensing Authority shall notify the lead agency and supervising agency immediately of negative action taken regarding a license.

(2) No change.

(a)1.through 7. No change.

(a)8. All documentation shall be reviewed with the department’s legal counsel. The notice of revocation or denial shall not be sent to the out-of-home caregiver without approval of both the department’s legal counsel and the Regional Licensing Authority.

(3) No change.

(a) The Regional Licensing Authority shall have ninety days following receipt of a complete application packet to grant or deny the application in accordance with Section 120.60, F.S.

(b) No change.

(c) If the applicant does not withdraw the application, the supervising agency shall provide to the Regional Licensing Authority sufficient information to support the recommendation of the denial. When the Regional Licensing Authority determines that the license should be denied, they shall notify the applicant in writing within ten working days of the decision, identifying the reasons for the denial, the statutory authority for the denial and the applicant’s right of appeal pursuant to Chapter 120, F.S.

(4)(a) No change.

(b) If licensing violations are found which do not pose an immediate threat to the health, safety or welfare of the children, the supervising agency shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

(c) No change.

(d) Corrective action plans are created for licensed out-of-home caregivers who have the ability to understand and correct the infraction. Corrective action plans are not created for licensed out-of-home caregivers who have previously committed licensing violations and were unable to benefit from remedial efforts ~~developed a pattern of deficiencies that has not been rectified by prior attempts at corrective action.~~ In these cases, the supervising agency shall work with the licensing authority, the department’s legal counsel and lead agency to determine whether action should be taken to suspend, deny or revoke the license.

(e) through (f) No change.

(g) If the licensed out-of-home caregiver disagrees with the supervising agency’s recommendation, he or she may still request renewal of the license. The supervising agency shall accept the application and refer the licensed out-of-home

caregiver’s file to the Regional Licensing Authority with a recommendation for denial.

- (h) No change.
- (5)(a) through (d) No change.

Rulemaking Authority 409.175 FS. Law Implemented 409.175 FS. History--New 4-6-08, Amended\_\_\_\_\_.

**Incorporated Documents** The following forms, incorporated by reference, have been amended due to substantive changes. The summary of those changes are as follows:

**CF – 1649**

The requirements concerning mental health personnel is being removed from this form; for the purposes of the Office of Child Welfare, CF – 1649 is completed by perspective foster and adoptive families not mental health personnel.

**CF – FSP 5087**

The quote from section 39.205, F.S., is being removed from this form because the statute cited as authority for the rules which incorporate the form by reference does not authorize the Department to adopt rules to implement section 39.205, F.S.

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**Section IV  
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sierra Grande Bldg. 6. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-230).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 12, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Friendship Missionary Baptist Church. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-223).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 12, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Streamsong Resort (2). Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-225).

A copy of the Petition for Variance or Waiver 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

NOTICE IS HEREBY GIVEN that on July 12, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Streamsong Resort (1). Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.10.2.1 and 2.4.7.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators folding car top handrail which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-224).

A copy of the Petition for Variance or Waiver 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 July 17, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Ramada Hotel I-Drive, filed June 27, 2013, and advertised on July 8, 2013 in Vol. 39, No. 130, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4.2(a) ASME A17.1, 2007 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires a minimum clearance of 84 inches in the machine space within the machine room 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 (VW2013-211).

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 July 17, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Cranes View Lodge, filed June 27, 2013, and advertised on July 1, 2013 in Vol. 39, No. 127, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-210).

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 July 17, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Ivy Apartments, filed June 26, 2013, and advertised on July 1, 2013 in Vol. 39, No. 127, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-209).

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 July 17, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Shepard's Beach Resort New Guestroom Tower (3), filed June 26, 2013, and advertised on July 1, 2013 in Vol. 39, No. 127, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-208).

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 July 17, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from Windermere Prep/Athletic Bldg., filed June 26, 2013, and advertised on July 1, 2013 in Vol. 39, No. 127, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-207).

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 July 17, 2013, the Department issued a Final Order that was in response to a Petition for Variance from Renaissance Orlando at Seaworld, filed June 24, 2013, and advertised on June 27, 2013 in Vol. 39, No. 125, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has not demonstrated that the purpose of the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-202).

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

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sierra Grande Bldg. 2. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-226).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

A copy of the Petition for Variance or Waiver 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

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sierra Grande Bldg. 3. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-227).

