

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

RULE NO.: RULE TITLE:  
 68D-24.109 Withlacoochee River Boating Restricted Areas

**PURPOSE AND EFFECT:** The purpose and effect of this rule development notice is to address possible rule changes affecting vessel speeds during flood conditions on the Withlacoochee River within Citrus, Hernando, Marion, and Sumter Counties, updating maps and making other changes to rule language where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

**SUBJECT AREA TO BE ADDRESSED:** Vessel speed limits on the Withlacoochee River within Citrus, Hernando, Marion, and Sumter Counties, specifically the possible decrease in regulatory zone boundaries, updates to rule language, and maps.

**RULEMAKING AUTHORITY:** 327.46 FS.

**LAW IMPLEMENTED:** 327.46 FS.

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

**DATE AND TIME:** Wednesday, April 8, 2015, 6:00 p.m. - 8:00 p.m.

**PLACE:** Room 1, Citrus County Auditorium, 3610 South Florida Avenue, Inverness, FL.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Ryan Moreau, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600, or email: waterway.management@myfwc.com.

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

**Section II**  
**Proposed Rules**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Cost Management and Control**

RULE NO.: RULE TITLE:  
 59B-12.001 Bone Marrow Transplantation

**PURPOSE AND EFFECT:** The Agency is proposing to amend Rule 59B-12.001, F.A.C. to update accepted procedures, and adds provisions for transplants from living

related donors, based on recommendations by the Bone Marrow Advisory Panel.

**SUMMARY:** The proposed amendments to this rule include: updates to accepted procedures in bone marrow transplantation and adds provisions for transplants from living related donors.

**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 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 Agency has determined that the proposed rule is not expected to require legislative ratification pursuant to Section 120.541(3), F.S., 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. As there will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness and no increase in regulatory costs—no adverse impact is likely. Any person who wishes to provide information regarding a statement of estimated regulatory cost, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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:** 627.4236 (3)(a) FS.

**LAW IMPLEMENTED:** 627.4236 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:** April 17, 2015, 9:00 a.m. - 10:00 a.m.

**PLACE:** Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dana Watson, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, Mail Stop #16, Building 3, Tallahassee, Florida. Email dana.watson@ahca.myflorida.com or call (850)412-3784.

THE FULL TEXT OF THE PROPOSED RULE IS:

59B-12.001 Bone Marrow Transplantation.

Bone marrow transplant refers collectively to hematopoietic stem cell transplantation using stem cells that are collected from peripheral blood and cord blood as well as bone marrow following a conditioning regimen. As used in this rule, the term “appropriate oncological specialty” means that where a particular kind of tumor or disease is usually treated by a subspecialty group within the general discipline of oncology, those who practice within that subspecialty have had specific input into the decision making process.

(1) Upon the recommendation of the Bone Marrow Transplant Panel, each of the following procedures meets a minimum level of evidence based on high quality systematic reviews of case control or cohort studies, high quality case-control or cohort studies with a very low risk of confounding bias, or chance, and a high probability that the relationship is causal, and is considered accepted within the appropriate oncological specialty and not experimental for the purposes of Section 627.4236, F.S.

- (a) Autologous bone marrow transplant for acute myelogenous leukemia (stem cells collected in remission);
- (b) Allogeneic bone marrow transplant for acute myelogenous leukemia and myeloid sarcoma;
- (c) Allogeneic bone marrow transplant for acute lymphoblastic leukemia;
- (d) Allogeneic bone marrow transplant for chronic myelogenous leukemia;
- (e) Autologous bone marrow transplant for Hodgkin lymphoma;
- (f) Allogeneic bone marrow transplant for Hodgkin lymphoma relapsed after autologous transplant but not progressing on salvage chemotherapy;
- (g) Autologous bone marrow transplant for non-Hodgkin lymphoma;
- (h) Allogeneic bone marrow transplant for non-Hodgkin lymphoma;
- (i) Autologous bone marrow transplant for Ewing sarcoma, chemotherapy sensitive after first relapse;
- (j) Autologous bone marrow transplant for neuroblastoma;
- (k) Autologous bone marrow transplant for germ cell tumor, after failure of first therapy but not progressing on salvage therapy;

(l) Autologous bone marrow transplant for multiple myeloma (including double bone marrow transplant) and primary amyloidosis;

(m) Allogeneic bone marrow transplant for myelodysplastic syndrome;

(n) Autologous bone marrow transplant for primitive neuroectodermal tumor (PNET), (including medulloblastoma and pinealoblastoma), chemotherapy sensitive after first relapse;

(o) Autologous bone marrow for medulloblastoma and other PNET tumors, metastatic, at diagnosis;

(p) Allogeneic bone marrow transplant for chronic lymphocytic leukemia; and

(q) Allogeneic bone marrow transplant for severe or very severe aplastic ~~anemia~~ anemia from HLA compatible siblings ~~for patients below 40 years of age~~, and any type of bone marrow transplant for severe aplastic anemia unresponsive to immunosuppression.

(r) Allogeneic bone marrow transplant for sickle cell anemia, thalassemia, and other severe red cell disorders.

(s) Allogeneic bone marrow transplant for severe combined immune deficiency disorder and other severe immune deficiency disorders.

In cases where treatment for any of the above conditions includes a clinical trial that conforms to subsection ~~(6)(5)~~, routine care costs associated with the bone marrow transplant will be covered.

(2) Each of the following procedures is considered accepted within the appropriate oncological specialty and not experimental for the purposes of Section 627.4236, F.S., provided that the bone marrow transplantation procedure is performed in the context of a well-designed ~~and conducted Phase II or Phase III~~ clinical treatment trial as described in subsection ~~(6)(5)~~.

(a) Autologous bone marrow transplant for chronic lymphocytic leukemia;

(b) Autologous bone marrow transplant for plasma cell dyscrasias other than multiple myeloma (e.g., Waldenstrom);

(c) Allogeneic bone marrow transplant for multiple myeloma and other plasma cell dyscrasias (e.g., Waldenstrom, amyloid);

(d) Autologous bone marrow transplant for breast carcinoma;

(e) Autologous bone marrow transplant for Ewing sarcoma, localized, greater than eight cm or metastatic at presentation;

(f) Autologous bone marrow transplant for soft tissue sarcoma, pediatric, after failure of first therapy;

(g) Autologous bone marrow transplant for Wilms tumor, at relapse;

(h) Autologous bone marrow transplant for germ cell tumor, high risk, at diagnosis;

(i) Allogeneic bone marrow transplant for renal cell carcinoma;

(j) Multiple autologous bone marrow transplants for pediatric solid tumors;

(k) Allogeneic bone marrow transplant for Hodgkin lymphoma;

(l) Autologous bone marrow transplant for metastatic malignant melanoma; and

(m) Allogeneic bone marrow transplant for sickle cell anemia, thalassemia, and other severe red cell disorders.

(n) Autologous bone marrow transplant for autoimmune disorders.

(3) The following rare diseases, where there are no existing clinical trials available, are covered for bone marrow transplant at the Blood and Marrow Transplant Clinical Trials Network (BMT CTN) core or non-core facilities when deemed medically necessary:

- (a) Myelofibrosis;
- (b) Chronic myelomonocytic leukemia (CMML);
- (c) Paroxysmal nocturnal hemoglobinuria (PNH); and
- (d) POEMS syndrome.

(4) Transplants from living related donors incompatible for one HLA-A, -B, and -DRB1 loci are covered for bone marrow transplant at BMT CTN core or non-core medical facilities.

~~(5)~~(4) Any bone marrow transplant performed outside of a clinical trial will be covered when all the following criteria are met:

- (a) The plan of care follows a clinical trial protocol that meets the requirements of subsection (5);
- (b) Patient cannot be enrolled in the proposed clinical trial;
- (c) Bone marrow transplant treatment is medically necessary;
- (d) Patient is an appropriate candidate for bone marrow transplant; and
- (e) Treatment center is part of the BMT CTN at a core or non-core center.

~~(6)~~(5) A well-designed and conducted clinical treatment trial is one which includes an IRB-approved written protocol. At a minimum, such protocol shall have specific criteria for evaluating the effect of treatment with defined endpoints that are precise, meaningful, and reliable and which allow valid conclusions to be drawn about therapeutic efficacy and safety. Protocols should include an adequate statistical section describing the method of randomization and stratification, if any, expected outcome parameters relating to response rates, time to progression, survival times and other relevant information. Such clinical treatment trials shall be consistent

with protocols reviewed and approved by the National Cancer Institute for scientific merit.

Rulemaking Authority 627.4236 FS. Law Implemented 627.4236 FS. History—New 11-9-95, Formerly 10D-127.001, Amended 9-26-00, 8-10-05, 7-7-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dana Watson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 5, 2015

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

**DEPARTMENT OF FINANCIAL SERVICES**

**DIVISION OF STATE FIRE MARSHAL**

RULE: NOS.:	RULE TITLES:
69A-37.054	Out of State Training – Certificate of Compliance; Special Certificate of Compliance
69A-37.055	Curriculum Requirements for Training Firefighter Recruits or Firefighters
69A-37.057	Roster of Students
69A-37.060	Certification as an Approved Firefighter Recruit Training Facility
69A-37.065	Programs of Study and Vocational Courses
69A-37.404	Requirements for Live Fire Training for Certified Personnel

PURPOSE, EFFECT AND SUMMARY: The State Fire Marshal’s office is updating Rules 69A-37.054 and 69A-37.065, F.A.C., to conform to changes in Chapter 633, Florida Statutes. As well, Rule 69A-37.054, F.A.C., includes a provision permitting appropriately trained veterans to complete their examinations at a certified training facility. Rule 69A-37.057, F.A.C., is being amended to adopt a required roster form. Lastly, Rules 69A-37.055, 69A-37.060, and 69A-37.404, F.A.C., are being amended to correlate the rules to the most recent editions of the NFPA Standard.

**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 Division of State of Fire Marshal conducted an analysis of the proposed rule’s potential economic impact and

determined that it did not exceed any of the criteria established in subsection 120.541(1), F.S. and is therefore does not require legislative ratification pursuant to subsection 120.541(3), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 633.128(1)(a), (b), (c), (2)(a), 633.406(1)(f), 633.408(1), 633.418(1), 633.508(6), F.S.

LAW IMPLEMENTED: 633.128(1)(a), (b), (e), 633.406(1)(f), 633.408, 633.418(1), 633.508, F.S.

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

TIME AND DATE: Wednesday, April 22, 2015, @ 9:00 AM

PLACE: Florida State Fire College, Auditorium, 11655 NW Gainesville Rd, Ocala, Florida 34482.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Wentlandt, Chief, Bureau of Firefighter Standards and Training, Division of State Fire Marshal, Florida Department of Financial Services at (352)369-2829 or [Bill.Wentlandt@MyFloridaCFO.com](mailto:Bill.Wentlandt@MyFloridaCFO.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-37.054 Out of State ~~Firefighter Training~~—Certificate of Compliance ~~and~~; Special Certificate of Compliance.

(1) Out of State Firefighter Certificate of Compliance.

(a)1. An individual who has satisfactorily completed training for firefighters in another state and seeks a Firefighter Certificate of Compliance shall ~~To qualify to take the examination for a certificate of compliance, the individual must~~ submit:

a. through f. No change.

2. In order for a person to be eligible to be tested, a complete application must be received by the Bureau not less than 10 business days prior to the scheduled examination date for review, verification, and approval. The examination includes both a written and practical examination. The individual shall take and pass the written part of the examination prior to taking the practical part of the examination. The individual shall take the written part of the examination within three months of approval. An individual

who fails to take the written part of this examination within three months of approval shall forfeit the individual's opportunity to obtain a Certificate of Compliance under this subsection.

(b) The Bureau shall issue a certificate of compliance under this subsection to any qualified person who:

1. Successfully passes the written and practical examination as required by Rule 69A-37.056, F.A.C. This examination is given during February, May, September, and November and is administered only at the Florida State Fire College. However, a firefighter certified under the U.S. Department of Defense's Fire and Emergency Services Certification Program as a Firefighter II must take the practical examination at a certified training facility as required in Rule 69A-37.056, F.A.C. and the written examination shall be administered by a Field Representative of the Bureau or designee pursuant to paragraph 69A-37.056(6)(b), F.A.C.

2. Meets the other requirements of subsection Section 633.408(4), F.S.; and

3. No change.

(c) Only one opportunity to repeat the written or practical part of the examination is permitted and must be taken within 6 months of the initial examination date or be forfeited. Any individual who failed the written or practical part of the examination twice within Failure to pass the examination within this timeframe shall forfeit the opportunity to obtain a Certificate of Compliance under this subsection will result in the individual's having to successfully complete the Firefighter training as defined in Rule 69A 37.055, F.A.C., before any additional testing can occur.

~~(d) The individual must be pre-registered not less than 10 business days prior to the date of the examination.~~

(2) Special Certificate of Compliance.

