

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Regulatory Council of Community Association Managers

RULE NO.: RULE TITLE:
61E14-2.001 Standards of Professional Conduct
PURPOSE AND EFFECT: To update the rule and implement
statutory changes from the 2013 and 2014 legislative sessions.
SUBJECT AREA TO BE ADDRESSED: Standards of conduct
to be followed by licensees when performing community
association management services.
RULEMAKING AUTHORITY: 468.4315(2), 468.436(3) FS.
LAW IMPLEMENTED: 468.431(2), 468.4315(2), 468.4334,
468.436 FS.

IF REQUESTED IN WRITING AND NOT DEEMED
UNNECESSARY BY THE AGENCY HEAD, A RULE
DEVELOPMENT WORKSHOP WILL BE SCHEDULED
AND ANNOUNCED IN THE F.A.R.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE IS: Robyn
Barineau, Executive Director, Regulatory Council of
Community Association Managers, 1940 N. Monroe Street,
Tallahassee, Florida 32399, (850)487-1395

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-2.003 Definitions
PURPOSE AND EFFECT: The Board proposes the rule
amendment to update the acceptable courses.
SUBJECT AREA TO BE ADDRESSED: Definitions.
RULEMAKING AUTHORITY: 483.805(4), 483.811(2) FS.
LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823
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: Adrienne
Rodgers, Executive Director, Board of Clinical Laboratory
Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee,
Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-4.001 Trainee Registration
PURPOSE AND EFFECT: The Board proposes the rule
amendment to delete the requirement of a certified copy of a
high school diploma or its equivalent.
SUBJECT AREA TO BE ADDRESSED: Trainee Registration.
RULEMAKING AUTHORITY: 483.805(4) FS.
LAW IMPLEMENTED: 483.809(3), 483.811(2), (3), (4),
483.825 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: Adrienne
Rodgers, Executive Director, Board of Clinical Laboratory
Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee,
Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:
64B3-5.0011 Definitions
PURPOSE AND EFFECT: The Board proposes the rule
amendment to add physics as an "Academic Science" college
level course.
SUBJECT AREA TO BE ADDRESSED: Definitions.
RULEMAKING AUTHORITY: 483.805, 483.823 FS.
LAW IMPLEMENTED: 483.823 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: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

PURPOSE AND EFFECT: The Board proposes the rule amendment to amend the specialties included as a generalist; modify options for histotechnology specialty.

SUBJECT AREA TO BE ADDRESSED: Technologist Licensing Requirements.

RULEMAKING AUTHORITY: 483.805(4), 483.811(2), 483.823 FS.

LAW IMPLEMENTED: 381.0034(3), 483.809, 483.811(2), 483.823 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: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-10.005 Scope of Practice Relative to Specialty of Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to add a reference to a website for specialty testing.
SUBJECT AREA TO BE ADDRESSED: Scope of Practice Relative to Specialty of Licensure.

RULEMAKING AUTHORITY: 483.805(4) FS.

LAW IMPLEMENTED: 483.813, 483.823, 483.825 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: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-11.003 Requirements for Continuing Education Programs

PURPOSE AND EFFECT: The Board proposes the rule amendment to remove unnecessary language.

SUBJECT AREA TO BE ADDRESSED: Requirements for Continuing Education Programs.

RULEMAKING AUTHORITY: 456.013(9), 483.805(4), 483.821 FS.

LAW IMPLEMENTED: 456.013(9), 483.821 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: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: RULE TITLE:
61E14-4.001 Continuing Education Renewal
Requirements

PURPOSE AND EFFECT: To clarify legal update seminar Continuing Education requirements for license renewal.

SUMMARY: Revise rule to clarify licence renewal requirements concerning legal update Continuing Education seminars.

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: The rule amendments are intended to revise language which is unnecessary and has caused confusion in the past. The amendments do not substantively change any existing requirements. Accordingly the Council found that the changes will not have any adverse economic impact, but, to the contrary, are likely to decrease confusion and therefore reduce regulatory costs and burdens. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.2123, 455.2124, 468.4315(2), 468.4336, 468.4337 FS.

LAW IMPLEMENTED: 455.2123, 455.2124, 468.4336, 468.4337 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Regulatory Council of Community Association Managers, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395

THE FULL TEXT OF THE PROPOSED RULE IS:

61E14-4.001 Continuing Education Renewal Requirements.

(1) All community association manager licensees must satisfactorily complete a minimum of 20 hours of continuing education. Each hour shall consist of 50 minutes of student involvement in approved classroom, correspondence, interactive, distance education or internet courses which courses shall include the required hours at an approved update seminar. No license shall be renewed unless the licensee has completed the required continuing education ~~during the preceding licensing period.~~

(2) through (3) No change.

(a) 4 hours of legal update seminars. Licensees shall satisfactorily complete a 2-hour legal update seminar ~~during each year of the biennial renewal period.~~ The legal update seminars shall consist of instruction regarding changes to Chapters 455, 468, Part VIII, 617, 718, 719, and 721, F.S., and other legislation, case law, and regulations impacting community association management. Licensees shall not be awarded continuing education credit for completing the same legal update seminar more than once even if the seminars were taken during different years.

(b) through (e) No change.

(4) through (8) No change.

Rulemaking Specific Authority 455.2123, 455.2124, 468.4315(2), 468.4336, 468.4337 FS. Law Implemented 455.2123, 455.2124, 468.4336, 468.4337 FS. History—New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55.008, 61B-55.008, Amended 10-18-99, 3-13-00, 2-21-01, 7-21-03, 4-25-05, 2-28-07, Formerly 61-20.508, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 14, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NOS.: RULE TITLES:

61G10-11.002 Reexamination

61G10-11.010 Seals

PURPOSE AND EFFECT: For Rule 61G10-11.002, F.A.C., to repeal this unnecessary rule; for Rule 61G10-11.010, F.A.C., to modify requirements regarding licensee’s seal.

SUMMARY: Repeal of Rule 61G10-11.002, F.A.C. and modification of Rule 61G10-11.010, F.A.C., seal requirements.

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: For Rules 61G10-11.002 and 61G10-11.010, F.A.C., 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; for Rule 61G10-11.010, F.A.C., the amendment will allow different options for seals.

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

RULEMAKING AUTHORITY: 455.217(2), 481.306 FS.
LAW IMPLEMENTED: 455.217(2), 481.321 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395

THE TEXT OF THE PROPOSED RULE IS:

61G10-11.002 Reexamination.

