

Section I
 Notice of Development of Proposed Rules
 and Negotiated Rulemaking

NONE

Section II
 Proposed Rules

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.450
 RULE TITLE: Centralized Prescription Filling, Delivering and Returning

PURPOSE AND EFFECT: The board proposed the rule amendment to reorganize the existing language, remove duplicative language, use consistent terms for central fill pharmacies, and refers to Class II institutional pharmacies in addition to community pharmacies.

SUMMARY: The proposed rule amendments are necessary to reorganize the existing language, remove duplicative language, use consistent terms for central fill pharmacies; refers to Class II institutional pharmacies in addition to community pharmacies as it pertains to centralized prescription filling, delivering and returning.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 465.005, 465.0265 FS.
 LAW IMPLEMENTED: 465.003(16), 465.0265 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.450 Centralized Prescription Filling, Delivering, and Returning.

(1) As used herein:

(a) The term “originating pharmacy” means a permitted community or Class II institutional pharmacy wherein the prescription which will be filled by the central fill pharmacy is initially presented; and

(b) The term “central fill pharmacy” means a permitted community or Class II institutional pharmacy which performs centralized prescription filling, delivering, and returning for one or more originating pharmacies.

(2) Pharmacies acting as the central fill pharmacy must: ~~be authorized to dispense medications under the provisions of Chapter 465, F.S., and the rules promulgated thereto.~~

(a) Be authorized to dispense medications under the provisions of Chapter 465, F.S., and the rules promulgated thereto, and;

(b) Have the same owner as the originating pharmacy or have a written contract specifying the services to be provided by each pharmacy, the responsibilities of each pharmacy, and the manner in which the pharmacies will comply with federal and state laws, rules, and regulations.

~~(3) A community pharmacy which acts as the central fill pharmacy and which notifies the Board that its pharmacy practice is limited only to such practice shall be exempt from the following rules:~~

~~(a) Rule 64B16-28.1035, F.A.C., Patient Consultation Area;~~

~~(b) The signage requirement of subsection 64B16-28.109(1), F.A.C.; and~~

~~(c) Rule 64B16-28.1081, F.A.C., Regulation of Daily Operating Hours.~~

(3)(4) All central fill and originating pharmacies engaged in centralized prescription filling shall create and keep current a Policy and Procedure Manual which shall:

(a) No change.

(b) Include the information required by subsections in Sections 465.0265(2)(a)-(f), F.S.;

(c) Designate the types of medications that may and may not be filled by the central fill pharmacy;

(d) Set forth procedures for communicating orders from the originating pharmacy to the central fill pharmacy;

(e) Set forth procedures for securely transporting the filled prescriptions from the central fill pharmacy to the originating pharmacy; and

(f) Designate the specific services provided and the duties and responsibilities of the central fill and originating pharmacies.

~~(e) Each pharmacist that performs a specific function within the processing of the prescription shall be responsible for any errors or omissions committed by that pharmacist during the performance of that specific function.~~

~~(4)(6) The central fill supplying and originating receiving pharmacy shall each be identified on the prescription container label. The originating receiving pharmacy shall be identified with pharmacy name and address. The central fill supplying pharmacy may be identified by a code available at the originating receiving pharmacy. Prescription and labeling requirements for pharmacies participating in central prescription filling, delivering, and returning:~~

~~(a) No change.~~

~~(b) The central fill pharmacy receiving the transmitted prescription must:~~

~~1. through 3. No change.~~

~~4. A central fill pharmacy's pharmacist filling a written or emergency oral prescription for a controlled substance listed in Schedule II shall affix to the package a label showing the date of filling, the originating receiving pharmacy's name and address, a unique identifier (e.g., i.e. the central fill supplying pharmacy's DEA registration number) indicating the prescription was filled at the central fill pharmacy, the serial number of the prescription, the name of the patient, the name of the prescribing practitioner, and directions for use and cautionary statements, if any, contained in such prescription or required by law.~~

~~(5) Delivery of medications. All deliveries Delivery of medications from the central fill pharmacy to the originating pharmacy or to the ultimate consumer must be made in a timely manner. The originating and central fill pharmacies shall each be identified on the prescription container.~~

~~(a) Delivery by central fill pharmacy to ultimate consumer. A community central fill pharmacy may deliver medications for an originating pharmacy to the ultimate consumer or the consumer's agent under the following additional conditions:~~

~~1. The pharmacies are under the same ownership or have a written contract specifying the services to be provided by~~

~~each pharmacy, including delivery services to the ultimate consumer or the consumer's agent the responsibilities of each pharmacy, and the manner in which each pharmacy will comply with federal and state laws, rules and regulations.~~

~~2. through 3. No change.~~

~~4. The pharmacies shall each be identified on the prescription container label. The originating pharmacy shall be identified with pharmacy name and address. The central fill pharmacy may be identified by a code available at the originating pharmacy.~~

~~4.5. The central fill pharmacy shall only deliver via carrier to the ultimate consumer or the consumer's agent those medications which could have been delivered via carrier by the originating pharmacy.~~

~~5.6. The central fill pharmacy shall not deliver to the ultimate consumer or consumer's agent substances listed as controlled substances under Chapter 893, F.S.~~

~~(b) The delivery of a filled prescription by a community central fill pharmacy to the ultimate consumer or the consumer's agent pursuant to a contract with an originating pharmacy shall not be considered dispensing within the definition set forth in Section 465.003(6), F.S.~~

~~(c) A Class II institutional central fill pharmacy may only deliver medications to the originating pharmacy.~~

~~(6)(e) Each pharmacist that performs a specific function within the processing of a central fill the prescription shall be responsible for any errors or omissions committed by that pharmacist during the performance of that specific function.~~

~~(7) A community pharmacy which acts as the central fill pharmacy and which notifies the Board that its pharmacy practice is limited only to such practice shall be exempt from the following rules:~~

~~(a) Rule 64B16-28.1035, F.A.C., Patient Consultation Area;~~

~~(b) The signage requirement of subsection 64B16-28.109(1), F.A.C.; and~~

~~(c) Rule 64B16-28.1081, F.A.C., Regulation of Daily Operating Hours.~~

~~Rulemaking Specific Authority 465.005, 465.0265 FS. Law Implemented 465.003(16), 465.0265 FS. History--New 9-23-03, Amended 7-27-04, 4-28-08,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 6, 2013

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-28.901 Nuclear Pharmacy – General Requirements

PURPOSE AND EFFECT: The board proposes the rule development to update and correct the terminology and labeling requirements for nuclear pharmacies.

SUMMARY: The proposed rule amendments are necessary to update and correct the terminology and labeling requirements for nuclear pharmacies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 465.005, 456.022 FS.

LAW IMPLEMENTED: 465.003(14), 465.0126, 465.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.901 Nuclear Pharmacy – General Requirements.

(1) through (7) No change.

(8) A nuclear pharmacist upon receiving an oral prescription order for a radiopharmaceutical shall immediately have the prescription order reduced to writing. The pharmacist may delegate this duty to a registered pharmacy technician only as authorized by Rule 64B16-27.410, F.A.C. The prescription order shall contain at least the following:

(a) No change.

(b) The date of distribution and the time of calibration administration of the radiopharmaceutical;

(c) through (e) No change.

~~(f) The serial number assigned to the prescription order for the radiopharmaceutical;~~

~~(f)(g)~~ Any specific instructions; and

~~(g)(h)~~ The initials of the person who received the prescription order.

~~(h)(i)~~ The patient’s name must be obtained and recorded prior to dispensing, if the prescription order is for a therapeutic or blood product radiopharmaceutical.

(9) The immediate outer container shield of a radiopharmaceutical to be dispensed shall be labeled with:

(a) through (m) No change.

(n) Molybdenum 99 content to USP limits, applies only to Tc 99m ~~TC 99M~~ products; and

(o) The name of the patient for therapeutic or blood-product radiopharmaceuticals or the words “Physician’s Use Only” for diagnostic radiopharmaceuticals ~~in the absence of a patient name~~. If the prescription order is for a therapeutic or blood-product radiopharmaceutical, the patient’s name must be obtained and recorded prior to dispensing. The requirements of this subsection shall be met when the name of the patient is readily retrievable from the physician upon demand.

(p) No change.

(10) No change.

Rulemaking Authority 465.005, 465.022 FS. Law Implemented 465.003(14), 465.0126, 465.014 FS. History–New 1-7-76, Formerly 21S-3.03, Amended 12-11-86, 4-4-88, Formerly 21S-3.003, 21S-28.901, 61F10-28.901, Amended 2-26-95, Formerly 59X-28.901, Amended 4-5-05, 1-1-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 6, 2013

DEPARTMENT OF HEALTH**Board of Pharmacy**

RULE NO.: RULE TITLE:
64B16-30.001 Disciplinary Guidelines; Range of Penalties;
Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes rule amendments to clarify language, to update existing penalties and to set forth additional violations and appropriate penalties. SUMMARY: The proposed rule amendments are necessary to clarify language, to update existing penalties, and to set forth additional violations and appropriate penalties in regard to disciplinary guidelines.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.072, 456.079, 465.005 FS.

LAW IMPLEMENTED: 456.072, 456.079 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B16-30.001 follows. See Florida Administrative Code for present text.)

64B16-30.001 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) The board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon licensees guilty of violating Chapter 465 or Section 828.055, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 465 or Section 828.055, F.S. The term license means any permit, registration, certificate, or license, including a provisional license, issued by the Department. Penalty ranges are shown as minimum and maximum guidelines as well as for first time single count violations and for multiple or repeated violations of the same provision of Chapter 465, F.S., or the rules promulgated thereto. If an actual range of penalties is not provided, the listed penalty shall be the guideline penalty for the violation(s) unless aggravating or mitigating factors are shown. All penalties at the upper range of the sanctions set forth in the guidelines, e.g., suspension, revocation, etc., include lesser penalties, e.g., fine, continuing education, probation, or reprimand, which may be included in the final penalty at the board's discretion. Probation may be subject to conditions, including restriction from practice in certain settings, restricting the licensee to working only under designated conditions or in certain settings, requiring continuing or remedial education, or any other restriction found to be necessary for the protection of the public health, safety, and welfare. In addition to any other discipline imposed under these guidelines, the board shall assess costs relating to the investigation and prosecution of the case.