(a) The Bureau shall issue a special certificate of compliance to an individual ~~from another state~~ who provides proof of employment as the Administrative and Command Head of a fire service provider if that individual also the fire/rescue/emergency services organization of an employing agency and who meets all the requirements of this subsection. The Administrative and Command Head of an a fire/rescue/emergency services organization is permitted to hold the title of director, fire chief, or other title. This individual is permitted to respond to emergency incidents with ultimate onsite management, command, and supervisory authority over employees engaged in operations involving fire, hazardous materials, building collapse, confined space rescue, and other emergency operations.

(b) Any person making application for a special certificate of compliance as the designated Administrative and Command Head of an organization must, successfully pass the written

part of the firefighter minimum standards examination with a score of 70% or higher. examinations. Individuals who fail the written part of the firefighter minimum standards examination twice shall forfeit their opportunity to obtain a Special Certificate of Compliance under this subsection. The individual shall submit all the documents, and meet all the requirements of this subsection, with the exception of the completion of the practical portion of the firefighter minimum standards examination and the requirements of Rule 69A-37.037, F.A.C. The applicant shall also:

1. Pass the ~~Successfully pass the Certificate of Competence examination for Fire Officer I state examination with a score of 70% or higher within 6 months of the initial examination date as administered by the Bureau;~~

2. Complete a course of instruction of at least six hours presented by the Bureau which shall include:

a. through b. No change.

c. The State Emergency Response Plan, ~~and Florida Field Operations Guide;~~

d. No change.

3. through 7. No change.

~~8. Submit a completed Form DFS K4 1020, "Personal Inquiry Waiver," which is incorporated by reference in subsection 69A-37.039(2), F.A.C., and can be obtained where indicated in subsection 69A-37.039(1), F.A.C.~~

~~89. Submit a completed Form DFS-K4-1390 "Application for Special Certificate of Compliance for Administrative & Command Head of a Fire/Rescue/Emergency Services Organization," which is incorporated by reference in subsection 69A-37.039(2), F.A.C., and can be obtained where indicated in subsection 69A-37.039(1), F.A.C.~~

(c) through (d) No change.

(e) The special certificate of compliance shall expire ~~be revoked~~ upon the termination of the holder of the special certificate of compliance as the Administrative and Command Head of a fire service provider ~~fire/rescue/emergency services organization.~~

(f) through (g) No change.

(h) Any individual who failed the written part of the firefighter minimum standards examination twice within 6 months of the initial examination date shall forfeit the opportunity to obtain a Special Certificate of Compliance under this subsection ~~Only one retake of the examination is permitted and must be taken within 6 months of the initial examination date.~~

Rulemaking Authority 633.128(2)(a), 633.408(1) FS. Law Implemented 633.128(1)(a), (e), 633.406, 633.408 FS. History—New 9-7-81, Formerly 4A-37.11, 4A-37.54, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, 12-9-96, 12-10-01, Formerly 4A-37.054, Amended 3-19-09, \_\_\_\_\_.

69A-37.055 Curriculum Requirements for Training Firefighter Recruits or Firefighters.

(1) The firefighter training embodied in the curriculum requirements for schools operated by or for any employing agency for the specific purpose of training firefighter recruits or firefighters shall consist of 206 hours of training to complete Part I (equivalent to NFPA Firefighter I compliant) and an additional 192 hours to complete Part II (equivalent to NFPA Firefighter II compliant) training. Completion of both Part I and Part II represents the required 398 hours referred to collectively hereinafter as the "Minimum Standards Course" which is required to be certified as a firefighter. The individual courses shall have the titles, content, and at least the minimum hours of instruction prescribed by the Bureau in this rule. Part I completion shall be documented when the required coursework identified in this section has been completed. These courses shall be delivered by an instructor approved by the Bureau. ~~A score of 70% or more must be achieved on each of a written and practical examination delivered by the Bureau.~~ Part I curriculum may be delivered by a recognized fire department. The school or employing agency is permitted and encouraged to offer additional training above that training required by this chapter for firefighter recruit training.

(2) Curriculum requirements. The Bureau will develop and maintain an objective-based curriculum addressing the topics contained in this subsection. Such curriculum shall be available electronically through the Division of State Fire Marshal's website and by email upon request. The curriculum will list each topic area, the required hours, and the objectives. The curriculum will be maintained by the Bureau.

(a) Part I of the curriculum, consisting of 206 hours of knowledge and skill-based training, will include:

1. Orientation. Orientation is a pre-class meeting to cover the following topics:

a. through g. No Change.

h. NFPA 1582, "Standard on Medical Requirements for Fire Fighters", 2013 ~~2007~~ Edition.

2. Chapter 5 of NFPA Standard 1001, "Fire Fighter Professional Qualifications", 2013 ~~2008~~ Edition, hereby adopted and incorporated by reference. Copies of NFPA publications can be obtained from the National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

3. through 5. No change.

6. Emergency Driving, sections ~~Sections~~ 316.126 and 316.2398, F.S.

7. through 13. No change.

(b) Part II of the curriculum, consisting of 192 hours of knowledge and skill-based training, which together with Part I totals 398 hours, will include:

1. Chapter 6 of NFPA Standard 1001, "Fire Fighter Professional Qualifications", ~~2013 2008~~ Edition, adopted and incorporated herein by reference. Copies of NFPA publications can be obtained from the National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

2. No change.

Rulemaking Authority 633.128(1)(a), (b), (2)(a), 633.408(1) FS. Law Implemented 633.128(1)(a), (b), 633.408 FS. History—New 9-7-81, Formerly 4A-37.10, 4A-37.55, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, 12-10-01, Formerly 4A-37.055, Amended 3-19-09, \_\_\_\_\_.

69A-37.057 Roster of Students.

During the first week of training for the Minimum Standards Course, a roster of students shall be electronically forwarded to the Bureau, with all supporting paperwork (i.e., release of a building to burn, if applicable; any required affidavits for use of other facilities or equipment; pre-certification paperwork, or verification that said pre-certification paperwork has been received by the Bureau for students enrolled in class) as evidence of students who are enrolled in approved training programs. State examination dates will not be scheduled until such time as all documents are received and approved by the Bureau. The roster can be completed online at [www.floridastatefirecollege.org](http://www.floridastatefirecollege.org) on Form DFS-K4-1026 "Roster of Students" which is adopted in Rule 69A-37.039, F.A.C.

Rulemaking Authority 633.128(2)(a), 633.408(1) FS. Law Implemented 633.128(1), 633.408 FS. History—New 9-7-81, Formerly 4A-37.17, 4A-37.57, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, Formerly 4A-37.057, Amended 3-19-09, \_\_\_\_\_.

69A-37.060 Certification as an Approved Firefighter Recruit Training Facility.

(1) To be certified as an approved training facility, an installation or facility shall;

(a) through (f) No change.

(g) Have pumper apparatus, owned or leased, or otherwise contracted for rated at not less than 750 G.P.M. and 150 p.s.i., with hose compartments sufficient to practice appropriate hydrant lay evolutions, fully equipped as prescribed in National Fire Protection Association (NFPA) Standard 1901, ~~2009 1999~~ edition, chapter 4. The following changes to the equipment specified shall be adhered to:

1. through 3. No change.

4. Pumpers shall be tested annually using the criteria of NFPA Standard 1911, ~~2012 1997~~ edition.

5. All ladders used for training shall conform to the requirements of NFPA Standard 1931, ~~2010 1999~~ edition and NFPA Standard 1932, ~~2010 1999~~ edition.

(h) through (k) No Change.

(1) Have two Class II life safety harnesses which include,  
1. No change.

2. Two rescue carabiners ~~that meet the requirements of NFPA Standard 1983, 2001 edition, which is hereby adopted and incorporated by reference and may be obtained by writing to the association, whose address is: National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269 9101,~~ for use in rope rescue training and in tying rescue knots, and

3. No change.

(m) through (s) No change.

(t) Have protective hoods that meet the requirements of NFPA 1971, Standard on Protective Clothing for Structural Fire Fighting, ~~2013 2000~~ Edition, provided by the training center or made available for purchase, and shall be used by each student engaged in live fire training.

(u) through (v) No change.

(2) through (3) No change.

Rulemaking Authority 633.128(1)(b), (c), (2)(a) FS. Law Implemented 633.128, 633.408, 633.418 FS. History—New 9-7-81, Formerly 4A-37.18, 4A-37.60, Amended 11-26-85, 1-3-90, 6-30-91, 3-20-95, 12-10-01, Formerly 4A-37.060, Amended \_\_\_\_\_.

69A-37.065 Programs of Study and Vocational Courses.

The following programs of study are developed and revised by the Florida State Fire College, pursuant to ~~sections~~ Sections 633.128 and 633.216, F.S.:

(1) ~~Fire Apparatus~~ Pump Operator Program. This program is intended to prepare students for service as fire department driver-engineers or equivalent positions.

(a) Length of Program. This program consists of not less than two courses, vocational or academic, of at least ~~90 80~~ hours of classroom instruction or the equivalent of interactive instruction, as approved by the Bureau of Fire Standards and Training.

(b) No change.

(c) Instructor Qualifications.

1. An Instructor I shall hold a state certificate of competency for ~~Fire Apparatus~~ Pump Operator.

2. No change.

(d) ~~A Pump Operator Requirements for~~ Certificate of Competency may be awarded to a person who has satisfactorily complied with the following requirements:

1. through 3. No change.

(2) Fire Officer Program. This is an advanced training and certification program designed for firefighters having supervisory and management responsibilities. This program is based on the National Fire Protection Association (NFPA) 1021, Standard for Fire Officer Professional Qualifications.

This program is intended to prepare students for service as fire department company and chief officers at four progressive levels of competency. The applicant may provide proof of equivalent education and training approved by the Bureau of Fire Standards and Training and meeting the criteria outlined under this subsection (2).

(a) through (b) No change.

(c) Fire Officer III Certification. The Division shall issue a Fire Officer III Certificate of Competency to a firefighter who meets the program requirements of this paragraph (c), and the qualifications for Fire Officer III set forth by the Division and based on the National Fire Protection Association (NFPA) 1021, "Standard for Fire Officer Professional Qualifications," (2009 Edition), which is hereby incorporated by reference.

1. through 3. No change.

4. Requirements for Certificate of Competency. To be eligible to receive a Fire Officer III Certificate of Competency, the applicant shall:

a. Have at least five years of full time equivalent experience working as a Florida ~~certified~~ Fire Officer; and

b. through h. No change.

(d) Fire Officer IV Certification. The Division shall issue a Fire Officer IV Certificate of Competency to a firefighter who meets the program requirements of this paragraph (d), and the qualifications for Fire Officer IV set forth by the Division and based on the National Fire Protection Association (NFPA) 1021, "Standard for Fire Officer Professional Qualifications," (2009 Edition), which is hereby incorporated by reference.

1. through 3. No change.

4. Requirements for Certificate of Competency. To be eligible to receive a Fire Officer IV Certificate of Competency, the applicant shall:

a. Have at least five years of full time equivalent experience working as a Florida ~~certified~~ Fire Officer; and,

b. through g. No change.

(e) through (f) No change.

(3) through (7) No change.

Rulemaking Authority 633.128(2)(a), ~~633.406(1)(f)~~, ~~633.418(1)~~ FS. Law Implemented 633.128(1)(d), ~~633.406(1)(f)~~ FS. History—New 12-10-01, Formerly 4A-37.065, Amended 8-27-12, 11-18-13, \_\_\_\_\_.

69A-37.404 Requirements for Live Fire Training for Certified Personnel.

(1) through (16) No change.

(17)(a) The following portions of the 2012 ~~2002~~ edition of the National Fire Protection Association, Inc., Publication 1402, "Guide to Building Fire Service Training Centers," are hereby adopted and incorporated by reference:

1. 1402-7.1~~2~~ Selecting an Architect/Engineer (A/E),
2. 1402-8.15~~4~~6 Emergency Care,
3. 1402-8.16~~7~~ Building Maintenance,
4. 1402-10.4~~2~~ Thermal Linings ~~Fire Temperature~~, and
5. No change.

(b) No change.

(18)(a) The 2012 ~~2002~~ edition of the National Fire Protection Association, Inc., Publication 1403, "Standard on Live Fire Training Evolutions," is hereby adopted and incorporated by reference, excluding, however, any chapter entitled "Referenced Publications."

~~1. Any chapter entitled "Referenced Publications."~~

~~2. References to the National Fire Protection Association, Inc., Publication 1975, Station Uniform.~~

~~3. The National Fire Protection Association, Inc., Publication 1001, or any references to such publication in the National Fire Protection Association, Inc., Publication 1975.~~

~~4. Any reference to an authority having jurisdiction in the National Fire Protection Association, Inc., Publication 1403, defined as the organization, office, or individual responsible for approving equipment, materials, installations, and procedures.~~

(b) No change.

