

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.: RULE TITLE:

5E-2.031 Pesticide Registration; Exemptions from Registration; Experimental Use Permits

PURPOSE AND EFFECT: The purpose of this rulemaking is to provide notice of revision to the application and payment process for pesticide brand registration in accordance with Section 487.041, Florida Statutes, and remove references to rule language relating to the Pesticide Review Council that has been repealed in accordance with Chapter 2013-226, section 41, Laws of Florida, which repealed Section 487.0615, Florida Statutes. The effect of this rulemaking will be to provide notice of revisions to the application and payment process for pesticide brand registration in accordance with Section 487.041, Florida Statutes, and remove references to rule language relating to the Pesticide Review Council.

SUBJECT AREA TO BE ADDRESSED: Electronic payment of pesticide registration fees.

RULEMAKING AUTHORITY: 487.041, 487.051, 570.07(23) FS.

LAW IMPLEMENTED: 487.041, 487.042, 487.051 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dr. Dennis F. Howard, Bureau Chief, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, FL 2399-1650; (850)617-7917; Dennis.Howard@FreshFromFlorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-2.031 Pesticide Registration; Exemptions from Registration; Experimental Use Permits.

(1) through (6)(b) No change.

(c) Notify the applicant or registrant of intent to deny registration, and the basis for denial, pursuant to Chapter 120, F.S., and/or

(d) Submit registration application to the Department Pesticide Review Council for determinations by the Department Council relative to field testing of restricted-use pesticides or other concerns designated by the department.

(7) through (10) No change.

(11)(a) Applicants for new or amended pesticide brand registration shall submit an electronic application via the Department's online payment website at [www.FreshFromFlorida.com](http://www.FreshFromFlorida.com). Upon completion of this transaction, a confirmation of payment letter shall be mailed to the Florida Department of Agriculture and Consumer Services, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, MS L6, Tallahassee, Florida 32399-1650 a completed form DACS-13342, Application for New or Amended Pesticide Product Brand Registration, Rev. 04/10 together with the following documents:

1. One final printed label (that which appears on the product container);
2. One EPA stamped accepted label including a copy of any EPA comment, notification and amendment letter(s) issued in connection with acceptance of the label;
3. One ~~Material~~ Safety Data Sheet (MSDS), which includes a statement of emergency treatment;
4. For sub-registrations, the information required in item 2. above must be obtained from or submitted by the manufacturer along with the EPA form entitled, "Notice of Supplemental Distribution of a Registered Pesticide Product" (EPA Form 8570-5, (Rev. 8-94) which is hereby adopted and incorporated by reference and available online at <http://www.epa.gov/opprd001/forms/8570-5.pdf> or <http://www.flrules.org/Gateway/reference.asp?No=Ref->.

(b) Applicants for pesticide brand product re-registration shall submit an electronic application for re-registration via the Department's online payment website at [www.FreshFromFlorida.com](http://www.FreshFromFlorida.com). ~~submit a completed form DACS-13501, Application for Re registration Pesticide Product Brand(s), Rev. 12/09.~~

~~(12) All forms, filing specifications and materials contained in this rule are hereby adopted and incorporated by reference and unless indicated otherwise herein may be obtained from the Florida Department of Agriculture and Consumer Services, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, MS L6, Tallahassee, Florida 32399-1650; (850)487 2130 or by visiting the Department's website at <http://www.doacs.state.fl.us>.~~

Rulemaking Authority 487.041, 487.051(2), 570.07(23) FS. Law Implemented 487.041, 487.042, 487.051(2), ~~487.0615~~ FS. History—New 2-20-85, Formerly 5E-2.31, Amended 8-2-89, 7-18-95, 8-26-10, \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-1.094222  
 RULE TITLE: Standards for Mid-Year Promotion of Retained Third Graders

PURPOSE AND EFFECT: The purpose of this rule development is to provide districts with guidance for mid-year promotion of retained third graders who scored level 1 on the end of year assessment, who during the retained year, demonstrate proficiency of third grade standards through the student portfolio.

SUBJECT AREA TO BE ADDRESSED: Third Grade Promotion.

RULEMAKING AUTHORITY: 1001.215, 1008.25(9) FS.

LAW IMPLEMENTED: 1008.25(7) 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: Wendy Stevens, Executive Director, Just Read, Florida!, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, Wendy.Stevens@fldoe.org, (850)245-0503. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: To be posted at <https://app1.fldoe.org/rules/default.aspx> at a later date.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.053  
 RULE TITLE: K-12 Comprehensive Research-Based Reading Plan

PURPOSE AND EFFECT: The purpose of this rule development is to eliminate any unnecessary language as it pertains to the end of year outcome assessment and to better align the rule with Sections 1001.215 and 1011.62, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Reading grades K-12.

RULEMAKING AUTHORITY: 1001.02, 1011.62(9) FS.

LAW IMPLEMENTED: 1001.215, 1011.62 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: Wendy Stevens, Executive Director, Just Read, Florida!, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, Wendy.Stevens@fldoe.org, (850)245-0503. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: To be posted at <https://app1.fldoe.org/rules/default.aspx> at a later date.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.054  
 RULE TITLE: K-12 Student Reading Intervention Requirements

PURPOSE AND EFFECT: The purpose of this rule development is to ensure that students who are identified with a reading deficiency, who score below proficiency on the statewide reading assessment, or when implemented, the statewide Florida Standards English Language Arts assessment, are provided the opportunity to receive these services in the most appropriate setting.

SUBJECT AREA TO BE ADDRESSED: K-12 Reading Intervention services/courses.

RULEMAKING AUTHORITY: 1001.02, 1003.4156, 1003.428, 1008.25, 1011.62 FS.

LAW IMPLEMENTED: 1001.215, 1003.4156, 1003.428, 1008.25 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: Wendy Stevens, Executive Director, Just Read, Florida!, 325 West Gaines Street, Suite 514, Tallahassee, Florida 32399-0400, Wendy.Stevens@fldoe.org, (850)245-0503. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-

mail cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: To be posted at <https://app1.fldoe.org/rules/default.aspx> at a later date.

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.: 64B-9.002 RULE TITLE: Physician Survey Procedures  
 PURPOSE AND EFFECT: This rulemaking amends the rule to eliminate information that is not required by the statute.  
 SUBJECT AREA TO BE ADDRESSED: Procedures pertaining to the physician survey.  
 RULEMAKING AUTHORITY: 458.3191(4), 459.0081(4) FS.  
 LAW IMPLEMENTED: 381.4018, 458.3191, 459.0081 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: Rob Wheeler (850)245-4444, Ext. 3360  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.  
 LAW IMPLEMENTED: 393.0662, 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Wednesday, May 14, 2014, 2:00 p.m. – 4:00 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Marlon Storey at the Bureau of Medicaid Services, (850)412-4261. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marlon Storey, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4261, e-mail: marlon.storey@ahca.myflorida.com

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

Comments will be received until 5:00 p.m. on Wednesday, May 21, 2014.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.070 Developmental Disabilities Individual Budgeting Waiver Services.

(1) This rule applies to all providers of developmental disabilities individual budgeting waiver services who are enrolled in the Florida Medicaid program.

**Section II  
 Proposed Rules**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-13.070 RULE TITLE: Developmental Disabilities Individual Budgeting Waiver Services  
 PURPOSE AND EFFECT: The purpose of the new Rule 59G-13.070, F.A.C., is to incorporate by reference the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook, \_\_\_\_\_. A new individual budgeting waiver has been established for this rule.  
 SUMMARY: The handbook establishes provider qualifications and enrollment; covered, limited, and excluded services; and standards for implementing the Developmental Disabilities Individual Budgeting Waiver.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:  
 The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly

(2) All providers of developmental disabilities individual budgeting waiver services who are enrolled in the Florida Medicaid program must be in compliance with the provisions of the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook . The handbook is available from the Medicaid fiscal agent’s Web site at [www.mymedicaid-florida.com](http://www.mymedicaid-florida.com). Select Public Information for Providers, then Provider Support, and then Provider Handbooks.

(3) The following form is included in the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Coverage and Limitations Handbook and is incorporated by reference: Medicaid Waiver Services Agreement, AHCA Form 5000- , effective , 2014.

Rulemaking Authority 409.919 FS. Law Implemented 393.0662, 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Marlon Storey  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 17, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 7, 2012

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:  
64B14-4.0015 Security and Monitoring Procedures for Licensure Examination

PURPOSE AND EFFECT: The rule is being repealed because the Department no longer administers the examination.

SUMMARY: The Rule is being repealed.

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

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

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

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

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

RULEMAKING AUTHORITY: 456.017(1)(d) FS.

LAW IMPLEMENTED: 456.017(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257

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

64B14-4.0015 Security and Monitoring Procedures for Licensure Examination.  
Rulemaking Authority 456.017(1)(d) FS. Law Implemented 456.017(1)(d) FS. History–New 5-23-99, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Orthotists and Prosthetists  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2014

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Mental Health Program**

RULE NO.: RULE TITLE:  
65E-25.003 Criteria for Recommendation that Involuntary Civil Commitment Petition be Filed

PURPOSE AND EFFECT: Specify criteria for a clinical determination an individual may be civilly committed under chapter 394, part V, Florida Statutes, and identify the factors which impact that clinical determination.

SUMMARY: The proposed rule delineates the criteria which must be met in order for the multidisciplinary team to conclude an individual should be referred to the appropriate state attorney for civil commitment under chapter 394, part V, Florida Statutes. It identifies specific factors which are clinically significant in conducting risk assessments under the act, and requires the multidisciplinary team to address each of the factors present in each specific referral.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule affects only the deliberations of the multidisciplinary teams convened under section 394.913, Florida Statutes, to perform a risk assessment of persons referred to the Department for consideration for involuntary civil commitment under chapter 394, part V, Florida Statutes. The rule is not a regulatory rule, imposes no regulatory costs, and does not impact small business.

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: 394.930 FS.

LAW IMPLEMENTED: 394.930; 394.913 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 12, 2014, 2:00 p.m.

PLACE: Conference Room A, Second Floor, Building 6 DCF 1317 Winewood Ave. Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kristin Kanner, Director, Sexually Violent Predator Program, Department of Children and Families, 1317 Winewood Blvd., Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

65E-25.003 Criteria for Recommendation that Involuntary Civil Commitment Petition be Filed.

~~(1) The multidisciplinary team may not determine that an individual meets criteria for involuntary civil commitment as a sexually violent predator unless the team concludes that the individual satisfies the provisions of Section 394.912(10), F.S. (2000).~~

(1)(2) In order for the multidisciplinary team to conclude a referred individual meets criteria for civil commitment, the individual's history must include specific clinically-relevant information which suggests the individual may not determine that an individual meets criteria if the

~~individual has never been charged with a sexually violent offense involving physical contact with a victim unless:~~

~~(a) Has a propensity to engage in acts defined as sexually violent offenses in Section 394.912, F.S.; ~~The record reflects a non-contact sexually motivated offense that is of a predatory nature, or~~~~

~~(b) Is likely to commit future sexually violent offenses if not confined in a secure residential facility; and The record reflects at least two charges of non-contact offenses involving sexual acts in the presence of a child, and the record evidences an escalation in severity of offenses such that the multidisciplinary team concludes that there is a reasonable probability that future sexual offenses will involve physical contact with the victim.~~

~~The presence of either factor listed in (a) or (b) of this subsection above does not mandate a conclusion that the referred individual meets statutory criteria as a sexually violent predator.~~

~~(c) Is likely to commit future sexually violent offenses if returned to the community without having received long-term treatment.~~

~~(2) In determining whether the criteria in subsection (2) are met, the clinical evaluation(s) prepared by multidisciplinary team members must address the following factors, if present:~~

~~(a) Self reported intention or desire to commit a sexually violent offense;~~

~~(b) Recent behavior suggestive of sexually violent offending;~~

~~(c) Offenses with a sexual component;~~

~~(d) Behavior or self-report evidence of sexual deviance or personality disorder;~~

~~(e) Victims of sexual behaviors;~~

~~(f) Predatory behavior;~~

~~(g) Physical force or threats thereof in the course of a sexually violent offense; and~~

~~(h) Abduction/attempted abduction of a stranger child;~~

~~The multidisciplinary team may consider additional factors which the team determines to be clinically significant to an individual's risk to reoffend.~~

~~(3) An individual cannot be considered to meet the criteria for involuntary civil commitment as a sexually violent predator if the individual's propensity to commit sexually violent offenses is wholly attributable to a "mental illness" as defined in Section 394.455, F.S. (2000).~~

~~(4) An individual cannot be considered to meet the criteria for involuntary civil commitment as a sexually violent predator if the individual's propensity to commit sexually violent offenses is wholly attributable to "intellectual disability" "retardation" or "autism" as defined in Section 393.063, F.S.~~

~~Rulemaking Authority 394.930 FS. Law Implemented 394.930; 394.913 FS. History—New 10-7-01, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Kristin Kanner, Director, Sexually Violent Predator Program  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Esther Jacobo, Interim Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: April 11, 2014  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: Esther Jacobo, Interim Secretary

**DEPARTMENT OF FINANCIAL SERVICES**  
**Division of Insurance Agents and Agency Services**

RULE NOS.:	RULE TITLES:
69B-227.110	Purpose
69B-227.120	Scope
69B-227.130	Definitions
69B-227.140	Entities
69B-227.150	School Officials
69B-227.160	Instructors
69B-227.170	Courses
69B-227.180	Schedule and Attendance Records
69B-227.190	Certification of Students
69B-227.200	Attendance
69B-227.210	Exempted Courses
69B-227.220	Examinations
69B-227.230	Fees
69B-227.240	Facilities
69B-227.250	Advertising
69B-227.260	Study Aids
69B-227.270	Prohibited Practices
69B-227.280	Falsification of Reports
69B-227.290	Forms
69B-227.300	Transition Time in the Event of Rule Changes
69B-227.310	Penalties
69B-227.320	Curriculum Standards for Special Designation
69B-227.330	Timeline for Submission
69B-227.340	Course Audits

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update the preclicensing education rules.