~~(1) An applicant who fails the UNE licensure examination will be required to retake only the Section(s) of the Landscape Architect Registration Examination (LARE) that corresponds to the subject areas failed on the UNE.~~

UNE SECTION	LARE TEST SECTIONS
FAILED	REQUIRED
Professional Practice	Legal and Administrative Aspects of Practice
Design	Programming and Environmental Analysis
Design Application	Programming and Environmental Analysis; and Conceptualization and Communication; and Design Synthesis
Design Implementation	Integration of Technical and Design Requirements; and Implementation of Design Through Construction Process
Grading and Drainage	Grading and Drainage

~~(2) The applicant must remit to the Department the reexamination fee set in Rule 61G10-12.003, F.A.C.~~

Rulemaking Specific Authority 455.217(2) FS. Law Implemented 455.217(2) FS. History–New 2-4-80, Amended 11-1-83, Formerly 21K-11.02, Amended 2-13-92, Formerly 21K-11.002, Repealed _____.

61G10-11.010 Seals.

(1) Each registered landscape architect who holds a valid certificate of registration shall obtain a seal which an impression type metal seal. Said shall include the words “STATE OF FLORIDA,” “LANDSCAPE ARCHITECT,” and the licensee’s name as it appears on his or her certificate of registration, as well as the certificate number. The seal shall be capable of leaving a permanent ink representation or other form of embossing or opaque and permanent impression, which also may be computer-generated impressions, on the surface of prints or other duplications of drawings and, as appropriate, upon specification pages and other articles of service. Where required, electronic files may be sealed in accordance with Rule 61G10-11.011, F.A.C.

(2) through (3) No change.

Rulemaking Specific Authority 481.306 FS. Law Implemented 481.321 FS. History–New 3-13-89, Formerly 21K-11.010, Amended 1-18-98, 1-2-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Landscape Architecture
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:

61G10-12.002 Fees

PURPOSE AND EFFECT: To lower fees for biennial renewal of certificates of registration and authorization.

SUMMARY: Lower certain fees.

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: 455.219(6), 455.271, 481.307 FS.

LAW IMPLEMENTED: 455.219(6), 455.271, 481.307 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395

THE TEXT OF THE PROPOSED RULE IS:

61G10-12.002 Fees.

(1) through (4) No change.

(5) The fee for biennial renewal of a certificate of registration shall be two hundred twenty-five dollars (\$225.00) ~~three hundred dollars (\$300.00)~~.

(6) The fee for biennial renewal of a certificate of authorization shall be three hundred thirty-seven dollars and fifty cents (\$337.50) ~~four hundred and fifty dollars (\$450.00)~~.

(7) through (13) No change.

Rulemaking Specific Authority 455.219(6), 455.271, 481.307 FS. Law Implemented 455.219(6), 455.271, 481.307 FS. History--New 2-4-80, Formerly 21K-12.02, Amended 8-19-86, 11-12-89, 2-13-92, Formerly 21K-12.002, Amended 5-3-99, 4-3-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Landscape Architecture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NOS.: RULE TITLES:

61G10-18.002 Board Approval of Continuing Education Providers

61G10-18.003 Obligations of Continuing Education Providers

61G10-18.006 Approval of Continuing Education Courses

PURPOSE AND EFFECT: For Rules 61G10-18.002 and 61G10-18.006, F.A.C., to change application form reference; for Rule 61G10-18.003, F.A.C., to clarify compliance requirement in subsection (11).

SUMMARY: Change application form reference and clarify compliance requirement.

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: 455.2124, 455.2179, 455.219, 481.306, 481.313, 481.325(2) FS.

LAW IMPLEMENTED: 455.2179, 481.313, 553.841 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395

THE TEXT OF THE PROPOSED RULE IS:

61G10-18.002 Board Approval of Continuing Education Providers.

(1) No change.

(2) To allow the Board to evaluate an application for continuing education provider status, the applicant must submit the following on Provider Approval Application form DBPR LA BET 1 (effective 6-24-14), ~~Number DBPR LA 001 effective 3-23-05~~; adopted and incorporated herein by reference, a ~~and~~ copy of which can be obtained from the Board office:

(a) through (e) No change.

(3) through (4) No change.

Rulemaking Authority 455.2124, 455.2179, 481.306, 481.313 FS. Law Implemented 455.2179, 481.313, 553.841 FS. History—New 9-19-01, Amended 6-6-02, 4-13-03, 7-6-05, 12-21-09, 6-16-14,_____.

61G10-18.003 Obligations of Continuing Education Providers.

To maintain status as a continuing education provider, the provider must:

(1) through (10) No change.

(11) Provide courses designed to enhance the education of landscape architects in the practice of landscape architecture that complies with Chapter 481, Florida Statutes, and subsection 61G10-18.006(4), F.A.C., unless exempt in accordance with subsection 61G10-18.002(4), F.A.C.

Rulemaking Authority 455.219, 481.306, 481.313 FS. Law Implemented 481.313 FS. History—New 9-19-01, Amended 12-21-09,_____.

61G10-18.006 Approval of Continuing Education Courses.

(1) Application for approval of each continuing education course offered by an approved provider shall be made on the Application for CE Course Approval – Landscape Architecture, number DBPR LA BET 2 (effective 6-24-14), ~~DBPR LA 002, effective 9-19-01~~, adopted and incorporated herein by reference, a copy of which can be obtained from the Board Office.

(2) Continuing education courses shall expire two years from the date of approval. Continuing education providers shall reapply for approval of any course that has expired by complying with Rule 61G10-18.006, F.A.C., unless exempt by Rule 61G10-18.002, F.A.C.

(3) through (10) No change.

Rulemaking Authority 455.2179, 481.306, 481.325(2) FS. Law Implemented 455.2179 FS. History—New 9-19-01, Amended 6-6-02, 5-8-07, 12-21-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Landscape Architecture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-51.002 Licensure by Examination

PURPOSE AND EFFECT: To update the re-examination application form to include Medicaid fraud questions required by Section 456.0635, Florida Statutes, and clarify re-examination procedures.

SUMMARY: Update application form #DH-MQA 1262, “Electrologist Re-Examination Application” (revised 6/14), and clarify re-examination procedures.

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: The information requested on the re-examination form and changes to procedures are minor and will not create any increase in cost. No person or party submitted additional information on regulatory costs.

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: 478.43(1), (4) FS.

LAW IMPLEMENTED: 456.017, 456.0635, 478.45 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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

THE TEXT OF THE PROPOSED RULE IS:

64B8-51.002 Licensure by Examination.

(1) through (3) No change.