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

PENALTY RANGE

VIOLATION

MINIMUM, INCLUDING FIRST TIME OR SINGLE COUNT VIOLATIONS

MAXIMUM, INCLUDING MULTIPLE OR REPEATED VIOLATIONS OF THE SAME PROVISION

(a) Obtaining a license or permit by misrepresentation, fraud, or error (Section 465.016(1)(a), F.S.) (Section 465.023(1)(a), F.S.)

1. By negligent misrepresentation on original application or renewal

\$1,000 fine and 12 hour Laws and Rules course or MPJE and 3 hour ethics course

\$5,000 fine and one (1) year suspension, to Revocation

2. By fraudulent misrepresentation on original application or renewal

\$10,000 fine for each count and Revocation

\$10,000 fine for each count and Revocation

3. By error of the Department or Board on original application or renewal

Revocation

Revocation

(b) Procuring or attempting to procure a license or permit for another person by false representation. (Section 465.016(1)(b), F.S.) (Section 465.023(1)(b), F.S.)

\$10,000 fine for each count and Revocation

\$10,000 fine for each count and Revocation

(c) Permitting any unlicensed persons, including owner or operator of pharmacy, to practice pharmacy. (Section 465.016(1)(c), F.S.)

\$2,500 fine and 12 hour Laws & Rules course or Multistate Pharmacy Jurisprudence Exam (MPJE)

\$5,000 to \$10,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation

(d) Being unfit or incompetent to practice pharmacy by reason of habitual intoxication, medicinal drug abuse, or physical or mental condition that threatens public safety. (Section 465.016(1)(d), (m), F.S.)

\$250 fine, indefinite suspension with PRN review and board appearance

Revocation

(e) Violating laws governing the practice of pharmacy. (Section 465.016(1)(e), F.S.) (Section 465.023(1)(c), F.S.)

1. Chapter 465, F.S.:

<p><u>a. Failure to supervise registered pharmacy technician.</u> (Section 465.014, F.S.)</p>	<p><u>\$250 fine and one (1) year probation and 12 hour Laws and Rules course or MPJE</u></p>	<p><u>\$1000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u></p>
<p><u>b. Operating a pharmacy that is not registered.</u> (Section 465.015(1)(a), F.S.)</p>	<p><u>\$500 fine per month to maximum of \$5,000 (penalty will require permittee to renew permit or cease practice)</u></p>	<p><u>\$10,000 fine (penalty will require permittee to renew permit or cease practice), to Revocation</u></p>
<p><u>c. Operating a pharmacy where an unlicensed, unregistered, or unsupervised person practices pharmacy.</u> (Section 465.015(1)(b), F.S.)</p>	<p><u>\$5,000 fine and one (1) year probation</u></p>	<p><u>\$10,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u></p>
<p><u>d. Making a false or fraudulent statement to the board.</u> (Section 465.015(2)(a), F.S.)</p>	<p><u>\$10,000 fine</u></p>	<p><u>\$10,000 fine and Revocation</u></p>
<p><u>e. Practicing pharmacy as an inactive licensee.</u> (Section 465.015(2)(b), F.S.)</p>	<p><u>Fine based on length of time in practice while inactive; \$500 fine per month</u></p>	<p><u>\$10,000 fine and two (2) years suspension, to Revocation</u></p>
<p><u>f. Selling or dispensing drugs without a prescription.</u> (Section 465.015(2)(c), F.S.)</p>		
<p><u>(i) Non-scheduled legend drugs.</u></p>	<p><u>\$1,500 fine</u></p>	<p><u>\$5,000 fine and one (1) year probation, to Revocation</u></p>
<p><u>(ii) Scheduled (controlled substances) legend drugs.</u></p>	<p><u>\$5,000 fine and (1) year probation</u></p>	<p><u>\$10,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u></p>
<p><u>g. Selling samples or complimentary drugs.</u> (Section 465.015(2)(d), F.S.)</p>		
<p><u>(i) Non-scheduled legend drugs.</u></p>	<p><u>\$1,500 fine and (1) year probation</u></p>	<p><u>\$5,000 fine and one (1) year probation, to Revocation</u></p>
<p><u>(ii) Scheduled (controlled substances) legend drugs.</u></p>	<p><u>\$5,000 fine and one (1) year probation</u></p>	<p><u>\$10,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u></p>
<p><u>h. Failure to notify the board of, or failure to have, a prescription department manager or a supervising, a responsible, or a consultant</u></p>		

pharmacist.

(Sections 465.018, .019, .0193, .0196, or .0197, F.S. and 465.022(10), (11), F.S.)

<u>(i) Failure to notify.</u> <u>(Section 465.018, F.S.)</u>	<u>Fine based on length of time prior to notifying board.</u> <u>\$500 per month</u>	<u>\$7,500 maximum (penalty requires notification or ceasing practice)</u>
<u>(ii) Failure to have prescription department manager or a supervising, a responsible, or a consultant pharmacist of record.</u>	<u>Fine based on length of time practicing without designated pharmacist, \$750 fine per month and one (1) year probation</u>	<u>\$2,000 fine per month, to Revocation</u>
<u>i. Failure to comply with substitution of legend drug requirements.</u> <u>(Sections 465.025(2), (3), (4), F.S.)</u>	<u>\$500 fine and 12 hour Laws & Rules course or MPJE</u>	<u>\$2,500 fine, 12 hour Laws & Rules course or MPJE, and one (1) year probation</u>
<u>j. Failure to follow negative formulary requirements.</u> <u>(Section 465.025(6), F.S.)</u> <u>(Rule 64B16-27.500, F.A.C.)</u>	<u>\$1,000 fine and 12 hour Laws & Rules course or MPJE</u>	<u>\$2,500 fine, 12 hour Laws & Rules course or MPJE, and one (1) year probation</u>
<u>k. Failure to follow emergency prescription requirements.</u> <u>(Section 465.0275, F.S.)</u>	<u>\$500 fine</u>	<u>\$1,000 fine and one (1) year probation</u>
<u>l. Engage in prohibited rebate scheme.</u> <u>(Section 465.185, F.S.)</u>	<u>\$1,500 fine and 12 hour Laws & Rules course or MPJE</u>	<u>\$5,000 fine, 12 hour Laws & Rules course or MPJE, and one (1) year probation, to Revocation</u>
<u>m. Failure to comply with pharmacist dispensing requirements.</u> <u>(Section 465.186, F.S.)</u>		
<u>(i) Failure to follow procedure, but dispense drug appearing on formulary.</u> <u>(Section 465.186(3), F.S.)</u> <u>(Rule 64B16-27.210, F.A.C.)</u>	<u>\$500 fine</u>	<u>\$1000 fine and one (1) year probation to suspension of right to dispense</u>
<u>(ii) Dispensing drug not on the formulary.</u> <u>(Section 465.186(2), F.S.)</u> <u>(Rules 64B16-27.220, .230, F.A.C.)</u>	<u>\$1,500 fine and 12 hour Laws & Rules course or MPJE</u>	<u>\$5,000 fine and one (1) year probation to \$10,000 fine and Revocation</u>
<u>n. Failure to timely report fraudulent obtaining or attempted obtaining of controlled substances from a</u>		

pharmacy.
 (Section 465.015(3), F.S.)

(i) <u>Failure to timely report</u>	<u>\$500 fine</u>	<u>\$1,000 fine and one (1) year probation</u>
-------------------------------------	-------------------	--

(ii) <u>Failure to report</u>	<u>\$1,000 fine and one (1) year probation</u>	<u>\$5,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u>
-------------------------------	--	---

o. <u>Violation of facsimile prescription requirements</u> (Section 465.035, F.S.)	<u>\$500 fine</u>	<u>\$1,000 fine and one (1) year probation</u>
---	-------------------	--

p. Violation of requirements for administration of vaccines and epinephrine autoinjection.
 (Section 465.189, F.S.)
 (Section 465.009(6)(a), F.S.)

(i) <u>Failure to enter into a written protocol.</u>	<u>\$2,500 fine and 12 hour Laws & Rules course or MPJE</u>	<u>\$5,000 fine and one (1) year probation</u>
--	---	--

(ii) <u>Failure to maintain proper insurance.</u>	<u>\$500 fine and suspension until insured</u>	<u>\$1,000 fine, suspension until insured, followed by one (1) year probation</u>
---	--	---

(iii) <u>Failure to maintain and make available patient records.</u>	<u>\$500 fine</u>	<u>\$1,000 fine and one (1) year probation</u>
--	-------------------	--

(iv) <u>Uncertified administration of vaccine.</u>	<u>\$5,000 fine and suspension until certified</u>	<u>\$7,500 fine and suspension until certified, followed by one (1) year probation, to Revocation</u>
--	--	---

(v) <u>Failure to submit copy of protocol or written agreement to the board.</u>	<u>\$500 fine</u>	<u>\$1,000 fine and one (1) year probation</u>
--	-------------------	--

2. Chapter 499, F.S.:

a. Adulteration or misbranding of a drug.
 (Section 499.005(2), (3), F.S.)
 (Section 499.006, F.S.) (Section 499.007, F.S.)