Rulemaking Authority 633.418(1), 633.128(1), (2)(a), 633.508(6) FS. Law Implemented 633.128(1), 633.418(1), 633.508 FS. History—New 10-5-06, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Bill Wentlandt, Chief, Bureau of Firefighter Standards and Training, Division of State Fire Marshal, Florida Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 18, 2014

**DEPARTMENT OF FINANCIAL SERVICES**

**DIVISION OF STATE FIRE MARSHAL**

RULE NOS:        RULE TITLES:

69A-64.001        Scope

69A-64.003        Ability to Pay Benefits

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this rulemaking is the repeal of Rule 69A-64.003, F.A.C., because it is not necessary. As well, Rule 69A-64.001, F.A.C., is being amended because the definition of "employer" is in the statute and not in the rule.

**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 rule amendments do not impose any costs. The Division of State of Fire Marshal conducted an analysis of the proposed rule’s potential economic impact and determined that it did not exceed any of the criteria established in subsection 120.541(1), F.S. and is therefore does not require legislative ratification pursuant to subsection 120.541(3), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 112.191 FS.

**LAW IMPLEMENTED:** 112.191 FS.

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

**TIME AND DATE:** Wednesday, April 22, 2015, 11:00 a.m. (or immediately after the 9:00 a.m. hearing of Rule 69A-37.054, 69A-37.055, 69A-37.057, 69A-37.060, 69A-37.065 & 69A-37.404, F.A.C.)

**PLACE:** Florida State Fire College, Auditorium, 11655 NW Gainesville Rd., Ocala, Florida 34482

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Bill Wentlandt, Chief, Bureau of Firefighter Standards and Training, Division of State Fire Marshal, Florida Department of Financial Services at (352)369-2829 or Bill.Wentlandt@MyFloridaCFO.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting the person listed above.

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

69A-64.001 Scope.

These rules are concerned with the payment of death benefits to firefighters apply to each employer as defined herein.

Rulemaking Authority 112.191 FS. Law Implemented 112.191 FS. History–New 3-13-03, Formerly 4A-64.001, Amended.

69A-64.003 Ability to Pay Benefits.

Rulemaking Authority 112.191 FS. Law Implemented 112.191 FS. History–New 3-13-03, Formerly 4A-64.003, Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Mike Tucker, Safety Program Manager, Bureau of Firefighter Standards and Training, Division of State Fire Marshal, Florida Department of Financial Services

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Jeff Atwater, Chief Financial Officer, Department of Financial Services

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 16, 2015

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker’s Compensation**

**RULE NOS.:**      **RULE TITLES:**

- 69L-30.002      Definitions
- 69L-30.003      Qualifications for Expert Medical Advisor Certification
- 69L-30.004      Application for Expert Medical Advisor Certification
- 69L-30.005      Selection of Expert Medical Advisors
- 69L-30.006      Temporary Expert Medical Advisors
- 69L-30.007      Expert Medical Advisor Responsibilities
- 69L-30.008      Billing and Reimbursement for Expert Medical Advisor
- 69L-30.010      Expert Medical Advisor Decertification

**PURPOSE AND EFFECT:** The proposed rulemaking significantly rewrites the existing rule chapter to clarify and streamline the process by which a physician becomes certified as an Expert Medical Advisor (“EMA”), pursuant to subsection 440.13(9), F.S. The proposed rulemaking also introduces an on-line certification and certificate issuance process that includes an “EMA Tutorial.” The EMA Tutorial is an educational resource designed to educate and test the knowledge of EMA applicants on Section 440.13, F.S., and the rules governing the provision of medical treatment and care under Florida’s Workers’ Compensation System.



**SUMMARY:** The proposed rulemaking represents a significant rewrite of all rules listed under Rule Chapter 69L-30, F.A.C. The proposed rules clarify and streamline the process through which a physician becomes certified as an Expert Medical Advisor (EMA), pursuant to subsection 440.13(9), Florida Statutes. The proposed rulemaking includes the addition of an online application and certification process, tutorial and a list of certified EMAs through which each physician is responsible for updating their profile to reflect any changes to the physician's current information. The proposed rulemaking also provides a website address to access the on-line certification and certificate issuance process, the tutorial, and the list of certified EMAs.

**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's analysis of the economic impact or regulatory costs associated with the proposed rules did not trigger any of the requirements in subsection 120.541(1), Florida Statutes, for preparing a Statement of Economic Regulatory Costs (SERC). As part of this analysis, the Department relied upon its past experiences with the implementation of related rules, and costs, if any, would not exceed the economic analysis criteria in a SERC as set forth in paragraph 120.541(2)(a), Florida Statutes.

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:** 440.13(9), 440.591 FS.

**LAW IMPLEMENTED:** 440.13(9) 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:** Tuesday, April 14, 2015, 10:00 a.m.

**PLACE:** Room 102, Hartman Building, 2012 Capital Circle Southeast, 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 5 days before the workshop/meeting by contacting: Pamela Macon, (850)413-1708 or Pamela.Macon@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:** Pamela Macon, Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Medical Services Section, Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida 32399-4232, (850)413-1708 or Pamela.Macon@MyFloridaCFO.com.

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

69L-30.002 Definitions.

For purposes of this rule chapter the following definitions apply:

(1) "Board certification" or "board certified" means the physician has been awarded board certification or diplomate status by one or more of the national specialty boards recognized by the State of Florida Department of Health ~~the American Board of Medical Specialties, American Board of Internal Medicine, American Board of Physician Specialties, American Osteopathic Association, American Board of General Dentistry, American Board of Podiatric Orthopedics and Primary Podiatric Medicine, American Board of Podiatric Surgery, American Chiropractic Rehabilitation Board, American Chiropractic Neurology Board, American Board of Chiropractic Internists, American Chiropractic Board of Nutrition, American Chiropractic Board of Occupational Health, American Board of Chiropractic Orthopedists, American Board of Chiropractic Radiology, or American Chiropractic Board of Sports Physicians.~~

(2) "Board eligible" or "board eligibility" means the physician has been determined eligible to take the board certification examination ~~recognized by one or more of the applicable national specialty boards recognized by the State of Florida Department of Health board as eligible to take the board certification examination.~~

(3) "Department List of Certified Expert Medical Advisors" (hereinafter "Certification List") is the electronic list of eligible physicians approved as EMAs.

(4) “Expert Medical Advisor” (hereinafter “EMA”) is a physician certified by the Department to render peer review or expert medical consultation, opinions and testimony, within the advisor’s specialty area, to assist Judges of Compensation Claims and the Department in resolving issues related to reimbursement, differing opinions of health care providers, and physician and health care services rendered under the Florida Workers’ Compensation health care delivery system.

(5) “Expert Medical Advisor Certification”(hereinafter “EMA Certification)is the process through which a physician must document eligibility by submission of required information and documentation and satisfactory completion of the EMA Tutorial and is thereafter approved to render expert medical opinions regarding medical services provided under Chapter 440, F.S.

(6) “EMA Certificate” is the written documentation issued by the Department authorizing a physician to perform EMA services pursuant to Section 440.13, F.S.

(7) “EMA Tutorial” means the Florida Department of Financial Services, Division of Workers’ Compensation, Expert Medical Advisor Certification Tutorial. The EMA Tutorial is the means by which a physician demonstrates knowledge of Section 440.13, F.S., and applicable Administrative Rules adopted by the Department.

(8) “Examination” means an Independent Medical Examination as defined in paragraph 440.13(1)(i), F. S.

(9) “Physician” is as defined in paragraph 440.13(1)(p), F.S.

(10) “Temporary EMA” is a physician appointed by a Judge of Compensation Claims (JCC) for temporary certification by the Department, who is board certified in a specialty area in which no Certified EMA is available to render the services necessary for the JCC or the Department to fulfill their statutory responsibilities under Chapter 440, Florida Statutes.

Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History–New 1-23-95, Formerly 38F-54.002, Amended 10-11-06, Formerly 59A-30.002, Amended \_\_\_\_\_.

69L-30.003 Qualifications for Expert Medical Advisor Certification and Re-Certification.

(1) To be certified as an EMA ~~Expert Medical Advisor~~, a physician shall meet the following qualifications:

(a)~~(1)~~ Must have correctly answered 95% of the EMA Tutorial review questions ~~been certified as a health care provider by the Department pursuant Chapter 69L 29, F.A.C., for a period of no less than twelve months prior to the date of the Expert Medical Advisor application; and~~

(b)~~(2)~~ Must hold valid licensure, issued by the Florida Department of Health, with “clear ~~and~~ active” status; and

(c)~~(3)~~ Must demonstrate hold specialty-board certification or specialty-board eligibility applicable to the specialty for which the applicant seeks certification by submitting proof of current certification or eligibility. ~~If the applicable national specialty-board does not recognize “board eligible” or “board eligibility” status, the applicant must hold board certification for the specialty; and~~

(d)~~(4)~~ Must demonstrate experience in the assignment of permanent impairment ratings ~~greater than zero (0%)~~ to Florida’s injured employees, pursuant to Rule 69L-7.604, F.A.C., within the two-year period immediately preceding the date of application by submitting a minimum of two (2) copies of completed DFS-F5-DWC-25 Florida Workers’ Compensation Uniform Medical Treatment/Status Reporting Form as incorporated in Rule 69L-7.710(2)(d), F.A.C., assigning a permanent impairment rating; and

(e)~~(5)~~ Must demonstrate experience in performing independent medical examinations pursuant to subsections 440.13(2) or 440.13(5), F.S., by submitting a minimum of two (2) copies of completed Independent Medical Examination reports for a determination of the appropriateness of medical treatment being recommended or provided to an injured employee or for a determination of the injured employee’s disability and physical limitations, within the two-year period immediately preceding the date of application; and

(f)~~(6)~~ Must have completed twenty hours of continuing medical education (CME), specifically related to the practitioner’s field of specialty, within the two-year period immediately preceding the date of application. Proof of required CMEs must be provided at time of application. Completion of courses required for licensure by the Florida Department of Health addressing Domestic Violence, HIV-AIDS and Prevention of Medical Errors will not be applied to the medical continuing education requirements for EMA ~~Expert Medical Advisor certification.; and~~

(7) ~~Must possess knowledge of the Florida Statutes related to workers’ compensation, specifically Sections 440.02, 440.09, 440.093, 440.102, 440.105, 440.13, 440.134, 440.15(3), 440.15(5), 440.151, 440.20 and 440.491; and possess knowledge of the Florida Administrative Code Rules 69L 7.602 and 69L 7.020 related to workers’ compensation.~~

(2) A physician who has performed services as a Temporary EMA for either a judge of compensation claims or the Department within the two-year period immediately preceding the date of application for certification shall not be required to meet the requirements of subparagraphs (1) (d) and (e) of this rule.

(3) An EMA applying for renewal prior to or no more than 90 days after the expiration of the EMA's most current certification period shall not be required to meet the requirement of subparagraph (1) (a) of this rule.

(4) A physician who has been disciplined for a violation pursuant to Section 440.13, F.S., shall not be certified as an EMA.

Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History—New 1-23-95, Amended 6-8-95, Formerly 38F-54.003, Amended 10-11-06, Formerly 59A-30.003, Amended \_\_\_\_\_.

69L-30.004 Application Process for Expert Medical Advisor Certification.

