

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:

59G-4.110 Hearing Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.110, F.A.C. is to incorporate by reference the Florida Medicaid Hearing Services Coverage Policy, \_\_\_\_\_. The incorporated coverage will specify recipient eligibility, provider requirements, coverage policies, and reimbursement information.

SUBJECT AREA TO BE ADDRESSED: Hearing Services.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, April 7, 2015 2:00 p.m. -3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, 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 24 hours before the workshop/meeting by contacting: Shameria Davis at the Bureau of Medicaid Services, (850)412-4235 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Shameria Davis, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4235, e-mail: shameria.davis@ahca.myflorida.com.

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

Comments will be accepted until 5 p.m. on April 14, 2015.

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NOS.: RULE TITLES:

65A-1.704 Family-Related Medicaid Eligibility Determination Process

65A-1.707 Family-Related Medicaid Income and Resource Criteria

65A-1.708 Family-Related Medicaid Budgeting Criteria

PURPOSE AND EFFECT: To revise the Family-Related Medicaid eligibility policies, procedures and forms used to implement the Florida Family-Related Medicaid Program so that the requirements of the Affordable Care Act that govern the Florida Family-Related Medicaid coverage groups are met. SUBJECT AREA TO BE ADDRESSED: Revised Family-Related Medicaid eligibility policies.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.919 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 14, 2015, 10:00 a.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida.

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: Vonsenita Tranquille. 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Vonsenita Tranquille, Economic Self-Sufficiency Program, (850)717-4238, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, email: Vonsenita.Tranquille@myflfamilies.com

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

**Section II  
Proposed Rules**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.:       RULE TITLE:  
61G15-32.004   Design of Water Based Fire Protection Systems

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language clarifying the information required to ensure minimum design quality of Fire Protection System Engineering Documents.

SUMMARY: The rule amendment will add new language clarifying the information required to ensure minimum design quality of Fire Protection System Engineering Documents.

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.

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: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.005(7), 471.033(2) 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-32.004 Design of Water Based Fire Protection Systems.

(1) No change.

(2) To ensure minimum design quality in Fire Protection System Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) through (j) No change.

(k) A determination of whether a fire pump is required and if so, the specific volumetric flow and pressure rating of the pump.

(l) A verification of whether a firewater storage tank is required on site and if so, a determination of the size and capacity required.

(m) Owner’s Certificate. In storage occupancies, the Owner’s Information Certificate is required from the property owner as it clearly defines the storage configuration of the space for the current and future use of the property, as required by the codes and standards set forth in Rule 61G15-32.002(7), F.A.C.

(3) through (4) No change.

Rulemaking Specific Authority 471.008, 471.033(2) FS. Law Implemented 471.005(7), 471.033(2) FS. History–New 5-19-93, Formerly 21H-32.004, Amended 4-2-00, 6-26-01,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 8, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: March 18, 2014

**DEPARTMENT OF HEALTH**

**Division of Children's Medical Services**

RULE NO.:       RULE TITLE:

64C-10.001       Definitions

PURPOSE AND EFFECT: The purpose of this proposed new rule chapter is to implement law consistent with Section 409.820, F.S. The title of the rule will also be amended.

SUMMARY: Minimum quality assurance and access standards for the Title XXI-funded Children’s Medical Services Network and Florida Healthy Kids components of the Florida KidCare children’s health insurance program.

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: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

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: 391.026, 409.820 FS.

LAW IMPLEMENTED: 409.820 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: Madeleine Nobles, R.N., Director, CMSN Quality and Practice Management Unit, 4052 Bald Cypress Way, Bin A-06, Tallahassee, Florida 32399-1707, telephone number (850)245-4200, ext. 2254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64C-10.001 Florida KidCare Quality Assurance and Access Standards Definitions.

(1) Florida KidCare Quality Assurance and Access Standards provides minimum standard for health benefits provided to Florida KidCare enrollees.

(2) The KidCare Quality Assurance and Access Standards Handbook is herein incorporated by reference and is available at DOS Weblink or from CMS Headquarters, 4052 Bald Cypress Way, Bin A06, Tallahassee, FL 32299-1707

Rulemaking Authority 391.026, 409.820 FS. Law Implemented 409.820 FS. History—New\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Madeleine Nobles

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, M.D., FACS, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2014

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NOS.:	RULE TITLES:
59A-18.002	Definitions
59A-18.004	Licensure Requirements, Procedures, and Fees
59A-18.005	Registration Policies
59A-18.006	Administrator
59A-18.007	Registered Nurse and Licensed Practical Nurse
59A-18.0081	Certified Nursing Assistant and Home Health Aide
59A-18.009	Homemakers or Companions
59A-18.010	Acceptance of Patients or Clients
59A-18.011	Medical Plan of Treatment
59A-18.012	Clinical Records
59A-18.013	Administration of Drugs and Biologicals
59A-18.017	Supplemental Staffing for Health Care Facilities
59A-18.018	Emergency Management Plans

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 40 No. 246, December 22, 2014 issue of the Florida Administrative Register.

59A-18.002 Definitions.