(i) <u>Adulteration of a drug.</u>	<u>\$1000 fine and 12 hour</u>	<u>\$5,000 fine and one (1) year</u>
------------------------------------	--------------------------------	--------------------------------------

<u>(Section 499.005(2) F.S.)</u> <u>(Section 499.006, F.S.)</u>	<u>Laws & Rules course or</u> <u>MPJE</u>	<u>suspension followed by one</u> <u>(1) year probation, to</u> <u>Revocation</u>
<u>(ii) Receipt or delivery of any drug</u> <u>that is altered or misbranded.</u> <u>(Section 499.005 (3), F.S.)</u>	<u>\$1000 fine and 12 hour</u> <u>Laws & Rules course or</u> <u>MPJE</u>	<u>\$5,000 fine and one (1) year</u> <u>probation, to Revocation</u>
<u>(iii) Incomplete or inaccurate</u> <u>labeling.</u> <u>(Section 499.007, F.S.)</u> <u>(Rule 64B16-28.108, F.A.C.)</u>	<u>\$250 fine and 12 hour Laws</u> <u>& Rules course or MPJE</u>	<u>\$2,500 fine and one (1) year</u> <u>probation</u>
<u>(iv) Fraudulent misbranding of</u> <u>legend drugs.</u> <u>(Section 499.007, F.S.)</u>	<u>\$10,000 fine and one (1)</u> <u>year suspension followed by</u> <u>one (1) year probation</u>	<u>\$10,000 fine and two (2)</u> <u>years suspension followed</u> <u>by two (2) years probation,</u> <u>to Revocation</u>
<u>b. Failure to obtain a permit or</u> <u>registration, or operating without a</u> <u>valid permit when it is required.</u> <u>(Section 499.005(22), F.S.)</u>	<u>\$500 fine per month to</u> <u>maximum of \$5,000</u> <u>(penalty will require</u> <u>permittee to renew permit or</u> <u>cease practice)</u>	<u>\$10,000 fine (penalty will</u> <u>require permittee to renew</u> <u>permit or cease practice), to</u> <u>Revocation</u>
<u>c. Prescription drug pedigree</u> <u>violations.</u> <u>(Section 499.005(28), F.S.)</u> <u>(Section 499.0051, F.S.)</u>	<u>\$500 fine and 12 hour Laws</u> <u>& Rules course or MPJE</u>	<u>\$5,000 fine and one (1) year</u> <u>probation, to Revocation</u>
<u>d. Recordkeeping requirement.</u> <u>(Section 499.0121, F.S.)</u> <u>(Section 499.005(18), (19), F.S.)</u>	<u>\$500 fine and 12 hour Laws</u> <u>& Rules course or MPJE</u>	<u>\$5,000 fine and one (1) year</u> <u>probation, to Revocation</u>
<u>e. Storage of drugs.</u> <u>(Section 499.0121, F.S.)</u>	<u>\$500 fine and 12 hour Laws</u> <u>& Rules course or MPJE</u>	<u>\$5,000 fine and one (1) year</u> <u>probation, to Revocation</u>
<u>3. Chapter 893, F.S.</u> <u>(Controlled Substances):</u>		
<u>a. Filling a written or oral</u> <u>prescription for controlled substances</u> <u>that does not meet the requirements</u> <u>of Chapter 893.F.S.</u> <u>(Section 893.04(1)(a), (b), (c), F.S.)</u>	<u>\$1,500 fine</u>	<u>\$5,000 fine and one (1) year</u> <u>probation, to Revocation</u>
<u>b. Failing to retain prescription</u> <u>records for two (2) years.</u> <u>(Section 893.04(1)(d), F.S.)</u>	<u>\$1,000 fine</u>	<u>\$5,000 fine and one (1) year</u> <u>probation, to Revocation</u>
<u>c. Failing to appropriately label.</u>	<u>\$250 fine and 12 hour Laws</u> <u>& Rules course or MPJE</u>	<u>\$2,500 fine and (1) year</u> <u>probation</u>

<p><u>(Section 893.04(1)(e), F.S.)</u></p> <p>d. <u>Dispensing a Schedule II drug inappropriately with a non-written prescription.</u> <u>(Section 893.04(1)(f), F.S.)</u></p>	<p><u>\$5,000 fine and one (1) year probation</u></p>	<p><u>\$10,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u></p>
<p>e. <u>Inappropriate refilling of Schedule III, IV, or V drugs.</u> <u>(Section 893.04(1)(g), F.S.)</u> <u>(Section 893.04(2)(e), F.S.)</u></p>	<p><u>\$1,750 fine and one (1) year probation</u></p>	<p><u>\$5,000 fine and one (1) year suspension</u></p>
<p>f. <u>Receiving controlled substances without an appropriate order form.</u> <u>(Section 893.06(1), F.S.)</u></p>	<p><u>\$2,500 fine</u></p>	<p><u>\$5,000 fine and one (1) year probation, to Revocation</u></p>
<p>g. <u>Possession of controlled substances outside the regular course of business, occupation, profession, employment, or duty.</u> <u>(Section 893.06(2), F.S.)</u></p>	<p><u>\$2,500 fine and one (1) year probation</u></p>	<p><u>\$5,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u></p>
<p>h. <u>Failure to take a biennial inventory.</u> <u>(Section 893.07(1)(a), (2), (3), (4), (5), F.S.)</u></p>	<p><u>\$1,000 fine</u></p>	<p><u>\$2,500 fine and one (1) year probation</u></p>
<p>i. <u>Failure to maintain a complete and accurate record of controlled substances.</u> <u>(Section 893.07(1)(b), (2), (3), (4), (5), F.S.)</u></p>	<p><u>\$1,000 fine and one (1) year probation</u></p>	<p><u>\$5,000 fine and two (2) years probation, to Revocation</u></p>
<p>j. <u>Dispensing Schedule V controlled substances in other than good faith.</u> <u>(Section 893.08(3)(b), F.S.)</u></p>	<p><u>\$5,000 fine and one (1) year probation</u></p>	<p><u>\$10,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation</u></p>
<p>k. <u>Inappropriate selling of Schedule V controlled substance.</u> <u>(Section 893.08(3)(c), F.S.)</u></p>	<p><u>\$1,500 fine and one (1) year probation</u></p>	<p><u>\$5,000 fine and one (1) year suspension</u></p>
<p>l. <u>Unlawful possession of controlled substance.</u> <u>(Section 893.13, F.S.)</u></p>	<p><u>\$5,000 fine and two (2) years probation</u></p>	<p><u>\$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u></p>
<p>4. <u>Violation of Federal Drug Abuse Act 21 U.S.C. 821 et seq.</u> <u>(Manufacture, Distribution, and</u></p>	<p><u>\$500 fine and one (1) year probation</u></p>	<p><u>\$2,000 fine up to \$10,000 and one (1) year suspension followed by two (2) years</u></p>

Dispensing of Controlled Substances)

probation, to Revocation

5. Violation of Food and Drug Act 21 U.S.C. 301 – 392.

\$2,500 fine and one (1) year suspension

\$7,500 fine and two (2) years suspension followed by two (2) years probation, to Revocation

(f) Criminal conviction related to Pharmacy.

(Section 465.016(1)(f), F.S.)

(Section 465.023(1)(d)

1. Misdemeanor.

\$1,000 fine

\$5,000 fine, one (1) year probation, to Revocation

2. Felony.

\$5,000 fine and one (1) year suspension followed by two (2) years probation

\$10,000 fine and two (2) years suspension followed by three (3) years probation, to Revocation

(g) Using in the compounding of a prescription, or furnishing upon prescription, an ingredient or article different in any manner from the ingredient or article prescribed, except as authorized in Section 465.019(6), F.S. or Section 465.025, F.S.,

\$250 fine without ingestion or harm, to \$500 with ingestion, and complete approved CE course in the prevention of medication errors of no less than eight (8) hours

\$500 fine without ingestion or harm, to \$1,000 with ingestion, complete approved CE course in the prevention of medication errors of no less than eight (8) hours, and two (2) years probation, to Revocation

(Section 465.016(1)(g), F.S.);

or, compounding, dispensing or distributing legend drugs outside professional practice of pharmacy.

(Section 465.016(1)(i), F.S.)

(h) Filing a false report or failing to file a report required by law.

(Section 465.016(1)(i), F.S.)

1. Knowing violation.

\$2,000 fine and one (1) year probation

\$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

2. Negligent violation.

Reprimand

One (1) year probation and \$1,000 fine

(i) Failure to make prescription price information available.

(Section 465.016(1)(k), F.S.)

\$250 fine and 12 hour Laws & Rules course or MPJE

\$1,000 fine and one (1) year probation

(j) Improperly placing returned drugs into the stock of a pharmacy.

\$1,500 fine

\$3,000 fine and one (1) year probation

(Section 465.016(1)(l), F.S.)

(k) Violating a rule or order of the Board or Department.

(Section 465.016(1)(n), F.S.)

1. Rules of Board of Pharmacy.

<p>a. <u>Rules 64B16-28.101 to 64B16-28.1035, F.A.C.</u> <u>Rule 64B16-27.100, F.A.C.</u> <u>Rule 64B16-28.109, F.A.C.</u> <u>Rule 64B16-27.103, F.A.C.</u> <u>Rule 64B16-27.104, F.A.C.</u> <u>Rule 64B16-26.400, F.A.C.</u> <u>Rule 64B16-26.2032 F.A.C.</u> <u>Rule 64B16-28.1081, F.A.C.</u> <u>Rule 64B16-27.105, F.A.C.</u> <u>Rule 64B16-27.211, F.A.C.</u> <u>Rule 64B16-28.113, F.A.C.</u> <u>Rule 64B16-28.2021, F.A.C.</u> <u>Rule 64B16-28.603, F.A.C.</u></p>	<p><u>\$500 fine and 12 hour Laws & Rules course or MPJE</u></p>	<p><u>One (1) year probation and \$2,000 fine</u></p>
<p>b. <u>Sink and running water, sufficient space, refrigeration, sanitation, equipment.</u> <u>(Rule 64B16-28.102, F.A.C.)</u></p>	<p><u>Suspension until compliance</u></p>	<p><u>\$2,000 fine and Revocation</u></p>
<p>c. <u>Knowingly purchase, sell, possess, or distribute counterfeit drugs.</u> <u>(Rule 64B16-27.101, F.A.C.)</u></p>	<p><u>\$5,000 fine, one (1) year suspension followed by one (1) year probation to Revocation</u></p>	<p><u>\$10,000 fine and Revocation</u></p>
<p>d. <u>Failure to remove outdated pharmaceuticals, or dispensing of same.</u> <u>(Rule 64B16-28.110, F.A.C.)</u></p>	<p><u>\$500 fine for possession, \$1,000 fine for dispensing</u></p>	<p><u>\$2,500 - \$5,000 fine and two (2) years probation, to Revocation</u></p>
<p>e. <u>Violation of destruction of controlled substances.</u> <u>(Rules 64B16-28.301, and .303 F.A.C.)</u></p>	<p><u>\$500 fine and 12 hour Laws & Rules course or MPJE</u></p>	<p><u>\$5,000 fine and two (2) years probation, to Revocation</u></p>
<p>f. <u>Serving as consultant pharmacist without being licensed as a consultant pharmacist.</u> <u>(Rule 64B16-26.300, F.A.C.)</u></p>	<p><u>\$500 per month up to \$5,000 fine (fine based upon the length of time the person is serving as a consultant without being licensed as a consultant pharmacist)</u></p>	<p><u>\$7,500 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u></p>
<p>g. <u>Violation of requirements for records maintained in a data</u></p>	<p><u>\$1,000 fine and 12 hour Laws & Rules course or</u></p>	<p><u>\$5,000 fine and two (2) years probation, to</u></p>

