

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**PUBLIC SERVICE COMMISSION**

**RULE NO.:**       **RULE TITLE:**  
25-6.058        Determination of Average Meter Error  
**PURPOSE AND EFFECT:** The rule would be amended to correct the description of an equation for consistency with the applicable ANSI standard.

Undocketed.  
**SUBJECT AREA TO BE ADDRESSED:** Determination of average registration error for a polyphase metering installation used on a varying load.

**RULEMAKING AUTHORITY:** 366.05(1) FS.

**LAW IMPLEMENTED:** 366.05(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G. W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services**

**RULE NO.:**       **RULE TITLE:**  
64C-4.003        Diagnostic and Treatment Facilities or Services – Specific

**PURPOSE AND EFFECT:** The proposed revision to the Children’s Medical Services Rule 64C-4.003, F.A.C., updates and reflects the CMS Standards for Diagnostic and Treatment Facilities or Services that provide care to CMS participants.

**SUBJECT AREA TO BE ADDRESSED:** Standards for Diagnostic and Treatment Facilities or Services that are provided to CMS participants.

**RULEMAKING AUTHORITY:** 391.026(18), 391.035(1) FS.

**LAW IMPLEMENTED:** 391.026(10), 391.035(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Chrishonda Jenkins at (850)245-4200, extension 2247 or Chrishonda.Jenkins@flhealth.gov

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

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services**

**RULE NOS.:**       **RULE TITLES:**  
64C-6.001        Definitions – General  
64C-6.002        Standards – General  
64C-6.003        Standards – Specific

**PURPOSE AND EFFECT:** The proposed revision to the Children’s Medical Services Rules 64C6.001-6.003, F.A.C., updates the specific rule making authority, program definitions, and the incorporation of updated program standards of the Regional Perinatal Intensive Care Centers Program.

**SUBJECT AREA TO BE ADDRESSED:** Definitions and Standards for the Regional Perinatal Intensive Care Centers.

**RULEMAKING AUTHORITY:** 383.19(1) FS.

**LAW IMPLEMENTED:** 383.19(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Brock at (850)245-4200, extension 3961 or mary.brock@flhealth.gov

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

## Section II

### Proposed Rules

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

**RULE NO.:**       **RULE TITLE:**  
2B-1.004        Hearings Before the Commission

**PURPOSE AND EFFECT:** The Commission proposes the substantial rewrite of the rule modify the rule language to clarify the procedures for hearings before the Commission.

**SUMMARY:** The substantial rewrite of the rule will modify the language to clarify the procedures for hearings before the Commission.

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 Commission meeting, the Commission, 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: 106.24(5), 106.26 FS.

LAW IMPLEMENTED: 106.24(5), 106.26 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: Amy McKeever Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 33299-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial Rewording of Rule 2B-1.004 follows. See Florida Administrative Code for present text.)

2B-1.004 Hearings Before the Commission.

(1) The Uniform Rules of Procedure, Chapter 28, F.A.C., shall be the procedural rules of the Florida Elections Commission, except as otherwise specifically provided by statute or this rule.

(2) When necessary to secure the just, speedy, and inexpensive determination of a case, the Chairman may appoint one or more Commissioners ~~hear any~~ to conduct a hearing involving disputed issues of material fact, a hearing not involving disputed issues of material fact, or a hearing involving a dispositive motion.

(a) The Commission clerk shall notify the parties of the designation of a Commissioner or Commissioners to preside over the hearing and shall notice the hearing.

(b) The designated Commissioner or Commissioners shall hear the evidence and argument presented by the parties during the hearing.

(c) The designated Commissioner or Commissioners shall file a report with the Commission clerk within 30 days of receiving any post hearing submissions from the parties. The report shall contain a recommended order that includes findings of fact, conclusions of law, a recommended disposition or penalty, if applicable, and any exceptions and responses filed by the parties. The report shall be served upon the parties.

(d) The Commission shall review the report, deliberate and reach a decision in the case at its next regularly scheduled meeting. The designated Commissioner or Commissioners hearing the case shall not participate in the deliberation or vote of the Commission.