(4) A candidate for licensure by examination who fails to pass the examination shall be required to retake the examination prior to issuance of a license. The application for re-examination of the licensure examination, as referenced in paragraph (2) of this rule, shall be made on the Re-examination Application form DH-MQA 1262 hereby adopted (6/14) and incorporated by reference. Upon notice from the testing vendor of an applicant's unsuccessful scores, the Council Office will send the re-examination form to affected applicants.

Rulemaking Specific Authority 478.43(1), (4) FS. Law Implemented 456.017, 456.0635, 478.45 FS. History—New 5-31-93, Formerly 21M-76.002, 61F6-76.002, Amended 7-11-95, Formerly 59R-51.002, Amended 11-13-97, 2-17-00, 5-28-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 19, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities

PURPOSE AND EFFECT: To delete reference to second URL and make minor changes related to enforcement of the rule.

SUMMARY: Amendments will delete second URL and address inspection of electrolysis facilities.

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: The proposed changes are minor and will make the application and inspection processes easier for owners of facilities. No person or interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 456.037, 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 456.037(2), (3), (5), 456.0635, 478.49, 478.51 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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

THE TEXT OF THE PROPOSED RULE IS:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

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

(b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-MQA 1213, entitled "Application for Electrolysis Facility Licensure," effective 3/13, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-02754> or the Department at The Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256, and is available on the web at: <http://www.doh.state.fl.us/mqa>. The applicant must pay a \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed activity fee.

(3) No change.

(a) through (e)17. No change.

18. ~~Unless the facility is new, monthly~~ Monthly records of sterilizer biological test monitoring which shall be made available to the Agency or Department upon request;

19. through 20. No change.

(g)1. through 2. No change.

3. ~~For devices required to be registered, proof~~ Proof of registration for each of laser or light-based device in use at the facility as required by Section 501.122, F.S.

4. through 9. No change.

10. ~~The written protocols required by paragraph 64B8-56.002(4)(a), F.A.C. At least one piece of properly registered laser equipment located within the electrolysis facility.~~

(4) through (7) No change.

Rulemaking Authority 456.037, 478.43(1), (4), 478.51(3) FS. Law Implemented 456.037(2), (3), (5), 456.0635, 478.49, 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00, 3-25-01, 4-8-02, 6-16-03, 7-29-10, 6-19-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 19, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-52.004
RULE TITLE: Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction

PURPOSE AND EFFECT: To require continuing education course providers to register with CE Broker and to correct one word.

SUMMARY: Correct one word and require providers to register with CE Broker.

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: The changes will make processing of applications to offer continuing education courses easier for applicants and will not add additional costs. No person or interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 456.025(7), 478.43 FS.
LAW IMPLEMENTED: 456.025(7), 478.42(5), 478.43(3), 478.50 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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

THE TEXT OF THE PROPOSED RULE IS:

64B8-52.004 Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction. The Electrolysis Council will approve laser and light-based hair removal or reduction continuing education training courses upon application if the following requirements are met:

(1) Continuing education providers seeking initial approval by the Council shall pay a fee of \$250, and shall apply through the Department of Health's contracted continuing education system, CE broker, at www.cebroker.com complete and submit

~~to the Council the application form entitled “Application for Laser and Light Based Hair Removal or Reduction Continuing Education Provider”, form DOH/MQA/EO/LASER/CEU/07/23/01, which is hereby incorporated by reference and became effective July 23, 2001, copies of which may be obtained from the Council office at 4052 Bald Cypress Way, BIN C 05, Tallahassee, Florida 32399-3255. Continuing education providers seeking renewal of provider status shall also pay a \$250 fee each biennium. To receive Council approval, a continuing education program:~~

- ~~(a) Shall~~ ~~Should~~ be submitted for the Council’s approval not less than 60 days nor more than 360 days prior to the date the offering is scheduled;
- ~~(b) No change.~~
- ~~(2) through (3) No change.~~

~~Rulemaking Specific Authority 456.025(7), 478.43 FS. Law Implemented 456.025(7), 478.42(5), 478.43(3), 478.50 FS. History—New 10-3-00, Amended 12-24-01, 12-26-02, 8-17-04, 7-3-06, 2-18-09.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Electrolysis Council
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 19, 2014

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-56.002
RULE TITLE: Equipment and Devices; Protocols for Laser and Light-Based Devices

PURPOSE AND EFFECT: To clarify that the Department of Health conducts inspections and to eliminate the requirement that the written protocols include a statement on liability coverage.

SUMMARY: Clarify which entity conducts inspections and eliminate the requirement for liability coverage from the protocols.

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: This proposed amendment will reduce costs by eliminating the need for liability insurance. No person or interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 478.43 FS.

LAW IMPLEMENTED: 458.331(1)(v), 458.348(3), 478.42(5), 478.43(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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

THE TEXT OF THE PROPOSED RULE IS:

64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices.

- (1) through (3) No change.

(4)(a) The supervising physician and the electrologist shall develop jointly written protocols regarding the medical condition for individuals to receive laser and light-based hair removal or reduction treatment; specific conditions and the procedure for identifying conditions that require direct evaluation or specific consultation by the physician; treatment of routine minor problems resulting during or from laser and light-based hair removal or reduction; and detailed procedures to be followed in the event of emergency situations developing during the performance of or as a result of laser and light-based hair removal or reduction. These written protocols must be signed, dated, and maintained in a readily available location on the premises where the electrologist practices. One copy shall be maintained by the supervising physician and one copy must be filed with the Department of Health. The written protocols which are kept on the premises of the electrologist will be readily available for inspection and review by agents of the Department of Health ~~or the Board of Medicine~~. The parties to a protocol must notify the Department within 30 days of the termination of their professional relationship.

- (b) No change.

~~(c) The written protocol shall include a statement that the electrologist does and will maintain professional liability coverage that includes coverage for incidents arising from laser usage in an amount not less than \$100,000.~~

(5) through (6) No change.

Rulemaking Specific Authority 478.43 FS. Law Implemented 458.331(1)(v), 458.348(3), 478.42(5), 478.43(4) FS. History—New 9-12-01, Amended 2-28-02, 7-23-06, 3-12-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Electrolysis Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 19, 2014

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-6.001 Fees

PURPOSE AND EFFECT: To eliminate the fee for branch office licensure, which is no longer required.

SUMMARY: Following the Board’s elimination of the requirement for branch office licensure, it proposes to eliminate the fees associated with same.