When used in this rule chapter, unless the context otherwise requires, the term:

~~(5) "FBI" means the Federal Bureau of Investigation.~~

Renummer subsequent paragraphs.

~~(8)(9)~~ "Licensed Practical Nurse," as defined in Section 464.003~~(16)(5)~~, F.S., means a person who is currently licensed to practice nursing pursuant to Chapter 464, F.S.

~~(11)(12)~~ "Registered Nurse," as defined in Section 464.003~~(22)(4)~~, F.S., means a person who is currently licensed to practice pursuant to Chapter 464, F.S.

## 59A-18.004 Licensure Requirements, Procedures, and Fees.

~~(8)(9)~~ A nurse registry has the following responsibility in terms of hours of operation:

(a) The nurse registry administrator, or his alternate, must be available to the public for any eight consecutive hours between 7 a.m. and 6 p.m., Monday through Friday of each week, excluding legal and religious holidays. Available to the public means being readily available on the premises or by telecommunications.

(b) When the administrator, or the designated alternate, are not on the premises during designated business hours, pursuant to paragraph 59A-18.004~~(8)(9)~~(a), F.A.C., a staff person must be available to answer the phone and the door and must be able to contact the administrator, or the alternate, by telecommunications during the designated business hours. This individual can be a clerical staff person.

(c) If an AHCA surveyor arrives on the premises to conduct a survey and the administrator, or a person authorized to give access to patient records, is not available on the premises he, or his alternate, must be available on the premises within two hours.

(d) The nurse registry shall provide to the patient or the patient's representative a list of telephone numbers to be called if a replacement caregiver is needed along with local emergency numbers as determined by the nurse registry.

~~(e) Failure to be available or to respond, as defined in paragraphs 59A-18.004(9)(a), (b) and (c), F.A.C., will result in a \$500 fine, pursuant to Section 400.506(4), F.S. A second incident will be grounds for denial or revocation of the registry license.~~

Rulemaking Authority 400.497, 400.506, 408.810(8), ~~408.819~~ FS. Law Implemented 400.497, 400.506, 400.512, ~~408.806, 408.809, 408.810(8), 408.811~~ FS. History—New 2-9-93, Amended 1-27-94, 12-24-00, 8-10-06, 3-15-07, \_\_\_\_.

## 59A-18.005 Registration Policies.

(6) Prior to contact with patients or clients, each independent contractor referred for client care must furnish to the registry a statement from a health care professional licensed under Chapter 458, F.S., or Chapter 459, F.S., a physician's assistant, or an advanced registered nurse practitioner (ARNP) or a registered nurse licensed under Chapter 464, F.S., under the supervision of a licensed physician, or acting pursuant to an established protocol signed by a licensed physician, dated within the last six months, that the contractor is free from communicable diseases. The independent contractor will provide this statement to the nurse registry when first referred along with the application required in Section 400.506(8), F.S., and annually thereafter.

~~(7) Each nurse registry shall, in its contracts with independent contractors, provide instructions as to responsibility for the payment of self-employment estimated taxes, and a statement as to the registry's commitment to compliance with civil rights requirements, pursuant to Chapter 760, F.S.~~

~~(7)(8)~~ Registration folders on each independent contractor must contain the information required in Section 400.506~~(8)(42)~~, F.S., and the following:

(a) For home health aides, evidence of completion of a home health aide training course or certification from the Florida Board of Nursing, Department of Health as a certified nursing assistant;

(b) Evidence of a contract with the nurse registry;

(c) Evidence of eligible background screening that meets the requirements in subsection 408.809(4), F.S.; and

~~(8)(9) Each nurse registry shall establish a system for the recording and follow up of complaints involving individuals they refer, to determine if a replacement caregiver should be referred and to provide the complainant with information on how to report the complaint to the appropriate entity:~~

~~(a) Report theft to local law enforcement;~~

~~(b) Report abuse, neglect or exploitation to the central abuse hotline 1(800) 962 2873;~~

~~(c) Report nurses and certified nursing assistants to the Department of Health by completing and submitting the complaint form at <http://www.floridahealth.gov/licensing-and-regulation/enforcement/admin-complaint-process/forms.html> if there are alleged professional practice violations.~~

~~(d) Report other complaints to the Agency for Health Care Administration by calling (888) 419 3456 or submitting the on line complaint form at <http://apps.ahca.myflorida.com/afe>.~~

In addition, If the complaints are violations of state law, the nurse registry shall take the actions specified in subsection 400.506(19), F.S. Records of complaints and actions taken by the nurse registry shall be kept in the individual's registration file or retained in the central files of the nurse registry.

## 59A-18.006 Administrator.

(4) Be available, or have the alternate administrator available, at all times during operating hours as stated in paragraph 59A-18.004~~(8)(9)~~(a), F.A.C., and be responsible for the total operation of the nurse registry. Available during operating hours means being readily available on the premises or by telecommunications during the above operating hours;

59A-18.0081 Certified Nursing Assistant and Home Health Aide.

(14) C.N.A.s and home health aides referred by nurse registries may assist with self-administration of medication as described in Section 400.488, F.S.