A copy of the Petition for Variance or Waiver 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

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sierra Grande Bldg. 5. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-229).

A copy of the Petition for Variance or Waiver 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

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sierra Grande Bldg. 4. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-228).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ocean Parks Building "A". Petitioner seeks a temporary variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-231).

A copy of the Petition for Variance or Waiver 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

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ocean Parks Building "B". Petitioner seeks a temporary variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-232).

A copy of the Petition for Variance or Waiver 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

NOTICE IS HEREBY GIVEN that on July 15, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ocean Parks Building "E". Petitioner seeks a temporary variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-233).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.013 Construction Materials and Standards for Treatment Receptacles

The Department of Health hereby gives notice:

Petitioner 's Name: Bruce Stowe, representing Roth Global Plastics, Inc.

Date Petition Filed: June 17, 2013

Paragraph 64E-6.013(2)(a)

Nature of the rule for which variance or waiver is sought: The rule requires all receptacle stiffening members such as ribs to be a homogenous integral part of the structure.

Date Petition Published in the Florida Administrative Register: June 18, 2013.

General Basis for Agency Decision: The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of section 120.542(2), Florida Statutes, the Department granted with conditions Petitioner's request for an emergency waiver.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.055 Job Functions and Staff Qualifications

NOTICE IS HEREBY GIVEN that on June 25, 2013, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Panama Youth Services and Levan Darthard. Subsection 65C-14.055(4), F.A.C., requires staff responsible for the supervision, evaluation and monitoring of the direct care staff shall have a bachelor's degree in social work or related area of study from a college and 4 years of experience in working with children.

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.

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 July 5, 2013, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Youth and Family Alternatives, Inc. and Rose Anne Tesa. Subsection 65C-15.017(3), F.A.C., requires staff performing casework services shall have a bachelor's degree in social work or related area of study from an accredited college or university.

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.

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 July 1, 2013, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Youth and Family Alternatives, Inc. and Lisset Greene. Subsection 65C-15.017(3), F.A.C., requires staff performing casework services shall have a bachelor's degree in social work or related area of study from an accredited college or university.

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.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:RULE TITLES:

- 5B-54.001 Definitions
- 5B-54.002 Purpose
- 5B-54.003 Regulated Honeybee Pests
- 5B-54.004 Unwanted Races of Honeybees
- 5B-54.005 Regulated Articles
- 5B-54.006 Movement of Regulated Articles
- 5B-54.010 Registration with the Department
- 5B-54.011 Apiary Inspection Procedures
- 5B-54.0115 Special Inspection and Certification Fees
- 5B-54.012 Apiary Inspection Conditions
- 5B-54.013 Identification of Ownership of Honeybee Hives
- 5B-54.014 Issuance of Compliance Agreements and Certificates

5B-54.015 Special Inspection to Meet Requirements of Other States and for Export to Foreign Countries

5B-54.016 Interim Detention of Honeybees and Equipment

5B-54.017 Destruction or Treatment of Infested or Infected Hives

5B-54.0175 Irradiation of Beekeeping Equipment

5B-54.018 Compensation for Infested or Infected Colonies

5B-54.019 Procedures for Abandoned Apiaries

The Division of Plant Industry announces a hearing to which all persons are invited.

DATE AND TIME: July 30, 2013, 6:30 p.m. – 8:30 p.m.

PLACE: FDACS' DPI – Doyle Conner Building Auditorium located at 1911 SW 34<sup>th</sup> Street; Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chapter 5B-54 proposed changes, with emphasis on location of managed honeybee colonies (5B-54.0105) and compliance agreement provisions.

A copy of the agenda may be obtained by contacting: Richard Gaskalla, Division Director at email Richard.Gaskalla@FreshFromFlorida.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 two days before the workshop/meeting by contacting: Richard Gaskalla, Division Director at email Richard.Gaskalla@FreshFromFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Office of Early Learning announces a public meeting to which all persons are invited.

DATE AND TIME: July 26, 2013, 9:00 a.m.

PLACE: The Lottery Building Training Conference Room, 250 Marriott Drive, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orientation meeting of the School Readiness Funding Model Working Group.

Call-in Number: 1(888)670-3525; Participant Code: 836-086-9955

EXECUTIVE OFFICE OF THE GOVERNOR

The Correctional Medical Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 31, 2013, 1:00 p.m. – 4:00 p.m.