(e) The Commission's counsel shall prepare a final order reflecting the Commission's decision. The final order shall be signed by the chair or vice chair on behalf of the Commission and the Commission clerk shall enter the order.

(3) A clerical mistake in a final order arising from oversight or omission may be corrected by the Commission at any time on its own initiative or on the motion of any party.

Rulemaking Specific Authority 106.24(5), 106.26 FS. Law Implemented 106.24(5), 106.26 FS. History--New 1-11-99, Amended 1-2-02, 4-24-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Elections Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2014

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NO.: RULE TITLE:

2B-1.0045 Award of Attorney's Fees

PURPOSE AND EFFECT: The Commission proposes the substantial rewrite of the rule modify the rule language to clarify the procedures for awarding of attorney's fees.

SUMMARY: The substantial rewrite of the rule will modify the language to clarify the procedures for awarding of attorney's fees.

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 Commission meeting, the Commission, 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: 106.24(5), 106.26 FS.

LAW IMPLEMENTED: 106.265(6) 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: Amy McKeever Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 33299-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial Rewording of Rule 2B-1.0045 follows. See Florida Administrative Code for present text.)

2B-1.0045 Award of Attorney's Fees.

(1) To claim costs and attorney's fees, the respondent shall file a petition with the Commission clerk no later than 30 days following disposition of the complaint. The petition shall state with particularity the facts and grounds that demonstrate that the respondent is entitled to an award of costs and attorney's fees from the complainant. The Commission clerk shall forward a copy of the petition to the complainant at the most recent address on file with the Commission.

(2) its next regularly scheduled meeting, the Commission shall determine whether the petition states a prima facie case for costs and attorney's fees. If the Commission finds that the petition does not state a prima facie case for costs and attorney's fees, the Commission shall dismiss the petition. If the Commission finds that the petition states a prima facie case for costs and attorney's fees, the Commission shall enter an order setting the petition for a hearing involving disputed issues of material fact be held before the Commission or before one or more Commissioners appointed by the Chairman, or before the Division of Administrative Hearings for the entry of a final

order determining whether respondent is entitled to an award of attorney's fees and costs and, if so, what amount is due.

Rulemaking Specific Authority 106.24(5), 106.26 FS. Law Implemented 106.265(6)(5) FS. History--New 4-24-05, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Elections Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2014

**DEPARTMENT OF LEGAL AFFAIRS**

**Florida Elections Commission**

RULE NO.: RULE TITLE:

2B-1.008 Public Comment

PURPOSE AND EFFECT: The Commission proposes to develop and adopt a new rule to establish procedures for public participation in public meetings.

SUMMARY: The rule promulgation and adoption will establish procedures for public participation in public meetings.

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 Commission meeting, the Commission, 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: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 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: Amy McKeever Toman, Executive Director, Florida Elections Commission, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32299-1050

THE FULL TEXT OF THE PROPOSED RULE IS:

2B-1.008 Public Comment.

The Florida Elections Commission invites and encourages all members of the public to provide comment on matters or propositions before the Commission or a committee of the Commission. The opportunity to provide comment shall be subject to the following:

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Commission after an agenda item is introduced at a properly noticed Commission meeting.

(2) Members of the public shall be limited to five (5) minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Commission members, staff or Commission counsel. The chair of the Commission may extend the time to provide comment if time permits.

(3) Members of the public shall notify Commission staff in writing of their interest to be heard on a proposition or matter before the Commission. The notification shall identify the person or entity, indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons consisting of three (3) or more persons.

(4) Members of the public will not be permitted to provide comment on matters excluded from public comment by Section 286.0114(4), Florida Statutes, including the Commission's deliberations on probable cause matters, and any other quasi-judicial proceeding in front of the Commission.

Rulemaking Authority 286.0114 FS. Law Implemented 286.0114 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Elections Commission  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Elections Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 8, 2014

**AGENCY FOR HEALTH CARE ADMINISTRATION  
 Medicaid**

RULE NO.: 59G-4.195  
 RULE TITLE: Licensed Midwife Services  
 PURPOSE AND EFFECT: This rule will be repealed.

SUMMARY: Requirements contained within this rule have been updated and moved to Rule 59G-4.030, F.A.C., Birth Center and Licensed Midwife Services.