<u>processing system. (Rule 64B16-28.140, F.A.C.)</u>	<u>MPJE plus 8 hours CE course in record keeping</u>	<u>Revocation</u>
<u>h. Failure to properly store legend drugs. (Rule 64B16-28.120, F.A.C.)</u>	<u>\$1,000 fine and 12 hour Laws & Rules course or MPJE</u>	<u>\$5,000 fine and one (1) year probation, to Revocation</u>
<u>i. Practicing nuclear pharmacy without being licensed as a nuclear pharmacist. (Rule 64B16-26.303, F.A.C.)</u>	<u>\$500 per month up to \$5,000 fine (fine based upon the length of time the person is practicing without being licensed as a nuclear pharmacist)</u>	<u>\$10,000 fine and one (1) year suspension, to Revocation</u>
<u>j. Failure to follow technical requirements for nuclear pharmacy. (Rules 64B16-28.901 and .902, F.A.C.)</u>	<u>One (1) year probation and \$1,000 fine, to \$2,500 fine and six (6) months suspension followed by one (1) year probation</u>	<u>\$5,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u>
<u>k. Failure to properly transfer prescription files and medicinal drugs when closing pharmacy. (Rules 64B16-28.202 and .203, F.A.C.)</u>	<u>Revocation</u>	<u>Revocation</u>
<u>l. Failure to complete the required continuing education during the biennial licensure period. (Rule 64B16-26.103, F.A.C.)</u>		
<u>(i) Failure to complete less than ten (10) hours.</u>	<u>\$500 fine and suspension until completed</u>	<u>\$1,500 fine and suspension until completed</u>
<u>(ii) Failure to complete ten (10) or more hours.</u>	<u>\$1,000 fine. In addition, licensees shall take two (2) additional hours of continuing education for each of the continuing education deficiencies. Said hours shall not count for continuing education renewal requirements for the next biennium.</u>	<u>\$2,500 fine and suspension until deficiency and penalty units are completed. In addition, licensees shall take two (2) additional hours of continuing education for each of the continuing education deficiencies. Said hours shall not count for continuing education renewal requirements for the next biennium.</u>
<u>m. Failure to retain continuing education records. (Rule 64B16-26.603, F.A.C.)</u>	<u>\$250 fine</u>	<u>\$1,500 fine and suspension of license until undocumented courses are completed and documentation is submitted to the Department.</u>

n. Failure to practice in accordance with established practice standards. (Rules 64B16-27.1001 and .104, F.A.C.)

(i) Pharmacist

\$500 to \$1,000 fine and 12 hour Laws & Rules course or MPJE to one (1) year probation

\$2,500 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

(ii) Pharmacy Intern

\$250 to \$500 fine and 12 hour Laws & Rules course or MPJE

\$1000 to \$5,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

(iii) Permittee

\$500 to \$1,000 fine and 12 hour Laws & Rules course or MPJE to one (1) year probation

\$2,500 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

o. Failure to have or maintain current policies and procedures for automated pharmacy system or central fill pharmacy. (Rules 64B16-28.141 and .450, F.A.C.)

\$500 to \$1000 fine and 12 hour Laws & Rules course or MPJE

\$2,500 to \$5,000 fine and suspension of license/permit until current policies and procedures are in place, to Revocation

p. Failure to have or maintain standards for an institutional pharmacy. (Rules 64B16-28.602, .6021, .605, .606, .702, F.A.C.)

\$500 fine and 12 hour Laws & Rules course or MJPE

\$2,500 to \$5,000 fine and suspension of license until policies and procedures are in place, to Revocation

q. Failure to have or maintain standards for a special pharmacy. (Rules 64B16-28.800, .810, .820, .840, .850, .860, .870, F.A.C.)

\$500 fine and 12 hour Laws & Rules course or MJPE

\$2,500 to \$5,000 fine and suspension of license until policies and procedures are in place, to Revocation

r. Failure to maintain standards for animal control shelters. (Rule Chapter 64B16-29, F.A.C.)

\$500 fine and 12 hour Laws & Rules course or MJPE

\$2,500 to \$5,000 fine and suspension of license until policies and procedures are in place, to Revocation

s. Failure to comply with Board's rule on patient counseling. (Rules 64B16-27.800, .810, .820, F.A.C.)

\$250 fine without ingestion or harm, to \$500 with ingestion, and complete approved CE course in the prevention of medication errors of no less than eight (8) hours

\$500 fine without ingestion or harm, to \$1,000 with ingestion, complete approved CE course in the prevention of medication errors of no less than eight (8) hours, and two (2) years probation, to Revocation

t. Standards of practice for compounding CSPs. (Rules 64B16-27.700 and .797, F.A.C.)

<u>(i) No harm</u>	<u>\$500 fine, 12 hour Laws & Rules course, and course governing sterile compounds, to \$2,000 fine and one (1) year probation</u>	<u>\$2,500 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u>
--------------------	--	--

<u>(ii) Harm</u>	<u>\$2,000 fine, one (1) year probation, and 12 hour Laws & Rules course, to Revocation</u>	<u>Revocation</u>
------------------	---	-------------------

<u>2. Violation of orders of the Board or Department.</u>	<u>\$2,500 fine and one (1) year probation, to suspension until compliance with order</u>	<u>\$5,000 fine and one (1) year probation, to suspension until compliance with order, to Revocation</u>
---	---	--

<u>(l) License disciplined by another jurisdiction for an offense that would constitute a violation of this chapter. (Section 465.016(1)(h), F.S.) (Section 465.023(1)(e), F.S.)</u>	<u>Same penalty as imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes</u>	<u>Same penalty as imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes to \$10,000 fine and Revocation</u>
--	---	---

<u>(m) Failing to report to the Department any Chapter 458 or 459 licensee violation. (Section 465.016(1)(o), F.S.)</u>	<u>\$500 fine and 12 hour Laws & Rules course or MJPE</u>	<u>\$1,500 fine and 12 hour Laws & Rules course or MJPE</u>
---	---	---

<u>(n) Abandoning or allowing permit to become null and void after notice of disciplinary proceedings. (Section 465.018(3), F.S.)</u>	<u>Revocation</u>	<u>Revocation</u>
---	-------------------	-------------------

<u>(o) Failing to notify the Board of commencement or cessation of practice due to discipline in another jurisdiction. (Section 465.016(1)(p), F.S.)</u>	<u>\$500 fine and 12 hour Laws & Rules course or MJPE</u>	<u>\$2,000 fine and two (2) years probation</u>
--	---	---

<u>(p) Using or releasing patient records improperly. (Section 465.016(1)(q), F.S.)</u>	<u>\$1,000 fine and 12 hour Laws & Rules course or MJPE</u>	<u>\$2,500 fine and one (1) year probation</u>
---	---	--

(q) Knowingly, or with reason to believe, dispensing based on purported prescription where patient-prescriber relationship is invalid. (Section 465.016(1)(s), F.S.)

(Section 465.023(1)(h), F.S.)

<u>(i) Reason to believe</u>	<u>\$2,000 fine, 12 hour Laws & Rules course or MJPE, and one (1) year probation</u>	<u>\$2,500 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u>
<u>(ii) Knowingly</u>	<u>Revocation</u>	<u>Revocation</u>
<u>(r) Committing an error or omission during prescription drug processing.</u> <u>(Section 465.016(1)(t), F.S.)</u>	<u>\$250 fine without ingestion or harm, to \$500 with ingestion, and complete approved CE course in the prevention of medication errors of no less than eight (8) hours</u>	<u>\$500 fine without ingestion or harm, to \$1,000 with ingestion, complete approved CE course in the prevention of medication errors of no less than eight (8) hours, and two (2) years probation, to Revocation</u>
<u>(s) Guilty of a felony involving moral turpitude.</u> <u>(Section 465.023(1)(d), F.S.)</u>	<u>\$1,000 fine and 12 hour Laws & Rules course or MJPE</u>	<u>\$5,000 fine and one (1) year probation, to Revocation</u>
<u>(t) Guilty of a crime related to health care fraud.</u> <u>(Section 465.023(1)(g), F.S.)</u>	<u>Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license</u>	<u>Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license</u>
<u>(u) Violating 456.072, F.S.</u> <u>(Section 465.016(1)(r), F.S.)</u> <u>1. Making misleading, deceptive, or fraudulent representation in or related to the practice of the licensee's profession.</u> <u>(Section 456.072(1)(a), F.S.)</u>	<u>\$1,500 fine and one (1) year probation</u>	<u>Revocation</u>
<u>2. Intentionally violating any rule adopted by the Board or the Department.</u> <u>(Section 456.072(1)(b), F.S.)</u>	<u>\$2,500 fine and two (2) years probation</u>	<u>\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u>
<u>3. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession.</u> <u>(Section 456.072(1)(c), F.S.)</u>		
<u>a. Misdemeanor</u>	<u>\$1,000 fine and suspension until compliant</u>	<u>\$2,500 fine and suspension until compliant, followed by</u>