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: The proposed rule amendments eliminate two fees in their entirety. Accordingly, the amendments will result in a net cost reduction to all entities, including small businesses and government, which will no longer be required to pay the fees or process paperwork.

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(7), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adrienne Rodgers, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, (850)245-4393

THE TEXT OF THE PROPOSED RULE IS:

64B13-6.001 Fees.

The following fees are prescribed by the Board:

(1) through (3) No change.

~~(4) The fee to be paid for the issuance of an initial Branch Office License shall be one hundred dollars (\$100). The fee for issuance of additional Branch Office Licenses shall be twenty-five dollars (\$25) each.~~

~~(5) The fee to be paid for biennial renewal of an initial Branch Office License shall be one hundred dollars (\$100). The fee for renewal of additional Branch Office Licenses shall be twenty-five dollars (\$25) each.~~

~~(4)(6)~~ A licensee shall pay a change of status fee of \$300 when the licensee applies for a change in license status at any other time than during licensure renewal.

~~(5)(7)~~ The application fee for certification as a certified optometrist shall be \$250.00.

~~(6)(8)~~ The fee for obtaining a duplicate wall certificate/license shall be \$25.00.

~~(7)(9)~~ The application fee for a faculty certificate shall be \$100.00.

~~(8)(10)~~ The initial license fee for a faculty certificate shall be \$100.00.

~~(9)(11)~~ The renewal fee for a faculty certificate shall be \$100.00.

~~(10)(12)~~ The fee for a delinquent status licensee applying for active or inactive status shall be \$300.00.

~~(11)(13)~~ The fee to be paid for the laws and rules examination for licensees who either have to reactivate their license or are required pursuant to paragraph 64B13-7.005(1)(h), F.A.C., is one hundred dollars (\$100).

~~(12)(14)~~ The initial fee for any entity seeking approval to provide continuing education courses or programs shall be \$25.00.

~~(13)(15)~~ The biennial renewal fee for any entity seeking approval to provide continuing education courses or programs shall be \$25.00.

~~(14)(16)~~ The retired-status fee is \$50.00.

Rulemaking Authority 456.013(2), 456.025(7), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS. Law Implemented 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS. History—New 12-13-79, Amended 2-14-82, 8-18-82, 12-2-82, 5-6-84, 7-29-85, Formerly 21Q-6.01, Amended 11-20-86, 7-21-88, 2-5-90, 5-29-90, 7-10-91, 4-14-92, 7-1-93, Formerly 21Q-6.001, Amended 1-24-94, Formerly 61F8-6.001, Amended 12-22-94, 2-13-95, 4-5-95, 5-29-95, 12-31-95, Formerly 59V-6.001, Amended 12-24-97, 3-21-00, 11-18-01, 5-9-02, 9-10-02, 7-3-03, 10-30-03, 8-29-04, 9-20-05, 11-16-05, 10-28-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2014

DEPARTMENT OF HEALTH

Board of Optometry

RULE NOS.: RULE TITLES:
64B13-15.005 Designation of Administrative Violations;
Major; Minor
64B13-15.006 Designation of Patient Care Violations;
Major; Minor

PURPOSE AND EFFECT: To add Section 465.0276, F.S., to the statutory requirements which, if violated, can subject a practitioner to potential disciplinary action.

SUMMARY: The amendments clarify how a violation of Section 465.0276, F.S., will be classified for purposes of licensee discipline.

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: The proposed amendments designate the classification appropriate for a potential violation of Section 465.0276, F.S. Because this statute imposes requirements for licensees, the rule amendments do not impose any costs by themselves. Further, the Board anticipates that identifying these disciplinary guidelines will clarify and, therefore, reduce confusion and costs to all entities, including licensees, small businesses and government.

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: 456.079, 463.005(1) FS.

LAW IMPLEMENTED: 456.079, 465.0276(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adrienne Rodgers, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; (850)245-4393

THE TEXT OF THE PROPOSED RULE IS:

64B13-15.005 Designation of Administrative Violations; Major; Minor.

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

(m) Subsections (1), (2) and (5) of Section 465.0276, F.S., entitled “Dispensing Practitioner,” if the violation is of a technical nature not related to patient care.

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

(h) Subsections (1), (2) and (5) of Section 465.0276, F.S., entitled “Dispensing Practitioner,” if the violation is substantially likely to affect patient care.

~~(i)(h)~~ Rule 64B13-3.001, F.A.C., entitled “Confidential Information; Disclosure.”

~~(j)(i)~~ Rule 64B13-3.003, F.A.C., entitled “Patient Records; Transfer or Death of Licensed Practitioner.”

~~(k)(j)~~ Paragraphs (2)(a), (b), (c), (d), (e), (f), and subsections (4), (5), and (6), of Rule 64B13-3.009, F.A.C., entitled “False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure.”

~~(l)(k)~~ Rule 64B13-3.012, F.A.C., entitled “Prescriptions” if the violation is substantially likely to affect patient care.

~~(m)(l)~~ Subsection (3) of Rule 64B13-11.001, F.A.C., entitled “Inactive Status.”

~~(n)(m)~~ Rule 64B13-5.001, F.A.C., entitled “Hours Requirement.”

(3) No change.

Rulemaking Authority 456.079, 463.005(1) FS. Law Implemented 456.079, 465.0276(4) FS. History—New 2-24-87, Formerly 21Q-15.005, 61F8-15.005, Amended 8-18-96, Formerly 59V-15.005, Amended 5-1-02, 7-6-10, 2-1-12, 7-10-14,_____.

64B13-15.006 Designation of Patient Care Violations; Major; Minor.

(1)(a) through (2)(o) No change.

(p) Subsections (1), (2) and (5) of Section 465.0276, F.S., entitled "Dispensing Practitioner," if the violation results in actual harm to the patient.

(q)(p) Subsection 893.05(1), F.S., entitled "Practitioners and persons administering controlled substances in their absence."

(3) No change.