(a) Home health aides and C.N.A.s assisting with self-administered medication, as described in Section 400.488, F.S., shall have received a minimum of 2 hours of training covering the following content:

1. Training shall cover state law and rule requirements with respect to the assistance with self-administration of medications in the home, procedures for assisting the resident with self-administration of medication, common medications, recognition of side effects and adverse reactions and procedures to follow when patients appear to be experiencing side effects and adverse reactions. Training must include verification that each C.N.A. and home health aide can read the prescription label and any instructions.

2. Individuals who cannot read shall not be permitted to assist with prescription medications.

(b) Documentation of training on assistance with self-administered medication from one of the following sources is acceptable:

1. Documentation of 2 hours of training in compliance with subsection 59A-8.0095(5), F.A.C., from a home health agency if the home health aide or C.N.A. previously worked for the home health agency;

2. A training certificate for 4 hours of training for assisted living facility staff in compliance with subsection 58A-5.0191(5), F.A.C.

3. A training certificate for at least 2 hours of training from a career education school licensed pursuant to Chapter 1005, F.S., and Rule Division Chapter 6E, F.A.C., by the Department of Education, Commission for Independent Education.

4. Documentation of at least 2 hours of training by a provider approved by the Florida Board of Nursing, Department of Health.

(15) The nurse registry is not obligated to monitor, manage, or supervise a certified nursing assistant or home health aide pursuant to subsection 400.506(19), F.S. The nurse registry is not obligated to review patient or client records per subsection 400.506(20), F.S., but the nurse registry is not prohibited from reviewing records and may do so. In the event of violation of Section 400.488, F.S. or other state laws that comes to the attention of the nurse registry, the nurse registry shall take the actions specified in subsection 400.506(19), F.S.

Rulemaking Authority 400.497, 400.506, 400.488 FS. Law Implemented 400.488, 400.497, 400.506 FS. History—New 1-27-94, Amended 12-24-00, 8-10-06, 3-15-07, \_\_\_\_.

59A-18.012 Clinical Records.

The licensed nurse responsible for the delivery of skilled patient care shall maintain a clinical record, pursuant to subsection Section 400.497(8), F.S., for each patient receiving nursing services in the home that shall include, at a minimum, the following:

(1) through (8) No change.

59A-18.017 Supplemental Staffing for Health Care Facilities.

(1) Each nurse registry may provide staffing services as defined in subsection 400.462(29), F.S. to health care facilities licensed under Chapter 395, F.S., Chapter 429, F.S., or under Parts I, II, III, or IV, V, or VI of Chapter 400, F.S., or other business entities on a temporary basis by licensed nurses, home health aides, and certified nursing assistants.

(3) Each nurse registry shall establish a system for the recording and follow-up of complaints involving individuals they referred to health care facilities or other business entity, and such records shall be kept in the individual's registration file. The nurse registry is not obligated to review records per subsection 400.506(20), F.S., but the nurse registry is not prohibited from reviewing records and may do so.

59A-18.018 Emergency Management Plans.

(1) Pursuant to subsection Section 400.506(12)(46), F.S., each nurse registry shall prepare and maintain a written comprehensive emergency management plan, in accordance with the Comprehensive Emergency Management Plan for Nurse Registries, AHCA Form 3110-1017, Revised \_\_\_\_\_ 2014, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. This document is available from the Agency for Health Care Administration at [http://ahca.myflorida.com/MCHQ/Emergency\\_Activities/index.shtml](http://ahca.myflorida.com/MCHQ/Emergency_Activities/index.shtml). The plan shall describe how the nurse registry establishes and maintains an effective response to emergencies and disasters. The plan, once completed, will be sent electronically to the contact designated by the Department of Health as required in subsection Section 400.506(12), F.S.

(5) In the event of an emergency, the nurse registry shall implement the nurse registry's emergency management plan pursuant to subsection Section 400.506(12), F.S. Also, the registry must meet the following requirements:

(a) All administrative staff shall be informed of responsibilities for implementing the emergency management plan.

(b) If telephone service is not available during an emergency, the registry shall have a contingency plan to support communication, pursuant to Section 400.506(12)(f), F.S. A

contingency plan may include cell phones, contact with a community based ham radio group, public announcements through radio or television stations, driving directly to the patient's home, and, in medical emergency situations, contact with police or emergency rescue services.

(6) Nurse registries shall assist patients who would need assistance and sheltering during evacuations because of physical, mental, or sensory disabilities in registering with the local emergency management agency, as required in subsection Section 400.506(11)(12)(b), F.S.

(9) When a state of emergency has been declared by executive order or proclamation of the Governor, pursuant to subsection 252.36(2), F.S., Upon imminent threat of an emergency or disaster the nurse registry must contact those patients needing ongoing services pursuant to subsection Section 400.506(12), F.S., and confirm each patient's plan during and immediately following an emergency. The nurse registry shall contact the assisted living facility and adult family care home patients and confirm their plans during and immediately following an emergency.