~~(1) A physician shall apply for Expert Medical Advisor certification by satisfactorily completing the on-line process available on the DWC website at [www.myfloridacfo.com/division/wc/provider.html](http://www.myfloridacfo.com/division/wc/provider.html) submitting a signed, legible and accurately completed Expert Medical Advisor Certification Application, DFS Form 3160-0021, to the following address: Division of Workers' Compensation, Office of Medical Services, c/o Department of Financial Services, 200 E. Gaines Street, Tallahassee, FL 32399-4232. The Expert Medical Advisor Certification Application, DFS Form 3160-0021, revised May 2006, is incorporated by reference into Chapter 69L-30, F.A.C., and may be obtained from the Office of Medical Services, c/o Department of Financial Services, Division of Workers' Compensation's website: [www.myfloridacfo.com/wc/forms.html#7](http://www.myfloridacfo.com/wc/forms.html#7).~~

~~(2) As part of the Expert Medical Advisor certification application process, the physician shall agree to provide consultation or services in accordance with the timetables set forth in Chapter 440, F.S. , and abide by rules adopted by the Department, may appoint a physician including, but not limited to, rules pertaining to procedures for review of the services rendered by health care providers and preparation of reports and testimony or recommendations for submission to the Department or judge of compensation claims.~~

~~(3) The application process shall be considered properly completed when the physician passes the EMA Tutorial and provides accompanied by the following documentation to establish that the qualifications for Expert Medical Advisor certification set forth in Rule 69L-30.003, F.A.C., have been met: Failure to properly complete the application process shall result in the application being rejected. Subject to the limitations in this rule chapter, a rejected applicant can immediately re-apply.~~

~~(a) To document specialty board certification or specialty-board eligibility, the applicant must submit a copy of a current certificate of national specialty board certification or written~~

~~proof of specialty board eligibility and documentation that indicates any expiration date for specialty board certification or specialty board eligibility applicable to the specialty for which the applicant seeks certification.~~

~~(b) To demonstrate experience in the assignment of permanent impairment ratings to Florida's injured employees, pursuant to Rule 69L-7.604, F.A.C., the applicant must submit five completed DFS F5 DWC-25 forms (with all patient identification redacted) indicating assignment of the date of maximum medical improvement and calculation of the permanent impairment rating for injured employee evaluations completed within the two-year period immediately preceding the date of application; and~~

~~(c) To demonstrate experience in performing independent medical examinations pursuant to Section 440.13(2) or 440.13(5), F.S., the applicant must submit copies of five independent medical examination reports (with all patient identification redacted) written for workers' compensation injured employees within the two-year period immediately preceding the date of application; and~~

~~(d) To demonstrate completion of twenty hours of continuing medical education specifically related to the practitioner's field of specialty, the applicant must submit copies of certificates of completion for twenty hours of continuing medical education, related to the specialty field of practice, completed within the two-year period immediately preceding the date of application. Certificates for courses required for licensure by the Florida Department of Health addressing Domestic Violence, HIV AIDS and Prevention of Medical Errors will not be applied to the medical education requirements for Expert Medical Advisor certification; and~~

~~(4) Successful applicants shall receive an electronically generated EMA Certificate issued by the Department's Division of Workers' Compensation. To demonstrate knowledge of Florida Workers' Compensation, the physician must attest to knowledge of the Florida Statutes related to workers' compensation, specifically Sections 440.02, 440.09, 440.093, 440.102, 440.105, 440.13, 440.134, 440.15(3), 440.15(5), 440.151, 440.20 and 440.491, F.S.; and knowledge of the Florida Administrative Code Rules 69L-7.602 and 69L-7.020. If an Expert Medical Advisor applicant is not otherwise familiar with the statutes and rules identified above, he/she may attest to familiarity with those rules and statutes upon completion of the Workers' Compensation Health Care Provider Educational Tutorial available on the Department of Financial Services, Division of Workers' Compensation's website: [www.myfloridacfo.com/wc](http://www.myfloridacfo.com/wc).~~

~~(5) Upon issuance of the EMA Certificate, the following provider information will be recorded on the Certification List:~~

- (a) Certificate expiration date;
- (b) First and Last Name;
- (c) DOH license number and licensure status;
- (d) Place of business, name, address(es) and telephone number(s); and
- (e) Specialty board affiliation(s) and sub-specialty(ies) and certification status.

~~(6)(5)The Department shall deny completed applications that do not meet the minimum requirements set forth in Rule 69L-30.003, F.A.C. will review the Expert Medical Advisor certification application, pursuant to the requirements of Section 120.60, Florida Statutes, and notify the applicant of any deficiencies. If the Department does not receive, within 30 calendar days of the applicant's receipt of notice of deficiencies, information curing all deficiencies identified by the Department, of deficiencies, the Expert Medical Advisor Certification Application will be denied.~~

~~(6) Throughout the certification period, the Expert Medical Advisor shall notify the Department:~~

- ~~(a) If specialty board certification has expired.~~
- ~~(b) If Florida Department of Health license status is changed from "clear and active."~~
- ~~(c) Of any change in address or contact information.~~

~~(7) Expert Medical Advisor Certifications shall be for a period of two years. If at any time during the certification period, the physician no longer meets all qualifications for Expert Medical Advisor certification, the EMA Expert Medical Advisor certification shall be decertified and removed from the Certification List revoked.~~

~~(8) An EMA who fails to obtain certification renewal before the expiration of the two year certification period is ineligible to perform EMA services and will be removed from the Certification List until such time as the EMA re-applies and his/her re-certification is approved.~~

~~Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History-New 1-23-95, Formerly 38F-54.004, Amended 10-11-06, Formerly 59A-30.004, Amended \_\_\_\_\_.~~

69L-30.005 Selection of Expert Medical Advisors.

~~(1) All individuals on the Certification List are eligible contracted to provide EMA services for through certification as an Expert Medical Advisor will be placed on an Department list of certified Expert Medical Advisors eligible for selection as an Expert Medical Advisor by the Department or a judge of compensation claims.~~

~~(2) When Expert Medical Advisor services are needed by the Department, the Department shall:~~

- ~~(a) Select an EMA Expert Medical Advisor from the Certification List Department's list of certified Expert Medical Advisors; and~~

~~(b) Make the necessary arrangements for the EMA Expert Medical Advisor to provide the Expert Medical Advisor services.~~

~~(3) When Expert Medical Advisor services are needed in a proceeding before a judge of compensation claims, the judge of compensation claims shall:~~

- ~~(a) Select an EMA Expert Medical Advisor from the Certification List Department's list of certified Expert Medical; and~~

~~(b) Make the necessary arrangements for the EMA Expert Medical Advisor to provide the Expert Medical Advisor services.~~

~~(4) Upon receiving notice of selection by the Department or judge of compensation claims as an Expert Medical Advisor, the EMA physician shall disclose any conflict of interest related to the case for which the physician was selected and shall decline selection if a conflict of interest exists as an Expert Medical Advisor.~~

~~(5) A physician who has been disciplined for a violation decertified pursuant to Section 440.13, F.S. Chapter 69L-29, F.A.C., and/or has ever been decertified pursuant to Rule 69L-30.010, F.A.C., or who, pursuant to a Final Order, has been found to have violated Chapter 440, F.S., shall not be certified as an EMA Expert Medical Advisor.~~

~~Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History-New 1-23-95, Formerly 38F-54.005, Amended 10-11-06, Formerly 59A-30.005, Amended \_\_\_\_\_.~~

69L-30.006 Temporary Expert Medical Advisors.

~~(1) When a judge of compensation claims cannot identify an appropriate EMA needs Expert Medical Advisor services and there is no Expert Medical Advisor from the physicians on the Certification List Department's list of certified Expert Medical Advisor who meets the needs of the judge of compensation claims and is available to provide the Expert Medical Advisor services needed, the judge of compensation claims may propose a specific physician for temporary Expert Medical Advisor certification by the Department.~~

~~(2) The Department will certify the specific physician proposed by the judge of compensation claims as a Temporary EMA for a specific case, Expert Medical Advisor if one of the following is met:~~

~~(a) All parties in a proceeding before the judge of compensation claims stipulate to the qualifications of the medical specialty board certified or board eligible physician to provide Expert Medical Advisor services in the judge of compensation claims proceeding; or~~

~~(b) The physician has a clear valid and active license to practice medicine, has medical specialty board certification or is board eligible and the judge of compensation claims has~~

established that the physician has training or experience applicable to the specific medical issue before the judge of compensation claims.

~~(3) Certification as a temporary Expert Medical Advisor shall be limited to the specific case for which the judge of compensation claims proposed the physician for temporary Expert Medical Advisor certification.~~

~~(3)(4) A physician who has been disciplined for a violation decertified pursuant to Section 440.13, F.S., Chapter 69L-29, F.A.C., and/or has ever been decertified to Rule 69L-30.010, F.A.C., shall not be certified as a Temporary EMA Expert Medical Advisor.~~

~~(4)(5) Upon receiving notice of selection by the judge of compensation claims as a Temporary EMA Expert Medical Advisor, the physician shall disclose any conflict of interest related to the case for which the physician was selected and shall decline selection as a Temporary EMA if a conflict of interest exists pursuant to Rule 69L-30.007, F.A.C. Expert Medical Advisor.~~

(5) When the Department needs EMA services and there is no EMA on the Certification List who meets the needs of the Department or who is available to provide the EMA services needed, the Department may certify a physician as a Temporary EMA, for a specific case, if the physician:

(a) Holds a clear active medical license or a valid Florida medical school teaching certificate pursuant to Sections 458.3145, 459.0077, 463.0057 or 466.002, F.S.; and

(b) Holds board certification or is board eligible in the specialty area needed by the Department to fulfill its responsibilities under subsections 440.13(9) and (11), F. S.

(6) Upon receiving notice of selection by the Department as a Temporary EMA, the physician shall disclose any conflict of interest related to the case for which the physician was selected and shall decline selection, if a conflict of interest exists pursuant to Rule 69L-30.007, F.A.C.

(7) Any physician appointed as a Temporary EMA shall have the same duties and responsibilities under this rule chapter as a certified EMA.

Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History—New 1-23-95, Formerly 38F-54.006, Amended 10-11-06, Formerly 59A-30.006, Amended \_\_\_\_\_.

69L-30.007 Expert Medical Advisor Responsibilities.

(1) A physician shall disclose any conflict of interest upon receiving notice of selection as an EMA or Temporary EMA ~~Expert Medical Advisor~~ and shall not accept selection if a conflict of interest exists. For the purposes of this rule, “conflict of interest” means that any of the following matters

may exist, potentially influencing the EMA’s ~~Expert Medical Advisor’s~~ opinions and decisions while fulfilling responsibilities to evaluate the medical care provided the injured employee by the examining physician:

(a) and (b) No Change.

(2) An EMA shall be responsible for notifying the Department of any change in the physician’s license or board certification status or change in address or contact information, within 30 days of the change. The EMA may notify the Department by updating their profile at [www.myfloridacfo.com/division/wc/provider.html](http://www.myfloridacfo.com/division/wc/provider.html), or by email at [workers.compmedservice@myfloridacfo.com](mailto:workers.compmedservice@myfloridacfo.com), or by mail to Division of Workers’ Compensation, Medical Services Section, c/o Department of Financial Services, 200 E. Gaines Street, Tallahassee, Florida, 32399-4232.

~~(3)(2) When the judge of compensation claims selects an EMA or Temporary EMA Expert Medical Advisor, the EMA or Temporary EMA Expert Medical Advisor shall complete and submit a written report to the judge of compensation claims within 15-calendar days following receipt of all medical records and, when appropriate, examination of the injured employee. The medical records to which may be submitted to an Expert Medical Advisor shall be within the discretion of the judge of compensation claims.~~

(4)(3) When the Department selects an EMA or Temporary EMA Expert Medical Advisor, the EMA or Temporary EMA Expert Medical Advisor shall complete and submit a written report to the Department within 15-calendar days following receipt of all medical records and, when appropriate, examination of the injured employee. The medical records to be submitted shall be within the discretion of the Department and shall be returned to the Department upon acceptance of the report by the Department.

~~(5)(4) The EMA or Temporary EMA Expert Medical Advisor shall furnish a copy of the written report to the insurer and to the injured employee pursuant to paragraph Section 440.13(9)(d), F.S.~~

Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History—New 1-23-95, Formerly 38F-54.007, Amended 10-11-06, Formerly 59A-30.007, Amended \_\_\_\_\_.

69L-30.008 Billing and Reimbursement for Expert Medical Advisor Services.

(1) Within 30 calendar days following completion of the written report, the EMA ~~physician~~ must submit billing for ~~Expert Medical Advisor~~ services on the Department approved or judge of compensation claims approved invoice, as applicable, documenting total number of hours and total dollar charges for the contracted services.

~~(2) In a judge of compensation claims proceeding, If additional diagnostic testing is required for the EMA Expert Medical Advisor to render a medical opinion, charges for diagnostic testing shall:~~

~~(a) Require prior authorization from the judge of compensation claims or of the Department; and~~

~~(b) and (c) No Change.~~

~~(3) Within 45 calendar days from receipt of both the Expert Medical Advisor's copy of the written report and invoice, reimbursement shall be rendered to the EMA Expert Medical Advisor pursuant to paragraph Section 440.13(9)(f), F.S.~~

~~(4) Hourly reimbursement for EMA Expert Medical Advisor services shall be include reimbursement for all services rendered except specialty-diagnostic testing.~~

~~(5) Reimbursement for Expert Medical Advisor services, pursuant to an EMA Expert Medical Advisor Contract, in accordance with subsections 69L-30.005(2) and (3) F.A.C., shall be as follows:~~

~~(a) Except as provided in paragraph (b), For an Expert Medical Advisor selected by the Department pursuant to subsection 69L-30.005(2), F.A.C., reimbursement for shall not exceed \$300.00 \$200.00 per hour, for no more than 8 hours per case, not including reasonable expenses associated with travel, when applicable, which will be reimbursed in accordance with section Section 112.0681, F.S. The review shall not exceed 8 hours per case unless specifically approved in writing by the Department or judge of compensation claims, as applicable.~~

~~(b) When an examination of an injured employee is required for the EMA to render a medical opinion, charges for an examination shall:~~

~~1. Require prior authorization from the requesting party;~~

~~2. Be billed in accordance with Rule 69L-7.710, F.A.C.; and~~

~~3. Be reimbursed in accordance with the appropriate Florida Division of Workers' Compensation reimbursement manual in effect on the date services were completed. For an Expert Medical Advisor selected by a judge of compensation claims pursuant to subsection 69L-30.005(3), F.A.C., reimbursement shall not exceed \$300.00 per hour, nor more than 8 hours per case, not including reasonable expenses associated with travel, when applicable, which will be reimbursed in accordance with Section 112.081, F.S.~~

~~(c) An EMA shall be reimbursed for travel and other administrative expenses consistent with the terms of the contract between the EMA and the Department.~~

~~(d) Witness or deposition fees shall be mutually agreed upon by the requesting party and the EMA.~~

~~Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History--New 1-23-95, Formerly 38F-54.008, Amended 10-11-06, Formerly 59A-30.008, Amended \_\_\_\_\_.~~

69L-30.010 Expert Medical Advisor Decertification.