Rulemaking Authority 456.079, 463.005(1) FS. Law Implemented 456.079, 465.0276(4) FS. History--New 2-24-87, Formerly 21Q-15.006, 61F8-15.006, 59V-15.006, Amended 5-1-02, 10-30-08, 11-20-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 27, 2014

Section III

Notice of Changes, Corrections and Withdrawals

COMMISSION ON ETHICS

RULE NOS.:	RULE TITLES:
34-8.002	General Rules for Filing the CE Form 6 – Full and Public Disclosure of Financial Interests
34-8.008	Final Filing Using the CE Form 6F
34-8.009	Amended Filing Using the CE Form 6X
34-8.202	General Rules for Filing the CE Form 1 – Statement of Financial Interests
34-8.208	Final Filing Using the CE Form 1F
34-8.209	Amended Filing Using the CE Form 1X

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 178, September 12, 2014 issue of the Florida Administrative Register.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August ~~September~~ 12, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August ~~September~~ 12, 2014

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

NOTICE IS HEREBY GIVEN that on September 9, 2014, the South Florida Water Management District ("District"), received a petition for waiver from Barbara Smith and Frankie Hendrix, Application No. 14-0714-2, for utilization of Works or Lands of the District known as the Miller Canal, for an existing wood deck, storage shed and wood pagoda within Works and Lands of the District; Section 31, Township 49 South, Range 28 East, Collier County. The petition seeks relief from subsections 40E-6.011(4) and (6), Fla. Adm. Code, which govern the placement of above-ground permanent and/or semi-permanent encroachments within 40' of the top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email at jurussel@sfwmd.gov. The District will accept comments concerning the petition received by end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC, 1414, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2014, 5:30 p.m., Finance and Investment Meeting

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Friends of Mission San Luis will hold a meeting for the purposes of conducting Friends' business and assisting the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly with the Division of Historical Resources at Diane.Ogorzaly@DOS.MyFlorida.com or (850)245-6388.

DEPARTMENT OF EDUCATION

The Florida Education Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, September 19, 2014, 9:00 a.m.

PLACE: Contact Deb Schroeder at (850)245-9671 for call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Provide briefing of Colorado Education Initiative.

A copy of the agenda may be obtained by contacting: Deb Schroeder.

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:

12-6.003: Protest of Notices of Proposed Assessment Issued by the Department Which Result From an Audit

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

DATE AND TIME: September 23, 2014, during a regular meeting of the Governor and Cabinet, 8:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rulemaking for the following rule sections:

Rule 12-6.003, F.A.C. – Protest of Notices of Proposed Assessment Issued by the Department Which Result From an Audit

Rule 12-13.004, F.A.C. – Delegation of Authority to Determine Settlements or Compromises

Rule 12A-19.071, F.A.C. – Department of Revenue Electronic Database

Rule 12A-19.100, F.A.C. – Public Use Forms

Rule 12C-1.051, F.A.C. – Forms

Rule 12B-5.150, F.A.C. – Public Use Forms

Rule 12B-8.0016, F.A.C. – Department of Revenue Electronic Database

Rule 12B-8.003, F.A.C. – Tax Statement; Overpayments

Rule 12A-1.005, F.A.C. – Admissions

Rule 12A-1.097, F.A.C. – Public Use Forms

A copy of the agenda may be obtained by contacting: Tammy Miller at (850)617-8347 or by going to the Department's website at <http://dor.myflorida.com/dor/rules>.

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: Tonya Fulford at (850)717-6799. 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).

REGIONAL PLANNING COUNCILS

Apalachee Regional Planning Council

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

DATE AND TIME: Thursday, September 25, 2014, 10:30 a.m., ET

PLACE: ARPC Office Conference Room, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the ARPC Board of Directors. In addition to its regular business, the agenda will include the review of any local plan amendments and revolving loan applications received in a timely manner.

A copy of the agenda may be obtained by contacting: Janice Watson, ARPC, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303, JWatson@thearpc.com, (850)488-6211, ext. 103.

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.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: September 22, 2014, 2:00 p.m., Loxahatchee River Management Coordinating Council Meeting

PLACE: The River Center, 805 US Highway 1, Jupiter, FL 33477

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meet to discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River.

A copy of the agenda may be obtained by contacting: Kathy LaMartina, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406 or klamart@sfwmd.gov, www.sfwmd.gov, (561)682-6594.

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 District Clerk, (561)682-2087. 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: Kathy LaMartina, (561)682-6594.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 23, 2014, 11:00 a.m.

PLACE: Via telephone only: 1(888)909-7654, enter pass code: 128126 when prompted

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will address official business of the Florida Mobile Home Relocation Corporation which will include, among other matters, a review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use and such other business as may come before the Board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Vicky Krentz at 1(888)862-7010.

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: Vicky Krentz at 1(888)862-7010. 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: Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL, 33758, 1(888)862-7010. Ms. Krentz may be reached by email: vicky@fmhrc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Division of Environmental Assessment and Restoration, announces a public meetings to which all persons are invited.

DATE AND TIME: Tuesday, September 23, 2014, 10:00 a.m. – 12:30 p.m. (EDT) for St. Lucie – Loxahatchee

PLACE: Martin County Building Department, Building Department Conference Room, 900 Southeast Ruhnke Street, Stuart, Florida 34994

DATE AND TIME: Wednesday, September 24, 2014, 9:30 a.m. – 12:00 Noon (EDT) for Charlotte Harbor

PLACE: South Florida Water Management District Lower West Coast Service Center, Main Conference Room, 2301 McGregor Boulevard, Fort Myers, Florida 33901

DATE AND TIME: Thursday, September 25, 2014, 12:30 p.m. – 3:00 p.m. (CDT) for Apalachicola-Chipola

PLACE: Chipola College, Continuing Education Conference Center, Room S0123, 3094 Indian Circle, Marianna, FL 32446

DATE AND TIME: Tuesday, September 30, 2014, 1:30 p.m. – 4:00 p.m. (EDT) for Tampa Bay Tributaries

PLACE: Florida Department of Environmental Protection South West District Office, Main Conference Room, 13051 N. Telecom Parkway, Temple Terrace, FL 33637

DATE AND TIME: Wednesday, October 1, 2014, 9:30 a.m. – 2:30 p.m. (EDT) for Middle St. Johns

PLACE: Florida Department of Environmental Protection Central District Office, Conference Rooms A, B, and C, 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803

DATE AND TIME: Thursday, October 2, 2014, 1:30 p.m. – 4:00 p.m. (EDT) for Lower St. Johns

PLACE: Florida Department of Environmental Protection Northeast District Office, Conference Rooms 1A & 1B, 8800 Baymeadows Way West, Jacksonville, Florida 32256-7590

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department's Division of Environmental Assessment and Restoration (DEAR) is holding meetings in several locations throughout the state to present the draft lists of assessments for waterbodies and water segments verified as impaired pursuant to Chapter 62-303, Florida Administrative Code, and waters proposed for delisting from Florida's 303(d) list. These waterbodies are within the Group 2 basins, identified as: Apalachicola-Chipola, Charlotte Harbor, Lower St. Johns, Middle St. Johns, St. Lucie – Loxahatchee, and Tampa Bay Tributaries.