(10) If the independent contractor is unable to provide services to special needs registry patients, including any assisted living facility and adult family care home special needs registry patients, due to circumstances beyond their control pursuant to Section 400.506(12)(d), F.S., then the nurse registry will contact the independent contractors it has available for referral make reasonable efforts to find another independent contractor for the patient, pursuant to subsection Section 400.506(12), F.S.

(11) During emergency situations, when there is not a mandatory evacuation order issued by the local county emergency management office, some patients, registered pursuant to Section 252.355, F.S., may decide not to evacuate and will stay in their homes. The nurse registry must establish procedures, prior to the time of an emergency, which will delineate to what extent the registry will continue to arrange for care during and immediately following an emergency pursuant to Section 400.506(12)(a), F.S. The registry shall also contact the patients who need continuing services by calling the patient at home or calling the assisted living facility or adult family care home the patient resides in to determine if the patient still needs services make reasonable attempts to ascertain which patients remaining at home or in their assisted living facility or adult family care home will need services from the registry and which patients have plans to receive care from their family or other persons. If the assisted living facility or adult family care home does relocate the residents

to another assisted living facility or adult family care home in the geographic area served by the nurse registry, the registry will continue to provide services to the residents. If the patients relocated outside the area served by the registry, the registry will assist the assisted living facility and adult family care home in obtaining the services of another registry already licensed for that area until the patient returns back to their original location.

(13) The independent contractor from the nurse registry is required to maintain in the home of the special needs patient a list of patient-specific medications, supplies and equipment required for continuing care and service should the patient be evacuated as per Section 400.506(12)(c), F.S. The list must include the names of all medications, their dose, frequency, route, time of day and any special considerations for administration. The list must also include any allergies; the name of the patient's physician, physician assistant, or advanced registered nurse practitioner and the physician, physician assistant or advanced registered nurse practitioner's phone number; and the name, phone number and address of the patient's pharmacy. If the patient permits, the list can also include the patient's diagnosis.

Rulemaking Authority 400.506, 408.821(4), FS. Law Implemented 400.506, FS. History—New 8-10-06, Amended 3-15-07, \_\_\_\_\_.

FORM 3110-1017, Comprehensive Emergency Management Plan for Nurse Registries

On Page 7, item D.1 was revised as follows:

During an emergency, when there is not a mandatory evacuation, some patients registered (pursuant to s. 252.355, F.S.), may decide to stay in their homes, ALF or AFCH. The procedures on how the nurse registry will contact each independent contractor that provides care to the make every reasonable attempt to assure that all patients needing continuing care to determine whether the independent contractor is still providing the care are described below. If the independent contractor is unable to provide the care and the patient still needs care, the procedure will include how the nurse registry will contact other independent contractors and nurse registries to arrange for care to the patient. will receive it, either from the independent contractor referred by the nurse registry or through arrangements made by the patient or the patient's caregiver:

References to paragraphs in the statutes were changed due to renumbering in the statutes on pages 1, 6 and 7.

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO. RULE TITLE

62-4.242 Antidegradation Permitting Requirements;  
Outstanding Florida Waters; Outstanding National Resource  
Waters; Equitable Abatement

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of Rule subparagraph 62-4.242(2)(a)2.b., F.A.C., to the U.S. Army Corps of Engineers. The file has been assigned File No. 0264288-005-BV. The variance will temporarily establish a maximum allowable turbidity level of 29 NTUs above background at the edge of the mixing zone for the borrow area located approximately 3 miles offshore of the center of the nourishment area, at Latitude 30° 39' 54" N, Longitude 81° 25' 52" W., in the Atlantic Ocean, Class III Waters, portions of the Fort Clinch Aquatic Preserve, OFW. The variance is being granted because the petitioner has demonstrated there is no practicable means known or available for the adequate control of the pollution involved. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Beaches, Inlets and Ports Program, 2600 Blair Stone Road, Tallahassee, Florida, 32399, Telephone: (850)245-7558, email: Thomas.Jacobs@dep.state.fl.us, or the website: [ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/nassau/pending/0264288\\_Nassau%20County%20Shore%20Protection%20Project/](ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/nassau/pending/0264288_Nassau%20County%20Shore%20Protection%20Project/).

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final

agency action, the hearing process may result in a modification of the agency action or even denial of the application.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, F.A.C., a petition for an administrative hearing must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Petitions for an administrative hearing must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative hearing under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also

request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation is not available in this proceeding.

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

A copy of the Order or additional information may be obtained by contacting: Thomas Jacobs at the address and telephone number above.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.      RULE TITLE

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

The Board of Medicine hereby gives notice that on March 11, 2015, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Tali Arviv, M.D., on October 28, 2014, seeking a waiver or variance from Rule 64B8-51.006, F.A.C., with regard to the requirement for equipment in facilities that perform laser hair removal. The Notice was published in Volume 40, No. 212, of the Florida Administrative Register, on October 30, 2014. The Board, at its meetings held on December 5, 2014, and February 6, 2015, voted to deny the Petition for Waiver finding that the requirement did not apply to the Petitioner's medical practice and therefore, the Petition is rendered moot.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.      RULE TITLE

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on March 9, 2015, the Department of Children and Families received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Lutheran Services Florida Inc. & Manuella Bass. Subsection 65C-15.017(3), F.A.C., requires staff who perform casework services in licensed child-placing agencies to possess at least a bachelor's degree in social work or a related field from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.      RULE TITLE

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on February 12, 2015, the Department of Children and Families, received a petition for waiver for subsection 65C-15.017(3), Florida Administrative Code, from Daniel Memorial, Inc. and Gerome Rackley. Subsection 65C-15.017(3), F.A.C., requires staff who perform casework services in licensed child-placing agencies to possess at least a bachelor's degree in social work or a related field from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida Department of State's Office of Cultural, Historical and Information Programs announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March 25, 2015, 10:00 a.m. E.D.T.