		<u>one (1) year probation, to Revocation</u>
<u>b. Felony</u>	<u>\$3,000 fine and one (1) year probation</u>	<u>\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u>
<u>4. Failing to comply with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome, or medical errors. (Section 456.072(1)(a), F.S.) (Rules 64B16-26.103(1)(c), (4)(e), F.A.C.)</u>	<u>\$500 fine</u>	<u>\$1,000 fine</u>
<u>5. Having a license or the authority to practice the regulated profession revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law. The licensing authority's acceptance of a relinquishment of licensure, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of charges against the license, shall be construed as action against the license. (Section 456.072(1)(f), F.S.)</u>	<u>Same penalty as imposed in other jurisdiction or as closely as possible to penalties for similar violation</u>	<u>Same penalty as imposed in other jurisdiction or as closely as possible to penalties for similar violation, to \$10,000 fine and Revocation</u>
<u>6. Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the Department against another licensee. (Section 456.072(1)(g), F.S.)</u>	<u>\$3,000 fine</u>	<u>\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation</u>
<u>7. Attempting to obtain, obtaining, or renewing a license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the Department or the Board. (Section 456.072(1)(h), F.S.)</u>	<u>\$10,000 fine and Revocation or denial of license application</u>	<u>\$10,000 fine and Revocation or denial of license application</u>
<u>8. Except as provided in Section 465.016, F.S., failing to report to the Department any person who the licensee knows is in violation of this part, the chapter regulating the</u>	<u>\$500 fine and 12 hour Laws & Rules course or MJPE</u>	<u>\$1,500 fine and 12 hours Laws & Rules or MJPE, to one (1) year suspension or Revocation</u>

alleged violator, or the rules of the Department or the Board.
(Section 456.072(1)(i), F.S.)

\$2,000 fine and 12 hour Laws & Rules course or MJPE, to one (1) year probation

\$2,500 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

9. Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this part, the chapter regulating the profession, or the rules of the Department or the Board.
(Section 456.072(1)(j), F.S.)

10. Failing to perform any statutory or legal obligation placed upon a licensee, including failure to repay student loans or perform scholarship service obligations.
(Section 456.072(1)(k), F.S.)

a. Generally

\$2,000 fine

\$2,500 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

b. Student loans or scholarship service

The minimum disciplinary action imposed shall be a suspension of the license until new payment terms are agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount

Suspension of the license until new payment terms are agreed upon or the scholarship obligation is resumed, followed by probation for the duration of the student loan or remaining scholarship obligation period, and a fine equal to 10 percent of the defaulted loan amount, to Revocation with a minimum total fine of \$10,000

11. Making or filing a report which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing another person to do so. Such reports or records shall include only those that are signed in the capacity of a licensee.
(Section 456.072(1)(l), F.S.)

\$2,500 fine and two (2) years probation

\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

12. Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or a scheme in or related to the practice of a profession.
(Section 456.072(1)(m), F.S.)

\$10,000 fine and two (2) years probation

\$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

13. Exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party.
(Section 456.072(1)(n), F.S.)

\$3,000 fine and two (2) years probation

\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

14. Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform.
(Section 456.072(1)(o), F.S.)

\$2,000 fine and two (2) years probation

\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

15. Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them.
(Section 456.072(1)(p), F.S.)

\$2,000 fine and two (2) years probation

\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

16. Violating any provision of Chapter 456, the applicable professional practice act, a rule of the Department or the Board, or a lawful order of the Department or the Board, or failing to comply with a lawfully issued subpoena of the Department.
(Section 456.072(1)(dd), F.S.)
(Section 456.072(1)(q), F.S.)

\$1,000 fine and 12 hour Laws & Rules course or MPJE, to one (1) year probation

\$5,000 to \$10,000 fine and one (1) year suspension followed by one (1) year probation, to Revocation

17. Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.
(Section 456.072(1)(r), F.S.)

\$2,500 fine and two (2) years probation

\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

18. Engaging or attempting to engage in sexual misconduct as defined and prohibited in s. 456.063(1).

\$10,000 fine and Revocation

\$10,000 fine and Revocation

(Section 456.072(1)(v), F.S.)

19. Being unable to practice with reasonable skill and safety by reason of illness or use of alcohol, drugs, narcotics, chemicals, or as a result of any mental or physical condition (board has authority to issue order to compel examination).

\$500 fine, suspension until safe to practice with reasonable skill and safety, and appearance before the board

\$2,500 fine and Revocation

(Section 456.072(1)(z), F.S.)

20. Failing to report to the Board, or the Department if there is no Board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

\$1,000 fine

\$5,000 to \$10,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

(Section 456.072(1)(x), F.S.)

21. Testing positive for any drug, as defined in s. 112.0455, F.S., on any confirmed preemployment or employer ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using such drug.

\$500 fine, suspension until safe to practice with reasonable skill and safety and appearance before the board

\$2,500 fine and Revocation

(Section 456.072(1)(aa), F.S.)

22. Being terminated from, or failing to successfully complete, an impaired practitioners treatment program.

Suspension until successful completion or receipt of written confirmation of compliance with ongoing treatment and a fine of up to \$1,000

Revocation

(Section 456.072(1)(hh), F.S.)

23. Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.

Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license

Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license

(Section 456.072(1)(ii), F.S.)

24. Failing to remit the sum owed to the state for overpayment from the Medicaid program pursuant to a final order, judgment, or settlement.

\$500 to \$5,000 fine and one (1) year probation

\$2,500 to \$5,000 fine and suspension until amount owed is remitted, followed by two (2) years probation, to Revocation

(Section 456.072(1)(jj), F.S.)

25. Being terminated from the state Medicaid program pursuant to s. 409.913, any other state Medicaid program, or the federal Medicare program, as a result of fraud and abuse unless eligibility to participate in the program from which the practitioner was terminated has been restored.
(Section 456.072(1)(kk), F.S.)

\$10,000 fine and one (1) year probation, to one (1) year suspension followed by one (1) year probation

\$10,000 fine and two (2) years suspension followed by two (2) years probation, to Revocation

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

Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license

Revocation and a fine of \$10,000, or in the case of application for licensure, denial of license

(v) Violation of Section 828.055, F.S. by a permitted county or municipal animal control agency or humane society

1. Using drugs for animal euthanasia for an improper use.
(Section 828.055(3)(a), F.S.)

Reprimand and a fine of \$250

\$500 fine and one (1) year suspension followed by one (1) year probation, to Revocation

2. Failing to take reasonable precautions against misuse, theft, loss, or diversion.
(Section 828.055(3)(b), F.S.)

Reprimand and a fine of \$250

\$500 fine and one (1) year suspension followed by one (1) year probation, to Revocation

3. Failing to detect or to report a significant loss, theft, or inventory shortage of drugs.
(Section 828.055(3)(c), F.S.)

Reprimand, \$500 fine, and one (1) year probation

\$1,000 fine and one (1) year suspension followed by two (2) years probation, to Revocation

4. Failing to follow the rules of the Board regarding proper storage and handling of drugs.
(Section 828.055(3)(d), F.S.)

Reprimand and a fine of \$250

\$500 fine and one (1) year suspension followed by one (1) year probation, to Revocation

5. Violating any provision of Section 828.055, Chapter 465, Chapter 499, F.S., or any rule adopted under those chapters.
(Section 828.055(3)(e), F.S.)

Reprimand and a fine of \$250

\$500 fine and one (1) year suspension followed by one (1) year probation, to Revocation

(3) The board shall be entitled to deviate from the above-mentioned guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the board prior to the imposition of a final penalty. The fact that an Administrative Law Judge of the Division of Administrative Hearings may or may not have been aware of the below-mentioned aggravating or mitigating circumstances prior to a recommendation of penalty in a Recommended Order shall not obviate the duty of the board to consider aggravating and mitigating circumstances brought to its attention prior to the issuance of a Final Order.

(a) Aggravating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the enhancement of a penalty beyond the maximum level of discipline in the guidelines shall include but not be limited to the following:

1. History of previous violations of the practice act and the rules promulgated thereto.
2. In the case of negligent acts, the magnitude and scope of the damage or potential damage inflicted upon the patient or the general public by the licensee’s misfeasance.
3. Evidence of violation of professional practice acts in other jurisdictions wherein the licensee has been disciplined by the appropriate regulatory authority.
4. Harm occurred.

(b) Mitigating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the lessening of a penalty beyond the minimum level of discipline in the guidelines shall include but not be limited to the following:

1. In cases of negligent acts, the minor nature of the damage or potential damage to the patient’s or the public’s health, safety, and welfare resulting from the licensee’s misfeasance.
2. Lack of previous disciplinary history in this or any other jurisdiction wherein the licensee practices his profession.
3. Restitution of any monetary damage suffered by the patient.
4. The licensee’s professional standing among his peers.
5. Steps already taken by the licensee to insure the non-occurrence of similar violations in the future, including continuing education.
6. The degree of financial hardship incurred by a licensee as a result of the imposition of fines or the suspension of his practice.

(4) All fines imposed by the Board shall be paid within a period of ninety (90) days from the date of the final order entered by the Board. This time limitation may be modified by the Board for good cause shown in order to prevent undue hardship.

Rulemaking Authority 456.072, 456.079, 465.005 FS. Law Implemented 456.072, 456.079 FS. History—New 3-1-87, Amended 5-11-88, Formerly 21S-17.001, 21S-30.001, 61F10-30.001, Amended 6-26-95, 1-30-96, Formerly 59X-30.001, Amended 12-3-97, 11-15-98, 5-3-00, 1-2-02, 11-29-06, 9-26-12, 2-14-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 14, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 6, 2013

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Office on Homelessness

RULE NOS.:	RULE TITLES:
65I-1.001	Definitions
65I-1.002	Eligibility Factors Other Than Income
65I-1.003	Determination of Eligibility Based on Income
65I-1.004	Income
65I-1.005	Verification
65I-1.006	Program Administration
65I-1.007	Eligible Payments
65I-1.008	Ineligible Payments
65I-1.009	Type and Amount of Assistance

PURPOSE AND EFFECT: Chapter 65I-1, F.A.C., Emergency Financial Assistance for Housing Program, will be repealed as the program has been superseded by the Homelessness Prevention Grant as implemented by Section 414.161, Florida Statutes.