PLACE: The Capitol, Suite 2107, 400 South Monroe St., Tallahassee, FL 32399

Conference call: 1(888)670-3525 (Toll-free), Conference Code 7388172939#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Executive Director at (850)717-9500.

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: Executive Director at (850)717-9500. 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: Executive Director at (850)717-9500.

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**METROPOLITAN PLANNING ORGANIZATIONS**

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) announces public meetings to which all persons are invited.

DATE AND TIMES: July 25, 2013, 12:00 Noon – 3:00 p.m., Staff Director's Advisory Committee; 3:30 p.m. – 6:00 p.m., Governing Board

PLACE: Renaissance Fort Lauderdale Cruise Port Hotel, located at 1617 SE 17<sup>th</sup> Street, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting Brigitte Messina at [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org) or by phone (850)414-4037.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Brigitte Messina at [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org) or by phone (850)414-4037. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact Brigitte Messina at [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org) or by phone (850)414-4037.

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**METROPOLITAN PLANNING ORGANIZATIONS**

The Florida Metropolitan Planning Organization Advisory Council (MPOAC) Freight Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2013, 1:00 p.m. – 4:00 p.m.

PLACE: Renaissance Fort Lauderdale Cruise Port Hotel, located at 1617 SE 17<sup>th</sup> Street, Fort Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Freight related issues.

A copy of the agenda may be obtained by contacting: Brigitte Messina at [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org) or by phone (850)414-4037.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Brigitte Messina at [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org) or by phone (850)414-4037. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Brigitte Messina at [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org) or by phone (850)414-4037.

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**DEPARTMENT OF ELDER AFFAIRS**

Federal Aging Programs

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

DATE AND TIME: August 16, 2013, 9:30 a.m. – 11:30 a.m.

PLACE: Department of Elder Affairs, Room 225F, 4040 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 120.54(7)(b), Florida Statutes, the Department of Elder Affairs announces a public hearing to discuss a Petition to Initiate Rulemaking filed with the Department by Douglas D. Adkins. The petition asks the Department to initiate rulemaking to implement, interpret or prescribe policies regarding Section 429.28(1)(j), Florida Statutes, which states that every resident of an assisted living facility shall have the right to: "Access to adequate and appropriate healthcare consistent with established and recognized standards within the community."

A copy of the agenda may be obtained by contacting: Jason B. Nelson, Deputy General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, [nelsonj@elderaffairs.org](mailto:nelsonj@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 3 days before the workshop/meeting by contacting: Jason B. Nelson, Deputy General Counsel, Department of Elder Affairs, 4040 Esplanade Way,

Tallahassee, Florida 32399, nelsonj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jason B. Nelson, Deputy General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399, nelsonj@elderaffairs.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, August 13, 2013, 10:00 a.m. or soon thereafter

PLACE: Conference Call 1(888)670-3525, Conference Code 2938723619

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

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: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

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

DATES AND TIMES: Wednesday, August 14, 2013, 12:00 Noon; Thursday, August 15, 2013, 8:00 a.m.; Friday, August 16, 2013, 8:00 a.m. or soon thereafter

PLACE: The Ritz-Carlton Sarasota, 1111 Ritz-Carlton Drive, Sarasota, FL 34236

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

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

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: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "The Commission", Committee, Code Administration Technical Advisory Committee, jointly with the Fire Technical Advisory announces a public meeting to which all persons are invited.

DATE AND TIME: August 1, 2013, 10:30 a.m.

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only.

To join the online meeting (now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=229157872&UID=492507407&RT=MiMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To join the teleconference only

Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call:

Call-in toll-free number: 1(888)670-3525 (US); Attendee Access Code: 606 232 6940

Public point of access: Suite 90, 1940 North Monroe Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** These items to be considered jointly – discuss and recommend potential research topics, Consideration of Declaratory Statements DS 2013-031 and DS 2013-048, and other business for the Commission. This item to be considered separately by the Code Administration TAC – Review comments related to the 2013 Update to the Florida Building Code for the purpose of making recommendation(s) for consideration by the Commission during the Rule Development on Rule 61G20-1.001, F.A.C.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399 or call (850)487-1824. Website: [http://www.floridabuilding.org/fbc/meetings/1\\_meetings.htm](http://www.floridabuilding.org/fbc/meetings/1_meetings.htm). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or fax (850)414-8436, website: [www.floridabuilding.org](http://www.floridabuilding.org).