PLACE: Webinar registration available at: <https://attendee.gotowebinar.com/register/416494270063483905>.



**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The purpose of this webinar is to share information on how partners can be part of Victory Florida, the statewide effort to recognize the 70 year anniversary commemoration of the ending of World War II. Participants will be provided with tools and ideas for how they can engage in this important anniversary for Florida.

A copy of the agenda may be obtained by contacting: Rachel Porter, Outreach and Digital Coordinator at (850)245-6360 or [rachel.porter@dos.myflorida.com](mailto:rachel.porter@dos.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Porter at (850)245-6360 or [rachel.porter@dos.myflorida.com](mailto:rachel.porter@dos.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachel Porter, Outreach and Digital Coordinator at 850.245.6360 or [rachel.porter@dos.myflorida.com](mailto:rachel.porter@dos.myflorida.com).

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#### DEPARTMENT OF EDUCATION

##### Education Practices Commission

The Education Practices Commission announces hearings to which all persons are invited.

**DATES AND TIMES:** April 1, 2015: 1:30 p.m., Teacher Hearing Panel; Leadership Training Workshop immediately following Teacher Hearing Panel; April 2, 2015: Teacher Hearing Panel, 8:30 a.m.

**PLACE:** DoubleTree by Hilton, 4500 Cypress Street, Tampa, Florida 33307, (813)879-4800

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators. The Leadership Training is being conducted to train Commission members.

A copy of the agenda may be obtained by contacting: Gretchen Kelley Brantley at (850)245-0455.

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: Gretchen Kelley Brantley at (850)245-0455. 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: Lisa Forbess or Gretchen Kelley Brantley at (850)245-0455.

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#### DEPARTMENT OF TRANSPORTATION

The Florida Dept. of Transportation announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 30, 2015, 1:30 p.m.

**PLACE:** GotoMeeting:  
<https://global.gotomeeting.com/join/163954619>, dial-in number (215)383-1004, access code 163-954-619

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Innovation & Economic Development Advisory Group - Florida Transportation Plan and Strategic Intermodal System Plan update.

A copy of the agenda may be obtained by contacting: Paula San Gregorio, (850)414-4811.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

##### Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 20, 2015, 2:30 p.m.

**PLACE:** William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Room 120L, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to Bid (ITB-DEM-14-15-036) for State Logistics Response Center Pallet Rack Repairs.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, (850)410-1391, [Tara.Walters@em.myflorida.com](mailto:Tara.Walters@em.myflorida.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, (850)410-1391, Tara.Walters@em.myflorida.com.

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

**REGIONAL PLANNING COUNCILS**

**Central Florida Regional Planning Council**

The Central Florida Regional Planning Council announces a workshop to which all persons are invited.

DATE AND TIME: March 30, 2015, 10:00 a.m.

PLACE: Career Source Heartland, Suite 1, 5901 US Hwy 27, South Sebring, FL 33870

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Meeting of the Long Range Transportation Plan Working Group for the Heartland.

A copy of the agenda may be obtained by contacting: Pat Steed, Executive Director, (863)534-7130, ext. 130, or at psteed@cfrpc.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: Pat Steed. 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).

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

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

DATE AND TIME: March 25, 2015, 9:00 a.m. E.T.

PLACE: Governing Board Meeting Room, NFWWMD Headquarters, 81 Water Management Drive, Havana, Florida 32333

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Oral presentations of proposals submitted for RFP 15-001, Sign Fabrication, Installation, and Design Services.

A copy of the agenda may be obtained by contacting: April Murray (850)539-5999.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Wendy Dugan. 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.

**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: March 26, 2015, 1:30 pm: CANCELLED

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This is to publish notice of cancellation of the Audit Committee scheduled for March 26, 2015, 1:30 p.m.

A copy of the agenda may be obtained by contacting: No agenda available, meeting cancelled.

For more information, you may contact: Dave Dickens, (386)362.1001

**DEPARTMENT OF ELDER AFFAIRS**

**Long-Term Care Ombudsman Program**

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

DATE AND TIME: April 2, 2015; 1:30 - 3:30 p.m.

PLACE: Conference call: 1(888)670-3525, Passcode: 780-930-7873

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** State Council Business

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: above referenced number. 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 ELDER AFFAIRS**

**Long-Term Care Ombudsman Program**

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

DATE AND TIMES: New dates and times: April 3, 2015, May 1, 2015, June 5, 2015, July 2, 2015, August 7, 2015, September 4, 2015, October 2, 2015, November 6, 2015, and December 4, 2015, 10:30 a.m. – 11:30 a.m.