SUMMARY: Rule 69B-227.130, F.A.C., contains updated definitions. Rule 69B-227.140, F.A.C., sets forth the requirements to obtain Department approval as a provider. Rule 69B-227.160, F.A.C., sets forth the requirements to obtain Department approval as an instructor. Rule 69B-227.170, F.A.C., sets forth the requirements to obtain Department approval for a course. Rule 69B-227.180, F.A.C., requires providers to submit a course offering for each course that is offered at least 15 days prior to the date and time the course will be offered and to keep accurate class attendance records. Rule 69B-227.190, F.A.C., requires providers to electronically submit a roster of all students that satisfactorily complete the

course and issue a certificate of completion to each such person. Rule 69B-227.210, F.A.C., allows a person to apply academic credit earned at an accredited institution of higher learning to satisfy the education requirements by providing proof of completion and a summary of the course materials. Rule 69B-227.230, F.A.C., requires providers to refund student course fees if the course is cancelled and to have a refund policy addressing a student's cancellation or failure to complete a course. Rule 69B-227.250, F.A.C., sets forth prohibitions on advertising of courses and places the responsibility for the advertisement on the provider. Rule 69B-227.260, F.A.C., requires the school official to furnish each student the name and contact information of the vendor to obtain the current study manual. Rule 69B-227.290, F.A.C., requires all applications and other forms to be submitted to the Department's website and incorporates by reference seven (7) forms. Rule 69B-227.310, F.A.C., sets forth the grounds for disapproval, suspension or revocation of approval of a provider, school official, supervising instructor or instructor. Rule 69B-227.320, F.A.C., sets forth the standards for approval of special designation courses. Rule 69B-227.330, F.A.C., requires an application to be complete within 60 days of initial submission and requires deficiencies to be resolved within 20 days of the deficiency notice. Rule 69B-227.340, F.A.C., provides that the Department shall audit courses and provider records with or without notice to the provider.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department conducted an economic analysis of the potential impact of the proposed rules and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 624.308(1), 626.2817 FS.

LAW IMPLEMENTED: 624.307(1), 626.221, 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: May 13, 2014, 10:00 a.m.

PLACE: Room 116, Larson Building, 200 E. Gaines Street, Tallahassee, FL

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: Matt Tamplin at (850)413-5496 or Matt.Tamplin@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Matt Tamplin, Bureau of Licensing, Division of Insurance Agents and Agency Services, 200 E. Gaines Street, Tallahassee, FL 32399-0319 (850)413-5496 or [Matt.Tamplin@myfloridacfo.com](mailto:Matt.Tamplin@myfloridacfo.com)

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-227.110 Purpose.

The purpose of this rule ~~chapter part~~ is to establish requirements and standards for all ~~pre-licensing courses and the entities which providers of~~ pre-licensing courses for persons seeking to qualify for licensure, approval or certification by the Department through education. This rule chapter also establishes curriculum standards for special designation courses taken pursuant to Section 626.221, F.S., and Rule 69B-227.320, F.A.C.

Rulemaking Authority 624.308(1), ~~626.2817~~ FS. Law Implemented 624.307(1), ~~626.221, 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 648.37~~ FS. History—New 4-11-94, Formerly 4-211.110, 69B-211.110, Amended \_\_\_\_\_.

69B-227.120 Scope.

This rule chapter ~~These rules~~ shall apply to all curriculum standards for special designation courses taken pursuant to Section 626.221, F.S., and to providers entities, instructors, school officials, and students of pre-licensing courses, and shall govern the implementation and enforcement of pre-licensing requirements.

Rulemaking Authority 624.308(1), ~~626.2817~~ FS. Law Implemented 624.307(1), ~~626.221, 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 648.37~~ FS. History—New 4-11-94, Formerly 4-211.120, 69B-211.120, Amended \_\_\_\_\_.

69B-227.130 Definitions.

For purposes of this rule chapter ~~these rules~~, the following definitions shall apply.

(1) “Accredited institution of higher learning” or “college” means a university, a college, a community college, a technical college, or extension division thereof which is accredited by an accrediting agency. ~~“Accredited institution of higher learning” means a four year college, a community college, or a junior college, which is accredited by an accrediting agency.~~

(2) “Accrediting agency” means the Council for Higher Education Accreditation or a national or regional accrediting agency recognized by the Council for Higher Education Accreditation. ~~“Accrediting agency” means an agency with membership in the Council on Post Secondary Accreditation, including:~~

- ~~(a) The Southern Association of Colleges and Schools.~~
- ~~(b) The Middle States Association of Colleges and Schools.~~
- ~~(c) The New England Association of Colleges and Schools.~~
- ~~(d) The North Central Association of Colleges and Schools.~~
- ~~(e) The Northwest Association of Secondary and Higher Schools.~~
- ~~(f) The Western College Association of Colleges and Higher Schools.~~

(3) “Approved” means the Department has determined the provider course, school official, or instructor has met the criteria set forth in Rules 69B-227.140 through 69B-227.170, F.A.C. ~~“Administrative record” means any document relating to course approval, course offerings, attendance, course completions or credits, and any other records required to be kept by the Florida Insurance Code, and any rule or order of the Department.~~

(4) “Audit” means Department activity to monitor or evaluate classroom, webcast, interactive online, and correspondence courses, examination sites, administrative offices and provider records. ~~“Approved” or “qualified,” with regard to an entity, course, school official, or instructor, means that the Education Section, Bureau of Agent and Agency Licensing, has determined that the entity, course, school official, or instructor, has met the criteria set forth in Rules 69B-227.140 .170, F.A.C., for approval and as set forth in Form DFS H2 464, “Application for Entity/Course Approval,” which is adopted in Rule 69B 228.180, F.A.C., and in Form DFS H2 398, “Certification of Instructor,” which is adopted in Rule 69B 228.180, F.A.C.~~

(5) “Classroom course” means a course that is designed to be presented to a group of students by a live instructor using lecture, video, webcast, virtual or other audio-video presentation. ~~“Audit” means Department activity to monitor the offering of courses or examinations, including visits to~~

classrooms, test sites, and administrative offices where documentation of individual attendance and completion records and documentation of instructor credentials is maintained. Audit also means re-evaluating approved classroom course outlines and self-study programs based on current guidelines.

(6) “Correspondence course” means a self-study course designed to be presented to students through physical documents or other media. “Authorized insurer” means an insurer licensed by the Office of Insurance Regulation with a Certificate of Authority.

(7) “Course” and “Pre-licensing course” means an educational program or training program that is designed to meet the education requirement for licensure. “Auto mediator” refers to the qualification for appointment to mediate motor vehicle claims under Section 627.745, F.S., and Rule 69B-176.022, F.A.C.

(8) “Course authority” means a line of business with a corresponding license type. “Class” means a course designed to be presented live by lecture which has an approved instructor in the classroom and which may have an infinite number of offerings. Each offering must not exceed 12 months between the beginning and ending date.

(9) “Credit hour” means a minimum of 50 minutes of classroom instruction, or for correspondence courses, 50 minutes of time that is determined by the Department to be necessary to study text material in order to successfully complete the monitored final examination or on-line internal testing. “Contact person” means the person at the entity level with authority to transact business for the entity through contracts, licenses, or other means, usually as the owner or corporate officer, and who designates the school official to represent the entity.

(10) “Curriculum” means an educational program, a group of related courses of study, or program of studies offered by an institution, school, college or university, which includes course materials, examinations, tests, outlines, and student handouts for purposes of obtaining a designation as identified in Section 626.221(2), F.S. “Course” means an educational program which is required to qualify for a license, or a training program for a certification of authority to participate in certain insurance activities. A course may be taken by class or correspondence study methods as prescribed by rule or statute.

(11) “Day” means a calendar day inclusive of weekends and holidays. “Department” means the Florida Department of Financial Services.

(12) “Education database” means the Department’s online system for activity relating to approval of providers, courses, course offerings, instructors, and the filing of rosters and other information relating to pre-licensing courses required by rule or statute to be filed with the Department. The Education Database is accessed at <http://www.myfloridacfo.com/division/agents>.

“Disciplinary action” means administrative action which has been taken against an individual or entity as a licensee or approved course provider, instructor, or school official for which probation, suspension, or revocation of any license (issued by this or any other state, country, or territory) or approved status has occurred or for which a fine has been entered for a wrongdoing against a consumer or other party.

(13) “In-house” means courses or services available only to employees of an entity or for members of an association. “Entity” means any person, partnership, organization, association, or corporation, which is approved by the Department to conduct pre-licensing courses.

(14) “Incomplete application” means an application which contains errors, omissions, or which requires additional or clarifying information or documentation, or is not submitted in accordance with the submission procedures in Rule 69B-227.290, F.A.C., as required by Rules 69B-227.140, 69B-227.150, 69B-227.160, 69B-227.170 or 69B-227.180, F.A.C. “Entity officer” refers to the individual who the entity internally designates to serve as the person upon whom the Department can rely to serve as a means of communicating with the entity. The entity officer has full authority to represent the entity and bind the entity to business transactions. The entity officer is designated to the Department on Form DFS H2 464, “Application for Entity/Course Approval,” which is adopted in Rule 69B-228.180, F.A.C.

(15) “Independent program of study” means a program of study not taught by an institution of higher learning. “Incomplete application” or “incomplete form” means that an application or form does not contain all correct information to be placed thereon, or on any required accompanying documentation, as required by the application or form or by any statute or rule of the Department. An application or form which contains errors, omissions, or which requires additional or clarifying information is an incomplete application or form.

(16) “Instructor” means an individual approved by the Department who teaches an approved course or training program. This term includes supervising instructors for bail bond agent courses. “In house” means courses or services available only for employees of an entity or for members of an association.

(17) “Insurance representative” means an agent, adjuster, customer representative or service representative. “Instructor” means a natural person who has been approved by the Department and who teaches or otherwise instructs an approved pre-licensing classroom course or program.

(18) “Live” means broadcast while actually being performed; not taped, filmed or recorded. “Pre-Licensing course” means a program of instruction required for an individual seeking licensure or certification to hold a particular position or title.

(19) “Online course” means a correspondence course delivered via the internet or other computer network. “Public,” when used in the context of a course or service, means a course or service which is available to any person, in contrast to an “in-house” course or service.

(20) “Present” means to appear in person, or by live connection through electronic means. “Public School” means a school operated by a city, county, or state governmental entity within the State of Florida.

(21) “Provider” means any individual, partnership, organization, association, corporation or other entity approved by the Department to conduct pre-licensing courses or mediation training. “School official” means a natural person appointed by an approved entity to be responsible for the timely filing of all required Department forms and documentation for courses, except for Form DFS H2 464, “Application for Entity/Course Approval,” which is adopted in Rule 69B-228.180, F.A.C., to conduct qualification or training courses, and for the maintenance of necessary administrative records including class information, instructor qualification, and attendance records. The school official is designated to the Department on Form DFS H2 1137, “Application For School Official Approval,” which is adopted in Rule 69B 228.180, F.A.C.

(22) “Provider records” means any documents relating to course approval, course offerings, attendance, course completions or credits, course offering advertisements, and any other records required to be kept according to the Florida Insurance Code, and any rule in this chapter or order of the Department.

(23) “Public,” when used in the context of a course, means a course which is available to any person, in contrast to an “in-house” course.

(24) “School” means an institution for teaching and learning. School includes a training program within an authorized insurance company, an insurance company association, an insurance agents or adjusters association, or an insurance trade association or society.

(25) “School official” means an individual designated by a provider and approved by the Department who is responsible for the acts of the provider.

(26) “Virtual classroom course” means a type of classroom course in which instruction is provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both.

(27) “Webcast classroom course” means a type of classroom course delivered through interaction with a live instructor via the internet.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7014, 627.745, 648.34, 648.286 648.37 FS. History—New 4-11-94, Formerly 4-211.130, 69B-211.130, Amended \_\_\_\_\_.