The draft lists will be available on the Department's Watershed Assessment Program website (<http://www.dep.state.fl.us/water/watersheds/assessment/index.htm>) by September 12, 2014, and will be provided upon request to interested parties by mail or via email distribution. The Department will accept written comments on the draft lists

beginning on the date the lists are posted to the Program website, and ending October 13, 2014.

Any and all written comments should be directed to Kevin O'Donnell, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3560, Tallahassee, Florida 32399-2400 or by e-mail: Kevin.ODonnell@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Ms. Wanda Harpley, Watershed Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3560, Tallahassee, Florida 32399-2400 or by email: Wanda.Harpley@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Wanda Harpley at (850)245-8434. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: Wednesday, October 15, 2014, 9:00 a.m. – 5:00 p.m.

PLACE: 3rd Floor Auditorium, Center of Excellence for Coral Reef Ecosystem Research, Nova Southeastern University Oceanographic Center, 8000 North Ocean Drive, Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Coral Reef Conservation Program is holding a meeting of the Our Florida Reefs South Community Working Group in which working group members will develop a list of recommended management actions for the future of southeast Florida coral reefs.

A copy of the agenda may be obtained by contacting: Benjamin Wahle by email: Benjamin.Wahle@dep.state.fl.us or phone: (305)795-1223. One week prior to the meeting, the agenda will be available online at: <http://ourfloridareefs.org/events>.

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: Benjamin Wahle by email: Benjamin.Wahle@dep.state.fl.us or phone: (305)795-1223. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: Wednesday, October 22, 2014, 9:00 a.m. – 5:00 p.m.

PLACE: Susan H Johnson Auditorium, Wolf High-Technology Center, Indian River State College Chastain Campus, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Coral Reef Conservation Program is holding a meeting of the Our Florida Reefs North Community Working Group in which working group members will develop a list of recommended management actions for the future of southeast Florida coral reefs.

A copy of the agenda may be obtained by contacting: Benjamin Wahle by email: Benjamin.Wahle@dep.state.fl.us or by phone: (305)795-1223. One week prior to the meeting date, the agenda will also be available online at: <http://ourfloridareefs.org/events/>.

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 days before the workshop/meeting by contacting: Benjamin Wahle at (305)795-1223. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIMES: November 12, 2014, 10:00 a.m. – 11:00 a.m. and 2:00 p.m. – 4:00 p.m.

PLACE: The Bob Martinez Center, Room 535, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

GENERAL SUBJECT MATTER TO BE CONSIDERED: A workshop will commence at 10:00 a.m. and continue until not later than 11:00 a.m., to present the Department's recommendations and receive public comment on revisions to the intended use of available funds in the Clean Water State Revolving Fund (CWSRF) Program during Fiscal Year (FY) 2015; and then, beginning at 2:00 p.m. and continuing until not later than 4:00 p.m., the Department will hold a public meeting to discuss the issues and recommendations for management of the FY 2015 CWSRF priority list of projects to be funded with loans under Chapter 62-503, Florida Administrative Code (F.A.C.). The funds expected to be available for loans include the Federal Clean Water Act appropriations, State matching funds, proceeds from the sale of bonds, interest income, loan repayments, fund balances carried forward from FY 2014, and

fees. These funds will be used to finance wastewater, stormwater or non-point source loans, to cover the administrative costs of the program, and to fund other water quality purposes within the Department. Prior to Department action at the meeting, all interested persons will have the opportunity to speak regarding the priority list and any proposed actions. The Department may adopt, modify, or deny the proposed actions at the meeting.

A copy of the agenda may be obtained by contacting: Gary Powell, State Revolving Fund Program, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399 2400, phone: (850)245-8383 or email: gary.powell@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gary Powell, as shown above. 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: Gary Powell, as shown above.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 1, 2014, 2:00 p.m.

PLACE: Closing Room A, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida, 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Review Committee meeting will be to discuss the proposals received from qualified Offerors for inclusion in a pool of Energy Consumption Providers, answer any questions the Review Committee may have regarding the proposals, give the scores, and submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Jenny Marshall, (850)488-4197 or Jenny.Marshall@floridahousing.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 5 days before the workshop/meeting by contacting: Jenny Marshall at Florida Housing Finance Corporation, (850)488-4197. 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.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE

The H Lee Moffitt Cancer Center and Research Institute, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: September 23, 2014, 11:00 a.m.

PLACE: Moffitt Cancer Center, Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance & Planning Committee.

A copy of the agenda may be obtained by contacting: Lori Payne at (813)745-1798.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lori Payne at (813)745-1798. 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).

AGENCY FOR STATE TECHNOLOGY

The Agency for State Technology (AST) Data Center Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 25, 2014, 1:30 p.m.

PLACE: Florida Department of Education, Turlington Building, Meeting Room 1721, 325 West Gaines Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Opening remarks by Jason Allison, Election of AST Task Force Chair and Vice-Chair, Designation of Task Force Secretary, Establishment of AST Task Force Bylaws, AST Rates, AST LBRs, Disaster Recovery Discussion, AST COO Updates, and Open Forum/Discussion.

A copy of the agenda may be obtained by contacting: Robin Tucker at (850)717-0072 or by emailing robin.tucker@nsrc.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: Robin Tucker at (850)717-0072 or by emailing robin.tucker@nsrc.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).

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.

JUSTICE ADMINISTRATIVE COMMISSION

The Justice Administrative Commission announces a public meeting to which all persons are invited.

DATE AND TIME: September 30, 2014, 10:00 a.m.

PLACE: Suite 2100, City Centre Building, 227 N. Bronough Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Barbara Siplin, Barbara.Siplin@justiceadmin.org, (850)488-2415, ext. 225.

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: Barbara Siplin. 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).

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services (the "Department") has issued an order disposing of the petition for declaratory statement filed by the Sarasota Manatee Airport Authority (the "SMAA") on September 9, 2014. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published June 20, 2014 in Vol. 40, No. 120 of the Florida Administrative Register. The Petitioner sought a determination by the Department as to the interpretation of Section 633.118, Florida Statutes, to determine whether the SMAA is a special fire service provider; and whether it has the authority to function as the authority having jurisdiction to enforce chapter 633, Florida Statutes, within an enclave of airport lands sandwiched between the boundaries of adjacent independent fire control districts.