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

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.9081 FS.

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

DATE AND TIME: Wednesday, June 25, 2014, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Theresa Kumar at the Bureau of Medicaid Services, (850)412-4232. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Theresa Kumar, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4232, e-mail: theresa.kumar@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.195 Licensed Midwife Services.  
Rulemaking Specific Authority 409.919 FS. Law Implemented 409.906, 409.908, 409.9081 FS. History—New 6-29-93, Formerly 10C-7.0520, Amended 3-10-96, 3-11-98, 10-13-98, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Theresa Kumar  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: April 18, 2014

**DEPARTMENT OF HEALTH**  
**Board of Osteopathic Medicine**

RULE NO.:       RULE TITLE:  
64B15-10.002   Application and Licensure Fees  
PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate a single initial licensure fee in the amount of \$300 instead of the prorated fee of \$400 if licensed in the first year of the biennium and \$200 if licensed in the second year of the biennium.

SUMMARY: The proposed rule amendment removes the prorated fee for initial licensure and incorporates a single initial licensure fee of \$300.

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 concluded that because the proposed amendment implements a single fee for initial licensure of \$300 rather than a prorated fee of either \$400 or \$200, depending on the application filing date, and based on the small number of applicants who apply in the second half of the biennium, the conversion to a single initial licensure fee will not negatively impact licensees and their businesses or the business that employs them. The amendment to this rule will not increase any business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not have any direct or indirect regulatory cost impact. Hence, the Board 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: 456.013(2), 456.025(1), 459.0076, 459.0077, 459.0092 FS.

LAW IMPLEMENTED: 456.013(2), 459.0076, 459.0077, 459.0092 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: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-10.002 Application and Licensure Fees.

(1) through (3) No change.

(4) The initial license fee paid upon submission of the application for licensure as an osteopathic physician shall be ~~\$300~~ \$400 if the application for initial licensure is approved during the first year of the biennium, and \$200 if the application for initial licensure is approved during the second year of the biennium.

(5) through (6) No change.

Rulemaking Authority 456.013(2), 456.025(1), 459.0076, 459.0077, 459.0092 FS. Law Implemented 456.013(2), 459.0076, 459.0077, 459.0092 FS. History—New 10-23-79, Amended 10-3-83, Formerly 21R-10.02, Amended 5-13-87, 4-21-88, 10-28-91, 11-9-92, 4-1-93, Formerly 21R-10.002, 61F9-10.002, Amended 12-28-95, Formerly 59W-10.002, Amended 12-13-98, 2-26-02, 11-10-11, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Osteopathic Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Board of Osteopathic Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: March 7, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAR: May 13, 2014

**DEPARTMENT OF HEALTH**  
**Board of Osteopathic Medicine**

RULE NO.:       RULE TITLE:  
64B15-12.003   Applications for Licensure  
PURPOSE AND EFFECT: The proposed rule amendments are intended to incorporate a single streamlined application form into the rule and to clarify that there is a single application form for both licensure by examination and licensure by endorsement.

SUMMARY: The proposed rule amendments incorporate the revised streamlined application form into the rule and utilize the same form for both licensure by examination and licensure by endorsement.

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 concluded that because the form in question is being streamlined and requiring the disclosure of less information and requiring less documentation, this rule change will actually lessen any impact on licensees and their businesses or the business that employ them. The streamlining of this rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, but will decrease the time and effort to apply for a license pursuant to this rule. This change will also ultimately decrease any direct or indirect regulatory costs. Hence, the Board 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: 459.005, 459.0055 FS.

LAW IMPLEMENTED: 456.013, 456.0135, 456.0635, 459.0055, 459.006, 459.0092 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: Christy Robinson, Acting Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-12.003 Applications for Licensure.

(1) Applications for licensure by examination or endorsement must include a completed application form and appropriate fee as set forth in Section 459.0055, F.S., and subsection 64B15-10.002(1), F.A.C. The instructions and application form, DH-MQA 1029, (Revised 03/14 ~~11/12~~), entitled "Application For Licensure" is hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No= Ref 02927>, from the Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or from the website at: <http://www.floridasosteopathicmedicine.gov/> [www.doh.state.fl.us/mqa/osteopath/index.html](http://www.doh.state.fl.us/mqa/osteopath/index.html). Such application and fee shall expire one year from the date on which the application is initially received by the Board. After a period of one year a new application and fee must be submitted.