SUMMARY: Chapter 65I-1, F.A.C., Emergency Financial Assistance for Housing Program, a program that assists homeless or about to be homeless families with funds for security deposit or overdue rent or mortgage payments, will be repealed.

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

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

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.161 FS.

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

STATEMENT OF LEGISLATIVE RATIFICATION: The Agency has determined that the proposed rule repeal is not expected to require legislative ratification based on the statement estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The complete repeal of Chapter 65I-1 will impose no regulatory costs on any entity.

THE PERSON TO BE CONTACTED REGARDING THIS RULE REPEAL IS: Tom Pierce, Director, Office on Homelessness, Department of Children and Family Services, 1317 Winewood Blvd., Tallahassee, FL 32399-0700

THE FULL TEXT OF THE PROPOSED RULE IS:

65I-1.001 Definitions.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.003, Amended 2-16-00, Formerly 65A-33.003, Amended 4-30-10, Formerly 65I-1.001, Repealed.

65I-1.002 Eligibility Factors Other Than Income.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.004, Amended 2-16-00, Formerly 65A-33.004, Amended 4-30-10, Formerly 65I-1.002, Repealed.

65I-1.003 Determination of Eligibility Based on Income.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.005, Amended 2-16-00, Formerly 65A-33.005, Amended 4-30-10, Formerly 65I-1.003, Repealed.

65I-1.004 Income.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.006, Amended 2-16-00, Formerly 65A-33.006, Amended 4-30-10, Formerly 65I-1.004, Repealed.

65I-1.005 Verification.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.007, Amended 2-16-00, Formerly 65A-33.007, Amended 4-30-10, Formerly 65I-1.005, Repealed.

65I-1.006 Program Administration.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.008, Amended 2-16-00, Formerly 65A-33.0068, Amended 4-30-10, Formerly 65I-1.006, Repealed.

65I-1.007 Eligible Payments.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.009,

Amended 2-16-00, Formerly 65A-33.009, Amended 4-30-10, Formerly 65I-1.007, Repealed.

65I-1.008 Ineligible Payments.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.010, Amended 2-16-00, Formerly 65A-33.010, Amended 4-30-10, Formerly 65I-1.008, Repealed.

65I-1.009 Type and Amount of Assistance.

Rulemaking Authority 414.45, 420.622 FS. Law Implemented 414.16 FS. History—New 3-13-88, Amended 7-15-93, Formerly 10C-33.011, Amended 2-16-00, Formerly 65A-33.011, Amended 4-30-10, Formerly 65I-1.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Tom Pierce

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Suzanne Vitale, Deputy Secretary, Dept. of Children and Families, signing for Secretary Esther Jacobo
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 25, 2013

Section III Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-35.090 RULE TITLE: Background Screening; Prohibited Offenses.
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. 125, June 27, 2013 issue of the Florida Administrative Register.

(1)(a) through (1)(c) No change.

(d) “Exemption from Disqualification” means an exemption granted by the Agency following a review of the Application for Exemption, AHCA Form 3110 3010-0019, September 2013 ~~October 2009~~, hereby incorporated by reference, and an informal hearing, if appropriate, during which the individual must present clear and convincing evidence to support a reasonable belief that he or she has been rehabilitated and does not present a danger to the health, safety, and welfare of the patient or individual as described in Section 435.07, F.S

(e) “FBI” means the Federal Bureau of Investigation.

(f) “FDLE” means the Florida Department of Law Enforcement.

~~(g) “Level 1 Screening” means an assessment of the criminal history record obtained from the FDLE to determine whether screened individuals have any disqualifying offenses pursuant to Section 435.03 or 408.809(5), F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.~~

~~(g)(h) “Level 2 Screening” means an assessment of the criminal history record obtained through a fingerprint search through the FDLE and FBI to determine whether screened individuals have any disqualifying offenses pursuant to Section 435.04 or 408.809(5), F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.~~

~~(h) “Livescan Service Provider” means an entity that scans fingerprints electronically and submits them to FDLE.~~

~~(2) Processing Screening Requests, Required Documents and Fees.~~

~~(a) A provider may conduct Level 1 background screening for employees either directly through the FDLE or through the Agency. Requests through the Agency must be submitted using the Agency’s background screening website at:~~

~~ahea.myflorida.com/MCHQ/Long_Term_Care/Background_Screening/logon.shtml. A user code and password is required for use of this site. A request for a Level 1 screening through the Agency must be accompanied by the cost required by the FDLE to pay for the cost of processing the request.~~

~~(a) Providers subject to the screening standards outlined in Section 408.809, F.S. must follow the requirements specified in Section 435.12, F.S. Care Provider Background Screening Clearinghouse and must register and initiate all criminal history checks through the Care Provider Background Screening Clearinghouse before referring an employee or potential employee for electronic fingerprint submission to the Department of Law Enforcement. Providers can access the Care Provider Background Screening Clearinghouse at: apps.ahea.myflorida.com/SingleSignOnPortal.~~

~~(b) Persons required to undergo Level 2 background screening must submit fingerprints electronically through a Livescan Service Provider(s) contracted through the Agency or approved through the Florida Department of Law Enforcement, an Applicant Fingerprint Card, incorporated herein by reference, and available from the appropriate Agency licensure unit or by submitting a request to: bgscreen@ahea.myflorida.com. A health care provider licensed pursuant to this chapter may submit a Level 2 request and make payment electronically or by mail. A request for a Level 2 screening through the Agency must be accompanied by the cost required by the FDLE and the FBI to pay for the cost of processing the request. Payment for screening services must be made to the Livescan Service Provider at the time of~~

~~services or through a payment arrangement with the Livescan Service Provider.~~

~~1. Electronic submissions must be made through the Agency’s background screening web site. The completed fingerprint card must be mailed to the Background Screening Unit at 2727 Mahan Drive, MS 40, Tallahassee, Florida 32308.~~

~~2. Mailed requests must be submitted to the Background Screening Unit at 2727 Mahan Drive, MS 40, Tallahassee, Florida 32308.~~

~~(c)3- If a the individual’s fingerprints are eard is rejected by the FBI due to illegible prints, the requesting provider will be notified through the Agency’s secure web site. The individual must return to the same Livescan Service Provider and submit a second set of fingerprints eard in accordance with the guidelines established by the FBI. If the fingerprints are not resubmitted within 14 days, the individual will be notified by letter from the Agency. The second set of prints eard must be submitted to the Agency within 21 days of the Agency’s request or the screening request will be considered withdrawn. If withdrawn, the individual must submit a new set of electronic fingerprints through a Livescan Service Provider eard accompanied by the required fee.~~

~~(3) Screening of Administrators, Owners, Chief Financial Officers and Controlling Interests.~~

~~(a) Persons required to undergo Level 2 background screening in accordance with a licensure application, must submit the completed and signed fingerprint card and screening fee with an application for licensure to the appropriate Agency licensing unit.~~

~~(b) As an alternative to a new background screen persons required to undergo Level 2 background screening in accordance with Section 408.809, F.S., that have been screened within the previous 5 years by the Agency, Department of Health, Department of Children and Family Services, Agency for Persons with Disabilities or Department of Financial Services, or if the applicant has a certificate of authority to operate a continuing care retirement community, may submit to the appropriate Agency licensing unit:~~

~~1. A copy of the background screening result, and~~

~~(d)2- An Affidavit of Compliance with Background Screening Requirements, AHCA Form 3100-0008, September 2013 October 2009, herein incorporated by reference, and available from the Agency for Health Care Administration at: ahea.myflorida.com/Publications/Forms/HQA.shtml, must be submitted:~~

~~1. As part of the licensure application with a copy of screening results for administrators and chief financial officers that have been screened through the Care Provider Background Screening Clearinghouse created under Section 435.12, F.S., or screened within the previous 5 years by the Agency, Department of Health, Department of Elderly Affairs,~~

the Agency for Persons with Disabilities, Department of Children and Family Services, or the Department of Financial Services for an applicant for a certificate of authority to operate a continuing care retirement community under chapter 651, and in accordance with the standards in Section 408.809(2), F.S.:

2. Upon hiring for an employee to attest that they meet the requirements for qualifying for employment, they have not been unemployed for more than 90 days from a position that requires Level 2 screening, and they agree to inform the employer immediately if arrested for any disqualifying offense.

(e) An administrator or chief financial officer must be screened and qualified prior to appointment to the position.

~~(3)(4)~~ Results of Screening and Notification.

(a) Final results of background screening requests will be provided ~~to the requesting provider~~ through the Agency's secure web site that may be accessed by all health care providers applying for or actively licensed through the Agency that are registered with the Care Provider Background Screening Clearinghouse. The secure website is located at: apps.ahca.myflorida.com/SingleSignOnPortal.

~~(b) When the dispositional information of a potentially disqualifying offense is unclear or not present in a criminal history from a Level 1 request, a notice will be sent to the requesting licensee or entity to obtain the arrest report and dispositional information from the individual being screened. The information must then be forwarded to the Agency for a final determination or show such information cannot be obtained. If a Level 2 criminal history is incomplete, a certified letter will be sent to the individual being screened requesting the arrest report and court dispositional information. If the letter is returned unclaimed, a copy of the letter will be sent by regular mail. Pursuant to Section 435.05(1)(d), F.S., For Level 1 and Level 2, the missing information must be filed with the Agency within 30 days of the Agency's request, or the individual is subject to automatic disqualification in accordance with Sections 435.05(1)(d), and 435.06(3), F.S.~~

(c) The eligibility results of employee screening and the signed Affidavit referenced in subsection 59A-35.090(2), F.A.C., must be in the employee's personnel file, maintained by the provider. When the Agency or the provider obtains information indicating an individual has a disqualifying offense pursuant to Chapter 435, F.S., the individual is prohibited from working in a position that requires background screening until such time as the individual has applied for and been determined to be exempt from such disqualification.