(1) An EMA Expert Medical Advisor shall be decertified and removed from the Certification List for any one of the following:

(a) The EMA physician is has been assessed a penalty for a violation pursuant to Section 440.13, F.S.; or removed from the list of physicians authorized to provide services to workers' compensation injured employees.

(b) The EMA physician fails to report a conflict of interest and decline selection in a case assignment as required in Rule 69L-30.004, F.A.C.; or

(c) The EMA no longer meets the criteria for EMA status pursuant to Rule 69L-30.003, F.A.C.

(2) An EMA If an Expert Medical Advisor is decertified by the Department, for any reason except for (1)(c) above, the physician shall not be eligible for certification as an EMA Expert Medical Advisor in the future.

~~Rulemaking Specific Authority 440.13(9), 440.591 FS. Law Implemented 440.13(9) FS. History--New 1-23-95, Formerly 38F-54.010, Amended 10-11-06, Formerly 59A-30.010, Amended \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela Macon, Chief, Bureau of Monitoring and Audit, Division of Workers' Compensation, Medical Services Section, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 25, 2014

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

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Board of Accountancy

RULE NO.: 61H1-36.004  
RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

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. 41 No. 21, February 2, 2015 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

61H1-36.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) No change.

(2) The following disciplinary guidelines shall be followed by the board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	MINIMUM	MAXIMUM
(a) through (aa) No change.		
(bb) Failure to obtain continuing education hours		
(Section <del>473.312</del> 473.212, F.S., Rule 61J1-33.003, F.A.C.)		
First Offense		
NUMBER OF HOURS LACKING		
1 to 16 hours	\$500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, within 90 days of final order, must submit proof of compliance for next two renewal periods	<del>\$1,000</del> 500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, within 90 days of final order, must submit proof of compliance for next two renewal periods
17 to 80 hours	<del>\$1,000</del> 2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	\$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods
Second Offense		

NUMBER OF HOURS LACKING		
1 to 16 hours	\$500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, suspension until all hours are completed, must submit proof of compliance for next two renewal periods	<del>\$1,000</del> 500 fine, makeup missing hours plus 20 additional penalty hours, in same category as those missed, if missing hours are ethics, penalty hours would consist of accounting/auditing, suspension until all hours are completed, must submit proof of compliance for next two renewal periods
17 to 80 hours	\$2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods.	<del>\$2,500</del> 2,000 fine, makeup missing hours plus additional penalty hours equal to the number of those missed, within same category as those missed, suspension until all hours are completed, must submit proof of compliance for next two renewal periods

(3) No change.

Rulemaking Authority 455.2273, 473.304 FS. Law Implemented ~~455.277,~~ 455.2273, 473.323~~(1)(m)~~ FS. History—New 1-7-87, Amended 9-16-87, 8-25-88, 6-18-91, 12-30-91, Formerly 21A-36.004, Amended 12-7-93, 5-23-94, 8-16-99, 1-31-05, 7-28-10,\_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: 61K1-3.0007  
 RULE TITLE: Forms

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. 94, May 14, 2014 issue of the Florida Administrative Register.

The changes are in response to concerns stated by the Joint Administrative Procedures Committee in letters dated May 29, 2014. The changes are as follows:

61K1-3.007 Participant; License; Conduct and Other Requirements.

(1) License.

(a) through (b) No change.

(c) Any person desiring to become licensed as a participant shall submit Form BPR-0009-450, "Application for License," effective January 2010, DBPR FSBC 2, ~~"Application for Licensure, Participant," effective March 2014,~~ adopted and incorporated herein, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp> , or at <https://www.myfloridalicense.com/intentions2.asp>, or at [http://www.flrules.org/Gateway/refernce.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/refernce.asp?No=Ref-_____).

(d) Each participant shall submit to an ophthalmological examination conducted by a licensed and certified ophthalmologist or certified optometrist. The Participant and ophthalmologist or optometrist shall complete Form BPR-0009-665, "Dilated Ophthalmological Examination", effective December March 2014, adopted and incorporated herein by reference, which may be found at <https://www.myfloridalicense.com/intentions2.asp> , or at [http://www.flrules.org/Gateway/refernce.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/refernce.asp?No=Ref-_____) and shall be submitted to the commission with the application for licensure.

(e) Each participant shall submit to a pre-licensure physical conducted by a licensed M.D. or D.O. Female participants may submit to a pre-licensure physical conducted by a licensed board certified OB/GYN. The participant and physician shall complete Form DBPR FSBC 20, "Pre-Licensure Physical Info Sheet," effective March 2014, adopted and incorporated herein, which may be found at <https://www.myfloridalicense.com/intentions2.asp> , or at [http://www.flrules.org/Gateway/refernce.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/refernce.asp?No=Ref-_____) , and submit to the commission. The results from the pre-licensure physical examination shall be used by the commission office for licensure and fight bout card approval, and for comparison to pre-match physicals examinations by ringside physicians. ~~The pre-match physical examination may but will not be used in lieu of the pre-license physical examination if performed within 30 days of the pre- license physical examination a pre match physical.~~

(f) Transgender Participants

(g) Transexuals: Male to Female

1. Individuals undergoing sex reassignment from male to female prior to puberty are regarded as women (female) and shall be licensed as such.

~~2. Individuals undergoing sex reassignment from male to female after puberty may be eligible for participation in female matches under the following conditions:~~

~~a. Surgical anatomical changes have been completed including gonadectomy and surgical changes of external genitalia consistent with gender reassignment.~~

~~b. Hormone Therapy for the assigned sex (female) has been administered for a minimum of two years after gonadectomy by a board certified endocrinologist, internist, pediatrician, or any physician or any other specialist known to have significant knowledge and experience with transsexual and transgender individuals. Hormone therapy prior to gonadectomy is not included in the two years due to the potential for the production of endogenous testosterone from the gonads during any period of time when hormone therapy was not available or therapeutically dosed below that which is required to completely suppress testosterone production.~~

~~e. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1 3.007, F.A.C. and a letter from the board certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:~~

~~i. Initial date when hormone therapy began for the assigned sex (female) (can be prior to gonadectomy but is not included in the two year requirement for hormone therapy after gonadectomy);~~

~~ii. Date, location, surgeon, and surgical report of the gonadectomy (and external genitalia reassignment, if done at the same surgical setting);~~

~~iii. Date, location, surgeon, and surgical report for any other surgery involving the genitalia;~~

~~iv. Hormone name/type, dose, and interval of administration over the past two years;~~

~~v. Lab reports of estradiol and testosterone levels documenting over the past two years that serum estradiol levels are within the normal range for a healthy premenopausal woman and suppression of testosterone levels to those normally found in women, as determined under lab specific ranges as set forth below;~~

~~vi. Name, dose, and duration of any anti androgen treatment used over the past two years;~~

~~vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.~~

(b) Transsexuals: Female to Male.

1. Individuals undergoing sex reassignment from female to male prior to puberty are regarded as boys and eventually men (male) and shall be licensed as such.

2. Individuals undergoing sex reassignments from female to male after puberty may be eligible for participation in male matches under the following conditions:



~~a. Surgical anatomical changes have been completed which at a minimum must include breast reduction but may include additional surgical changes of internal (hysterectomy and/or oophorectomy) and/or external genitalia;~~

~~b. Hormone Therapy for the assigned sex (male) has been administered for a minimum of two years after gonadectomy preferably by a board certified endocrinologist, internist, pediatrician, or any physician (M.D. or D.O.) known to have significant knowledge and experience with transsexual and transgender individuals.~~

~~e. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1 3.007, F.A.C. and a letter from the board certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:~~

~~i. Initial date of hormone therapy for the assigned sex (male);~~

~~ii. Date, location, surgeon, and surgical report of any surgery including breast reduction, gonadectomy, hysterectomy, or any other surgery involving genitalia;~~

~~iii. Hormone name/type, dose, and interval of administration over the past two years;~~

~~v. Lab reports of estradiol and testosterone levels within the past two years with a goal of serum estradiol levels within the normal range for a healthy man and testosterone levels within the range for healthy men, as determined under lab specific ranges as set forth below;~~

~~vi. Name, dose, and duration of any anti estrogen treatment used over the past two years;~~

~~vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.~~

~~d. Note: Lab specific ranges should follow the established range from the reference laboratory. The commission will accept laboratory data from the following laboratories for hormone testing:~~

~~i. Quest: upper normal range for total testosterone 1100 mg/dL;~~

~~ii. Labcorp: upper normal range for total testosterone: 1197 mg/dL;~~

~~iii. ARUP: upper normal range for total testosterone: 1080 ng/dL~~

~~(c) Pre Fight and day of Fight:~~

~~1. Participants should submit lab data required above which has been drawn from the participant no more than 6 months prior to the match date, including one value within one month of the match. Participants shall not be permitted to participate if their estradiol or total testosterone levels are outside of the normal range. If a value is found to be out of the normal range, the participant shall take action to correct the level by repeating the lab and/or adjusting medication~~

~~appropriately, which must be documented in an additional Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," August 2013, completed by the physician who provided the letter and original Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as required above.~~

~~2. The day prior to the match, the participant should submit the time, date, and amount and method of last dose of testosterone or other medication used in the management of the participant's transgender state.~~

~~(f)(h) Each participant shall provide the commission with hepatitis B surface antigen laboratory result and hepatitis C antibody laboratory lab result indicating no infection. Negative results will be acceptable for a period of up to 1 year. After 1 year, the participant will need to be re-tested and provide the commission with current laboratory results.~~

~~(g)(i) No change.~~

~~(h)(j) Laboratory lab results filed with other commissions or jurisdictions in the United States may be verified in writing by them to the executive director in lieu of requiring a subsequent blood test for this purpose.~~

~~(i)(k) No change.~~

~~(2) No applicant shall be issued a license as participant if any of the following conditions are found by the physician in the pre-licensure physical examination, unless the participant provides Form DBPR FSBC 21 "Therapeutic Use Exemption and Medical Condition Explanation Form," effective March 2014, adopted and incorporated herein indicating the condition is no longer a danger to the participant's health:~~

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

~~(f) Active infectious communicable disease, including skin lesions, such as boils or infected wounds, as well as any other bacterial, viral, fungal, and/or mycobacterial communicable diseases, including tuberculosis;~~

~~(g) through (h) No change.~~

~~(i) An indication that the participant is using or is under the influence of any prohibited substance as listed in Rule 61K1-3.017, F.A.C. narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or analgesics so as to render the participant unable to recognize if the participant is seriously injured;~~

~~(j) No change.~~

~~(k) Ophthalmological problem(s) including but not limited to:~~

~~1. through 2. No change.~~

~~3. Blindness defined as central visual acuity of 20/100 200 or less in the worst eye with 20/40 or worse in the better eye-with the best possible correction, in both eyes and/or the widest diameter of the visual field subtends an angular distance of no greater than 20 degrees or less in the better.~~

(l) through (p) No change.

(q) In addition to the above, applicants 40 years and older shall submit satisfactory results from the following prior to being approved for licensure:

1. No change.

~~2. Test results indicating that the participant has a complete blood count (CBC), prothrombin time (PT), and partial thromboplastin time (PTT) in normal range;~~

~~2.3. A normal MRI of the brain, without contrast.~~

~~3. A physical examination conducted by a licensed physician, either an MD or a DO and a letter stating that this applicant is physically fit to compete.~~

(3) Conduct and Other Requirements: No participant shall engage in a match with less than seven calendar days between matches.