PLACE: New location: Senior Connection Center, Inc., 8928 Brittany Way, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: West Central Council business.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: above referenced number. 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 BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 30, 2015, 9:00 a.m.

PLACE: 1(888)670-3525, participant passcode 1628623372#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399 (850)717-1982.

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: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399 (850)717-1982. 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: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: Wednesday, April 22, 2015, 9:00 a.m. – 5:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Coral Reef Conservation Program is holding a meeting of the Our Florida Reefs North Community Working Group in which working group members will continue to review comments provided by the Southeast Florida Coral Reef Initiative Team (SEFCRI), the SEFCRI Technical Advisory Committee and other associated groups to further develop a list of recommended management actions that will improve management and protection of southeast Florida coral reefs.

A copy of the agenda may be obtained by contacting: Cody Bliss by email: Cody.Bliss@dep.state.fl.us or by phone: (305)795-1223.

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: Cody Bliss at (305)795-1223. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 24, 2015, 11:00 am

PLACE: Department of Health, Tallahassee at Meet Me number: 1(888)670-3525, passcode 3652039883

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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).

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.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: March 25, 2015, 1:00 p.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

**OTHER AGENCIES AND ORGANIZATIONS**

Gulf Consortium

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: March 25, 2015, 10:00 a.m., ET

PLACE: Florida Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Board of Directors of the Gulf Consortium will meet to discuss the FY 2013/2014 independent audit, the Planning State Expenditure Plan, the Planning Grant Application, Interlocal Agreements with Leon County for fiscal and grants management, an RFP for legal services, and will conduct other business.

A copy of the agenda may be obtained by contacting: Ginger Delegal at gdelegal@fl-counties.com or (850)922-4300.

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: Ginger Delegal at gdelegal@fl-counties.com or (850)922-4300. 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: Ginger Delegal at gdelegal@fl-counties.com or (850)922-4300.

**OTHER AGENCIES AND ORGANIZATIONS**

Marion Soil and Water Conservation District

The Marion Soil & Water Conservation District announces public meetings to which all persons are invited.

DATES AND TIMES: Bimonthly, second and fourth Tuesdays, 9:00 a.m.

PLACE: USDA Ocala Service Center, 2441 NE 3rd St., Suite 204-2, Ocala, FL 34470

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Second Tuesday: General Business. Fourth Tuesday: Workshop.

A copy of the agenda may be obtained by contacting: (352)622-3971, ext. 3.

**OTHER AGENCIES AND ORGANIZATIONS**

Global 5 Communications

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

DATE AND TIME: Wednesday, March 25, 2015, 5:00 p.m. – 8:00 p.m.

PLACE: Orange County School Board - Joe Davis Board Room, 445 West Amelia Street, Orlando, FL 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No.: 432193-1-52-01.

Project Description: I-4 from west of Kirkman Road to east of State Road 434

The FDOT is conducting a public meeting to give the public the opportunity to see the improvements planned in their area and discuss the project with the team. The I-4 Ultimate project includes the design and reconstruction of I-4 from west of Kirkman Road to east of State Road 434. The project improves 21 miles of I-4, reconstructing 15 major interchanges, constructing more than 140 bridges, adding four

dynamic priced toll Express Lanes in the median and completely rebuilding the general use lanes along the corridor. The meeting begins at 5:00 p.m. and will be an open house format. A video will be played throughout the meeting, and attendees will have the opportunity to ask questions regarding the construction. Participants may provide public comments directly to public-information staff at any time during the meeting. Written comments from all interested parties will be accepted by the department at the public meeting and for a period of ten (10) days after the public meeting. Comments should be addressed to: Loreen Bobo, I-4 Ultimate Construction Program Manager, Florida Department of Transportation, 1551 Sandspur Road, Suite 120, Maitland, FL 32751. All comments, written and oral, will become part of the project's public record.

A copy of the agenda may be obtained by contacting: N/A 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: Jennifer Smith, FDOT Title VI Coordinator, (386)943-5367. 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: Loreen Bobo, I-4 Ultimate Construction Program Manager, at (407)670-2341, email: loreen.bobo@dot.state.fl.us.

#### OTHER AGENCIES AND ORGANIZATIONS

The Valerin Group, Inc.

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

DATE AND TIME: March 31, 2015, 5:30 p.m.

PLACE: Markham Woods Church of Seventh-Day Adventists, 505 Markham Woods Road, Longwood, FL 32779.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) is conducting a public information meeting at the end of this month regarding the reconstruction of the eastbound and westbound rest areas along Interstate 4, located near Longwood and Lake Mary in Seminole County. The project includes demolishing the existing rest area facilities, and constructing new facilities. Construction of a perimeter wall is also proposed. Additionally, plans call for relocating the Regional Traffic Management Center (RTMC), including accommodations for the Florida Highway Patrol, to the eastbound rest area near Lake Mary. Construction funding is programmed in fiscal year 2016. The meeting begins with an open house at 5:30 p.m., where project staff is available to

answer questions and project documents are available for review. A brief presentation—an overview of the project—is at 6:30 p.m. The meeting ends at 7:30 p.m.