~~(2) Applicants for licensure examination must have their application forms and fees submitted and received by the Board office and all information and documentation complete at least 30 days before the scheduled Board meeting in order to be considered by the Board.~~ Applicants making initial application for licensure shall complete an educational courses approved by the Board pursuant to Rule 64B15-13.001, F.A.C., on prevention of medical errors. ~~Any applicant who has not completed any such courses at the time of licensure shall, upon an affidavit showing good cause, be allowed 6 months to complete this requirement.~~

~~(3) Applications for licensure by endorsement must include a completed application form and appropriate fee as set forth in Section 459.0055, F.S., and subsection 64B15-10.002(1), F.A.C. The application form, shall be the same form as referenced in subsection (1) above. Such application and fee shall expire one year from the date on which the application is initially received by the Board. After a period of one year, a new application and fee must be submitted.~~

Rulemaking Authority 459.005, 459.0055 FS. Law Implemented 456.013, 456.0135, 456.0635, 459.0055, 459.006, 459.0092 FS. History—New 6-4-91, Formerly 21R-12.003, 61F9-12.003, Amended 10-15-95, Formerly 59W-12.003, Amended 9-26-00, 3-9-03, 6-1-09, 5-4-10, 9-16-10, 2-14-12, 7-3-12, 8-1-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 13, 2014

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:       RULE TITLE:  
59G-4.130       Home Health Services  
                  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. 40, No. 46, March 7, 2014 issue of the Florida Administrative Register.

59G-4.130 Home Health Services.

(3) The following forms are included in the Florida Medicaid Home Health Services Coverage and Limitations Handbook and are incorporated by reference: Medicaid Instructions for CMS Form 485 – Plan of Care, AHCA Form 5000-3544 ~~500-3544~~, Revised \_\_\_\_\_ April 2013; Home Health Certification and Plan of Care, Form CMS-485(C-3)(02-94) (Formerly HCFA-485); Authorization for Private Duty Nursing Provided by a Parent or Legal Guardian, AHCA Form 5000-3541, February 2013; Physician Visit Documentation Form, AHCA Form 5000-3502, Revised February 2013; Parent or Legal Guardian Medical Limitations, AHCA Form 5000-3501, Revised February 2013; Parent or Legal Guardian Work Schedule, AHCA Form 5000-3503, Revised February 2013; Parent or Legal Guardian Statement of Work Schedule, AHCA Form 5000-3504, Revised February 2013; Parent or Legal Guardian School Schedule, AHCA Form 5000-3505, Revised \_\_\_\_\_; Instructions for the Personal Care Services Plan of Care, AHCA Form 5000-3506, Revised \_\_\_\_\_; Physician’s Written Prescription for Home Health Services, AHCA Form 5000-3525, Revised February 2013; Review Criteria for Private Duty Nursing Services, AHCA Form 5000-3543, Revised \_\_\_\_\_; and Review Criteria for Personal Care Services, AHCA Form 5000-3542, Revised \_\_\_\_\_. The forms are available by photocopying them from the handbook.

The following changes have been made to the Florida Medicaid Home Health Services Coverage and Limitations Handbook.

Page 1-9 Branch Offices and Subunits

This section is deleted.

Page 2-8 Required Document(s)

The first sentence in the last paragraph will now read:

Note: See Appendix I for a copy of the Personal Care Services Plan of Care form and instructions, AHCA Form 5000-3506, Revised \_\_\_\_\_.

Page 2-20 Parental Responsibility, continued

The first sentence in the last paragraph will now read:

Note: See Appendices E, F, G, and H for copies of the parent or legal guardian medical limitations, work, and school schedule forms, AHCA-Med Serv Forms 5000-3501, Revised February 2013; -3503, Revised February 2013; -3504, Revised February 2013; and -3505, Revised \_\_\_\_\_.