The Petition was answered in the affirmative that the SMAA is a special district and employs firefighters who have responsibilities for fire protection pursuant to Section 633.102, Florida Statutes. Consequently, according to Section 633.118, Florida Statutes, the SMAA could be authorized to enforce the Florida Fire Prevention Code. However, the local government in charge of the fire service area possesses the ultimate authority to designate who will enforce the Florida Fire Prevention Code. A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, or by email at Melissa.dembicer@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services (the "Department") has issued an order disposing of the petition for declaratory statement filed by Michael Domante (the "Petitioner") on September 9, 2014. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published June 23, 2014, in Vol. 40, No. 121 of the Florida Administrative Register. The Petitioner sought a determination by the Department as to the applicability of the Florida Fire Prevention Code (specifically section 101-42.3.3.2, 10.2, 10.2.1.1, 10.2.6.1, 10.2.6.2 and 6.2.2) as it applies to a mini-storage facility. The Petition was answered: the authority having jurisdiction (the "AHJ") has discretion to classify interior finishes that have no ASTM E-84 testing for storage occupancies as unsafe. Additionally, the AHJ can require the owners or occupants of a building to apply a flame retardant product to an interior finish to increase the level of fire protection to unclassified building materials. Moreover, the AHJ has authority to prohibit an interior finish from being used as a ceiling, as it creates a high flame spread and produces toxic black smoke.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-0333 or by email: Melissa.dembicer@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal (the "Department") has received the petition for declaratory statement from Palmetto

Capital Group (the "Petitioner") on August 28, 2014. The petition seeks the agency's opinion as to the applicability of NFPA 1:18.3.1 and 18.3.2, as they apply to the Dollar General project as it applies to the petitioner.

The Petition seeks an official determination of whether a small retail store that is 8,995 square feet is required to have fire sprinklers, and whether the standby water tank capacity is required to be larger than 27,000 gallons.

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 E. 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

DEPARTMENT OF EDUCATION

University of South Florida

NOTICE OF CONSTRUCTION MANAGERS

The University of South Florida announces Construction Management Services will be required for the project listed below:

PROJECT NO: 555

PROJECT AND LOCATION: CITF-USF Health Student Center-MDA Building Renovations, University of South Florida, Tampa Campus, Tampa, Florida

PROJECT DESCRIPTION: The CITF-USF Health Student Center – MDA Building Renovation Project is programed to include modifications to the existing 80,000 GSF building to convert the use from a medical clinic to a student center for USF Health. The modifications will focus on the 51,000 SF of currently vacant space, and 1,300 LF of exterior façade from the MDN building on the north side, to the auditorium on the south side. The project includes miscellaneous demolition. New construction is programed to include a new exterior façade to continue the aesthetic of the adjacent MDN building. Program elements include a 10,000 +/- SF fitness center with space for cardio equipment, weightlifting, and group exercise rooms with accommodations for approximately 125 concurrent users. An additional 8,000 +/- SF is programmed for a new food service space and coffee bar with a maximum occupant load of approximately 170 persons, with approximately 1,500 SF dedicated to office support functions for the recreation facilities and food service. The remaining balance would be converted into finished shell space, consisting of large open blocks of space ranging from 4,000 to 10,000 SF in size. Building systems in the space will be all new; including electrical, plumbing, mechanical, fire alarm and fire sprinklering.

The project time frame anticipates proceeding in March 2015, with construction of the improvements which are projected to be completed for occupancy by the end of May 2016. The construction budget is projected to be approximately \$5,000,000. Project development is contingent upon availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

The contract for Construction Management Services with the Construction Manager shall consist of a pre-construction services phase and a construction phase. The pre-construction services phase, for which the Construction Manager will be paid a fixed fee, will include value engineering, constructability analysis, development of cost models, estimating, and the development of a Guaranteed Maximum Price (GMP) at the 50% Construction Document phase. If the GMP is accepted, the Construction Phase will be implemented. Early bid packages for fast track and multi-phase development may be required to meet project goals. In the Construction Phase of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for Phase 1 of the contract, or to arrive at an acceptable GMP within the time provided in the agreement, may result in the termination of the Construction Manager's contract. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation for pre-construction services, construction management costs (staffing, field office, etc.) overhead and profit, and general conditions (including bonds and insurance). A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects, (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short listed firms based upon a scope of services document to be provided at the time of negotiations. Selection of finalists for interviews will be made on the basis of Construction Manager qualifications including applicant's experience particularly with building renovations, food service and wellness facilities, applicant's personnel, applicant's ability to provide service, (record-keeping/administrative ability, recording of as-built conditions, critical path scheduling expertise, conceptual cost estimating and cost control ability, quality control capability, etc.) and the applicant's license, bondability and insurability. As part of the University of South Florida's strategic plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. Finalists will be provided with a copy of a description of the final interview requirements, and a copy of the standard University of South Florida Construction Management Agreement. The Construction Manager shall have no

ownership, entrepreneurial, or financial affiliation with the selected Architect/Engineer involved with this project.

INSTRUCTIONS: Firms desiring to apply to provide Construction Management services for the project shall submit one (1) original submittal and five (5) bound copies consisting of the information required in the Submittal Requirements of the Project Fact Sheet, including a letter of interest and a completed "USF Construction Manager Qualifications Supplement, dated September 2014" with attachments and additional information required. Submittals that do not comply with these requirements or do not include the requested information may not be considered. Submittals are part of the public record and no submittal material will be returned. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

The University of South Florida Construction Manager Qualifications Supplement Form, dated September 2014 and the Project Fact Sheet may be obtained by contacting: Ms. Charlene French-Bunch, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, via e-mail: cfrenchbunch@admin.usf.edu, phone: (813)974-3098, (813)974-2625 or fax: (813)974-3542.

Interested firms are invited to attend a Pre-Submittal Meeting to be held at 10:00 a.m. (Eastern Time), Thursday, September 25, 2014, at the University of South Florida, Tampa Campus, Marshall Center (MSC), Room 2708, 4202 East Fowler Avenue, Tampa, Florida 33620, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, consult a campus map website at: <http://www.usf.edu/Locations/Maps-Directions/tampa.asp>, and parking information at http://usfweb2.usf.edu/parking_services/default.asp.)

Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants, and the employees of the University of South Florida, except as provided at the Pre-Submittal Meeting and the request for project information (the CMQS and Fact Sheet) and clarifications. Requests for any project information

or clarification must be in writing to: Ms. Charlene French-Bunch, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, via e-mail: cfrenchbunch@admin.usf.edu, phone: (813)974-3098, (813)974-2625 or fax: (813)974-3542.