69B-227.140 Providers Entities.

(1) Application Procedure. An application for approval and registration to be a provider shall be submitted on Form DFS-H2-464, “Provider Application,” which is incorporated by reference in Rule 69B-227.290, F.A.C., in accordance with the submission procedures in Rule 69B-227.290, F.A.C. An entity which offers a pre-licensing course, except for the title agent qualification course, which is required for licensure or certification, must be approved by the Department and operated by or for an authorized insurance company, insurance company association, insurance agent association, other insurance trade association or society, public school or accredited institution of higher learning. Application for entity approval shall be concurrent with initial application for course approval and shall be submitted by the entity officer on Form DFS H2-464, “Application for Entity/Course Approval,” which is adopted in Rule 69B 228.180, F.A.C.

(2) Provider Qualifications. A provider that offers an insurance representative qualification course must be a school or college approved by the Department, except that life and health courses may be offered by independent programs of study approved by the Department. Each entity must appoint a school official to be responsible for filing all necessary forms, other than Form DFS H2 464, “Application for Entity/Course Approval,” and for the conduct of classes and instructors.

(3) Provider Requirements. A school which offers a title agent qualification classroom course must be approved by the Department and operated by or for an authorized title insurance company, company association limited to title insurance companies, agent association limited to title agents, other trade association or society with members exclusively from the title industry, public schools, accredited institutions of higher learning, or trade and vocational schools licensed with the Florida Department of Education.

(a) A provider shall not offer a course which is required for licensure that has not been approved by the Department pursuant to this rule.

(b) The provider shall designate a school official who shall be accountable for the actions of the provider, including the provider’s instructors, speakers, and monitors and be subject to administrative action pursuant to Rule 69B-227.310, F.A.C., on Form DFS-H2-464. The provider shall inform the Department of any change in the designated school official within thirty (30) days of the change. The provider must have at least one school official designated at all times.

~~(c) Providers shall maintain the records of each individual completing a course for five (5) years from the date of completion.~~

~~(d) Any changes in the provider's and its school official's telephone number, mailing address, street address, e-mail address or administrative office address shall be electronically submitted to the Department by the provider within thirty (30) days via the Department's website at [https://dice.fldfs.com/public/pb\\_index.aspx](https://dice.fldfs.com/public/pb_index.aspx).~~

~~(4) Self-study course providers shall: An entity which offers health care risk manager programs, health care education programs, or risk manager education programs, must be approved by the Department and operated by or for:~~

~~(a) Have the same responsibilities for record keeping as any other provider. Licensed health care facility.~~

~~(b) Provide documentation of at least three (3) years experience as a provider of educational or training programs; or Licensed health care professional.~~

~~(c) Provide documentation of credentials of at least one person who is on staff or under contract to provide course development services who has: Health care administrator.~~

~~1. A college degree in instructional design and program development or comparable field, and~~

~~2. Documented experience and ability in writing self-study exams; and~~

~~3. At least five (5) years of experience in development of self-study programs which do not include authorship of textbooks or other writings alone.~~

~~(d) Authorized insurer.~~

~~(e) Non-profit education institute.~~

~~(f) Accredited Institution of higher learning.~~

~~(g) Independent program of instruction.~~

~~(h) Hospital Rehabilitation facility.~~

~~(i) Other medical facility.~~

~~(5) An entity which offers a mediator training program must be approved by Department and operated by and for an entity approved by the Florida Supreme Court to conduct mediator training or be an accredited institution of higher learning.~~

~~(6) General Requirements.~~

~~(a) Entities shall maintain the records of each individual completing a course for 3 years from the date of completion.~~

~~(b) Entities are responsible for the actions of their school officials, instructors, speakers, and monitors.~~

~~(c) Entities shall notify the Bureau of Agent and Agency Licensing, Education Section, within 30 days of a change in their telephone number, or their mailing address or administrative office address, using Form DFS H2-465, "School Information Update," which is adopted in Rule 69B-228.180, F.A.C.~~

~~(7) Lists of approved providers offering courses to the public will be provided upon request with a \$5.00 fee as prescribed by Section 624.501(20)(c), F.S.~~

~~(8) Disapproval. Any one of the following criteria shall constitute grounds for the Department to disapprove an Application For Entity/Course Approval:~~

~~(a) An entity officer or a school official having been convicted of a felony under the law of the United States of America or of any state thereof or under the law of any country.~~

~~(b) Disciplinary action has been taken against an entity officer or school official.~~

~~(c) The application is incomplete.~~

~~(d) The entity, or an entity officer, school official, or course associated therewith, has not otherwise met the qualifications specified in this rule, or has violated any provision of this rule part.~~

~~Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 648.37 FS. History—New 4-11-94, Formerly 4-211.140, 69B-211.140, Amended~~

~~69B-227.150 Supervising Instructor for Bail Bond Agent Courses and School Officials.~~

~~An initial application for supervising instructor and school official approval and registration is part of the application for provider approval in accordance with Rule 69B-227.140, F.A.C. If a provider wants to appoint a new or additional supervising instructor or school official, the provider shall submit an application for approval and registration on Form DFS-H2-1137, "School Official/Supervising Instructor Application," which is incorporated by reference in Rule 69B-227.290, F.A.C., in accordance with the submission procedures in Rule 69B-227.290, F.A.C. A school official shall have expertise in the line of business for which they are conducting or offering courses. A person will qualify as a school official if they meet one of the following criteria.~~

~~(1) For license qualification courses:~~

~~(a) A degree in insurance with at least 50% of course work in the area of instruction, or~~

~~(b) 5 years of professional or non-clerical experience in the line of business, or~~

~~(c) A degree from a four year accredited institution of higher learning in education or business and at least 2 years experience as a licensed agent actively engaged in the line of business.~~

~~(2) For Health Care Risk Manager Training programs:~~

~~(a) A medical degree gained through a four year or postgraduate accredited institution of higher learning and a minimum of 5 college level courses in property and casualty insurance or successful completion of the general lines agent exam, or 5 years of experience as a general lines agent, or~~

~~(b) At least 5 years of experience as a certified health care risk manager, or~~

~~(c) A bachelor of science or postgraduate degree in insurance with at least 50% of course work in property and casualty subjects or 5 years of professional or non clerical experience as a general lines agent or successful completion of the general lines agent exam and at least 5 years of experience in the medical field at the minimum level of an emergency medical technician or registered nurse.~~

~~(3) For Risk Manager Training programs:~~

~~(a) A degree in insurance with 50% or more course work in property and casualty subjects, and~~

~~(b) Successful completion of the general lines agent exam, or~~

~~(c) 5 years of experience as a general lines agent actively engaged in transacting property and casualty insurance.~~

~~(4) For Health Care Training programs:~~

~~(a) A medical degree gained through a four year or postgraduate accredited institution of higher learning, or~~

~~(b) At least 5 years of experience as a certified health care risk manager, or~~

~~(c) At least 5 years of professional or non clerical experience in the medical field at the minimum level of an emergency medical technician or registered nurse.~~

~~(5) For Mediator Training programs:~~

~~(a) A member of the Florida Bar Association, or~~

~~(b) A mediator certified through the Florida Supreme Court with at least 5 years of experience as a mediator.~~

~~(6) Exemption. A person who is a salaried employee of an accredited college and appointed by that college as school official is exempt from these requirements.~~

~~(7) Application for approval of a school official shall be submitted with the initial application for course approval on Form DFS H2 1137, which is adopted in Rule 69B-228.180, F.A.C. An application fee of \$25 shall be included for the school official beginning with applications received on or after January 1, 1994. Changes in telephone numbers, mailing addresses, or administrative office addresses, shall be submitted on DFS H2 465, "School Information Update," which is adopted in Rule 69B-228.180, F.A.C., with a \$5 fee within 30 days of a change. Changes in school official by an approved entity must be submitted on Form DFS H2 1137, with a new \$25 fee within 30 days of a change. "Submitted" is determined by the Department date received stamp.~~

~~(8) Disqualification. Any one of the following criteria shall disqualify a person from serving as a school official:~~

~~(a) The person has been convicted of a felony under the law of the United States of America or of any state thereof or under the law of any country.~~

~~(b) Disciplinary action has been taken against the school official.~~

~~(c) The person has not otherwise met the qualifications specified in this rule, or has violated any provision of this rule part.~~

~~Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 624.501, 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, 648.386 648.37 FS. History—New 4-11-94, Formerly 4-211.150, 69B-211.150, Amended \_\_\_\_\_.~~

69B-227.160 Instructors.

(1) Instructors must be approved by and registered with the Department prior to teaching any classroom course subject to this rule chapter. To qualify as an instructor, an individual must meet the education or experience requirements set forth in subsections (2), (3), (4), or (5) below. The individual shall submit an application for approval and registration. Certification of the experience or education shall be received by the Department and approved prior to the person instructing a course. Certification shall be on Form DFS-H2-398, "Certification of Instructor Application," which is incorporated by reference adopted in Rule 69B-227.290 228.180, F.A.C., and shall be accompanied by documentation supporting the education or experience requirement.

(2) Any individual with a bachelor's degree or higher from an accredited institution of higher learning in risk management or insurance is qualified to be an instructor, subject to the limitations imposed in Rule 69B-227.310, F.A.C. Instruction in the subject of bail bonds has additional qualifications as specified in Section 648.386(4), F.S. Certification of the instructor's experience or education shall be furnished by the approved entity or the instructor, received by the Department and approved prior to the beginning of the course on Form DFS-H2-398, "Certification of Instructor." A processing fee of \$10.00 must accompany each new Certification of Instructor Form. The fee payment shall be made by check or money order to Department of Financial Services, Education Section, Revenue Processing, P. O. Box 6100, Tallahassee, Florida 32399. Individuals may submit Certification of Instructor Forms independent of any school with only the applying instructor's signature. If an individual submits a certification form, a resume must be attached. The Department shall initiate administrative action for failure to have only approved instructors teach at an approved pre licensing course. Instructors need only be certified one time for each license qualification course or training program. The same form can be used for both.

(3) An individual with the designation of a Chartered Property Casualty Underwriter (CPCU) is qualified to be an instructor of the following pre-licensing courses: The Department will not approve an instructor for any of the following reasons:

~~(a) General Lines Agent The Certification of Instructor Form is incomplete.~~

~~(b) Personal Lines Agent Disciplinary action has been taken against any license or eligibility for a license issued by this or any other state, country, or territory, or the instructor has otherwise violated any insurance regulation, including this rule part.~~

~~(c) Customer Representative The instructor has been convicted of a felony under the law of the United States of America or of any state thereof or under the law of any country.~~

~~(d) Limited Customer Representative The instructor has not otherwise met the qualifications specified in this rule or has violated any provision of this rule part.~~

~~(e) Surplus Lines Agent.~~

~~(4) An individual with the designation of a Chartered Life Underwriter (CLU) is qualified to be an instructor of the following pre-licensing courses: If an instructor has been denied approval by the Department to instruct pre-licensing courses, a six-month waiting period must elapse before a new certification request may be submitted.~~

~~(a) Life and Variable Annuity Agent.~~

~~(b) Health Agent.~~

~~(5) Individuals not possessing the qualifications in subsections (2), (3), or (4) above must meet the following experience requirements in order to qualify to be an instructor subject to the limitations imposed in Rule 69B-227.310, F.A.C.: The Department will review existing records of approved instructors and disapprove and remove any instructor found to have had any disciplinary action taken against any license issued by this or any other state, country, or territory, at any time before or after being approved as instructor. School officials shall verify eligibility of instructors before submitting for approval.~~

~~(a) For all pre-licensing courses, an approved and registered instructor must have been licensed and actively engaged in transacting insurance in this state for at least five (5) years in the last ten (10) years in all areas of the subject matter of the pre-licensing course being taught. The exceptions to this subparagraph are:~~

~~1. Customer Representative.~~

~~2. Limited Customer Representative.~~

~~3. Bail Bonds.~~

~~(b) For customer representative courses, an instructor must have been actively engaged in transacting insurance as a licensed general lines agent in this state for at least five (5) years in the last ten (10) years.~~

~~(c) For limited customer representative courses, an instructor must have been actively engaged in transacting insurance as a licensed personal lines or general lines agent in this state for at least five (5) years in the last ten (10) years.~~

~~(d) For bail bond courses, an instructor must meet the qualifications as set forth in Section 648.386(4), F.S.~~

~~(6) Instructor Requirements. Approved instructors for approved classroom courses must display a photo I.D. to any Department auditor who conducts an official audit during their instruction time. Instructors who are also licensees in Florida with a photo I.D. license may use their license photo I.D. card for identification.~~

~~(a) Approved and registered instructors for approved classroom courses must display a valid government-issued photo I.D. to any Department representative who conducts a course audit.~~

~~(b) An approved and registered instructor is allowed to teach for more than one approved and registered provider.~~