Page 2-25

Parental Responsibility

The first sentence in the last paragraph will now read:

Note: See Appendices E, F, G, and H for copies of the parent or legal guardian medical limitations, work, and school schedule forms, AHCA-Med Serv Forms 5000-3501, Revised February 2013; -3503, Revised February 2013; -3504, Revised February 2013; and -3505, Revised \_\_\_\_\_.

Page 2-32

Requesting Prior Authorization, continued

The third dash, first sentence will now read:

Note: See Appendix H for a copy of the Parent or Legal Guardian School Schedule Form, AHCA-Med Serv Form 5000-3505, Revised \_\_\_\_\_.

Page 2-33 Review Criteria

The first sentence in the third paragraph will now read:

Note: See Appendix K for a copy of the Review Criteria for Private Duty Nursing Services, AHCA Form 5000-3543, Revised \_\_\_\_\_.

The first sentence in the last paragraph will now read:

Note: See Appendix L for a copy of the Review Criteria for Personal Care Services, AHCA Form 5000-3542, Revised \_\_\_\_\_.

Page 3-2 Diagnosis Code

The last sentence in the first paragraph is deleted.

Page B-2 through B-6

The form will have a revised date and April 2013 is deleted.

Page B-3

ITEM 11 – PRINCIPAL DIAGNOSIS

The first paragraph will now read:

Enter a valid diagnosis code which best describes the principal reason for home health services. The code is the full diagnosis code including all digits.

ITEM 12 – SURGICAL PROCEDURE, DATE and ICD-9-CM Code

The title now reads:

ITEM 12 – SURGICAL PROCEDURE

In the first paragraph, ICD-9-CM is changed to diagnosis.

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:       RULE TITLE:  
64B8-40.002     Organization

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as published in Vol. 40, No. 98, Florida Administrative Register, has been withdrawn.

THE PERSON TO BE CONTACTED REGARDING THE RULE IS: Allen Hall, Executive Director, Dietetics and Nutrition Practices Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District hereby gives notice that on May 21, 2014, St. Johns River Water Management District (“District”) issued a Final Order Granting Variance under Section 120.542, F.S. (SJRWMD FOR# 2014-16), to St. Johns County Utility Department (Petitioner). The District received the Petition for Variance on April 4, 2014, and an amended Petition for Variance on April 14, 2014 and published a notice of receipt in the Florida Administrative Weekly, Vol. 40, No. 75 on April 17, 2014. The District did not receive any public comment. The Final Order Granting Variance provides a variance from subsection 40C-3.517(3) of the Florida Administrative Code. This rule provides in pertinent part that water wells having a nominal casing size equal to or greater than four inches in outside diameter and obtaining water from a formation shall have a nominal two-inch thickness of grout sealing the annular space for the entire length of casing. The basis of the District’s decision to grant the variance is as follows: 1) installing a smaller diameter liner to achieve the required two-inch annular space would reduce the production capacity of the well, 2) the additional cost to properly abandon the existing well and construct a new well, and 3) the proposed alternative will not adversely affect the water resource.

A copy of the Order or additional information may be obtained by contacting: Kealey A. West, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529 or by telephone: (386)312-2317.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on May 27, 2014, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner’s Name: Fernwood Property Association, Inc.

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: lawn and landscape irrigation

The Petition has been assigned tracking No. 14-4193.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice that on May 28, 2014, it issued an order granting a variance.

Petitioner’s Name: Joe Gregory – File Tracking No. 14-4190

Date Petition Filed: April 11, 2014

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: April 17, 2014

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:



On May 2, 2014, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Auntie Anne's located in Saint Cloud. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the three-compartment sink located within an adjacent business under the same ownership. The Petition for this variance was published in Vol. 40, No. 88 on May 6, 2014. The Order for this Petition was signed and approved on May 21, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that the dishwashing area within Villa Pizza (NOS5911377) is maintained in a clean and sanitary manner, provided with hot and cold running water under pressure and is available during all hours of operation. If the ownership of Villa Pizza (Areas USA FLTP LLC) changes, an updated written agreement must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 23, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from German Covarrubias Elizalde MFDV located in Bartow. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods other than frankfurters from an open air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF HEALTH**