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DATE AND TIME:** July 19, 2013, 9:00 a.m. – 12:00 p.m. – CANCELLED

**PLACE:** Marathon Government Center, Board Meeting Room, 2798 Overseas Highway, Marathon, FL 33050

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The above meeting has been cancelled. A new notice will be published when the meeting is rescheduled.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection, Water Quality Assessment Program, announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, July 31, 2013, 1:00 p.m. – 3:00 p.m.

**PLACE:** Webinar: <https://www2.gotomeeting.com/register/690159906>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Florida Water Resources Monitoring Council Salinity Network Workgroup to discuss development of indices for groundwater levels and groundwater quality.

A copy of the agenda may be obtained by contacting: Ms. Lisa Van Houdt, Watershed Monitoring Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3525, Tallahassee, Florida 32399, email: [Lisa.VanHoudt@dep.state.fl.us](mailto:Lisa.VanHoudt@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Lisa Van Houdt at (850)245-8433 or [Lisa.VanHoudt@dep.state.fl.us](mailto:Lisa.VanHoudt@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DATE AND TIME:** July 26, 2013, 9:00 a.m. – 12:00 Noon

**PLACE:** Marathon Government Center, Board Meeting Room, 2798 Overseas Highway, Marathon, FL 33050

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the meeting is to update the members of the WQPP Canal Restoration Advisory Subcommittee on the progress of ongoing projects and to discuss future actions. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Gus Rios, Department of Environmental Protection, 2796 Overseas Highway, Suite 221, Marathon, FL 33050, (305)289-7081, [gus.rios@dep.state.fl.us](mailto:gus.rios@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gus Rios, Department of Environmental Protection, 2796 Overseas Highway, Suite 221, Marathon, FL 33050, (305)289-7081, [gus.rios@dep.state.fl.us](mailto:gus.rios@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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## DEPARTMENT OF HEALTH

## Board of Medicine

The Board of Medicine – Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 1, 2013, 8:00 a.m.

PLACE: Doubletree by Hilton Deerfield Beach/Boca Raton, 100 Fairway Drive, Deerfield Beach, FL 33441, Hotel phone # (954)427-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135.

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: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Chandra Prine at [chandra\\_prine@doh.state.fl.us](mailto:chandra_prine@doh.state.fl.us) or call (850)245-4135.

## DEPARTMENT OF HEALTH

## Board of Medicine

The Board of Medicine – Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 1, 2013, 1:30 p.m. or soon thereafter

PLACE: Doubletree by Hilton Deerfield Beach/Boca Raton, 100 Fairway Drive, Deerfield Beach, FL 33441, Hotel phone # (954)427-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Compliance Management Unit at (850)245-4268 for more information.

A copy of the agenda may be obtained by contacting: Shaila Washington at (850)245-4268 or by email at [MQA\\_MedicalComplianceOfficer@doh.state.fl.us](mailto:MQA_MedicalComplianceOfficer@doh.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 10 days before the workshop/meeting by contacting: Shaila Washington at (850)245-4268 or by email at [MQA\\_MedicalComplianceOfficer@doh.state.fl.us](mailto:MQA_MedicalComplianceOfficer@doh.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Shaila Washington at (850)245-4268 or by email at [MQA\\_MedicalComplianceOfficer@doh.state.fl.us](mailto:MQA_MedicalComplianceOfficer@doh.state.fl.us).

## DEPARTMENT OF HEALTH

## Board of Medicine

The Board of Medicine – Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 1, 2013, immediately following the Probation Committee

PLACE: Doubletree by Hilton Deerfield Beach/Boca Raton, 100 Fairway Drive, Deerfield Beach, FL 33441, Hotel phone # (954)427-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

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: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

#### DEPARTMENT OF HEALTH

##### Board of Medicine

The Board of Medicine – Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, August 1, 2013, immediately following the Rules/Legislative Committee

**PLACE:** Doubletree by Hilton Deerfield Beach/Boca Raton, 100 Fairway Drive, Deerfield Beach, FL 33441, Hotel phone # (954)427-7700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

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: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Crystal Sanford at [crystal\\_sanford@doh.state.fl.us](mailto:crystal_sanford@doh.state.fl.us) or call at (850)245-4131.

#### DEPARTMENT OF HEALTH

##### Board of Medicine

The Board of Medicine – Full Board Meeting announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, August 2, 2013, immediately following the Rule Hearing scheduled at 8:00 a.m.