~~(7) Instructors shall deny credit to anyone who disrupts the class, sleeps, reads books, newspapers, or other non-course materials, uses a cellular phone, or is absent from class other than authorized breaks. Based on the course providers' policies, refunds may be given. It will be a violation of this rule part for an instructor or school official to knowingly allow any of the foregoing activities during class. Penalties will be assessed against participant, instructor, and school, as provided in Rule 69B-227.310, F.A.C.~~

~~(8) The approved entity of health care risk manager and auto mediator training programs shall supply a resume of the instructor to the Department with the Certification of Instructor Form. The resume must include information detailing the instructor's education and experience history which would allow the Department to make an informed decision regarding the qualifications of the instructor.~~

~~(9) An instructor may teach for more than one entity. A new Form DFS H2-398 is not required for each entity. A certification of courses form is required for each course type as described in subsection 69B-227.170(3), F.A.C.~~

~~(10) Instruction in qualification classroom courses shall be provided:~~

~~(a) For General Lines Agent/Customer Representative courses, by:~~

~~1. Persons with at least 5 years of experience actively engaged in the transaction of general lines insurance, or~~

~~2. A degree from a four-year accredited institution of higher learning with at least 50% of course work in property and casualty insurance and if not already licensed as a general lines agent or customer representative, successful completion of a general lines agent or customer representative license exam respectively.~~

~~(b) For Limited Customer Representatives courses, by:~~

~~1. Persons with 2 years professional or non-clerical experience in the transaction of personal lines auto insurance, or~~

~~2. A degree from a four year accredited institution of higher learning with at least 50% of course work in property and casualty insurance and if not already licensed as a general lines agent, customer representative or limited customer representative, successful completion of the limited customer representative license exam.~~

~~(c) For Motor Vehicle Physical Damage or Mechanical Breakdown Agent courses, by:~~

~~1. Persons with at least 2 years of professional or non-clerical experience in the area of motor vehicle physical damage and mechanical breakdown insurance, or~~

~~2. A degree from a four year accredited institution of higher learning with at least 50% of course work in insurance and if not already licensed as a motor vehicle physical damage agent, general lines agent, customer representative or limited customer representative, successful completion of a general lines agent, customer representative, or motor vehicle physical damage agent license exam.~~

~~(d) For Industrial Fire Agent courses, by:~~

~~1. Persons with at least 2 years of professional or non-clerical experience in the area of industrial fire and burglary insurance, or~~

~~2. A degree from a four year accredited institution of higher learning with at least 50% of course work in insurance and if not already licensed as a general lines agent, customer representative, or industrial fire agent, successful completion of a general lines agent, customer representative, or industrial fire agent license exam.~~

~~(e) For Bail Bondsman:~~

~~1. Persons with at least two years of experience in the area in which they teach, and~~

~~2. If not already licensed as a bail bondsman, successful completion of the bail bondsman license exam.~~

~~(f) For Bail Bond Runner:~~

~~1. Persons with at least two years of experience in the area in which they teach, and~~

~~2. If not already licensed as a bail bondsman or bail bond runner, successful completion of a bail bondsman or bail bond runner exam.~~

~~(g) For Surplus Lines Agent:~~

~~1. Persons with at least two years of experience in the area of surplus lines insurance, or~~

~~2. A degree from a four year accredited institution of higher learning with at least 50% of course work in insurance and if not already licensed as a surplus lines agent or general lines agent, successful completion of a surplus lines agent or general lines agent license exam.~~

~~(h) For Title Agent, provide instruction regarding:~~

~~1. Policies, Contracts, Rules and Regulations:~~

~~a. 5 years of professional or non-clerical experience in the area of title or general lines insurance, or~~

~~b. Degree from a 4 year accredited institution of higher learning with at least 50% of course work in insurance, or~~

~~e. A law degree and 2 years of experience in the subject area.~~

~~2. Closings:~~

~~a. 5 years of experience in the preparation of closing statements either in a title agency, law firm, bank, mortgage company, or other financial institution, or~~

~~b. Possession of a law degree and 2 years of experience in the subject area.~~

~~3. Searches:~~

~~a. 5 years of experience in abstracting, title searches, examinations of title, or~~

~~b. Possession of a law degree and 2 years of experience in the subject area.~~

~~(i) For Life, Health, and Variable Annuity Agent including Administrative Agent:~~

~~1. Persons with at least 2 years of professional or non-clerical experience in the area they will teach of life insurance, health insurance, or annuities, or~~

~~2. A degree from a four year accredited institution of higher learning with at least 50% of course work in insurance and if not already licensed as a life, health, and variable annuity agent, successful completion of the life, health, and variable annuity license exams.~~

~~(j) For Health Only Agent:~~

~~1. Persons with at least two years of professional or non-clerical experience in health insurance, or~~

~~2. A degree from a four year accredited institution of higher learning with at least 50% of course work in insurance, and if not already licensed as a health agent, successful completion of the health agent license exam.~~

~~(k) For Life and Variable Annuity Only Agent:~~

~~1. Person with at least 2 years of professional or non-clerical experience in life insurance and variable annuities, or~~

~~2. A degree from a four year accredited institution of higher learning with at least 50% of course work in insurance, and if not already licensed as a life and variable annuity agent, successful completion of the life and variable annuity license exam.~~

~~(l) For Health Care Risk Manager:~~

~~1. To provide instruction for risk management curriculum:~~

~~a. A certified health care risk manager, or~~

~~b. Persons with at least 5 years of professional or non-clerical experience in all lines of insurance and risk management, or~~

~~c. Persons with a degree from a four year accredited institution of higher learning with at least 50% of course work in property and casualty insurance, and if not already licensed as a general lines agent or health care risk manager, successful completion of the general lines agent license exam or the 120-~~

hour risk manager program.

2. To provide instruction for health care curriculum:

- a. A health care risk manager, or
- b. A health care administrator, or
- c. A health care professional, or

d. Persons with at least 5 years of professional or non-clerical experience in the medical profession, or

e. A degree from a four year accredited institution of higher learning with at least 50% of course work in nursing or other medical professions, and if not already licensed as a medical professional or health care risk manager, successful completion of the 80 hour health care training program.

(m) For Auto Mediator:

1. To provide instruction on mediation skills:

a. Persons with at least 5 years of mediation experience (minimum of 20 mediation conferences with no less than 10 non family civil mediation cases), or have conducted a minimum of 20 non family civil mediation cases and have conducted, as a primary trainer or training assistant, 5 non family civil mediation training programs, or have conducted a minimum of 10 mediation training programs as a primary trainer or training assistant, and

b. If not already certified as a mediator, successful completion of the 40 hour mediator training program.

2. To critique role plays, moderate small group discussions and to participate in role play simulations:

a. Persons trained by a Florida Supreme Court certified training program in circuit civil mediation and have completed a Florida Supreme Court sponsored "Train the Trainer" program and have one year non family civil mediation experience (minimum 5 mediation conferences) or

b. Has conducted, as a primary trainer or training assistant, 5 non family civil mediation programs or have 3 years mediation experience (minimum 20 family or circuit civil mediation cases) or

c. Have served as a training assistant in at least two Supreme Court certified circuit mediation training programs within the last 2 years.

3. To provide instruction regarding interpersonal dynamics: Persons with a degree from a four year accredited institution of higher learning and with their major study concentration area in mental health, behavioral or social science.

4. To provide instruction on circuit civil mediation process: Persons who have 2 years or 20 cases in Florida non family circuit mediation.

5. To provide instruction in other specialized areas: Persons with a degree from a four year accredited institution of higher learning and with their major study concentration area in the specific specialized areas.

(11) No activities outside of the pre licensing qualification course outline may be conducted during classroom hours.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 648.37 FS. History--New 4-11-94, Formerly 4-211.160, 69B-211.160, Amended \_\_\_\_\_.

69B-227.170 Courses.

(1) An application for approval of a course must be submitted in accordance with Rule 69B-227.180, F.A.C., and the submission procedures in Rule 69B-227.290, F.A.C. Pre-licensing courses are either qualification courses or training programs.

(2) Requirements for all courses. Qualification courses may be classroom or correspondence courses as required for each specific license type. Classroom course outlines are prepared by the Department and furnished to the approved school official by the Department. The following course outlines are hereby incorporated by reference and shall be used in the course described in the title of the outline: "40 Hour Life Agent Qualification Course Including Health and Variable Annuities," (2-94); "40 Hour Health Agent Qualification Course," (2-94); "Surplus Lines Qualification Course: 60 Hour Class Outline," (10-90); "20 Hour Basic Certification Course Outline in the Criminal Justice System for Bail Bond Runner," (10-90); "Title Agents Qualification Course Outline," (2-94); "Customer Representative Course Outline," (2-94); "Limited Consumer Representative Course Outline," (2-94); "General Lines Agents Qualification Course Outline," (2-94); "Industrial Fire and Burglary Course Outline—20 Hours," (2-94); "80 Hour Basic Certification Course Outline In The Criminal Justice System For Bail Bondsmen," (2-94); "Life Agent Qualification Course Including Variable Annuities Outline" "40 Hours," (2-94). The Department outline must be used by each approved entity unless an original outline from the school official is approved by Department prior to being implemented. Copies of the outline are to be furnished to the students by the school official prior to the commencement of class. Correspondence course outlines or lesson plans are prepared by the approved entity and must be submitted for review annually by the Department if any modification or change is made, to insure that the materials are up to date. Any change in the course outline must be approved by the Department prior to being implemented.

(a) No course shall be taught unless previously approved by the Department.

(b) All courses must use the Department's current Florida Insurance Content outlines that are incorporated by reference in Rule 69B-227.290, F.A.C., and the study manuals required by Rule 69B-227.260, F.A.C.

(c) The course must provide instruction of no less than the hours specified in statute for the respective line(s) of insurance.

(3) Additional requirements for classroom courses. Qualification courses are required for the following:

(a) The course must be taught by an instructor approved by the Department General Lines Agent.

(b) The instructor must be present for the duration of the course Customer representative.

(c) The student must have the ability to communicate with the instructor during the class Limited Customer Representative.

(d) In addition, webinar and virtual classroom courses must meet the following requirements: Life agent including health and variable annuity.

1. The course must employ some type of monitoring method to verify all students are participating throughout the course.

2. Online access for the Department to review the course.

3. Upon completion, all students are required to acknowledge by signing an acknowledgement that verifies their presence and completion of the entire course. The acknowledgement shall also include a statement that the student understands that a violation of such standards shall result in an administrative sanction based on Section 626.611(7), F.S., and the loss of course credit.

(e) Administrative Agent.

(f) Life agent including variable annuity.

(g) Health only agent.

(h) Life only agent.

(i) Industrial Fire Agent.

(j) Bail Bondsman.

(k) Bail Bond Runner.

(l) Surplus Lines Agent.

(m) Title Agent.

(4) Additional requirements for correspondence courses. Training programs are classroom only courses and are required for the following:

(a) Students must be provided a response to their inquiries within two (2) business days from the date of the inquiry Health Care Risk Manager.

(b) Students are required to acknowledge their understanding that the course must be completed without assistance. The student acknowledgement shall also include a statement that the student understands that a violation of such standards shall result in an administrative sanction based on Section 626.611(7), F.S., and the loss of course credit Auto Mediator.

(c) The provider shall submit the following:

1. Description of how students will be provided a response to their inquiries.

2. A copy of the final examination and how it will be administered.

3. An electronic copy of all course content.

(d) In addition, online interactive correspondence courses are subject to the following requirements:

1. Online access for the Department to review the course.

2. Description of how the student will access the course.

3. Procedures to verify student identity at registration and throughout the duration of the course, including examinations.

(5) All instruction of courses approved under this rule must be by approved instructors. Insurance courses taken for college credit through accredited institutions of higher learning are exempt from this rule.

(5)(6) Neutral Evaluators must complete a course through the Florida State Courts Alternative Dispute Resolution Program. Classroom courses shall be offered by a Department approved entity and instructed by a Department approved instructor in accordance with an outline approved by the Department. Correspondence courses shall be offered by a Department approved entity in accordance with the study manual authorized by the Department. Each correspondence course must include lesson plans and examinations for each applicable chapter of the designated study manual and a comprehensive examination. Correspondence course lesson completions may not be credited to the classroom hours required.

(7) General Lines Agent Courses.

(a) A general lines agent course shall consist of:

1. Two hundred hours of classroom instruction in all lines of insurance except life and annuities or,

2. A correspondence course, which is offered at least once per year by an accredited institution of higher learning in this state, covering all subjects in the approved outline, as specified in subsection 69B 227.170(2), F.A.C., of general lines qualification classroom courses.

(b) An applicant qualifying for a license as a general lines agent by completing a correspondence course shall also satisfy the experience requirement of Section 626.732(1)(b), F.S.

(8) Customer Representative Courses. A customer representative course shall consist of:

(a) 100 hours of classroom instruction in all lines of insurance except life and annuities or,

(b) A correspondence course, covering all subjects in the approved outline, as specified in subsection 69B 227.170(2), F.A.C., of customer representative qualification classroom courses.