~~(a) No participant shall engage in a match with less than seven calendar days between matches.~~

~~(b) Any participant who fails to appear at a match or fails to appear timely at a match for which he or his manager has contracted and does not provide a valid reason or, in the case of physical disability, furnish a physician's certificate, shall be issued a citation by the executive director or his or her designee, indefinitely suspended by the executive director or his or her designee, fined or any combination thereof for a period to be determined by the commission. In making this determination, the commission shall consider the following factors:~~

~~1. The relative importance of the match;~~

~~2. The participant's past record of punctuality and tardiness; and~~

~~3. The reasons for his failure to appear or appear timely.~~

Notice of Change will also correct the rule numbers listed at the bottom of Form BPR-0009-450 to read correctly as 61K1-3.001 and 61K1-3.007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.:           RULE TITLE:  
61K1-3.016        Pre-Match Physical of Participant and Referee

**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. 94, May 14, 2014 issue of the Florida Administrative Register.

The changes are in response to concerns stated by the Joint Administrative Procedures Committee in letters dated May 29, 2014. The changes are as follows:

61K1-3.016 Pre-Match Physical of Participant and Referee.

(1) Each participant shall, at the time of the weigh-in, be examined by a ringside physician ~~licensed by the Commission~~ who is either a licensed M.D. or D.O. The ringside physician shall certify in writing the participant's physical condition and a professional assessment as to whether or not the participant may engage in the match. The ringside physician shall, prior to the match, file with the commission representative a written report of the medical examination of the participant, which report shall state whether or not, in the opinion of the ringside physician, the participant is physically fit to engage in the match. No participant shall be permitted to engage in a match unless he or she has been examined and pronounced fit to do so by a ringside physician.

(2) through (3) No change.

(4) No participant shall be allowed to engage in any match if any of the following conditions are found by the physician:

(a) through (e) No change.

(f) Active infectious communicable disease, including skin lesions, such as boils or infected wounds, as well as any other bacterial, viral, fungal, and/or mycobacterial communicable diseases, including tuberculosis;

(g) through (h) No change.

(i) Any indication that the participant is using or is under the influence of a prohibited substance contained within Rule 61K1-3.017, F.A.C. ~~narcotics, drugs, stimulants, depressants, alcohol, local anesthetics or analgesics as to render the participant unable to recognize if the participant is seriously injured. If the physician finds any indication or evidence that the participant is using, is under the influence of unauthorized drugs or foreign substances such that the physician cannot make a definitive determination and therefore allows the match to proceed, the physician shall immediately advise the commission representative who shall ensure that a urine sample is taken and processed in accordance with Rule 61K1-3.017, F.A.C.;~~

(j) No change.

(k) Ophthalmological problem(s) including but not limited to:

1. Retinopathy or detached retina; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a ~~licensed board-certified~~ ophthalmologist stating that the participant's retina is completely healed and that in the ophthalmologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the retinopathy or a previously detached retina;

2. No change.

3. Blindness defined as central visual acuity of 20/200 or less in the ~~better~~ ~~worst~~ eye ~~with 20/40 or worse in the better~~ eye with the best ~~possible~~ correction, ~~possible in both eyes~~ and/or ~~a the widest diameter of the~~ visual field ~~of subtends an~~ angular distance of no greater than 20 degrees ~~or less in the better~~.

(l) History of epilepsy or seizures, provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a ~~board-certified~~ neurologist stating that the epilepsy or seizure disorder is well-controlled and that in the neurologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the epilepsy or seizure disorder;

(m) History of kidney problems, including solitary kidney; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a ~~licensed board-certified~~ nephrologist stating that the kidney problem is resolved and that in the nephrologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the resolved kidney problem and/or solitary kidney;

(n) History of blood clotting disorders or abnormal bleeding, including hemophilia and Von Willebrand disease; provided however, that the applicant shall be permitted to participate in a match if the participant provides, at or before the weigh-in, the written statement of a ~~board-certified~~ hematologist stating that the bleeding problem is well controlled and that in the hematologist's expert medical opinion, no unusual or extraordinary risk to the participant is anticipated as a result of the bleeding disorder;

(o) through (q) No change.

(5) Each participant shall be required to submit to any additional medical examination or test ordered by the executive director or his or her designee, or the commission. Such medical examination or test ~~must be~~ must be original or a certified copy of the results which were performed by an M.D., D.O., or laboratory no earlier than 30 days before the date on which the results are presented to the commission, ~~or~~ its executive director or his or her designee.

(6) All participants with cuts and abrasions that require dressing, bandages, or band-aids must be approved to fight by ~~the ringside~~ physician prior to being cleared to participate.

(7) Female participants ~~shall not participate~~ ~~are limited to~~ ~~participation with additional medical restrictions.~~ ~~if~~ If any of the following conditions are identified by the ringside physician during the pre-match physical, ~~the athlete is not permitted to participate:~~

(a) through (e) No change.

(f) A positive pregnancy test, conducted at the time of the pre-match physical ~~examination, and signed off on by the physician conducting the physical.~~

(8) The pre-match physical ~~examination~~ shall be documented on Form BPR-0009-455, "Participant Information and Medical Sheet", effective ~~December~~ ~~March~~ 2014, adopted and incorporated herein by reference, which may be obtained at <http://www.myfloridalicense.com/dbpr/pro/sbc/forms.html> or [http://www.flrules.org/Gateway/reference.asp?No=Ref\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref_____), and which shall be completed by the participant and the ringside physician conducting the weigh-in. Any participant who refuses to complete this form shall not be allowed to engage in any match in Florida.

(9) No change.

(10) Transgender Participants

(a) Transexuals: Male to Female

1. ~~Individuals~~ ~~An individual~~ undergoing sex reassignment from male to female prior to puberty are regarded as women (female) and shall be licensed as such.

2. ~~An individual~~ ~~Individuals~~ undergoing sex reassignment from male to female after puberty may be eligible for participation in female matches under the following conditions:

a. No change.

b. Hormone Therapy, ~~except as otherwise permitted or allowed in this situation,~~ for the assigned sex (female) has been administered for a minimum of two years after gonadectomy by a board-certified endocrinologist, internist, pediatrician, or any physician or any other specialist known to have significant knowledge and experience with transsexual and transgender individuals. Hormone therapy prior to gonadectomy is not included in the two years due to the potential for the production of endogenous testosterone from the gonads during any period of time when hormone therapy was not available or therapeutically dosed below that which is required to completely suppress testosterone production.

~~e. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1-3.007, F.A.C. and a letter from the board-certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:~~

~~i. Initial date when hormone therapy began for the assigned sex (female) (can be prior to gonadectomy but is not included in the two year requirement for hormone therapy after gonadectomy);~~

~~ii. Date, location, surgeon, and surgical report of the gonadectomy (and external genitalia reassignment, if done at the same surgical setting);~~

~~iii. Date, location, surgeon, and surgical report for any other surgery involving the genitalia;~~

~~iv. Hormone name/type, dose, and interval of administration over the past two years;~~

~~v. Lab reports of estradiol and testosterone levels documenting over the past two years that serum estradiol levels are within the normal range for a healthy premenopausal woman and suppression of testosterone levels to those normally found in women, as determined under lab specific ranges as set forth below;~~

~~vi. Name, dose, and duration of any anti-androgen treatment used over the past two years;~~

~~vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.~~

(b) Transsexuals: Female to Male.

1. ~~Individuals~~ An individual undergoing sex reassignment from female to male prior to puberty are regarded as boys and eventually men (male) and shall be licensed as such.

2. An individual ~~Individuals~~ undergoing sex reassignments from female to male after puberty may be eligible for participation in male matches under the following conditions:

a. No change.

b. Hormone Therapy for the assigned sex (male) has been administered for a minimum of two years after gonadectomy preferably by a licensed board-certified endocrinologist, internist, pediatrician, or any physician (M.D. or D.O.) known to have significant knowledge and experience with transsexual and transgender individuals.

~~e. Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as adopted and incorporated in Rule 61K1 3.007, F.A.C. and a letter from the board certified physician responsible for the care of the participant will need to be submitted to the commission, and shall include the following:~~

~~i. Initial date of hormone therapy for the assigned sex (male);~~

~~ii. Date, location, surgeon, and surgical report of any surgery including breast reduction, gonadectomy, hysterectomy, or any other surgery involving genitalia;~~

~~iii. Hormone name/type, dose, and interval of administration over the past two years;~~

~~v. Lab reports of estradiol and testosterone levels within the past two years with a goal of serum estradiol levels within the normal range for a healthy man and testosterone levels within the range for healthy men, as determined under lab specific ranges as set forth below;~~

~~vi. Name, dose, and duration of any anti estrogen treatment used over the past two years;~~

~~vii. Name, dose, and duration of any other medication used as part of the management of the transgender state.~~

~~c.d. No change.~~

~~i. through iii. No change.~~

~~(c) Pre-Fight and day of Fight:~~

1. Participants should submit laboratory lab data required above which has been drawn from the participant no more than 6 months prior to the match date, including one value within one month of the match. Participants shall not be permitted to participate if their estradiol or total testosterone levels are outside of the normal range. If a value is found to be out of the normal range, the participant shall take action to correct the level by repeating the laboratory test lab and/or adjusting medication appropriately, which must be documented in an additional Form DBPR FSBC ~~20 21~~, "Pre-Licensure Physical Sheet" effective 2014, adopted and incorporated herein. ~~"Therapeutic Use Exemption and Medical Condition Explanation Form," August 2013, completed by the physician who provided the letter and original Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, as required above.~~

2. No change.

(11) All medical information provided to the commission directly shall not be released to any individual or entity without prior disclosure to the participants and only for the express purpose of determining the ability to participate in a match. Such medical information may be released to ringside physicians or representatives of the commission or the commission office. Participants shall sign Form DBPR FSBC ~~20 21~~, "Pre-Licensure Physical Sheet" ~~"Therapeutic Use Exemption and Medical Condition Explanation Form,"~~ effective March 2014, adopted and incorporated by reference in Rule 61K1-3.007, F.A.C. as a release to permit the commission to release the medical information to the necessary individuals prior to the match for the express purpose of determining fitness to participate in a match.

(12) Participants who have had prior pertinent medical conditions identified by their physician on Form DBPR FSBC 20, "Pre-Licensure Physical Info Sheet," effective March 2014, may not participate in a match until the participant has been cleared by a ringside physician. ~~Participants with preexisting medical conditions should have their physician~~

~~who provided treatment for the preexisting medical condition, or the physician who conducted the physical, to complete Form DBPR FSBC 21, "Therapeutic Use Exemption and Medical Condition Explanation Form," March 2014, for review prior to the match.~~ If the commission office determines that the participant's health or his or her opponent's health is at risk due to the preexisting medical condition, the commission office shall refuse to permit the participant to participate. The commission office may request additional medical tests to determine whether a preexisting medical condition is a threat to the participant or his or her opponent.

(13) No change.

(14) The executive director or his or her designee shall, whenever necessary, require that a referee undergo a physical examination prior to acting as a referee in any match.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.: RULE TITLE:  
61K1-3.017 Drugs and Foreign Substances; Penalties  
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. 94, May 14, 2014 issue of the Florida Administrative Register.

The changes are in response to concerns stated by the Joint Administrative Procedures Committee in letters dated May 29, 2014. The changes are as follows:

61K1 3.017 Drugs and Foreign Substances; Penalties.

For purposes of Section 548.046, Florida Statutes, Prohibited Substances shall include:

(1) Those Ingested or Designed to be Ingested; Stimulants – All stimulants are banned with the following exceptions:

(a) Caffeine.

(b) Beta 2 Agonist – provided it is selected from the following list and is in aerosol or inhalant form only:

Drug Chemical Brand Name

i. Bitolterol Mesylate Tormalate

ii. Metaproterenol Sulfate Alupent, Metaprel

iii. Albuterol Sulfate Ventolin, Proventil

iv. Terbutaline Sulfate Brethaire;

1. Narcotics;

2. Anabolic Androgenic Steroids;

3. Diuretics;

4. Local Anesthetics;

5. Corticosteroids;

6. Cannabinoids;

7. Peptide hormones;

8. Masking agents;

9. Anti-estrogenic agents;

10. Cocaine;

11. LSD;

12. Opiates (eg. Heroin, Codeine, and Morphine);

13. MDMA (Ecstasy);

14. GHB;

15. PCP (Phencyclidine);

16. Human Growth Hormones;

17. Mechano growth factors;

18. Gonadotropines, including but not limited to hCG and LH;

19. Erythropoiesis-stimulating agents;

20. Corticotrophines;

21. Hormone Antagonists and Modulators; except as otherwise authorized by rule herein:

(1) Drugs and Foreign Substances Ingested or Designed to be Ingested.

(a) No participant shall at any time use or be under the influence of any drug or foreign substance that would unfairly increase or decrease his performance, or impair his or the physician's ability to recognize a potentially serious injury or physical condition. No substance, other than plain drinking water or any commission approved sports drink shall be given to or ingested by a participant during the course of a match.

(b) Random drug tests pursuant to Section 548.046(3)(b), F.S.

1. Random drug tests shall be conducted prior to the matches to determine whether participants are safe to participate in the matches. The executive director or his or her designee shall determine whether to conduct random drug tests at an event.