**PLACE:** Doubletree by Hilton Deerfield Beach/Boca Raton, 100 Fairway Drive, Deerfield Beach, FL 33441, Hotel phone # (954)427-7700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at [www.FLBoardofMedicine.gov](http://www.FLBoardofMedicine.gov) for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Rebecca Hewett at [Rebecca\\_Hewett@doh.state.fl.us](mailto:Rebecca_Hewett@doh.state.fl.us) or call (850)245-4131, ext. 3517.

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: Rebecca Hewett at [Rebecca\\_Hewett@doh.state.fl.us](mailto:Rebecca_Hewett@doh.state.fl.us) or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Hewett at [Rebecca\\_Hewett@doh.state.fl.us](mailto:Rebecca_Hewett@doh.state.fl.us) or call (850)245-4131, ext. 3517.

#### DEPARTMENT OF HEALTH

##### Board of Pharmacy

The Florida Board of Pharmacy Probable Cause Panel announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, July 30, 2013, 10:30 a.m.

**PLACE:** Conference Call Number 1(888)670-3525, Conference Code 5134896685

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy at (850)245-4292.

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: The Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the

agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Florida Board of Pharmacy at (850)245-42942.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

The Florida Board of Pharmacy announces public meetings to which all persons are invited.

**DATES AND TIMES:** Tuesday, August 13, 2013, 1:00 p.m.; Wednesday, August 14, 2013, 9:00 a.m.

**PLACE:** Rosen Plaza Hotel, 9700 International Drive, Orlando, FL 32819, (407)996-9700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Board business.

A copy of the agenda may be obtained by contacting the Board of Pharmacy website: [http://doh.state.fl.us/mqa/pharmacy/ph\\_meeting.html](http://doh.state.fl.us/mqa/pharmacy/ph_meeting.html) under "Agendas and Notices" 7 days prior to the meeting date. You may also contact: The Florida Board of Pharmacy at (850)245-4292.

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: The Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Florida Board of Pharmacy, 4052 Bald Cypress Way, C-04, Tallahassee, FL 32399-3254, (850)245-4292.

**DEPARTMENT OF HEALTH**

**Office of Statewide Research**

**RULE NO.: RULE TITLE:**

64H-2.002 Institutional Review Board Applications

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

**DATE AND TIME:** August 7, 2013, 9:00 a.m. – 11:30 a.m.

**PLACE:** Capital Circle Office Complex, Building 2585, Conference Room 320P, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department's ethical standards.

A copy of the agenda may be obtained by contacting: Donna West, Assistant Administrator, Institutional Review Board, (850)245-4034.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Donna West, Assistant Administrator, Institutional Review Board (850)245-4034. 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: Donna West, Assistant Administrator, Institutional Review Board, (850)245-4034.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

**RULE NO.: RULE TITLE:**

65C-29.001 Definitions

65C-29.002 Reports of Child Abuse, Neglect or Abandonment

65C-29.003 Child Protective Investigations

65C-29.004 Institutional Child Protective Investigations

65C-29.005 Children Denied Shelter (Lockouts)

65C-29.006 Foster Care Referrals

65C-29.007 Child-on-Child Sexual Abuse

65C-29.008 Initial Health Care Assessment and Medical Examination of Children Alleged to be Abused, Neglect or Abandoned

65C-29.009 Criminal, Juvenile and Abuse/Neglect History Checks

65C-29.010 False Reports

65C-29.011 Out-of-Town Inquiries

65C-29.012 Transfer of Child Protective Investigations Within and Between Districts

65C-29.013 Reasonable Efforts to Locate

65C-29.014 High Risk Tracking and Review

65C-29.015 Pre-Arranged Private Interstate Placements Involving Drug-Exposed Newborns

The Department of Children and Families announces a hearing to which all persons are invited.

**DATE AND TIME:** August 8, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Department of Children and Families, 1317 Winewood Blvd, Tallahassee, Florida 32309, Building 1, Room 305

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Proposed rules move definitions related to child protective investigations from Chapter 65C-30, F.A.C., general Child Welfare Provisions to Chapter 65C-29, F.A.C and sets requirements for safety assessments and safety planning for immediate and long term safety of a child.

A copy of the agenda may be obtained by contacting: Eleese Davis, Department of Children and Families, 1317 Winewood Blvd, Tallahassee, Florida 32309, email: [eleese\\_davis@dcf.state.fl.us](mailto:eleese_davis@dcf.state.fl.us), telephone: (850)717-4650.