(9) Limited Customer Representative Courses. A limited customer representative course shall consist of:

(a) 40 hours of classroom instruction in private passenger automobile insurance only and related statutes and rules, or

~~(b) A correspondence course, covering all subjects in the approved outline, as specified in subsection 69B 227.170(2), F.A.C., of limited customer representative qualification classroom courses.~~

~~(10) Motor Vehicle Physical Damage Courses. A motor vehicle physical damage agent course shall consist of:~~

~~(a) 25 hours of classroom instruction in motor vehicle physical damage and mechanical breakdown insurance only and related statutes and rules or,~~

~~(b) A correspondence course, covering all subjects in the approved outline, as specified in subsection 69B 227.170(2), F.A.C., of motor vehicle physical damage qualification classroom courses.~~

~~(11) Industrial Fire Agent Courses. An industrial fire agent course shall consist of:~~

~~(a) 20 hours of classroom instruction in industrial fire and burglary insurance only and related statutes and rules or,~~

~~(b) A correspondence course, covering all subjects in the approved outline, as specified in subsection 69B 227.170(2), F.A.C., of industrial fire agent qualification classroom courses.~~

~~(12) Bail Bondsman Courses. A bail bondsman course shall consist of:~~

~~(a) 80 hours of classroom instruction in the criminal justice system, and~~

~~(b) A correspondence course, covering the subjects of bail bonds.~~

~~(13) Bail Bond Runner Courses. A bail bond runner course shall consist of 20 hours of classroom instruction in the criminal justice system.~~

~~(14) Surplus Lines Agent Courses. A surplus lines agent course shall consist of 60 hours of classroom instruction in surplus and excess lines of insurance.~~

~~(15) Title Agent Courses. A title agent course shall consist of: 40 hours of classroom instruction in title insurance including closing procedures, escrow handling, examination of Title, abstracting and title searches. Correspondence course completions may not be credited as classroom hours.~~

~~(16) Life, Health, and Variable Annuities Agent Courses. A life, health, and variable annuities including administrative agent course shall consist of:~~

~~(a) 40 hours of classroom instruction in life insurance, health insurance and variable annuities, or~~

~~(b) A correspondence course equivalent to a minimum of 40 hours of classroom instruction in life insurance, health insurance, and variable annuities.~~

~~(17) Health Agent Courses. A health only agent course shall consist of:~~

~~(a) 40 hours of classroom instruction only in health insurance, or~~

~~(b) A correspondence course, which is offered at least once per year by an accredited institution of higher learning in this state, covering all subjects in the approved outline, as specified in subsection 69B 227.170(2), F.A.C., of health agent qualification classroom courses.~~

~~(18) Life and Variable Annuity Agent Courses. A life and variable annuities agent course shall consist of:~~

~~(a) 40 hours of classroom instruction in life insurance and variable annuities or,~~

~~(b) A correspondence course, which is offered at least once per year by an accredited institution of higher learning in this state, covering all subjects in the approved outline, as specified in subsection 69B 227.170(2), F.A.C., of life and variable annuity agent qualification classroom courses for a minimum of 40 hours of classroom instruction in life insurance and variable annuities.~~

~~(19) Health Care Risk Manager Courses. A health care risk manager course shall consist of 384 hours of classroom instruction in health care and risk management.~~

~~(20) Risk Management Education Programs. A risk management education program shall consist of 120 hours of classroom instruction in risk management.~~

~~(21) Health Care Education Programs. A Health Care Education Program shall consist of 80 hours of classroom instruction in health care information and procedure.~~

~~(22) Mediator Training Programs. A mediator training program shall consist of 40 hours of classroom instruction in mediation theory, mediation process and techniques, standards of conduct for mediators, conflict management and intervention skills, and insurance nomenclature.~~

~~(23) Course Audits. The Department reserves the right to audit courses and administrative records with or without notice to the sponsoring entity. Audits will result in notice to the sponsoring entity of deficiencies found and of corrective action required by the entity where warranted. The Department will reduce the number of approved credit hours for the course or disapprove the course entirely if the entity fails to correct the deficiencies.~~

~~(24) Disapproval. Any one of the following criteria shall constitute grounds for the Department to disapprove an Application For Entity/Course Approval:~~

~~(a) An entity officer or a school official having been convicted of a felony under the law of the United States of America or of any state thereof or under the law of any country.~~

~~(b) Disciplinary action has been taken against an entity officer or school official.~~

~~(c) The application is incomplete.~~

~~(d) The course or entity, or an entity officer or a school official associated therewith, has not otherwise met the qualifications specified in this rule, or has violated any provision of this rule part.~~

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 ~~648.37~~ FS. History—New 4-11-94, Formerly 4-211.170, 69B-211.170, Amended \_\_\_\_\_.

69B-227.180 Course Offering Schedule and Attendance Records.

(1) Each provider must submit, in accordance with the submission procedures in Rule 69B-227.290, F.A.C., a course offering on school official shall furnish, in duplicate, a properly completed Form DFS-H2-397, "Offering Application Schedule of Classes," which is incorporated by reference adopted in Rule 69B-227.290 69B-228.180, F.A.C., for each time the course is offered class offering for each location, containing the dates and times that classes meet, a schedule of examinations and other requested data. The application must be submitted to schedule shall be received and approved by the Department at least fifteen (15) 30 days prior to the date and time the beginning of the qualification or training classroom course is offered. Received is determined by the Department's date stamp. The Department shall assign a Course Offering Class Number to each course Schedule of Classes to identify each specific class offering. This number must be entered on the Roster, Form DFS-H2-400, "Roster," which is incorporated by reference in Rule 69B-227.290, F.A.C. A stamped self-addressed return envelope must be submitted for return of the duplicates.

(2) Changes to approved course offerings schedules must be requested by the provider in writing and approved by the Department prior to the date when the change will be effective. The original approved duplicate schedule must be revised and resubmitted in duplicate with a stamped self-addressed return envelope.

(3) Classes must be in session on scheduled dates during specified hours.

(4) Each provider shall maintain accurate class attendance records on Form DFS-H2-400, "Roster." ~~The class must be held in an area readily accessible for audit by an authorized Department employee.~~

(5) ~~No class shall last for more than 10 hours in any one day or conclude after 10:00 p.m.~~

(6) ~~Entities may, at their discretion, submit Schedules of Classes for approved courses on a quarterly or annual basis and file revisions in duplicate. Entities shall not begin class without acknowledgment of approval by the Department.~~

(7) ~~The student's driver's license or other photo ID must be used for verification of identity by the school official or instructor for each offering. It shall be grounds for the Department to institute administrative action if a Roster is submitted which includes the name of a student who was not in attendance.~~

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 ~~648.37~~ FS. History—New 4-11-94, Formerly 4-211.180, 69B-211.180, Amended \_\_\_\_\_.

69B-227.190 Certification of Students.

(1) The provider shall electronically submit to the Department in accordance with the submission procedures in Rule 69B-227.290, F.A.C., a completed Form DFS-H2-400, "Roster," which is incorporated by reference in Rule 69B-227.290, F.A.C., of all students who have satisfactorily completed the course. The Roster must be received by the Department within 21 days after the final examination is administered.

(2) ~~Form DFS-H2-1668 399, "Certificate of Completion," which is incorporated by reference adopted in Rule 69B-228.180, F.A.C., shall be issued to each person satisfactorily completing a course. "Satisfactory completion" as used herein shall mean that the student achieves attendance of no less than 75% of classroom hours and a minimum score of 70 percent on the final examination, except for a student in a bail bond agent course who must achieve a minimum score of 80 percent on the final examination for the overall coursework. The school official shall send a completed Form DFS-H2-400, "Roster," which is adopted in Rule 69B-228.180, F.A.C., of all students who completed the course to the Department. The Roster must be received by the Department within 20 days after the final test is administered. Date received is evidenced by the date received stamp in the Bureau of Agent & Agency Licensing. Form DFS-H2-399, "Certificate of Completion," shall be completed by the school official and furnished to each student. Rosters received by the Department 20 days after the completion date of the course will be considered late. A stamped self-addressed return envelope must be submitted with each Roster or combination of Rosters.~~

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 ~~648.37~~ FS. History—New 4-11-94, Formerly 4-211.190, 69B-211.190, Amended \_\_\_\_\_.

69B-227.200 Attendance.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.200, 69B-211.200, Repealed \_\_\_\_\_.

69B-227.210 Postsecondary Exempted Courses.

(1) An accredited institution of higher learning is exempt from the requirements of this rule chapter part with regard to classroom courses for which students receive academic credits that count toward the pursuit of an associate, bachelor or higher

level academic degree. ~~An individual can apply academic credit earned in a course approved by the Department from an accredited institution of higher learning to satisfy the educational requirements of this rule part. An individual can also satisfy these educational requirements by teaching a college credit course approved by the Department at an accredited institution of higher learning. In order for a course to be "approved" by the Department for purposes of credit, the individual must provide proof of completion, proof of accreditation of the institution, and must provide a summary of the course material which contains sufficient information for the Department to determine the number of clock hours attributable to the subject matter of the licensure sought. Examples of a summary are a course syllabus, course outline, course catalogue description, or other descriptive summary of the course. Each clock hour that a course is held represents an hour of the pre licensing requirement. For example, a 3 hour college-level course which is provided on a semester system is equivalent to 40 clock hours of classroom instruction in an approved pre licensing course, as approved pursuant to Rule 69B-227.170, F.A.C. The hours must be in the specific subject matter of the licensure which the individual is seeking. Only the clock hours attributable to the subject matter of the licensure sought will be applied to fulfill this requirement. In order for an individual to fulfill their educational requirements with courses from an accredited institution of higher learning, the following is required for each class and type of license:~~

~~(1) General Lines Agents:~~

~~(a) Completed fifteen (15) semester hours of college credit, or its equivalent, in property and casualty insurance at an accredited institution of higher learning, or~~

~~(b) Completed a correspondence course as prescribed by Rule 69B-227.170, F.A.C.~~

~~(2) In lieu of completing courses that have been filed and approved under this rule chapter, an individual can apply academic credit earned in a course exempt pursuant to subsection (1) above for that type and class of license from an accredited institution of higher learning to satisfy the educational requirements. An individual can also satisfy these educational requirements by teaching a college-credit course approved by the Department at an accredited institution of higher learning. Customer Representatives and Limited Customer Representatives:~~

~~(a) Completed 6 semester hours of college credit, or its equivalent, in property and casualty insurance at an accredited institution of higher learning, or~~

~~(b) Completed a correspondence course as prescribed by Rule 69B-227.170, F.A.C.~~

~~(3) In order for a course to be accepted by the Department for purposes of credit, the individual must provide proof of completion from an accredited institution and must provide a~~

summary of the course material which contains sufficient information for the Department to determine the applicability to the license sought. A semester hour of college-level instruction is equivalent to 13-1/2 hours of classroom instruction in an approved pre-licensing course, as approved pursuant to Rule 69B-227.170, F.A.C. The hours must be in the specific subject matter of the licensure which the individual is seeking. Only the hours attributable to the subject matter of the licensure sought shall be applied to fulfill this requirement. ~~Motor Vehicle Physical Damage and Mechanical Breakdown Agents:~~

~~(a) Completed 3 semester hours of college credit, or its equivalent, in casualty (including automobile physical damage) insurance at an accredited institution of higher learning, or~~

~~(b) Completed a correspondence course as prescribed by Rule 69B-227.170, F.A.C.~~

~~(4) Industrial Fire Agents:~~

~~(a) Completed 3 semester hours of college credit, or its equivalent, in property insurance at an accredited institution of higher learning, or~~

~~(b) Completed a correspondence course as prescribed by Rule 69B-227.170, F.A.C.~~

~~(5) Bail Bondsmen:~~

~~(a) At least 6 semester hours of college credit, or its equivalent, in the criminal justice system, and~~

~~(b) Completed a correspondence course as prescribed by Rule 69B-227.170, F.A.C.~~

~~(6) Bail Bond Runners: At least 3 semester hours of college credit, or its equivalent, in the criminal justice system.~~

~~(7) Surplus Lines Agents:~~

~~Completed 60 hours of classroom instruction in surplus or excess lines insurance at an accredited institution of higher learning.~~

~~(8) Life Including Variable Annuity Agents:~~

~~(a) Completed 3 semester hours of college credit, or its equivalent, in life insurance, health insurance and annuities at an accredited institution of higher learning, or~~

~~(b) Completed a correspondence course as prescribed by Rule 69B-227.170, F.A.C.~~

~~(9) Health Agents:~~

~~(a) Completed 3 semester hours of college credit, or its equivalent, in health insurance at an accredited institution of higher learning, or~~

~~(b) Completed a correspondence course as prescribed by Rule 69B-227.170, F.A.C.~~

~~(10) Health Care Risk Managers—Risk Management Education Program: Completed 15 semester hours of college credit, or its equivalent, in property and casualty insurance at an accredited institution of higher learning.~~

~~(11) Title Agents: Completed 3 semester hours of college credit, or its equivalent, in real estate or real property law.~~

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, 648.386 ~~648.37~~ FS. History—New 4-11-94, Formerly 4-211.210, 69B-211.210, Amended.