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on April 1, 2014, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Robert De Maria DC, DABCO. The Petitioner is seeking a waiver or variance of subsection 64B2-13.004(1), Florida Administrative Code, which requires that for the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education during the past two years.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF HEALTH**

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-11.001 Application for Licensure Examination

NOTICE IS HEREBY GIVEN that on April 21, 2014, the Board of Chiropractic Medicine received a petition for variance or waiver filed by Dr. Alejandro Serrano PA-C, D.C. The Petition does not state which rule the Petitioner is seeking a variance or waiver from. However, it appears that the Petitioner is seeking a variance or waiver of subsection 64B2-11.001(3), Florida Administrative Code, which requires that applicants for licensure must file all applications, fees, and supporting documentation including transcripts, NBCE examination results, fingerprint card, verification of licensure from other jurisdictions and, if applicable, certified copies of court records evidencing a criminal conviction, plea, or other disposition.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

**DEPARTMENT OF HEALTH**

Board of Psychology

RULE NO.: RULE TITLE:

64B19-11.0035 Licensure by Examination: Proof Satisfactory to the Board for the Purpose of Determining Eligibility for Examination

NOTICE IS HEREBY GIVEN that on May 14, 2014, the Board of Psychology received a petition for a variance of Rule 64B19-11.0035, F.A.C., filed by Kathleen C. Gibney, regarding allowing Petitioner to submit proof satisfactory to the Board for the purpose of showing that her Ph.D., obtained inside the United States or Canada, was obtained from a program equivalent to a program accredited by a programmatic accrediting agency recognized and approved by the U.S. Department of Education.

Comments on this petition should be filed with the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director at the above address or telephone: (850)245-4373.

**Section VI**

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

**DEPARTMENT OF EDUCATION**

Florida's Office of Early Learning

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

DATE AND TIME: Wednesday, June 4, 2014, 1:30 p.m. – 5:30 p.m.

PLACE: The Florida Hotel and Conference Center Orlando, 1500 Sand Lake Road, Orlando, FL 32809

A conference call dial-in number is also available for meeting participation. The dial-in number is: 1(888)670-3525 and participant passcode: 7107343387

GENERAL SUBJECT MATTER TO BE CONSIDERED: Early Learning Performance Funding Pilot Project.

A copy of the agenda may be obtained by contacting: [megan.folts@oel.myflorida.com](mailto:megan.folts@oel.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: [megan.folts@oel.myflorida.com](mailto:megan.folts@oel.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [megan.folts@oel.myflorida.com](mailto:megan.folts@oel.myflorida.com).

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Governor's Commission on Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 9, 2014, 9:00 a.m., EDT until all business is complete

PLACE: 1(888)670-3525; passcode: 3822432866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Committee meetings at times noted below:

Finance & Audit Committee: 9:00 a.m. – 10:00 a.m., EDT

Nominating Committee: 3:30 p.m. – 4:00 p.m., EDT

Executive Committee: 4:00 p.m. – 5:00 p.m., EDT

A copy of the agenda may be obtained by contacting: Debbie Brown at (850)414-7400 or [Debbie@volunteerflorida.org](mailto:Debbie@volunteerflorida.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Debbie Brown at (850)414-7400 or [Debbie@volunteerflorida.org](mailto:Debbie@volunteerflorida.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Debbie Brown at (850)414-7400 or [Debbie@volunteerflorida.org](mailto:Debbie@volunteerflorida.org).

**REGIONAL PLANNING COUNCILS**

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: June 9, 2014, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, [wren@tbrpc.org](mailto:wren@tbrpc.org) or (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, [wren@tbrpc.org](mailto:wren@tbrpc.org) or (727)570-5151, ext. 22.

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**WATER MANAGEMENT DISTRICTS**

Northwest Florida Water Management District

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

DATE AND TIME: June 12, 2014, 1:00 p.m. (EST)

PLACE: District Headquarters

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting - to consider District business. An Amendment to the Fiscal Year 2013-2014 Adopted Budget will be considered. The amendment will provide for the realignment of salary and benefit budget across funds.