A copy of the agenda may be obtained by contacting: there is no agenda.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Valerie Ciudad-Real, Public Information Coordinator, (813)404-1572, valeriec@valerin-group.com at least seven (7) days prior to the meeting.

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: Valerie Ciudad-Real, Public Information Coordinator at (813)404-1572 or valeriec@valerin-group.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: Valerie Ciudad-Real, Public Information Coordinator at (813)404-1572 or valeriec@valerin-group.com.

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

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Tonia Troutwine, Esq. on behalf of Frank Speciale, Unit Owner, In Re: Olive Glen Condominium Association, Inc., Docket No. 2015006143, on February 9, 2015. The following is a summary of the agency's declination of the petition:

The Division declined to issue a declaratory statement because it may not issue a statement concerning actions that have already taken place, and cannot interpret provisions of the Association's governing documents. The order was filed with the Agency Clerk on March 10, 2015.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1415; Rikki.Anderson@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Timothy J. Sloan, Esq. and Charles J. Stafford, Esq., In Re: Tropic Winds Owners Association, Inc., Docket No. 2015010820, filed on March 9, 2015. The petition seeks the agency's opinion as to the applicability of Section 718.113(2)(b), Florida Statutes and Section 718.110(4), Florida Statutes as it applies to the petitioner.

Whether the closing of the Small Hot Tub constitutes a material alteration of the common elements pursuant to paragraph 718.113(2)(b), Florida Statutes, or an alteration of an appurtenance to the units pursuant to Section 718.110(4), Florida Statutes, and, if neither, whether the Association is required to amend the Declaration to depict the closing of the Small Hot Tub and the existence of the Large Hot Tub?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217; (850)717-1415; Rikki.Anderson@myfloridalicense.com.

Please refer all comments to: Thomas Morton, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, Section 120.57(2), F.S., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Robert M. Solliday, Jr., of Elite Mechanical Systems, LLC on March 10, 2015. The petition seeks the agency's opinion as to the applicability of Section 489.105(3)(m), Florida Statutes, as it applies to the petitioner.

The petitioner seeks a declaratory statement as to whether the words "fuel oil and gasoline piping and tank and pump installation, except bulk storage plants" in Section 489.105(3)(m), Florida Statutes, implies that a Plumbing Contractor License is sufficient to install diesel fuel piping and tanks, including the installation of the tank, filter, day-tanks, piping and pumps. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395, or by email, Amanda.Wynn@myfloridalicense.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

OTHER AGENCIES AND ORGANIZATIONS

Florida Developmental Disabilities Council

RFP 2014-CD-12200 Person-Centered Situational  
Assessment: Research and Evaluation of Discovery Model

REQUEST FOR PROPOSALS (FDDC #2014-CD-12200)

Person-Centered Situational Assessment:

Research and Evaluation of Discovery Models

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2014-CD-12200) is released to conduct a research and evaluation project that is needed to identify and compare the effectiveness of the multiple ways that PCSA is being implemented. The resulting data and analysis will assist Florida Developmental Disabilities Council to determine an informed strategy for future involvement in PCSA projects.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$125,000 federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations. Copies of this RFP can be downloaded from the FDDC website ([www.fddc.org](http://www.fddc.org)), requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, calling (850)488-4180 or toll-free 1(800)580-7801, or TDD toll-free 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is March 31, 2015 by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of April 6, 2015. The deadline for submitting proposals for this RFP to FDDC is May 7, 2015 by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE REGISTER AND ON THE FDDC WEB PAGE ([fddc.org](http://fddc.org)) ON MARCH 18, 2015 PLEASE FORWARD ALL REQUESTS FOR COPIES

OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

OTHER AGENCIES AND ORGANIZATIONS

Florida is for Veterans Inc.

Objective

Created by the Florida Legislature in 2014, Florida is for Veterans, Inc. seeks Select a qualified market research vendor to conduct qualitative and quantitative research with active military, Veterans, and spouses.

Scope of Work

The qualitative portion will be a series of ten focus groups, four with active duty military (with anticipated separation dates within one year), four groups with Veterans, and two groups with active military and Veteran spouses (equal ratio). To qualify for the focus groups, respondents must be in the consideration process for relocating or open to relocating. The focus groups should be geographically dispersed to represent a cross-section of the country. It is up to the vendor to make a recommendation on the most appropriate cities or military installations to hold these focus groups based on the ability to populate the group with those in the target audience.

The quantitative portion of the study will be a survey among active military with anticipated separation date within one year, Veterans, and spouses from each group. The questions for the quantitative portion of the survey will be developed based on the findings from the focus groups. We also would like to include the list of benefits that Florida offers to gauge the target market's awareness and ranking of importance to these benefits. The sample size needs to be large enough to drill down into particular groups for targeting, such as retired service members versus recently separated military, active military not yet separated and spouse groups. The data should also be sorted by age group and rank of service member (junior enlisted, non-commissioned officers, commissioned officers, and spouse of service member).