69B-227.220 Examinations.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.220, 69B-211.220, Repealed.

69B-227.230 Refund of Student Course Fees.

~~(1) Fees for courses shall be reasonable and clearly identified to students.~~

~~(1)(2) If a course is cancelled for any reason, all course fees must be refunded ~~are refundable~~ by the course provider in full unless the refund policy is clearly defined in the enrollment application and indicates otherwise. In all instances, fees must be refunded within 45 days of cancellation.~~

~~(2)(3) In the event a course is postponed for any reason, students shall be given the choice of attending the course at a later date or having their course fees refunded in full within 45 days. The fees must be refunded within 45 days of postponement unless the student has notified the sponsor that he or she has chosen to participate in the postponed course.~~

~~(3)(4) A provider shall sponsor may have a refund policy addressing a student’s cancellation or failure to complete a course, as long as that policy is clear in the course application provided to prospective students. The policy shall be clearly set forth prior to registration.~~

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, ~~648.37~~ FS. History—New 4-11-94, Formerly 4-211.230, 69B-211.230, Amended.

69B-227.240 Facilities.

~~Classroom courses and monitored exams for correspondence courses With the exception of correspondence courses, each course shall be conducted in a classroom or other facility which is adequate to comfortably accommodate the faculty and the number of participants and as suitable for classroom-type instruction. The sponsor may limit the number of participants enrolled in a course.~~

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, ~~648.386~~ ~~648.37~~ FS. History—New 4-11-94, Formerly 4-211.240, 69B-211.240, Amended.

69B-227.250 Advertising.

(1) through (2) No change.

(3) No advertisement for a course subject to this rule chapter shall contain the Great Seal of the State of Florida identified in Section 15.03, F.S., or Department logo, or shall be otherwise made to appear as if the Department or State of Florida is providing or endorsing a course or provider.

(4) Advertising shall display the course name, course authority, provider number, provider name, the Florida course identification number, and study method.

(5) An approved course provider that places, or causes to be placed, an advertisement for a course bears responsibility for the content of the advertisement and its compliance with this rule chapter.

Rulemaking Authority 624.308(1), 626.2817, 626.9611 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 626.9541(1), 627.7015, 627.7074, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.250, 69B-211.250, Amended.

69B-227.260 Study Aids.

(1) Each school official shall, prior to the commencement of a pre-licensing qualification course or training program class furnish to each student the name and contact information for the current study manual vendor distributor location of current study manual(s) prepared for the Department through contract entered into in accordance with Chapter 287, F.S., and verify the first day of class that each student is aware that the state licensing examination will be based upon ~~has a copy of~~ the latest edition of the approved study manual(s), if any. ~~The approved course outline, laws, Department rules and rules of other governmental agencies relating to the specific license or certification, samples of current insurance policies and related forms pertaining to the course shall be furnished to the student by the approved entity.~~ Study manuals are required for the following courses:

(a)(1) General Lines Agent, Personal Lines Agent, Customer Representative, or Limited Customer Representative Course.

(b)(2) Industrial Fire Agent.

(c)(3) Life, Health, and Variable Annuity Agent including Administrative Agent, life only agent and health only agent.

(d)(4) Title Agent.

(e) Surplus Lines Agent.

(2) Contact information for the vendors of the study manuals is available at <http://www.myfloridacfo.com/Division/Agents/Licensure/Examinations/studyManuals.htm>.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 648.37 FS. History—New 4-11-94, Formerly 4-211.260, 69B-211.260, Amended.

#### 69B-227.270 Prohibited Practices.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.270, 69B-211.270, Repealed.

#### 69B-227.280 Falsification of Reports.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 624.418, 626.611, 626.621, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.280, 69B-211.280, Repealed.

69B-227.290 Forms and Submission of Forms through the Education Database.

(1) The Department has established an online application on its website for all activity relating to approval of providers, school officials, courses, course offerings, instructors, and the filing of rosters and other information relating to pre-licensing courses required by rule or statute to be filed with the Department. The system can be accessed at the Department's website, <http://www.myfloridacfo.com/division/agents>, by clicking on the MyProfile login. All forms necessary to comply with filing requirements outlined in this rule part may be obtained from and shall be submitted to the Bureau of Agent and Agency Licensing, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0319, and may be reproduced at will. School officials will receive a complete set of blank forms when courses are approved. School officials are expected to maintain copies of the original forms received from the Department for use in making required submissions of schedules, certifications of instructors, certification of students, or other required filings. Requests for replacement sets will result in a document charge at \$0.50 per page. Forms and other documents that are filed with the Department for processing course information after the course is approved and that require a response from the Department must be filed in duplicate and must include a self-addressed stamped envelope. No facsimile transmissions of forms shall be accepted by the Department for filing purposes.

(2) All forms necessary to comply with filing requirements outlined in this rule chapter shall be accessed through the Department's Education Database as described in subsection (1) above. All forms necessary to comply with filing requirements outlined in this rule chapter are adopted and incorporated by reference in subsection (4) below. Forms shall be filed in accordance with the respective time provisions set

~~forth in this rule part. Forms filed after a particular deadline shall evidence "lateness". Late shall be evidenced determined by the Department date received stamp. Forms are required to be submitted in original. Facsimile transmissions will not be accepted to prevent late filing status. Changes to information on approved original forms shall be sent to the Department as soon as knowledge of the change occurs.~~

(3) The Education Database shall provide written notification of all application approvals. If, during the review process, the Department requests additional information through the system, the provider shall respond to the request for additional information using the system.

(4) The following forms are hereby incorporated by reference and are available on the Department's website as provided above:

(a) DFS-H2-397, Offering Application, Rev. 3/2014.

(b) DFS-H2-398, Instructor Application, Rev. 3/2014.

(c) DFS-H2-1668, Certificate of Completion, Eff. 2/2006.

(d) DFS-H2-400, Roster, Rev. 3/2014.

(e) DFS-H2-464, Provider Application, Rev. 3/2014.

(f) DFS-H2-1137, School Official/Supervising Instructor Application, Rev. 3/2014.

(g) DFS-H2-1268, Course Application, Rev. 3/2014.

(h) DFS-H2-2130, Florida Insurance Examination Content Outlines, Eff. 1/2014.

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 626.2817, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.386 648.37 FS. History—New 4-11-94, Formerly 4-211.290, 69B-211.290, Amended.

69B-227.300 Transition Time in the Event of Rule Changes.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.300, 69B-211.300, Repealed.

69B-227.310 Grounds for Disapproval, Suspension, or Revocation of Approval of a Provider, School Official, Supervising Instructor, or Instructor; Other Penalties.

The Department shall disapprove an application or, fine, order restitution by, suspend, or revoke approval of a provider, school official, or instructor if:

The Department shall impose the following penalties upon a Department finding of a violation of this rule part, or Sections 626.2815 and 626.869(5), F.S., by entities, school officials, instructors, or monitors, to the extent necessary to provide restitution or otherwise remedy the violation and to prevent future violations:

(1) Consistent with the standards in rule Chapters 69B-231 and 69B-241, F.A.C., it finds that the individual, entity, or

~~officer, owner or director thereof, has had a license, permit, registration, or other authority to conduct business in the areas of education, insurance, or other financial services industry subject to a finding, injunction, suspension, prohibition, revocation, denial, judgment, final agency action, or administrative order by any court of competent jurisdiction, administrative law proceeding, state agency, federal agency, or federally established regulatory body or association; Order the refund of all course tuition and fees to licensees.~~

~~(2) Consistent with the standards in Section 626.207, F.S., and Rule 69B-211.042, F.A.C., it finds that the individual, entity, or officer, owner or director thereof, has criminal history; Require entities, school officials, instructors, and/or monitors to provide licensees with a suitable course to replace the course that was found in violation.~~

~~(3) The individual, entity, or officer, owner or director thereof, has not otherwise met the qualifications specified in this rule chapter or has violated any provision of this rule chapter; Withdraw approval of courses sponsored by such provider for a period of 2 years.~~

~~(4) The individual, entity, or officer, owner or director thereof, lacks the knowledge, competence, fitness or trustworthiness to fulfill the educational objectives of Sections 626.2815, 626.2817, 627.7015, 627.7074, 627.745, 648.385, and 648.386, F.S. Suspend or revoke the authority to instruct or deny the approval of an instructor, speaker, lecturer, or monitor if the Department finds a violation of any provision of Section 626.611 or 626.621, F.S., or any subsection of this rule part, or the person has had any disciplinary action taken against any license relating to the business of insurance issued by this or any other state, country, or territory at any time before or after being approved in this state. The degree of penalty will depend on the degree of impact on education, number of students affected, and frequency of the offense.~~

~~(5) The Department shall refuse approval of future courses if past offerings are not in compliance with F.S. or this rule part.~~

~~(6) The following fines shall apply to specific instances of misconduct, and are not exclusive of other penalties set forth in this rule part:~~

~~(a) Late filing of required original forms on approved courses—\$100 per form. Lateness shall be evidenced by the Department date received stamp. Forms are required to be original and facsimile transmissions will not be accepted to prevent late filing status. Changes to information on approved original forms shall be sent to the Department as soon as knowledge of the change occurs.~~

~~(b) Advertising and soliciting attendance for any course before the Department has notified the school official of the approved status of the course application—\$1,000 per incident.~~

~~(c) Instruction of a class by an unapproved instructor—\$500 penalty to instructor and sponsoring entity.~~

~~(d) Failure to maintain course completion and attendance records for audit for 3 years following the completion date of each offering—\$500 per audit.~~

~~(e) Falsification of any document, form, outline or information filed with the Department in connection with any course—\$1,000 per violation.~~

~~(f) Failure to use only the approved outline on file with the Department—\$500 per violation.~~

~~(g) Failure to notify the Department within 30 days of a change of address—\$100 per violation.~~

Rulemaking Authority 624.308(1), 626.2817 FS. Law Implemented 624.307(1), 624.418, 624.4211, 626.2817, 626.611, 626.621, 626.681, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.7015, 627.7074, 627.745, 648.34, 648.37 FS. History—New 4-11-94, Formerly 4-211.310, 69B-211.310, Amended \_\_\_\_\_.

69B-227.320 Curriculum Standards for Special Designation.

Pursuant to Section 626.221(2)(4), F.S., the Department of Financial Services establishes the following curriculum standards:

(1) Application process.

(a) An application for approval of a designation course curriculum must be submitted in accordance with the submission procedures in Rule 69B-227.290, F.A.C.

(b) All course curriculum materials, other than outlines and study manuals prepared by the Department, must be submitted in accordance with the submission procedures in Rule 69B-227.290, F.A.C.

(2) Requirements for designation curriculum.

(a) No course shall be taught unless its curriculum has been previously approved by the Department based on the requirements of this rule chapter.

(b) A comprehensive final examination covering the course content shall be given at the end of each course.

(c) All time used for the examination shall be in addition to the required course hours.

(d) Any change in an approved course curriculum must be submitted to the Department prior to being implemented.

(3) For any designation specified in Section 626.221(2)(i), F.S., as a Certified Customer Service Representative (CCSR), Professional Customer Service Representative (PCSR), or Registered Customer Service Representative (RCSR), the requirement is at least 40 course hours covering all topics in the current customer representative Examination Content Outline found in Form DFS-H2-2130, which is incorporated by reference in Rule 69B-227.290, F.A.C.:

(a) At least 26 hours in:

1. Automobile Insurance:

a. Personal Auto;

b. Business Auto Policy;

c. Garage Insurance;

- d. Florida Laws, Including Financial Responsibility;
- e. Automobile No Fault;
- 2. General Liability;
- 3. Property Insurance:
  - a. Personal Insurance Coverage;
  - b. Commercial Property Insurance;
  - e. Flood Insurance;
- 4. Package Policies:
  - a. Homeowners Insurance;
  - b. Commercial Package Policies;
- 5. Workers' Compensation;
- 6. Crime:
  - a. Crime General Provisions;
  - b. Crime Plans Coverage Forms (A-G);
- 7. Surety Bonds;
- 8. Marine:
  - a. Inland Marine (Personal);
  - b. Inland Marine (Commercial);
- 9. Health:
  - a. Health Insurance;
  - b. Disability Income;
  - e. Medicare Supplement;
- 10. Residual Markets:
  - a. FAJUA;
  - b. WCJUA;
  - e. FWUA;
  - d. FRPCJUA;
- 11. Agent Licensing Requirements:
  - a. Agent Responsibilities;
  - b. Change of Address;
  - e. Continuing Education;
  - d. License Renewal;
- 12. Basic Florida Insurance Principles, Concepts, and Laws.