Other Meetings to be held on Thursday, June 12, 2014:

1:05 p.m. Public Hearing on Regulatory Matters

1:10 p.m. Public Hearing on Land Acquisition Matters

A copy of the agenda may be obtained by contacting: Savannah White, NFWMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet: [www.nfwmd.state.fl.us](http://www.nfwmd.state.fl.us)). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District

The Harris Chain of Lakes Restoration Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 6, 2014, 9:00 a.m.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting the St. Johns River Water Management District, Attn: Kraig McLane, 4049 Reid Street, Palatka, FL 32177, by email at [kmclane@sjrwm.com](mailto:kmclane@sjrwm.com) or by phone at (386)329-4374 or by visiting the Council's website at [harrischainoflakescouncil.com](http://harrischainoflakescouncil.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: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Professional Engineers

The Florida Engineers Management Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 6, 2014, 10:00 a.m. or soon thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the corporation. This meeting will be available by conference call also. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 48 hours prior to the date of the meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons, rammons@fbpe.org.

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#### DEPARTMENT OF HEALTH

##### Board of Psychology

The Board of Psychology announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2014, 8:00 a.m., E.D.T. or soon thereafter

PLACE: Conference Call: 1(888)670-3525. After dialing the meet me number, when prompted, insert the participant code: 4389078941 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, BIN C05, Tallahassee, Florida 32399-3255 or by calling the board office at (850)245-4373, ext. 3482 or by visiting our website at: [www.floridahealth.gov/licensing-and-regulation](http://www.floridahealth.gov/licensing-and-regulation).

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

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

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#### DEPARTMENT OF HEALTH

##### Division of Family Health Services

The Department of Health, Community Health Promotion announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 2, 2014, 10:00 a.m. – 11:30 a.m.

PLACE: 2585 Merchants Row Boulevard, Room 350H, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Diabetes Advisory Council Quarterly Business Meeting.

Meeting number: 316 547 405. This meeting does not require a password.

To start or join the online meeting, please go to:

<https://suncom.webex.com.suncom.j.php?ED=50049203&UID=492507147&RT=MIMxMQ%3D%3D>.

Teleconference toll-free number: 1(888)670-3525, attendee access code: 297 003 0833

A copy of the agenda may be obtained by contacting: M.R. Street, Florida Department of Health, (850)245-4330, extension 2842.

For more information, you may contact: M.R. Street, (850)245-4330, extension 2842.

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#### FISH AND WILDLIFE CONSERVATION COMMISSION

The Fish and Wildlife Conservation Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 5, 2014, 2:00 p.m. – 4:00 p.m.

PLACE: The public may participate in the call in Suite 100, Marathon Building, 2574 Seagate Drive, Tallahassee  
Please call (850)921-1144 for admittance into the Marathon Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Wildlife Foundation of Florida will conduct administrative business of the Foundation including the Director update, Marketing update, and Financial update.

A copy of the agenda may be obtained by contacting: Ms. Marie Kokol, 2574 Seagate Drive, Tallahassee, FL 32302, (850)717-8703.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Marie Kokol, 2574 Seagate Dr., Suite 100, Tallahassee, FL 32302, (850)717-8703.

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#### ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2014, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
General Business Meeting.  
A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Electrical Contractors' Licensing Board

NOTICE OF AMENDED PETITION FOR DECLARATORY  
STATEMENT

NOTICE IS HEREBY GIVEN that the Electrical Contractors' Licensing Board has received a Petition for Declaratory Statement from Martha Harrell Chumblor, Esquire on behalf of TF Wireless Products, LLC, filed on May 21, 2014. The Petitioner seeks the Board's interpretation of the applicability of Chapter 489 and 455, Florida Statutes, that neither TF nor anyone acting on TF's behalf will be required to register or obtain certification from the Board in connection with the business endeavor described within the Petition.

Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

Copies of the petition may be obtained by contacting: Daniel Biggins, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, Daniel.Biggins@myfloridalicense.com or by telephone: (850)487-1395.

DEPARTMENT OF HEALTH

Board of Optometry

NOTICE IS HEREBY GIVEN that Board of Optometry has received the petition for declaratory statement from Dr. Kimberly Reed. The petition seeks the agency's opinion as to the applicability of subsections 463.002(6) and 463.002(7), Florida Statutes, as it applies to the petitioner.