Instructions to Vendors

You can view the full request for proposal at: <http://floridavets.org/wp-content/uploads/2015/01/VeteransResearchRFP.docx.pdf>.

Your response is preferred in electronic format, as an attachment sent to [admin@veteransflorida.org](mailto:admin@veteransflorida.org).

This RFP is being posted on March 17th, 2015. To be considered for the project, the vendor must submit their proposal to Florida is for Veterans email address listed in the above paragraph by the close of business, 5:00 p.m. ET, on April 1st, 2015.

Questions regarding the RFP may be e-mailed to FIFV at [admin@veteransflorida.org](mailto:admin@veteransflorida.org).

FIFV intends to execute an agreement with the selected vendor in April 2015.

**OTHER AGENCIES AND ORGANIZATIONS**

Florida is for Veterans Inc.

**Objective**

Created by the Florida Legislature in 2014, Florida is for Veterans, Inc. seeks a qualified market research vendor to conduct and interpret qualitative and quantitative research with business owners, HR professionals and business associations in the State of Florida.

**Scope of Work**

The qualitative portion will be a series of four focus groups with business owners and/or hiring managers based in Florida. The focus groups should be geographically dispersed to represent cross-section of the state. It is up to the vendor to make a recommendation on the most appropriate cities to hold these focus groups based on the ability to populate the group with those in the target audience.

The quantitative portion of the study will be a survey among current Florida business owners and hiring managers. The questions for the quantitative portion of the survey will be developed based on the findings from the focus groups. We also would like to include the list of services that the State of Florida offers to businesses in order gauge the target market’s awareness and ranking of importance to these services. The sample size needs to be large enough to drill down into particular groups for targeting, such as small and medium sized businesses vs. large businesses. The data should also be sorted by industry sector and geographic location.

**Instructions to Vendors**

You can view the full request for proposal at: <http://floridavets.org/wp-content/uploads/2015/01/BusinessResearchRFP.pdf>.

Your response is preferred in electronic format, as an attachment sent to [admin@veteransflorida.org](mailto:admin@veteransflorida.org).

This RFP is being posted on March 17th, 2015 To be considered for the project, the vendor must submit their proposal to Florida is for Veterans email listed in the above paragraph by the close of business, 5:00 p.m. ET on April 1st, 2015.

Questions regarding the RFP may be e-mailed to [admin@veteransflorida.org](mailto:admin@veteransflorida.org).

FIFV intends to execute an agreement with the selected vendor in April 2015.

**Section XII  
Miscellaneous**

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

M&S Scooters LLC for the establishment of SHNG motorcycles

**Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, notice is given that Value Group Enterprises, Inc., intends to allow the establishment of M&S Scooters LLC, as a dealership for the sale of motorcycles manufactured by Shandong Pioneer Motorcycle Co., Ltd. (line-make SHNG) at 14673 US Highway 301 South, Starke, (Bradford County), Florida 32091, on or after April 17, 2015.

The name and address of the dealer operator(s) and principal investor(s) of M&S Scooters LLC, are dealer operator(s): Mahmoud M. Montaser, 14673 US Highway 301 South, Starke, Florida 32091, principal investor(s): Mahmoud M. Montaser, 14673 US Highway 301 South, Starke, Florida 32091.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Wendy Wang, Value Group Enterprises, Inc, 12825 Alondra Boulevard, Norwalk, California, 90650.



If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

SBL Freightliner, LLC for the establishment of FRHT trucks

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Daimler Trucks North America, LLC, intends to allow the establishment of SBL Freightliner, LLC, d/b/a Lou Bachrodt Freightliner as a dealership for the sale of Freightliner trucks manufactured by Daimler Trucks North America, LLC (line-make FRHT) at 5440 Orange Avenue, Ft Pierce, (St Lucie County), Florida, 34947, on or after April 17, 2015.

The name and address of the dealer operator(s) and principal investor(s) of SBL Freightliner, LLC, d/b/a Lou Bachrodt Freightliner are dealer operator(s): Lou Bachrodt, 5440 Orange Avenue, Fort Pierce, Florida 34947, principal investor(s): Lou Bachrodt, 5440 Orange Avenue, Fort Pierce, Florida 34947, Sean Bachrodt, 5440 Orange Avenue, Fort Pierce, Florida 34947 and Bill Bachrodt, 5440 Orange Avenue, Fort Pierce, Florida 34947.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: James Fenske, Daimler Trucks North America, LLC, 2477 Deerfield Drive, Fort Mill, South Carolina 29715.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On March 16, 2015, State Surgeon General issued an Order of Emergency Restriction of License with regard to the License of Tina Mobley Dobbs, R.N., License # RN 3280152. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On March 16, 2015, the State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certificate of Ashlee Nicole Spencer, C.N.A., Certificate # CNA 131030. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On March 16, 2015, the State Surgeon General issued an Order of Emergency Suspension of Certificate with regard to the certificate of David L. Bezanson, C.N.A., Certificate # CNA 295296. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On March 16, 2015, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Amanda Lee Stewart, L.P.N, License # PN 5201879. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious

danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2012-2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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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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