2. If the executive director or his or her designee decides to conduct random drug tests at an event, he or she shall obtain urine samples from each participant at the event. The executive director or his or her designee shall randomly choose up to two of the samples to test. If one participant in a match is tested randomly, the other participant in the same match shall also be tested. Therefore, no more than four samples shall be randomly tested during an event. The drug screen shall be conducted so as to reduce the risk of falsification of results. This shall be accomplished by direct observation or by another accurate method of monitoring.

3. Any participant who provides a sample which tests positive during the on-site preliminary drug test shall not be permitted to participate in a match.

4. Any positive results must be confirmed prior to use by the commission in an administrative action taken against the participant's license.

(c) A laboratory confirmed positive test for any of the following substances shall be conclusive evidence of a violation of subsection (a) and constitutes grounds for which disciplinary action may be taken, except as otherwise indicated in the rules of the commission:

1. Stimulants — All stimulants are banned with the following exceptions:

a. Caffeine — provided, however, that an amount greater than 12 mcg/ml in the urine is prohibited;

b. Beta 2 Agonist — provided it is selected from the following list and is in aerosol or inhalant form only:

Drug Chemical	Brand Name
i. Bitolterol Mesylate	Tornalate
ii. Metaproterenol Sulfate	Alupent, Metaprel
iii. Albuterol Sulfate	Ventolin, Proventil
iv. Terbutaline Sulfate	Brethaire;

- 2. Narcotics;
- 3. Anabolic Androgenic Steroids;
- 4. Diuretics;
- 5. Local Anesthetics;
- 6. Corticosteroids;
- 7. Cannabinoids;
- 8. Peptide hormones;
- 9. Masking agents;
- 10. Anti-estrogenic agents;
- 11. Cocaine;
- 12. LSD;
- 13. Opiates (eg, Heroin, Codeine, and Morphine);
- 14. MDMA (Ecstasy);
- 15. GHB; (gamma hydroxybutyrate)
- 16. PCP (Phencyclidine)
- 17. Human Growth Hormones;
- 18. Insulin like growth factors;
- 19. Mechano-growth factors;
- 20. Gonadotropines, including but not limited to hCG and LH;

- 21. Erythropoiesis stimulating agents;
- 22. Corticotrophins;
- 23. Hormone Antagonists and Modulators.

(d) After each match the physician shall advise the commission representative whether or not he observed any behavior or other signs that would indicate the advisability of processing a urine sample from a participant. The commission representative shall make the final decision as to the processing of the urine sample.

(e) The executive director or his or her designee shall request a participant to submit to a urine test if reasonable suspicion is present that may indicate the potential use of anabolic steroids. Such test shall be performed within seven days of the request and the cost of the examination shall be the responsibility of the participant tested.

Those Used Externally or Designed for External Use:

(2) Petroleum Jelly – The discretionary use of petroleum jelly shall be allowed around the eyes.

However, the use of petroleum jelly on the arms, legs and body of a participant is prohibited.

(2) Drugs or Foreign Substances Used Externally or Designed for External Use.

(a) No drug or foreign substance shall be used unless expressly provided for in these rules or as directed by the physician.

(b) The following drugs or foreign substances may be used by participants under the conditions described herein:

1. Petroleum Jelly — The discretionary use of petroleum jelly shall be allowed around the eyes. However, the use of petroleum jelly on the arms, legs and body of a participant is prohibited.

2. The discretionary use of Thrombin or a 1/1000 solution of Adrenalin and Avitine, or their generic equivalents, as approved by the physician, shall be allowed between rounds to stop bleeding of minor cuts and lacerations sustained by a participant.

(3) The discretionary use of Thrombin or a 1/1000 solution of Adrenalin and Avitine, or their generic equivalents, as approved by the physician, shall be allowed between rounds to stop bleeding of minor cuts and lacerations sustained by a participant.

- 3. Aleve
- 4. Advil,
- 5. Ibuprophen

(3) The following penalties shall be assessed against any participant found to be in violation of this rule or Section 548.046, F.S.:

(a) The first occurrence shall result in the suspension of the participant's license and the banning of participant's participation in any manner, in any match, for a period of 180 calendar days, and by assessing a fine of not more than \$5,000;

(b) The second occurrence shall result in the suspension of the participant's license and the banning of participant's participation in any manner, in any match for a period of 1 year, and the assessment of a fine of not more than \$5,000;

(c) The third occurrence shall result in the revocation of the participant's license and the permanent banning of participant's participation in any manner, in any match or activity regulated by Chapter 548, F.S.

~~(4) No person licensed by the commission shall participate in or contribute to the act of violating this rule. Any violation shall be grounds for suspension or revocation of all licenses held by such person(s). Any person(s) found to be in violation shall forfeit their share of the purse or other compensation to the commission and shall be assessed the following penalty(ies):~~

~~(a) The first occurrence shall result in the suspension of the person's license and the banning of the licensee's participation in any manner, in any match, for a period of 180 calendar days, and the assessment of a fine of not more than \$5,000;~~

~~(b) The second occurrence shall result in the suspension of the person's license and the banning of the licensee's participation in any manner, in any match, for a period of 1 year, and by assessing a fine in the amount of that share of the purse to which the licensee is entitled or \$500, whichever is greater;~~

~~(c) The third occurrence shall result in the permanent revocation of the person's license and the permanent banning of the licensee's participation in any manner, in any match or activity regulated by Chapter 548, F.S., and the assessment of a fine in the amount of that share of the purse to which the licensee is entitled or \$1,000, whichever is greater.~~

~~(5) Drugs, containers and other equipment used in conjunction with the match, regardless of why or how they are used or where they are located, shall at all times be available for inspection by the physician, referee, inspector, or commission representative and shall be seized if there is any evidence that they may have been used to violate or are in violation of any provision of Chapter 548, F.S., or the rules promulgated herein.~~

Rulemaking Authority 548.003 FS. Law Implemented 548.041, 548.046, 548.071, 548.075 FS. History- New \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NOS.:	RULE TITLES:
64B9-2.017	Approval of Nursing Education Programs
64B9-2.018	Annual Report
64B9-2.019	Documentation of Accredited Programs

**NOTICE OF CORRECTION**

NOTICE IS HEREBY GIVEN that the following correction has been made to the proposed rule in Vol. 41, No. 33, February 18, 2015, issue of the Florida Administrative Register: Notice of Development of Rulemaking was published February 2, 2015.

The person to be contacted regarding the rule is: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252, (850)245-4125.

**Section IV  
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS  
South Florida Water Management District  
RULE NO.: RULE TITLE:

40E-6.011 Policy and Purpose

NOTICE IS HEREBY GIVEN that on March 23, 2015, the South Florida Water Management District (District), received a petition for waiver that was amended. The amended petition was filed on March 23, 2015, by Florida Power and Light Co., Application No. Application No. 15-0123-2, for L-31E levee, for temporary placement of pipes, pumps and related equipment within the L-31E east right of way located adjacent to Palm Drive (SW 344th Street) and approximately 0.96 mile south of Palm Drive, Section 29, Township 57 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) & (6), F.A.C., which prohibits the placement of permanent & semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District. The petition for waiver was amended to include paragraph 40E-6.221(3)(j), F.A.C., which prohibits the storage of hazardous materials (temporary fuel tanks) on the District's rights of way.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.0135 Dental Hygiene Examination

NOTICE IS HEREBY GIVEN that on March 16, 2015, the Board of Dentistry, received a petition for variance of waiver filed by Kristi L. Fudge, seeking a variance or waiver of paragraph 64B5-2.0135(4)(c), F.A.C., which requires that in accordance with the applicable rules and statutes, June 1, 2010, is the earliest date the Board shall accept for a valid Dental Hygiene Exam developed by ADEX, as this is the earliest date the Board and Council found the ADEX exam met the requirements of Section 466.007, F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board of Dentistry within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Florida Consumers' Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 9, 2015, 1:30 p.m.

PLACE: Call-in number: 1(888)670-3525, participant code: 4220265671

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Florida Consumers' Council.

A copy of the agenda may be obtained by contacting: Tom Steckler, Director, Division of Consumer Services, (850)410-3800.

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: Tom Steckler at (850)410-3800. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's Office of Adoption and Child Protection announces a public meeting to which all persons are invited.

DATE AND TIME: March 30, 2015, 1:00 p.m. – 2:00 p.m.

PLACE: The Capitol, Room 2103, 400 South Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Planning meeting between the Chair of the Florida Children and Youth Cabinet and the Governor's Office of Adoption and Child Protection who is responsible for providing administrative support to the Cabinet.

A copy of the agenda may be obtained by contacting: No agenda.

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: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Gubernatorial Fellows Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 6, 2015, 2:00 p.m. – 3:00 p.m.

PLACE: Via Telephone at the following: Conference Call Number: 1(888)670-3525, Participant passcode: 3360784946 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- Welcome New Board Members
- Approval of Minutes from February 9th Meeting
- Hoffman Public Service Award for Carlos Paez
- Alumni Member Program Evaluation Proposal
- Possible Policy Award Scoring Change
- Recruitment Update for Class XI
- Adjournment

A copy of the agenda may be obtained by contacting: Ted Stratton at Ted.Stratton@eog.myflorida.com or by calling (850)717-9224.

For more information, you may contact: Ted Stratton, Executive Director of the Florida Gubernatorial Fellows Program at Ted.Stratton@eog.myflorida.com or via telephone: (850)717-9224.



**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The Water Resource Advisory Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2015, 9:00 a.m.

Water Resource Advisory Commission (WRAC) - Monthly Meeting

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Tia Barnett, (561)682-6286, tbarnett@sfwmd.gov or at our website: <http://my.sfwmd.gov/wrac.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tia Barnett, (561)682-6286.

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**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, April 7, 2015, 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.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 8, 2015, 12:00 Noon; Thursday, April 9, 2015, 8:00 a.m.; Friday, April 10, 2015, 8:00 a.m., or soon thereafter

PLACE: Embassy Suites Tampa-USF, 3705 Spectrum Blvd., Tampa, FL 33612

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

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

DATE AND TIME: Wednesday, April 22, 2015, 1:00 p.m. & Thursday, April 23, 2015, 9:00 a.m.

PLACE: Hilton Cocoa Beach Oceanfront, 1550 N Atlantic Ave., Cocoa Beach, FL 32931, (321)799-000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

A copy of the agenda may be obtained by contacting: Board of Professional Geologists, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1984, <http://www.myfloridalicense.com/dbpr/pro/geolo/index.html>.

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 Professional Geologists, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1984. 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 Professional Geologists, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1984.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

The Department of Business and Professional Regulation announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 1, 2015, 1:30 p.m.

PLACE: Access Phone: 1(888)670-3525 Conference Code: 4630467138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which may be closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1981.

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 Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, March 26, 2015, 6:30 p.m.

PLACE: SpringHill Suites by Marriott Orlando International Airport, 225 East Coastline Drive, Jacksonville, Florida 32202, (904)588-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: New Board Member Training.

A copy of the agenda may be obtained by contacting: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov).

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: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov). 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: Edith Rogers at [edith.rogers@flhealth.gov](mailto:edith.rogers@flhealth.gov).

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: Thursday, May 21, 2015, 9:00 a.m. – 11:30 a.m.

PLACE: The Florida Department of Health, Conf. Room 301, Building 4025 Capital Circle Office Complex, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to discuss the existing resources and services for victims of sex trafficking and labor trafficking, adults and juveniles.

A copy of the agenda may be obtained by contacting: Kimberly Grabert, Department of Children and Families, phone: (352)303-1366 or email: kimberly.grabert@myflfamilies.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: Kimberly Grabert, Department of Children and Families, phone: (352)303-1366 or email: kimberly.grabert@myflfamilies.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).

**FLORIDA HOUSING FINANCE CORPORATION**

**RULE NO.: RULE TITLE:**

67-60.007 Evaluation of Applications

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

**DATE AND TIME:** April 14, 2015, 2:00 p.m., ET

**PLACE:** Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Review Committee Meeting will be to give the scores for the Applications submitted in response to Florida Housing Finance Corporation's Request for Applications No. 2015-102 for Elderly Housing Community Loan and to submit a recommendation to Florida Housing's Board of Directors.

A copy of the agenda may be obtained by contacting: Ken Reecy, Director of Multifamily Programs at Ken.Reecy@floridahousing.org or (850)488-4197.

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: Jean Salmonsens, (850)488-4197 or Jean.Salmonsens@floridahousing.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).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, March 31, 2015, 7:00 p.m.

**PLACE:** Brevard County Commissioner's Commission Room, 2725 Judge Fran Jamieson Way, Viera, FL 32940

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead Managed Portions of TM Goodwin Waterfowl Management Area (TMWMA).

This hearing is being held EXCLUSIVELY for discussion of the DRAFT TM Goodwin WMA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development call (850)487-1764.