Petitioner seeks a declaratory statement from the Board regarding subsection 463.002(6), Florida Statutes, requesting a determination that Petitioner's use of the type of biological contact lens bandage described in said Petition, including its placement on the ocular surface, does not involve surgery as defined in said subsection; further, regarding subsection 463.002(7), Florida Statutes, requesting a determination that Petitioner's use of said biological contact lens bandage in her Florida practice is authorized because it falls within the definition of optometry found in said subsection. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, (850)245-4393, info@FloridaOptometry.gov.

Please refer all comments to: Adrienne Rodgers, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, (850)245-4393, info@FloridaOptometry.gov.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Gregory J. Cahanin of Cahanin Fire & Code Consulting on May 22, 2014. The petition seeks the agency's opinion as to the applicability of Subdivision 18.2.3.5.3 of NFPA 1, Fire Code, Florida Edition as it applies to the petitioner.

The petition seeks the agency's interpretation of Florida Fire Prevention Code-101 Chapter 41 in particular, Section 7.1.4.1 and referenced standards contained therein.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, FL 32399-0333, (850)413-5829. Please refer all comments to: Melissa Dembicer.

Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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

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

**NONE**

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

**NONE**

Section IX  
Notice of Petitions and Dispositions  
Regarding Non-rule Policy Challenges

NONE

Section X  
Announcements and Objection Reports of the  
Joint Administrative Procedures Committee

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

NONE

Section XII  
Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need

NOTICE OF BATCHED APPLICATION RECEIPT AND  
NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Other Beds and Programs review cycle with an application due date of May 21, 2014.

County: Escambia District: 1 (Transplant Service Area 1)  
CON #10229 Application Receipt Date: 5/20/2014  
Applicant/Facility: Sacred Heart Health System, Inc./Sacred Heart Hospital  
Project Description: Establish an adult kidney transplantation program

County: Clay District: 4-2  
CON #10230 Application Receipt Date: 5/20/2014  
Applicant/Facility: Five Points Health Care, Ltd./Park Ridge Nursing Center  
Project Description: Construct a 104-bed replacement community nursing home

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSAL: CON #10229 District 1  
DATE/TIME: July 7, 2014, 2:00 p.m. – 3:30 p.m.  
PLACE: Panama City Bay County Chamber of Commerce, Board Room  
235 W. 5th Street  
Panama City, Florida 32401

PROPOSAL: CON #10230 District 4  
DATE/TIME: July 11, 2014, 9:00 a.m. – 11:30 a.m.  
PLACE: Health Planning Council of Northeast Florida, Inc. Conference Room  
100 N. Laura Street, Suite 801  
Jacksonville, Florida 32202

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention James B. McLemore, by 5:00 p.m., June 12, 2014. In lieu of requesting and attending a public hearing, written comments submitted to the agency relative to the merits of these applications will become part of the official project application file. Pursuant to 59C-1.010(3), F.A.C., written comments must be received by June 25, 2014.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Orders, DEO-14-051, DEO-14-052, DEO-14-053, DEO-14-054, DEO-14-055

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order Nos.: DEO-14-051, DEO-14-052, DEO-14-053, DEO-14-054, DEO-14-055 on May 12, 2014, in response to applications submitted by Sea Dunes Starfish Homeowners Association, Country Place Unit III Homeowners Association, Country Place Unit VI Homeowners Association, Sunrise Golf Club Estates Homeowners Association and Boca Lakes Homeowners Association for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department’s Final Order granted the applications for covenant revitalization after determining that the applications met the statutory requirements for covenant revitalization. Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order no.: DEO-14-056

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-056 on May 27, 2014, in response to an application submitted by The Venetian House, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application did not meet the statutory requirements for covenant revitalization because the application did not contain copies of the previous

declarations of covenants and all amendments, as required by Section 720.406(1)(b), Florida Statutes. Accordingly, the Department's Final Order denied the application for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [James.Bellflower@DEO.myflorida.com](mailto:James.Bellflower@DEO.myflorida.com).

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

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

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