(b) At least 8 hours in:

- 1. Ethics;
- 2. Office Management;
- 3. Customer Relations;

(4)(2) For any designation specified in Section 626.221(2)(j), F.S., as an Accredited Claims Adjuster (ACA), Professional Claims Adjuster (PCA), Professional Property Insurance Adjuster (PPIA) from the HurriClaim Training Academy, Certified Adjuster (CA) from ALL LINES Training or Certified Claims Adjuster (CCA) from the Association of Property and Casualty Claims Professionals, the requirement is at least 40 course hours covering all topics in the current all-lines adjuster Examination Content Outline found in Form DFS-H2-2130, which is incorporated by reference in Rule 69B-227.290, F.A.C.:

- (a) At least 26 hours in:
  - 1. Property and Liability Insurance Concepts, Insurance Contracts and Law, and Adjusting Practices;
  - 2. Casualty/Liability Insurance:
    - a. Automobile Liability;
    - b. Automobile No Fault;
    - e. Uninsured Motorists;
    - d. Automobile Miscellaneous;
    - e. General Liability;
    - f. Crime and Surety;
    - g. Workers' Compensation;
    - h. Umbrella/Excess Liability;
    - i. Commercial Property Insurance;
  - 3. Fire and Allied Lines, Including Marine Insurance:
    - a. Dwelling Policies;
    - b. Homeowners Insurance;
    - e. Commercial Property Policy;
    - d. Business Owners Policy;
    - e. Boiler and Machinery;
    - f. Inland Marine Insurance;
    - g. Ocean Marine Insurance;
    - h. Flood Insurance;
    - i. Aviation Insurance;
  - 4. Motor Vehicle Physical Damage and Mechanical Breakdown Insurance:
    - a. Personal Auto Insurance;
    - b. Business Auto Insurance;
    - e. Mechanical Breakdown;
  - 5. Health Insurance;
  - 6. Residual Markets;
  - 7. Florida Statutes.

(b) At least 8 hours in:

- 1. Ethics;
- 2. Negotiation Skills;
- 3. Communication Skills.

Rulemaking Authority 626.221, 626.2817 FS. Law Implemented 626.221, 626.2817 FS. History—New 11-6-01, Amended 8-7-03, Formerly 4-211.320, Amended 1-17-05, 11-7-06, 7-3-07, 4-27-10, Formerly 69B-211.320, Amended \_\_\_\_\_.

69B-227.330 Timeline for Submissions.

(1) An application must be complete within 60 days of initial submission to the Department or it shall be closed.

(2) If the Department determines an application is incomplete, it shall notify the applicant of deficiencies. If identified deficiencies are not resolved within 20 days from the date of the Department's deficiency notice, the application shall be closed.

Rulemaking Authority 624.308(1) FS. Law Implemented 624.307(1), 624.418, 626.2817, 626.611, 626.621, 626.732(1)(a), 626.7351, 626.7851, 626.8311, 626.8417, 626.927, 627.745, 648.34 FS. History—New \_\_\_\_\_.

69B-227.340 Course Audits.

The Department shall audit courses and provider records with or without notice to the provider. Providers shall give the Department access to all approved courses within 3 days of the course offering. Audits shall result in notice to the provider of deficiencies found and of corrective action required where warranted. The Department shall disapprove the course if the provider fails to correct the deficiencies.

Rulemaking Authority 626.2817 FS. Law Implemented 626.2817 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Matt Tamplin, Bureau of Licensing  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 10, 2014  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 9, 2014

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

**WATER MANAGEMENT DISTRICTS**  
**Suwannee River Water Management District**  
RULE NOS.:      RULE TITLES:  
40B-9.131      Public Use of District Lands  
40B-9.139      Use Fees

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 66, April 4, 2014 issue of the Florida Administrative Register has been withdrawn.

**Section IV**  
**Emergency Rules**

NONE

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

AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing  
RULE NO.:      RULE TITLE:  
59A-8.007:    Geographic Service Area  
NOTICE IS HEREBY GIVEN that on April 16, 2014, the Agency for Health Care Administration, received a petition for

an emergency waiver pursuant to Section 120.542, Florida Statutes, from the petitioner, Maxim Healthcare Services, Inc. The petitioner seeks an emergency waiver of Rule 59A-8.007, Florida Administrative Code, to allow its home health agency in Hillsborough County (area 6) to serve a Medicaid pediatric patient in Sarasota County (Area 8).

Any interested person may file comments within 5 days of the publication of this notice with Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, Agency for Health Care Administration by email to HQAHOMEHEALTH@ahca.myflorida.com or by fax to (850)922-6059.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anne Menard, Home Care Unit, Bureau of Health Facility Regulation, Agency for Health Care Administration, 2727 Mahan Dr., Bldg. 1, Mail Stop 34, Tallahassee, Florida 32308 or by email to HQAHOMEHEALTH@ahca.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.:      RULE TITLE:

61C-1.004:    General Sanitation and Safety Requirements

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

On March 31, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2009 FDA Food Code from Days Inn Central located in St. Petersburg. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within an adjacent establishment under different ownership for use by both customers and employees.

The Petition for this variance was published in Vol. 40, No. 68, F.A.R., on April 8, 2014. The Order for this Petition was signed and approved on April 15, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Dunkin Donuts/Baskin Robbins (Kronus Donuts Inc., Michael Silva) are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, hand

wash sign, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Dunkin Donuts/Baskin Robbins (Kronus Donuts Inc., Michael Silva) changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting:

Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010: Sanitation and Safety Requirements

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

On April 3, 2014 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Rice Thai Cuisine located in Gulfport. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment under different ownership for use by customers only.

The Petition for this variance was published in Vol. 40, No. 68, F.A.R., on April 8, 2014. The Order for this Petition was signed and approved on April 15, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Kohl and Childs for Hair are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Kohl and Childs for Hair (Alice Kohl) changes, an updated signed agreement for use of the bathroom facilities is required immediately.

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

**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: Board of Directors Meeting, April 24, 2014, 6:00 p.m.

PLACE: Mission San Luis, 2100 W Tennessee Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will discuss financial reports, vendor contacts and other friends' business.

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida Agriculture in the Classroom, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2014, 10:00 a.m.

PLACE: Florida Farm Bureau, 5700 SW 34th St., Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture in the Classroom board of directors will hold a regularly scheduled board meeting.

A copy of the agenda may be obtained by contacting: Lisa Gaskalla at gaskalla@ufl.edu.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Administration

The Florida Agricultural Museum announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 30, 2014, 11:00 a.m.

PLACE: Florida Agricultural Museum; 1850 Princess Place Road; Palm Coast, Florida 32164

GENERAL SUBJECT MATTER TO BE CONSIDERED: The is a meeting of the Board to discuss general board business.

A copy of the agenda may be obtained by contacting: Andrew Johnson, (386)313-4040.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Andrew Johnson (386)313-4040. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Pesticide Registration Evaluation Committee (PREC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 1, 2014, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399-1650, (850)617-7940

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: the Pesticide Registration Section, (850)617-7940 or from the PREC website at <http://www.freshfromflorida.com/Divisions-Offices/Agricultural-Environmental-Services/Bureaus-and-Sections2/Bureau-of-Pesticides/Product-Registration-Procedures>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section; 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida, 32399-1650; (850)617-7940.

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#### PUBLIC SERVICE COMMISSION

##### NOTICE OF CANCELLATION OF CUSTOMER MEETING

The Florida Public Service Commission announces a cancellation of a customer meeting.

DATE AND TIME OF CANCELLED MEETING: Thursday, May 15, 2014, 6:00 p.m.

PLACE: Shangri-La By The Lake Clubhouse, 100 Shangri-La Blvd., Leesburg, FL 34788

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 130194-WS – Application for staff-assisted rate case in Lake County by Lakeside Waterworks, Inc.

The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's Commission on Jobs for Floridians with Disabilities - Employer Outreach Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 28, 2014, 9:00 a.m.

PLACE: 1(888)670-3525; conference code: 3163100693

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general business of the Governor's Commission pursuant to Executive Order 11-161.

A copy of the agenda may be obtained by contacting: David Darm at (850)245-0551 or [David.Darm@dbs.fldoe.org](mailto:David.Darm@dbs.fldoe.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: David Darm at (850)245-0551 or [David.Darm@dbs.fldoe.org](mailto:David.Darm@dbs.fldoe.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David Darm at (850)245-0551 or [David.Darm@dbs.fldoe.org](mailto:David.Darm@dbs.fldoe.org).

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#### REGIONAL PLANNING COUNCILS

##### Southwest Florida Regional Planning Council

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

DATE AND TIME: April 30, 2014, 8:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The weekly meeting of the Council's Legislative Affairs Committee to discuss legislative priorities.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239)338-2550, ext. 232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The SWFRPC's offices at (239)338-2550. 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 visit the SWFRPC's website at [www.swfrpc.org](http://www.swfrpc.org).

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**REGIONAL PLANNING COUNCILS**

Southwest Florida Regional Planning Council  
The Southwest Florida Regional Planning Council/Glades-Hendry LCB announces a public meeting to which all persons are invited.  
DATE AND TIME: May 7, 2014, 10:30 a.m.  
PLACE: Glades County Public Library, 201 Riverside Drive, Moore Haven  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Glades-Hendry Joint Local Coordinating Board to discuss, review and approve issues for the transportation disadvantaged.

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239)338-2550, ext. 232. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The SWFRPC's offices at (239)338-2550. 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 visit the SWFRPC's website at [www.swfrpc.org](http://www.swfrpc.org).

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**REGIONAL PLANNING COUNCILS**

Southwest Florida Regional Planning Council  
The Southwest Florida Regional Planning Council/Glades-Hendry LCB announces a hearing to which all persons are invited.  
DATE AND TIME: May 7, 2014, 10:15 a.m.  
PLACE: Glades County Public Library, 201 Riverside Drive, Moore Haven  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Glades-Hendry Joint LCB will hold a public hearing for anyone who wishes to ask questions or make comments on issues relating to the transportation disadvantaged.

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239)338-2550, ext. 232. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting the SWFRPC's offices at (239)338-2550. 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 visit the SWFRPC's website at [www.swfrpc.org](http://www.swfrpc.org).

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**WATER MANAGEMENT DISTRICTS**

Suwannee River Water Management District  
The Suwannee River Water Management District announces a public meeting to which all persons are invited.  
DATE AND TIME: Tuesday, May 13, 2014, 9:00 a.m.  
PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting to consider District business and conduct public hearings on regulatory and real estate matters. A workshop will follow the meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District's website at [www.mysuwanneeriver.com](http://www.mysuwanneeriver.com). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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**WATER MANAGEMENT DISTRICTS**

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

DATE AND TIME: Monday, May 5, 2014, 3:30 p.m.  
 PLACE: Southwest Florida Water Management District, Building 4, Conference Room 112 A & B, 2379 Broad Street, Brooksville, Florida 34604  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council: Lake Groundwater Levels, Hernando County Water Conservation Measures, and Hunters Lake Tussock Harvesting. A copy of the agenda may be obtained by contacting: 1(352)796-7211 or 1(800)423-1476 (Florida only), extension 4378 or online at [www.watmatters.org/waterways](http://www.watmatters.org/waterways). Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: 1(352)796-7211 or 1(800)423-1476 (Florida only), extension 4702; TDD (Florida only) 1(800)231-6103; or email to [ADACoordinator@watmatters.org](mailto:ADACoordinator@watmatters.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES  
 Commission on Human Relations  
 The Florida Commission on Human Relations (FCHR) announces a telephone conference call to which all persons are invited.  
 DATE AND TIME: Wednesday, May 21, 2014, 10:00 a.m., ET  
 PLACE: Call 1(888)670-3525 and when prompted, enter passcode 1760507820, followed by the # key.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision. A copy of the agenda may be obtained by contacting: Jim Mallue at (727)570-5151, ext. 13 or [Jim.Mallue@fchr.myflorida.com](mailto:Jim.Mallue@fchr.myflorida.com).  
 ACCESS POINT: The FCHR office at 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.  
 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: Jim Mallue at (727)570-5151, ext. 13 or [Jim.Mallue@fchr.myflorida.com](mailto:Jim.Mallue@fchr.myflorida.com).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 Construction Industry Licensing Board  
 The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.  
 DATE AND TIME: Tuesday, May 13, 2014, 10:00 a.m. or soon thereafter  
 PLACE: Conference call: 1(888)670-3525, conference code 2938723619.  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the board. A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
 Construction Industry Licensing Board  
 The Construction Industry Licensing Board announces public meetings to which all persons are invited.  
 DATES AND TIMES: Wednesday, May 14, 2014, 12:00 Noon; Thursday, May 15, 2014, 8:00 a.m.; Friday, May 16, 2014, 8:00 a.m. or soon thereafter  
 PLACE: The Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the board.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Siting Coordination Office announces a hearing to which all persons are invited.

DATE AND TIME: May 13, 2014, 9:00 a.m.