(d) An alleged offense is not disqualifying until such time as there has been a disposition.

~~(4)(5)~~ Exemption from Disqualification.

(a) Requests for an exemption from disqualification shall be submitted in writing to the Agency using the "Application for Exemption from Disqualification" AHCA Form 3110 3010-0019, September 2013 ~~October 2009~~. This form may be obtained from the Agency for Health Care Administration, Background Screening Unit, 2727 Mahan Drive, MS #40, Tallahassee, Florida 32308 or through the Agency's website at: ahca.myflorida.com/background_screening ~~ahca.myflorida.com/MCHQ/Long_Term_Care/Background_Screening/exemption.shtml~~.

(b) Individuals that are licensed or certified in a profession under the jurisdiction of the Department of Health must apply for an exemption to the appropriate licensing or certifying board at the Department of Health unless the individual will be working in a position other than for which they are licensed or certified.

(c) The individual shall bear the burden of setting forth clear and convincing evidence of rehabilitation which includes any information indicating the individual presents no danger to the safety or well being of others. The individual must present such evidence as arrest reports, court dispositions, parole/probation information, and reference letters from employers and/or personal references. Other documents that may be included are records of successful participation in a rehabilitation program, further education or training, community or church involvement, special awards or recognition or testimony by self or others.

(d) An "Application for Exemption" will not be reviewed until all required documents are obtained. If the application is deemed incomplete after 30 days of receipt by the Agency, the application will be closed ~~withdrawn~~.

(e) In deciding whether to grant or deny an exemption request, the Agency shall consider factors such as the facts and circumstances surrounding the disqualifying offense(s), the nature of the harm to the victim, whether the individual is on probation or parole, whether restitution has been made, other offenses on the criminal history record and the length of time since the last offense, the history of the person since the disqualifying offense(s), work experience, personal references, performance evaluations, probation or parole violations, education, other evidence of rehabilitation, and the honesty and candor of the disqualified individual.

(f) Any exemption granted by the Agency is limited to the information provided at the time of application and the disqualifying offense or offenses committed prior to the date of the request for exemption.

(g) The Agency shall void any exemption granted to an individual when there is evidence that information which would adversely affect the decision was not made available at the time of the determination or there is an arrest or

disposition of a new disqualifying offense since the date the exemption was granted.

(5)(6) Unless otherwise specified, information requested pursuant to this section must be filed with the Agency within 21 days of the Agency’s request.
Rulemaking Authority 408.809, 408.819 FS. Law Implemented 408.809, 408.810 FS. History–New_____.

The following changes have been made to “Application for Exemption, AHCA Form 3110-0019”: The references to section 435.07, F.S. in the footers have been removed and replaced with the rule citation, 59A-35.090 and on Page 1, the Notarized Statement requirement has been changed to a Signed Statement.

The following changes have been made to “Affidavit of Compliance with Background Screening Results, AHCA Form 3100-0008”: The references to Section 435.07, F.S. in the footers have been removed and replaced with the rule citation, 59A-35.090.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

NONE

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF STATE
Division of Cultural Affairs
The Friends of the Museums of Florida History announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, October 4, 2013, 12:00 Noon to conclusion
PLACE: R.A. Gray Building, 1st Floor, 500 S. Bronough St., Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business

A copy of the agenda may be obtained by contacting: Elyse Cornelison, Museum of Florida History, (850)245-6413.

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: Elyse Cornelison, Museum of Florida History, (850)245-6413. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: Elyse Cornelison, Museum of Florida History, (850)245-6413.

DEPARTMENT OF STATE
Division of Cultural Affairs

The Florida Division of Cultural Affairs and the Florida Council on Arts and Culture announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 10, 2013, 8:30 a.m.
PLACE: R. A. Gray Building, Heritage Hall Auditorium, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council. Council members must be present in order to vote. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken.

A copy of the agenda may be obtained by contacting: Rachele Ashmore at (850)245-6490 or by email at Rachele.Ashmore@DOS.MyFlorida.com, or via the Division's website: www.florida-arts.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 48 hours before the workshop/meeting by contacting: Maureen Murphy at (850)249-6475 or Maureen.Murphy@DOS.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Rachele Ashmore at Rachele.Ashmore@DOS.MyFlorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Department of State, Division of Cultural Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 9, 2013, 1:00 p.m. – 5:00 p.m., continuing on Thursday, October 10 at 8:30 a.m. if necessary.

PLACE: R. A. Gray Building, Heritage Hall Auditorium, 500 South Bronough Street, Tallahassee

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2014-2015 Cultural Facilities Grant Program. The Florida Council on Arts and Culture will serve as panelists, and Council members must be present in order to vote.

A copy of the agenda may be obtained by contacting Elsie Rogers at (850)245-6483, at Elsie.Rogers@DOS.MyFlorida.com, or at the Division's website, www.florida-arts.org.

For more information, you may contact Elsie Rogers at (850)245-6483.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following meeting for Tuesday, October 1, 2013, to which the public is invited.

Special Board Meeting:

DATE AND TIME: Tuesday, October 1, 2013, 3:30 p.m. – 5:00 p.m.

PLACE: Advanced Technology Center, Rooms T-140 & T-141, 401 West State Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Trustee Interview of College President Finalist.

Copies of the agenda for the Special Board meeting will be available for inspection beginning Tuesday, September 24, 2013, and copies will be provided upon written request and the payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting.

All objections to this notice or the propriety of the scheduled public meeting should be filed in writing with the Interim College President, Florida State College at Jacksonville, on or before October 1, 2013. All legal issues should be brought to the College's attention and an attempt made to resolve them

prior to the public meeting. Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

The College does not discriminate on the basis of race, color, ethnicity, national origin, gender, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action College.

If special accommodations are required, please advise Human Resources twenty-four (24) hours in advance of the meeting by contacting Associate Vice President of Human Resources Dan Richardson at (904)632-3381 or Dan.Richardson@fscj.edu.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following receptions to which the public is invited. All receptions of the Board will be held at the College's Administrative Offices, Board Room 405, 501 West State Street, Jacksonville, FL 32202.

DATE AND TIME: Tuesday, October 1, 2013, 5:00 p.m. – 6:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: College President Finalist – Meet & Greet Reception

DATE AND TIME: Wednesday, October 2, 2013, 5:00 p.m. – 6:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: College President Finalist – Meet & Greet Reception

DATE AND TIME: Thursday, October 3, 2013, 5:00 p.m. – 6:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: College President Finalist – Meet & Greet Reception

All objections to this notice should be filed in writing with the Interim College President, Florida State College at Jacksonville, on or before October 1, 2013. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the receptions.

If special accommodations are required, please advise Human Resources twenty-four (24) hours in advance of the receptions by contacting Associate Vice President of Human Resources Dan Richardson at (904)632-3381 or Dan.Richardson@fscj.edu.

The College does not discriminate on the basis of race, color, ethnicity, national origin, gender, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action College.

Florida State College at Jacksonville
Dr. Willis N. Holcombe
Interim College President

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
The Southwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 7, 2013, 2:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion of task force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council.

A copy of the agenda may be obtained by contacting: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or (800)423-1476 (Florida only), extension 4378 or online at www.watermatters.org/waterways.

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: (352)796-7211 or (800)423-1476 (Florida only), extension 4702; TDD (Florida only) (800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

The Department of Elder Affairs Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATE AND TIME: October 2, 2013, 10:00 a.m. – 11:00 a.m.

PLACE: Call-in (888)670-3525, conference code 780 930 7873

GENERAL SUBJECT MATTER TO BE CONSIDERED:
State Council Executive Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399; telephone: (850)414-2323, or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: the above referenced number. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF ELDER AFFAIRS

Statewide Public Guardianship Office

The Department of Elder Affairs, Office of the Public Guardian, Foundation for Indigent Guardianship, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: October 10th, 2013, 12:30 p.m. EST

PLACE: Telephone conference call number: (888)670-3525; conference participant code: 7919129022#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Angela Runyan, (850)461-2381.

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: Angela Runyan, (850)414-2381. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Department of Children and Family Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 8, 2013, 9:00 a.m.

PLACE: Children's Board, 1002 E. Palm Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Ongoing Hillsborough Alliance business.

A copy of the agenda may be obtained by contacting Gabriela Reece at (813)337-5805.

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: Gabriela Reece at (813)337-5805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NO.: RULE TITLE:

- 73C-23.0031: Definitions
- 73C-23.0035: Eligibility
- 73C-23.0041: Application Process and Administrative Requirements
- 73C-23.0045: Specific Requirements for Competitive Categories
- 73C-23.0048: Specific Requirements for Economic Development
- 73C-23.0049: Funding for Special Economic Development Projects
- 73C-23.0051: Grant Administration and Project Implementation
- 73C-23.0061: Emergency Set-aside Assistance
- 73C-23.0071: Section 108 Loan Guarantee Program
- 73C-23.0081: Nonrecurring CDBG Funding

The Department of Economic Opportunity announces a workshop to which all persons are invited.

DATE AND TIME: October 11, 2013, 9:00 a.m.

PLACE: Amtrak Station Community Room, 918 Railroad Avenue, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Department is conducting a workshop for the purpose of discussing proposed changes to the administrative rule referenced above. This rulemaking will address changes that the Florida Legislature made during the 2011 and 2013 legislative sessions to Sections 290.044 through 290.0475, Florida Statutes. It will also resolve conflicts between the rule and other sections of Florida Statutes. Finally, it will make it easier for local governments to understand the application process, find information related to economic development grants, and know what is required of them if they receive funding.