One (1) original and five (5) copies of the above requested data, bound in the order listed shall be addressed to: Steve Lafferty, Facilities Planning and Construction, FPC110, University of South Florida, 4202 East Fowler Avenue, Tampa, Florida 33620-7550.

Submittals must be received at the above campus address by 2:00 p.m. (Eastern Time), Thursday, October 2, 2014. Facsimile (Fax) or electronic submittals are not acceptable and will not be considered. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Construction Manager proposals without obligation to the respondent.

**FISH AND WILDLIFE CONSERVATION COMMISSION
THREE LAKES WMA – FODDERSTACK SLOUGH WEIR
ADVERTISEMENT FOR BIDS**

BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 14/15-36

PROJECT NAME: THREE LAKES WMA – FODDERSTACK SLOUGH WEIR

PROJECT LOCATION: OSCEOLA COUNTY, FLORIDA

FOR: Work on this proposed Contract comprises constructing a temporary access road across Fodderstack slough, a 516 foot-long weir consisting of a single row of sheet piles, a concrete control structure equipped with removable aluminum stop logs, as well as two low level bleeders, an access platform, excavation of a 20-foot-wide conveyance improvement channel approximately 4,800 feet long.

QUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit qualification data of their eligibility to submit proposals with their bid.

PRE-BID CONFERENCE: A non-mandatory pre-bid conference has been scheduled for 11:00 a.m. EDT on Tuesday, September 23, 2014, at Junction of Roads 8 & 10 in Three Lakes Wildlife Management Area near Kenansville, Osceola County, Florida. See Three Lake WMA map.

REQUIRED BONDS: On projects where the base bid and sum of all additive alternates exceeds \$100,000, bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

After award of contract, a 100% performance bond and a 100% labor and material payment bond will be required.

Sealed bids are due on:

DATE AND TIME: October 14, 2014 , 5:00 P.M. EDT

Public Bid Opening on:

DATE AND TIME: October 15, 2014, 3:00 P.M. EDT

PLACE: Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Tel.: (850)488-3427.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Permits, Bidding Conditions, and Contractual Conditions.

BID PACKAGE: Bid documents shall be obtained from the Commission, upon payment of \$230.00, non-refundable, for one set. The payment envelope **MUST** be plainly marked on the outside with the bid number. The bid package will be sent overnight upon receiving payment by the above-mentioned Purchasing Office. Provide contact information, phone and fax number, as well as complete return address. **DO NOT PROVIDE POST OFFICE BOX FOR RETURN ADDRESS.**

or by downloading at no cost from http://myflorida.com/apps/vbs/vbs_www.search.criteria_form.

Search for Advertisement Number: FWC 14/15-36.

CONTACT PERSON: Direct questions to the Bid Supervisor: Ms. Sharita Newman, Florida Fish & Wildlife Conservation Commission, Purchasing Dept., 620 South Meridian Street, Tallahassee, Florida 32399-1600, Tel.: (850)488-3427, fax: (850) 921-2500, email: Sharita.newman@myfwc.com.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENTS OF QUALIFICATIONS for
GENERAL CONTRACTING WORK**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”), is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the expansion of approximately 1750 sq. ft. of the Emergency Department at Sarasota Memorial Health Care System’s Main Campus, Level One, located at 1700 South Tamiami Trail, Sarasota, FL 34239. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.

3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel who would be used on this project to include their AHCA experience.
7. Past renovation experience as it relates to the construction/expansion of operational/occupied Emergency Departments with aggressive schedules.
8. Construction building experience within the County of Sarasota, FL.
9. Emergency Department specific renovation/expansion experience.
10. Location of the firm's main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm's experience with local regulatory agency having jurisdiction, consideration of directly related project experience, AHCA experience, qualifications of proposed team, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.

Submissions shall be titled

Statement of Qualifications for
GENERAL CONTRACTING WORK
Sarasota Memorial Hospital

Expansion of the Emergency Department

4. Submittals shall not contain pricing information.
5. Submittals must be received by the Hospital no later than 3:30 p.m. Tuesday, October 7, 2014. Submit statements to Thomas Perigo, Director of Architecture and Construction, at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
7. Interested persons should contact Thomas Perigo, (941)917-2048, with any project-related questions.

8. The selection committee will meet in a public meeting at the Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, First Floor, on Tuesday, October 28, 2014, from 8:00 a.m. to 11:30 a.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENTS OF QUALIFICATIONS for
ARCHITECTURAL AND ENGINEERING SERVICES

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants' Competitive Negotiation Act, Section 287.055, Florida Statutes. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection and structural design work for the expansion of approximately 1750 sq. ft. of the Emergency Department at Sarasota Memorial Health Care System's Main Campus, Level One, located at 1700 South Tamiami Trail, Sarasota, FL 34239. Services required may include architectural design, civil, mechanical, electrical, plumbing, fire protection, structural design and engineering, and construction administration. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes, and their AHCA experience.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience as it relates to occupied, operational Emergency Departments with aggressive schedules.
7. Specific Emergency Department design experience in the State of Florida.

8. Design and permitting experience within the County of Sarasota, FL and all other applicable permitting agencies.

9. Location of the design firm’s main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.

2. The basis for selecting candidates includes, but is not limited to, the firm’s experience with local regulatory agency having jurisdiction, AHCA Florida experience, consideration of related project experience, qualifications of proposed team, design criteria experience as stated above, ability to respond, and project approach.

3. The Hospital reserves the right to request additional information beyond the data set forth above.

4. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-2048.

Submissions shall be titled

Statement of Qualifications for
ARCHITECTURAL AND ENGINEERING SERVICES
Sarasota Memorial Hospital

Expansion of the Emergency Department

5. Submittals must be received by the Hospital no later than 3:30 p.m. Tuesday, October 7, 2014. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

7. Interested persons should contact Thomas Perigo, (941)917-2048 with any project-related questions.

8. The selection committee will meet in a public meeting at the Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, First Floor, on Tuesday, October 28, 2014, from 1:00 p.m. to 3:30 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

Section XII Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

EXEMPTION

The Agency for Health Care Administration approved the following exemption on September 10, 2014 pursuant to Section 408.036(3), Florida Statutes:

ID #E140021 District: 6 (Polk County)

Applicant/Facility: Lake Wales Hospital Corporation/Lake Wales Medical Center

Project Description: Establish an 18-bed adult psychiatric unit through the conversion of 18 acute care beds

Proposed Project Cost: \$800,000

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 10, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Megan J. D’Angelo, R.N., License #: RN 9214060. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On September 10, 2014, State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certification of Christina A. Cash, C.N.A., Certification #: CNA 43509. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.