PLACE: Florida State Capitol Building, 400 South Monroe Street, Lower Level, Cabinet Hearing Room, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: DEP announces a public hearing of the Governor and Cabinet, sitting as the Electrical Power Plant Siting Board (Siting Board), to consider and act upon the Administrative Law Judge's Recommended Order concerning the proposed certification of the Florida Power & Light Company Turkey Point Units 6 & 7 Project, Site Certification Application No. PA03-45A3, DOAH Case No. 09-3575EPP, and DEP Office of General Counsel Case Number 09-3107, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-403.518, Florida Statutes. The Cabinet Aides will meet on May 7, 2014 at 9:00 a.m., in the same location to review and gather information regarding this item for consideration by the Siting Board.

A copy of the agenda may be obtained by contacting: either: The Governor and Cabinet website at <http://www.myflorida.com/myflorida/cabinet/mart.html> or DEP's Office of Cabinet Affairs, 3900 Commonwealth Blvd., Tallahassee, Florida 32399 3000, (850)245-2024.

The agenda should be available approximately one week before the Cabinet Meeting. Any person wishing to speak at the Siting Board hearing should contact DEP's Office of Cabinet Affairs at (850)245-2024 by noon on May 12, 2014.

Pursuant to Section 403.509, Florida Statutes, the issues that may be raised before the Siting Board shall be limited to those matters raised in the certification proceeding before the administrative law judge or in the recommended order.

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: Ann Seiler, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, (850)717-9113. 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: Cindy Mulkey, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 5500, Tallahassee, Florida 32399-2400, (850)717-9000.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-761.800: Out-of-Service and Closure Requirements

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

DATE AND TIME: May 7, 2014, 9:00 a.m. until no later than 3:00 p.m.

PLACE: Room 423, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the revision of Out-of-Service and Closure Requirements in Rule 62-761.800, F.A.C., and Rule 62-762.801, F.A.C.

A copy of the agenda may be obtained by contacting: William E. Burns, Jr., Department of Environmental Protection, 2600 Blair Stone Rd., Tallahassee, FL 32399, [bill.burns@dep.state.fl.us](mailto:bill.burns@dep.state.fl.us) or (850)245-8842.

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: William E. Burns, Jr., Department of Environmental Protection, 2600 Blair Stone Rd., Tallahassee, FL 32399, [bill.burns@dep.state.fl.us](mailto:bill.burns@dep.state.fl.us) or (850)245-8842. 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: William E. Burns, Jr., Department of Environmental Protection, 2600 Blair Stone Rd., Tallahassee, FL 32399, bill.burns@dep.state.fl.us or (850)245-8842.

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: May 23, 2014, 8:30 a.m.

PLACE: Bohemian Hotel Celebration, 700 Bloom Street, Celebration, FL 34747, (407)566-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long Range Policy Planning and general board business.

To view the public agenda materials visit <http://www.floridasnursing.gov/meeting-information/>.

A copy of the agenda may be obtained by visiting [www.FloridasNursing.gov](http://www.FloridasNursing.gov) or writing: Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Board at (850)245-4125. 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 FINANCIAL SERVICES

The Medicaid & Public Assistance Fraud Strike Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday May 14, 2014, 2:00 p.m. – 4:00 p.m. (EDT)

PLACE: Senate Office Building, Room 401, the Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid & Public Assistance Fraud Strike Force.

A copy of the agenda may be obtained by contacting: [jade.stern@myfloridacfo.com](mailto:jade.stern@myfloridacfo.com).

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

For more information, you may contact: [jade.stern@myfloridacfo.com](mailto:jade.stern@myfloridacfo.com).

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. Board of Directors Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 21, 2014, 11:45 a.m. – 1:00 p.m.

PLACE: The Breakers, One South County Road, Palm Beach, Florida 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, [alatimer@eflorida.com](mailto:alatimer@eflorida.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 1 day before the workshop/meeting by contacting: Al Latimer, (407)956-5602, [alatimer@eflorida.com](mailto:alatimer@eflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact:

Al Latimer, (407)956-5602, [alatimer@eflorida.com](mailto:alatimer@eflorida.com).

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc. Board of Directors Orientation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 21, 2014, 3:00 p.m. – 4:30 p.m.

PLACE: The Breakers, One South County Road, Palm Beach, Florida 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Al Latimer, (407)956-5602, [alatimer@eflorida.com](mailto:alatimer@eflorida.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 1 day before the workshop/meeting by contacting: Al Latimer, (407)956-5602, [alatimer@eflorida.com](mailto:alatimer@eflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Al Latimer, (407)956-5602, [alatimer@eflorida.com](mailto:alatimer@eflorida.com).

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**Section VII**

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Construction Industry Licensing Board

Notice is hereby given that the Construction Industry Licensing Board has received a Petition for Declaratory Statement filed on behalf of Frederick S. Hagen, on April 4, 2014. The Petitioner seeks a statement from the Board as to whether the mandatory annual inspections of Backflow Prevention Devices required by the City of Tallahassee Cross Connection Control must be performed by a licensed plumbing contractor. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. Copies of the petition may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by email, [Amanda.Wynn@myfloridalicense.com](mailto:Amanda.Wynn@myfloridalicense.com).

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DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Construction Industry Licensing Board

**NOTICE OF WITHDRAWAL OF PETITION FOR  
DECLARATORY STATEMENT**

The Construction Industry Licensing Board hereby gives notice that the petition filed by P&H Construction on March 7, 2014, seeking a statement from the Board as to the definition of "structures" mentioned on the Certified General Contractor License application, has been withdrawn. The Notice of Petition for Declaratory Statement was published in Vol. 40, No. 55, of the March 20, 2014 issue of the Florida Administrative Register.

The person to be contacted regarding this petition is: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail – [Amanda.Wynn@myfloridalicense.com](mailto:Amanda.Wynn@myfloridalicense.com).

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**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**

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

**NONE**

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**Section IX**

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

**NONE**

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**Section X**

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

**NONE**

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**Section XI**

**Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

FSDB – Invitation to Qualify – Construction Manager

**PUBLIC ANNOUNCEMENT FOR CONSTRUCTION**

**MANAGEMENT SERVICES FOR**

**CONTINUING CONTRACTS**

Advertisement Number: ITQ-4-18-14-1

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from construction management firm(s) to provide construction management services for continuing contracts. The firm(s) selected under this contract will be responsible for assigned facility projects in which estimated construction costs

of each individual project under the contract does not exceed \$2,000,000 and individual study which does not exceed \$200,000. This contract will have an initial period of one (1) year with Owner’s option to renew for two (2) additional one-year periods.

Selection of finalists for interview will be made on the basis of construction manager qualifications in accordance with “Selection of the Construction Management Firm”, packet dated September 2013. Firms must be properly licensed in the State of Florida at the time of submittal. The selection will be made in accordance with Sections 255.103 and Section 287.055, Florida Statutes.

**INSTRUCTIONS:** Firms interested in being considered for this project should contact FSDB by email at the following address: williamsj2@fsdb.k12.fl.us. Request the instruction packet, “Selection of the Construction Management Firm Negotiated Fee Guaranteed Maximum Price packet dated September 2013”.

Submittals must be received no later than 3:00 p.m., Eastern Daylight Savings Time, on May 20, 2014, and should be mailed to the Florida School for the Deaf and the Blind, Attention: Purchasing Dept. Contract Administrator, 207 North San Marco Avenue, Saint Augustine, Florida 32084. Facsimile or emailed submittals are not acceptable and will not be considered.

The results of the short-list and final selection processes will be posted at FSDB, Building #28, (date TBD) and may be viewed during regular working days between the hours of 7:00 a.m. and 4:00 p.m., Eastern Daylight Savings Time. A final selection will be made after interviews have taken place. The selected firm(s) will be given official notice of selection results by email. Final selection results will also be posted in the Florida Administrative Register. Selection date is to be determined.

Please direct all questions to: Steve Armstrong, Construction Project Manager, (904)827-2363, armstrongs@fsdb.k12.fl.us. Note: Please ensure a valid email address and a point of contact is included with your qualification packet.

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DEPARTMENT OF EDUCATION  
 Florida School for the Deaf and the Blind  
 FSDB – Invitation to Qualify – General Contractor for Minor Projects

**PUBLIC ANNOUNCEMENT FOR GENERAL CONTRACTOR FOR MINOR PROJECTS CONTRACTS**

Advertisement Number: ITQ-4-18-14

The Florida School for the Deaf and the Blind (FSDB) requests qualifications from general contractors to bid for minor projects contracts. The firm(s) selected under this contract will be responsible for assigned facility projects in which estimated construction costs of project under the contract does not exceed \$500,000, annually. This contract will have an initial period of

one (1) year with Owner’s option to renew for two (2) additional one-year periods.

Selection of finalists to bid will be made on the basis of qualifications in accordance with “Selection of the General Contractor”, dated March 2014. Firm(s) must be properly licensed in the State of Florida at the time of submittal. The selection will be made in accordance with the Selection Criteria and bid.

**INSTRUCTIONS:** Firm(s) interested in being considered for this project should contact FSDB by email at the following address: williamsj2@fsdb.k12.fl.us. Request the instruction booklet, “Instructions to Qualify to Bid for General Contractor Minor Projects Contracts booklet dated March 2014”.

Submittals must be received no later than 3:00 p.m., Eastern Daylight Savings Time, on May 20, 2014, and should be mailed to the Florida School for the Deaf and the Blind, Attention: Purchasing Dept. Contract Administrator, 207 North San Marco Avenue, Saint Augustine, Florida 32084. Facsimile or emailed submittals are not acceptable and will not be considered. The Deciding Board will review all qualification packets on May 21, 2014 at 10:30 a.m. Once selections have been made the firm(s) will be notified by official email and further steps on the bidding process will be announced at that time. Selection date is to be determined.

A final selection will be made after bidding has taken place. The selected firm(s) will be given official notice of selection results by email. Final selection results will also be posted in the Florida Administrative Register and posted at FSDB, Building #28, and may be viewed during regular working days between the hours of 7:00 a.m. and 4:00 p.m., Eastern Daylight Savings Time (date TBD).

Please direct all questions to: Steve Armstrong, Construction Project Manager, (904)827-2363, armstrongs@fsdb.k12.fl.us. Note: Please ensure a valid email address and a point of contact is included with your qualification packet.

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DEPARTMENT OF MILITARY AFFAIRS  
 211004 Miramar EST, Miramar (Broward County), FL  
 STATE OF FLORIDA  
 DEPARTMENT OF MILITARY AFFAIRS  
 PUBLIC ANNOUNCEMENT  
 REQUESTING QUALIFICATIONS FOR  
 DESIGN-BUILD TEAMS

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests qualifications from State of Florida registered licensed General/Building Contractors (GC) and Architect/Engineering (A/E) Teams for Design-Build Services for the following project located at 11737 Honey Hill Drive, Miramar (Broward County), Florida.

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM AT [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu) on or after April 21, 2014

PROJECT: 211004 Miramar EST, Miramar (Broward County), Florida.

QUALIFICATIONS DUE: As stated on the MyFloridaMarketPlace Vendor Bid System.

Submittals are to be sent to Department of Military Affairs, Construction & Facility Management Office (CFMO), Attention: Contract Management Branch, Robert F. Ensslin, Jr., National Guard Armory, 2305 State Road 207, St. Augustine, Florida 32086. Submittals received after the due date will NOT be considered.

STATEMENT OF WORK: Design and construction of a 50 foot by 60 foot (+/-) insulated pre-engineered metal building. This building will require a minimum of 14 foot internal clearance to accommodate the Engagement Skills Trainer (EST) equipment. The structure will include male and female latrines, storage, control room, and staging room. Special Mechanical, Electrical and Data/Telecomm requirements are expected to accommodate the EST's robust computer and projection equipment. This building will be designed to meet Industry standards as well as local, state and federal building code requirements. Design and construction will include all utility services, information systems, storm drainage, parking and site improvements.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch, (904)823-0255 or 827-8544, or e-mail [ng.fl.flarnng.list.ngfl-cfmo-contracting@mail.mil](mailto:ng.fl.flarnng.list.ngfl-cfmo-contracting@mail.mil).

Faxed or emailed submissions are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

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## Section XII Miscellaneous

### DEPARTMENT OF EDUCATION

Adult Education and Family Literacy Request for Proposal  
Legal Announcement

Request for Applications for Available Funding

The Florida Department of Education, Division of Career and Adult Education, announces the availability of federal funds through a competitive grants process under the Adult Education and Family Literacy Act of 1998 (Workforce Investment Act). Follow the guidelines on each individual Request for Proposal as due dates may vary. Through the competitive review process, eligible applicants are assured direct & equitable access to apply for funds.

For application instructions, forms, & funding opportunities conference information, please refer to <http://www.fldoe.org/workforce/dwdgrants/default.asp>; direct questions to [Julie.Dillard@fldoe.org](mailto:Julie.Dillard@fldoe.org).

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## Section XIII Index to Rules Filed During Preceding Week

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

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