A copy of the agenda may be obtained by contacting Roger Doherty, 107 E. Madison St., MSC 400, Tallahassee, FL 32399-6508, or by email at roger.doherty@deo.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Roger Doherty at (850)717-8417 or by email at roger.doherty@deo.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

NORTH FLORIDA BROADBAND AUTHORITY

The North Florida Broadband Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, September 30, 2013, 10:00 a.m.

PLACE: Town of Bronson Town Hall, 650 Oak Street, Bronson, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Board will address general policy and operational matters of the Authority.

A copy of the agenda may be obtained by contacting: Letisha Elston at letisha@springfieldlawpa.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Springfield Law. P.A. at (352)371-9909. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

Section VII
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:

Jacksonville Beekeeper’s Association, a Florida Nonprofit Corporation vs. Department of Agriculture and Consumer Services; Case No.: 13-3341RP; Rule No.: 5B-54.0105

CTB/McGraw-Hill, LLC vs. State Board of Education; Commissioner of Education; and Department of Education; Rule No.: 6A-6.0201; Case No.: 13-3391RP

Nissi, Inc. vs. Department of Transportation; Case No.: 13-3518RX; Rule No.: 14-10.007

David W. R. Brown vs. Department of Environmental Protection and Department of Health; Case No.: 13-3500RX; Rule No.: 62-555.360

Joseph Bogart, D.C. vs. Department of Health, Board of Chiropractic Medicine; Case No.: 13-3347RX; Rule No.: 64B2-17.005

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

G. B., Z. L., through his guardian K. L., J. H., and M. R. vs. Agency for Persons with Disabilities; Case No.: 13-1849RP; Rule No.: 65G-4.0210 through 65G-4.027; Valid

Adventist Health System/Sunbelt, Inc., d/b/a Florida Hospital vs. Agency for Health Care Administration; Case No.: 13-2874RP; Rule No.: 59E-5.605(10); Voluntarily Dismissed

Pasco Regional Medical Center, LLC, d/b/a Pasco Regional Medical Center vs. Agency for Health Care Administration; Case No.: 13-2875RP; Rule No.: 59E-5.605(10); Voluntarily Dismissed

Section IX

Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

L. L. W. vs. Agency for Persons with Disabilities; Case No.: 13-3235RU

Po Boys, Inc. vs. Department of Financial Services, Division of Workers' Compensation; Case No.: 13-3338RU

Jack W. Carswell, Minor Child, Julie Carswell and Scott Carswell, Parents vs. Florida State University Schools, Inc., Florida State University Schools, Inc., Board of Directors, Florida State University Board of Trustees; Case No.: 13-3388RU

Radhakrishna K. Rao and Bay Regional and International Institute of Neurology vs. Agency for Health Care Administration; Case No.: 12-2813RU; Dismissed

J and J Investigation, LLC, Jon S. Kahlkopf vs. Department of Agriculture and Consumer Services, Division of Licensing; Case No.: 13-2956RU; Voluntarily Dismissed

Section X

Announcements and Objection Reports of the
Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and
Purchasing

EXPRESSWAY AUTHORITIES

Miami-Dade Expressway Authority "MDX"

REQUEST FOR PROPOSAL (RFP)

MDX PROCUREMENT/CONTRACT NO.: RFP-14-02

MDX WORK PROGRAM NOS.: 83625.030, 83631.030,
30036.030

MDX PROJECT/SERVICE TITLE: DESIGN-BUILD PROJECT FOR SR 836 EXTENSION – WESTBOUND ACCESS RAMP, SR 836 INFRASTRUCTURE MODIFICATIONS FOR OPEN ROAD TOLLING (WEST SECTION), AND SR 836 OVERHEAD SIGN STRUCTURE COATING

The Miami-Dade Expressway Authority ("MDX" or "Authority"), requires the services of a qualified Design-Build Firm for SR 836 Extension – Westbound Access Ramp, SR 836 Infrastructure Modifications for Open Road Tolling (West Section), and SR 836 Overhead Sign Structure Coating. For a copy of the RFP with information on the Scope of Services, Pre-qualification and submittal requirements, please logon to MDX's Website: www.mdxway.com to download the documents under "Doing Business with MDX: Vendor Login", or call MDX's Procurement Department at (305)637-3277 for assistance. Note: In order to download any MDX solicitation, you must first be registered as a Vendor with MDX. This can only be facilitated through MDX's Website: www.mdxway.com under "Doing Business with MDX: Vendor Registration". A Pre-Proposal Conference is

scheduled for October 8, 2013 at 10:00 a.m. The deadline for submitting a Technical Proposal is December 18, 2013, by 2:00 p.m. Eastern Time and the deadline for submitting a Price Proposal is January 13, 2014 by 2:00 p.m. Eastern Time.

**Section XII
Miscellaneous**

DEPARTMENT OF FINANCIAL SERVICES
FSC – Financial Institution Regulation
Financial Institutions

NOTICE OF FILINGS
Financial Services Commission
Office of Financial Regulation

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

request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone (850)410-9800		Tallahassee, Florida 32399-0379
Fax: (850)410-9548		Phone: (850)410-9643

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 14, 2013):

APPLICATION TO MERGE

Constituent Institutions: Stonegate Bank, Fort Lauderdale, Florida and Florida Shores Bancorp, Inc, Pompano Beach, Florida, Florida Shores Bank – Southeast, Pompano Beach and Florida Shores Bank – Southwest, Venice, Florida

Resulting Institution: Stonegate Bank, Fort Lauderdale, Florida

With Title: Stonegate Bank, Fort Lauderdale, Florida

Section XIII
Index to Rules Filed During Preceding
Week

FILED BETWEEN SEPTEMBER 16, 2013
AND SEPTEMBER 20, 2013

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

5B-67.001	9/19/2013	10/9/2013	39/53	
5B-67.002	9/19/2013	10/9/2013	39/53	
5B-67.003	9/19/2013	10/9/2013	39/53	
5B-67.004	9/19/2013	10/9/2013	39/53	39/139
5B-67.005	9/19/2013	10/9/2013	39/53	
5B-67.006	9/19/2013	10/9/2013	39/53	39/139

STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

19B-4.001	9/17/2013	10/7/2013	39/122	39/160
19B-4.002	9/17/2013	10/7/2013	39/122	
19B-4.005	9/17/2013	10/7/2013	39/122	
19B-5.002	9/17/2013	10/7/2013	39/122	
19B-5.003	9/17/2013	10/7/2013	39/122	
19B-5.004	9/17/2013	10/7/2013	39/122	
19B-6.001	9/17/2013	10/7/2013	39/122	
19B-8.002	9/17/2013	10/7/2013	39/122	
19B-9.004	9/17/2013	10/7/2013	39/122	
19B-16.002	9/17/2013	10/7/2013	39/122	39/160
19B-16.003	9/17/2013	10/7/2013	39/122	

PUBLIC SERVICE COMMISSION

25-6.0431	9/18/2013	10/8/2013	39/160	
25-7.0391	9/18/2013	10/8/2013	39/160	
25-22.0406	9/18/2013	10/8/2013	39/160	

DEPARTMENT OF THE LOTTERY

53ER13-65	9/18/2013	9/18/2013	39/183	
-----------	-----------	-----------	--------	--

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

60Y-7.001	9/16/2013	10/6/2013	39/144	39/145
-----------	-----------	-----------	--------	--------

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

61G10-11.001	9/19/2013	10/9/2013	39/162	
--------------	-----------	-----------	--------	--

Board of Accountancy

61H1-20.0093	9/19/2013	10/9/2013	39/163	
61H1-38.004	9/19/2013	10/9/2013	39/163	
61H1-38.005	9/19/2013	10/9/2013	39/163	
61H1-38.007	9/19/2013	10/9/2013	39/163	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

65A-1.710	9/19/2013	10/9/2013	39/163	
65A-1.712	9/16/2013	10/6/2013	39/163	

FLORIDA HOUSING FINANCE CORPORATION

67-48.001	9/19/2013	10/9/2013	39/156	
67-48.002	9/19/2013	10/9/2013	39/156	
67-48.004	9/19/2013	10/9/2013	39/156	
67-48.005	9/19/2013	10/9/2013	39/156	
67-48.007	9/19/2013	10/9/2013	39/156	
67-48.0072	9/19/2013	10/9/2013	39/156	
67-48.0075	9/19/2013	10/9/2013	39/156	
67-48.009	9/19/2013	10/9/2013	39/156	
67-48.0095	9/19/2013	10/9/2013	39/156	
67-48.010	9/19/2013	10/9/2013	39/156	
67-48.0105	9/19/2013	10/9/2013	39/156	
67-48.013	9/19/2013	10/9/2013	39/156	
67-48.014	9/19/2013	10/9/2013	39/156	
67-48.015	9/19/2013	10/9/2013	39/156	
67-48.017	9/19/2013	10/9/2013	39/156	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
67-48.018	9/19/2013	10/9/2013	39/156	
67-48.019	9/19/2013	10/9/2013	39/156	
67-48.020	9/19/2013	10/9/2013	39/156	
67-48.0205	9/19/2013	10/9/2013	39/156	
67-48.022	9/19/2013	10/9/2013	39/156	
67-48.023	9/19/2013	10/9/2013	39/156	
67-48.027	9/19/2013	10/9/2013	39/156	
67-48.028	9/19/2013	10/9/2013	39/156	
67-48.029	9/19/2013	10/9/2013	39/156	
67-48.030	9/19/2013	10/9/2013	39/156	
67-48.031	9/19/2013	10/9/2013	39/156	

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-25.004	9/19/2013	10/9/2013	39/153	
68A-25.032	9/19/2013	10/9/2013	39/153	
68A-27.007	9/19/2013	10/9/2013	39/153	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Marine Fisheries

68B-4.018	9/19/2013	11/1/2013	39/153	
68B-32.002	9/19/2013	11/1/2013	39/153	

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO CHAPTER 2010-279, LAWS OF FLORIDA

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

64J-2.006	7/12/13	*****	39/29	
-----------	---------	-------	-------	--

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.020	10/24/11	*****	37/24	37/3
-----------	----------	-------	-------	------