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: Eleese Davis, Department of Children and Families, 1317 Winewood Blvd, Tallahassee, Florida 32309, email: [eleese\\_davis@dcf.state.fl.us](mailto:eleese_davis@dcf.state.fl.us), telephone: (850)717-4650. 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 or to obtain the conference call number and code please contact: Eleese Davis, Department of Children and Families, 1317 Winewood Blvd, Tallahassee, Florida 32309, email: [eleese\\_davis@dcf.state.fl.us](mailto:eleese_davis@dcf.state.fl.us), telephone: (850)717-4650.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

The Florida Fish and Wildlife Conservation Commission announces a hearing to which all persons are invited.

DATE AND TIME: August 1, 2013, 7:00 p.m.

PLACE: Glades County Commission Chambers, 500 Ave J, Moore Haven, FL 33471

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Purpose: To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead Managed Portions of Fisheating Creek Wildlife Management Area (FCWMA).

This hearing is being held exclusively for discussion of the draft Fisheating Creek WMA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development go online to: [myfwc.com/about/rules-regulations/rule-changes/](http://myfwc.com/about/rules-regulations/rule-changes/) or call (850)487-1764.

A Management Prospectus for Fisheating Creek WMA and copy of the agenda is available upon request from the Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning Group, 620 South Meridian Street,

Tallahassee, Florida 32399-1600, Telephone: (850)487-9982 or (850)487-7063 or by email at [Diana.Kilgore@myfwc.com](mailto:Diana.Kilgore@myfwc.com).

A copy of the agenda may be obtained by contacting: Diana Kilgore, (850)487-7063.

**FLORIDA ASSOCIATION OF COURT CLERKS**

The Florida Local Government Investment Trust announces a public meeting to which all persons are invited.

DATE AND TIME: July 26, 2013, 10:30 a.m.

PLACE: The Renaissance Orlando Hotel Airport located at 5445 Forbes Place, Orlando, Florida 32812

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

General Administrative Matters.

A copy of the agenda may be obtained by contacting: Bryant Gries at [bgries@flclerks.com](mailto:bgries@flclerks.com).

For more information, you may contact: Bryant Gries at [bgries@flclerks.com](mailto:bgries@flclerks.com).

**NORTHWEST FLORIDA TRANSPORTATION CORRIDOR AUTHORITY**

The Northwest Florida Transportation Corridor Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 25, 2013, 10:00 a.m. CST

PLACE: Panama City Hall, Commission Chambers, 9 Harrison Avenue, Panama City, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Board meeting.

A copy of the agenda may be obtained by contacting: Alicia Stephen at (850)429-8905 or [alicia.stephen@hdrinc.com](mailto:alicia.stephen@hdrinc.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Alicia Stephen at (850) 429-8905 or [alicia.stephen@hdrinc.com](mailto:alicia.stephen@hdrinc.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Alicia Stephen at (850)429-8905 or [alicia.stephen@hdrinc.com](mailto:alicia.stephen@hdrinc.com).

**QCAUSA**

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 31, 2013, 5:00 p.m. – 8:00 p.m.

PLACE: Sunshine Travel RV Resort, 9455 108<sup>th</sup> Avenue, Vero Beach, Florida 32967

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No. 413049-2-52-01.

Open House for I-95 Widening, from just north of State Road 60 to the Indian River/Brevard County Line.



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: Steve Carlson at (772)226-7154. 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: Either Dale Walker, the FDOT Project Manager at (772)489-7079 or email at Dale.Walker@dot.state.fl.us and/or Steve Carlson, Public Information Officer at (772)226-7154 or e-mail at I95projectinfo@gbfinc.net.

Additional information on the project is available at www.d4fdot.com.

**Section VI**

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

NONE

**Section VIII**

**Notice of Petitions and Dispositions Regarding the Validity of Rules**

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

NONE

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

NONE

**Section IX**

**Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges**

NONE

**Section X**

**Announcements and Objection Reports of the Joint Administrative Procedures Committee**

NONE

**Section XI**

**Notices Regarding Bids, Proposals and Purchasing**

**DEPARTMENT OF TRANSPORTATION**

**NOTICE TO CONTRACTORS**

Bids will be received until 11:00 a.m. on Thursday, August 29, 2013 at the District Six, Adam Leigh Cann Building for the following projects:

E6I70-Fixed Capital Outlay – A contract requested for Florida Department of Transportation (FDOT) North Dade Yard Facility drainage improvements at 1773 NE 205<sup>th</sup> Street, North Miami Beach, in Miami-Dade County.

Complete letting advertisement information for these projects is available on our website at <http://www.dot.state.fl.us/contractsadministrationdistrict6/> or by calling (305)470-5404.

**HILLSBOROUGH COUNTY AVIATION AUTHORITY**

HCAA RFQ Solicitation No. 13-411-040 Project Nos. 1100 13, 1105 14 and 8700 14

ConRAC and APM – Design and Construction

**HILLSBOROUGH COUNTY AVIATION AUTHORITY (AUTHORITY)**

Request for Qualifications

Solicitation Number 13-411-040

Project Numbers 1100 13, 1105 14 and 8700 14

Sealed qualifications for the Consolidated Rental Car Facility and Automated People Mover system will be received from design-build firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administrative Building, Second Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at [www.tampaairport.com](http://www.tampaairport.com), Airport Business, Active Solicitations.

**Section XII**

**Miscellaneous**

**INWOOD CONSULTING ENGINEERS, INC.**

Notice of Opportunity for a Public Hearing

The Florida Department of Transportation (FDOT) announces an opportunity for a public hearing.

PURPOSE: Notice is hereby given that interested persons may request a location and design concept public hearing for:

Project Name: State Road (SR) 710

Project Limits: SR 710 from SR 70 to CR 714 and extension of SR 710 from US 441 to SR 70.

Counties: Okeechobee and Martin

Financial Project ID Number: 419334-2-22-01

Federal Project ID Number: N/A

Project Description: The project study area includes the widening and extension of SR 710 from United States Highway (US) 441 in Okeechobee County to County Road (CR) 714 (SW Martin Highway) in Martin County, a distance of approximately 14 miles. The study evaluated the proposed widening of SR 710 between SR 70 and CR 714 from two to four lanes and a new four lane extension of SR 710 from US 441 to SR 70.

FDOT is finalizing the SR 710 Project Development and Environment (PD&E) Study. A public hearing was held on Wednesday, January 30, 2013 in the Okeechobee KOA Convention Center located at 4276 US 441 South, Okeechobee, Florida. The public hearing presentation, full transcript, displays and draft documents are available for review on the project Web site at [www.sr710-okeechobee.com](http://www.sr710-okeechobee.com).

A newspaper advertisement that was intended to announce the public hearing did not run as planned in the *Okeechobee News* on January 9, 2013 and January 23, 2013. The purpose of this advertisement is to announce the opportunity for people who were not aware of the hearing to provide input and/or to request a location and design concept public hearing.

The proposed improvements to SR 710 require a narrow strip of land from property owned by the South Florida Water Management District (SFWMD) adjacent to the L-63N Canal and the National Register of Historic Places eligible Seaboard Air Line Railroad linear historic district owned by CSX. As part of the project development process and in accordance with Section 4(f) of the Department of Transportation Act of

1966, FDOT is seeking comments from the public concerning the effects of the project on the activities, features and attributes of these resources. The Federal Highway Administration intends to make a *de minimis* impact determination on both of these resources.

Right-of-way acquisition is proposed for the build alternatives. Potential encroachments on wetlands and floodplains have been identified as a result of the study and may be given special consideration under Executive Orders 11990 and 11988, Protection of Wetlands and Floodplain Management, respectively.

Persons interested in this project may review the draft project reports and conceptual plans from July 18, 2013 through August 8, 2013 at two locations. One is the Okeechobee County Public Library, 206 SW 16<sup>th</sup> Street, Okeechobee. The second is the FDOT, District One Headquarters, 801 North Broadway Avenue, Bartow.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. People who require special accommodations under the Americans with Disabilities Act or people who require translation services (free of charge) should contact Mr. Jeffrey James. He may be reached at (863)519-2625 or by email at [jeffreyw.james@dot.state.fl.us](mailto:jeffreyw.james@dot.state.fl.us).

Persons interested in requesting a location and design concept public hearing should submit a request in writing to: Florida Department of Transportation, Mr. Jeffrey James, FDOT Project Manager, P. O. Box 1249, Bartow, FL 33831, (863)519-2625, [jeffreyw.james@dot.state.fl.us](mailto:jeffreyw.james@dot.state.fl.us). The request should be postmarked by August 8, 2013.

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

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

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