A copy of the agenda may be obtained by contacting: A Management Prospectus for TM Goodwin WMA and copy of the agenda is available upon request from the Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning Group, 620 South Meridian Street, Tallahassee, Florida 32399-1600, Telephone: (850)487-9102 or by e-mail: Jennifer.Tucker@MyFWC.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 14 days before the workshop/meeting by contacting: Dylan Imlah at Dylan.Imlah@MyFWC.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: Dylan Imlah at Dylan.Imlah@MyFWC.com.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

**RULE NO.: RULE TITLE:**

73B-11.030 Benefit Records Unit Records Request

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

**DATE AND TIME:** April 1, 2015, 10:00 a.m.

**PLACE:** Via teleconference by calling: 1(888)670-3525, Passcode: 7590311118 then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Division will hear any comments not yet provided on the rule language. The proposed rule was originally published in Vol. 41, No. 39, of the February 26, 2015, and a change notice was published in Vol. 41, No. 6, of the March 10, 2015, issue of the Florida Administrative Register (FAR).

A copy of the agenda may be obtained by contacting: Michael Golen, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, Florida 32399-4128, Michael.Golen@DEO.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Michael Golen, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, Florida 32399-4128, Michael.Golen@DEO.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: Michael Golen, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, Florida 32399-4128, Michael.Golen@DEO.myflorida.com.

**FLORIDA INSURANCE GUARANTY ASSOC., INC.**

The Florida Insurance Guaranty Association announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 27, 2015, 10:00 a.m.

PLACE: via teleconference

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Board will meet to discuss 2015 legislative updates.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

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: Cathy Irvin, (850)386-9200. 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).

**GHYABI & ASSOCIATES**

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

DATE AND TIME: Thursday, April 2, 2015, 5:30 p.m. – 7:00 p.m., with a presentation at 6:00 p.m.

PLACE: Daytona State College, 1200 West International Boulevard, Daytona Beach, Florida 32114

In Building 110 (Bergengren Hall), Room 112

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The purpose of this meeting is to introduce the study and present information collected to date with regard to corridor operations, deficiencies and opportunities, and to discuss and solicit input on the overall goals and scope of the study. The second public meeting, which will be held towards the end of the study, will be to present the study and its recommendations.

Financial Management No.: 437398-1.

The Florida Department of Transportation (FDOT), District Five is conducting a public information meeting for the US 92 Corridor Master Management Plan from US 92 (International Speedway Boulevard) from I-4 to State Road (SR) A1A (Atlantic Avenue).

Project maps, drawings and other pertinent information will be on display for public review. FDOT staff and others associated with the project will be available to discuss the project and answer questions.

A flyer will be distributed at the meeting.

A copy of the agenda may be obtained by contacting: Katie Widdison at kwiddison@ghyabi.com or by telephone: (386)212-0449.

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: Katie Widdison at kwiddison@ghyabi.com or by telephone: (386)212-0449. 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: Heather Garcia, FDOT Project Manager, at Heather.Garcia@dot.state.fl.us or by telephone: (386)943-5077. You may also contact Martha Moore, P.E., Consultant Project Manager, at mmoore@ghyabi.com or by telephone: (904)396-5727. An additional source for information on state roadway projects in Central Florida is just a click away. Visit our website at [www.cflroads.com](http://www.cflroads.com).

**URS Corporation**

Pinellas County Office of Engineering and Technical Support announces a public meeting to which all persons are invited.

DATE AND TIME: March 31, 2015, 5:00 p.m. – 7:30 p.m., Open House

PLACE: Hale Activity Center, 330 Douglas Avenue, Dunedin, FL 34698

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Pinellas County, in coordination with the Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA), invites you to attend an Open House concerning the proposed improvements, including rehabilitation or replacement of the Dunedin Causeway Bridges along Dunedin Causeway. The study limits extend from west of Royal Stewart Arms Parkway on Honeymoon Island to Gary Place/Gary Circle on Ward Island, Dunedin, Pinellas County. The Open House will provide an opportunity for residents, business owners, property owners and other

interested stakeholders to provide comments and express concerns about the study early in the PD&E process. Information about the study process, and environmental, social and engineering issues that affect potential options will be provided. A brief video presentation about the project will be shown continuously during the meeting. Pinellas County representatives will be available to discuss the project and answer questions. Attendees are encouraged to come to this meeting at any time between 5:00 p.m. and 7:30 p.m. to review the improvements under consideration. More information can be viewed on the project website: www.pinellascounty.org/dunedincauseway.

A copy of the agenda may be obtained by contacting: Nancy McKibben, MPA, Project Manager, 14 S. Ft. Harrison Avenue, 6th Floor, Clearwater, FL 33756, (727)464-4812 or nmckibben@co.pinellas.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the open house/meeting is asked to advise the agency at least seven days before the open house/meeting by contacting: (727)464-4880, TDD (727)464-4062. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

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

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF EDUCATION  
University of South Florida

NOTICE TO CONSTRUCTION MANAGERS  
USF Continuing Service Provider

The University of South Florida announces that continuing construction management services are required for the following discipline:

Construction Management: Up to two (2) Construction Managers for University of South Florida Sarasota-Manatee Campus with the ability to include other campuses as required.

PROJECT DESCRIPTION: Projects included in the scope of this Agreement will be specific projects for renovations, alterations, new construction, and/or additions for University facilities that have a basic construction budget that does not exceed \$2,000,000, or survey or studies for which the fee for services does not exceed \$200,000. Projects for University facilities may include Teaching, Research, Health, Academic, Administrative, Recreation and Residence Life Facilities, as well as Infrastructure and Utility projects. Continuing Service Contracts for these projects provide that the Construction Manager will be available on an as-needed basis for an initial period of one (1) year with an Owner's option to renew for one (1) additional year at a time up to a total of two (2) additional years. This selection is based upon Construction Management services only. The Construction Managers receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional Continuing Service Construction Managers under

contract during the same time period. Continuing Service projects include projects that are awarded based upon competitive proposals from Continuing Service Construction Managers under contract and may include projects that are negotiated individually with a specific construction manager. Services required to be provided under the Continuing Services Contracts include the recording of as-built conditions by the Continuing Service Construction Manager for projects constructed by that Construction Manager for use in developing record drawings to facilitate the University's space management program. Any new construction projects should have the ability to be LEED certified (minimum Silver) if required by the Owner and shall be included as part of basic services and will not be considered as an additional service. Performance and Payment Bonds shall be provided for individual projects exceeding \$100,000 and liability and worker's compensation insurance shall be required for the contract. Builder's Risk insurance may be required for specific projects based upon need.

**INSTRUCTIONS:** Firms desiring to provide Construction Management services shall submit one (1) original submittal and five (5) spiral bound copies consisting of the information as required in the "Submittal Requirements" of the Project Fact Sheet including a letter of interest, a completed "USF Construction Manager Qualifications Supplement" dated April 2012 and any required or additional information within the proposal limits as described in the CMQS Instructions, addressing the criteria contained therein, in the order listed, in a clear and concise manner. Submittals that do not comply with these requirements or do not include the requested information may not be considered. Submittals must not exceed forty (40) pages, including the Construction Manager Qualifications Supplement, letter of interest, attachments and additional information. Pages must be numbered consecutively. Submittals are part of the public record and no submittal material will be returned. Applications submitted in any other format may not be considered.

An applicant must be licensed to practice as a general contractor in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm(s) must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**PROJECT SELECTION CRITERIA:** Selection of finalists for interviews will be made on the basis of Construction Manager qualifications including applicant's experience, applicant's personnel, applicant's ability to provide service, (record-keeping/administrative ability, recording of as-built conditions, critical path scheduling expertise, conceptual cost estimating and cost control ability, quality control capability, etc.) and the applicant's license, bondability and insurability. As part of the University of South Florida's Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. MBE participation information by the Construction Manager and/or the Construction Manager's consultants, for this contract, shall be provided by the Construction Manager in response to a periodic request from the University's Supplier Diversity Manager's office.

The University of South Florida Construction Manager Qualifications Supplement Form, dated April 2012 and the Project Fact Sheet may be obtained by contacting: Beverly Pinder, Contract Administrator, Facilities Planning and Management, University of South Florida Sarasota-Manatee, 8350 North Tamiami Trail, B128A, Sarasota, Florida 34243, e-mail: [bpinder@sar.usf.edu](mailto:bpinder@sar.usf.edu), phone: (941)359-4518 or fax: (941)359-4494. Request for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the employees of the University of South Florida except the request for the CMQS and Project Fact Sheet. No pre-submittal meeting is scheduled. Requests for any project information must be in writing to the above email address.

One (1) original and five (5) spiral bound copies of the above requested proposal data, bound in the order listed, shall be addressed to: Richard B. Lyttle, Director, Facilities Planning and Management, University of South Florida Sarasota-Manatee, 8350 North Tamiami Trail, B128A, Sarasota, Florida 34243-2049. Applications that do not comply with the above instructions may be disqualified. Submittals must be received in the University of South Florida Sarasota-Manatee, Facilities Planning and Management office, Room B128, by 2:00 p.m., (Eastern Time) on Thursday, April 16, 2015. Facsimile (FAX) or electronic submittals are not acceptable

and will not be considered. The Selection Committee reserves the right to waive any irregularities and may reject all proposals and stop the selection process at any time.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE  
Division of Historical Resources**

The Department of State has established an application submission cycle and will accept grant applications for the Small Matching Grant Program Fiscal Year 2016-2017 as follows:

**APPLICATION SUBMISSION CYCLE:** April 1, 2015 through June 1, 2015. Applications must be submitted on-line by 5:00 p.m. on June 1, 2015.

The on-line application is available at <http://dos.myflorida.com/historical/grants/>. Application attachments must be delivered to the Bureau of Historic Preservation, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399 no later than 5:00 p.m., June 1, 2015, or be clearly postmarked on or before June 1, 2015, or show evidence of submission to an express mail service on or before June 1, 2015, or be downloaded to the Division of Historical Resources Drop-box no later than 5:00 p.m., June 1, 2015.

**ELIGIBLE APPLICANTS:** All departments or agencies of the State of Florida (including State Universities); units of county, municipal or other local governments; any Florida not-for-profit corporation, institution, or organization; and Certified Local Governments or any local government that has received National Park Service certification by June 1, 2015.

**NUMBER OF APPLICATIONS:** An applicant from the same organization shall submit no more than one (1) application under a single application deadline in any Small Matching Grant Category.

**MAXIMUM GRANT REQUEST:** The Maximum grant request may not exceed \$50,000. Funding availability will depend upon legislative appropriation during the 2016 Legislative Session.

**APPLICATION INFORMATION:** Small Matching Grant Program grant application form and additional information may be obtained by visiting: the website at: <http://dos.myflorida.com/historical/grants/>. Phone: (850)245-6333, email: [BHPgrants@DOS.MyFlorida.com](mailto:BHPgrants@DOS.MyFlorida.com).

**DEPARTMENT OF HEALTH  
Board of Nursing**

**Emergency Action**

On March 20, 2015, State Surgeon General issued an Order of Emergency Restriction of Certificate with regard to the Certificate of Lois Jean Newhouse, C.N.A., Certificate No.: CNA 2289524. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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

**INDEX TO RULES FILED BETWEEN MARCH 16, 2015**  
**AND MARCH 20, 2015**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF STATE**

**Division of Library and Information Services**

1B-2.011	3/18/2015	4/7/2015	41/28	
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

5E-2.040	3/19/2015	4/8/2015	40/240	41/21
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**Division of Consumer Services**

5J-4.004	3/16/2015	4/5/2015	40/251	41/29
5J-4.005	3/16/2015	4/5/2015	40/251	41/29
5J-4.014	3/16/2015	4/5/2015	40/251	41/29
5J-4.015	3/16/2015	4/5/2015	40/251	41/29
5J-9.002	3/16/2015	4/5/2015	40/251	41/29
5J-9.006	3/16/2015	4/5/2015	40/251	41/29
5J-9.008	3/16/2015	4/5/2015	40/251	41/29
5J-13.002	3/16/2015	4/5/2015	40/251	41/29
5J-13.003	3/16/2015	4/5/2015	40/251	41/29
5J-13.004	3/16/2015	4/5/2015	40/251	41/29

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

6D-3.002	3/18/2015	4/7/2015	38/94	40/99;41/06
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**Florida's Office of Early Learning**

6M-8.301	3/20/2015	4/9/2015	40/168	41/21;41/39
6M-9.115	3/16/2015	4/5/2015	41/01	41/28

**DEPARTMENT OF TRANSPORTATION**

14-98.001	3/16/2015	4/5/2015	40/246
14-98.002	3/16/2015	4/5/2015	40/246
14-98.003	3/16/2015	4/5/2015	40/246
14-98.004	3/16/2015	4/5/2015	40/246
14-98.005	3/16/2015	4/5/2015	40/246

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

40A-1.203	3/18/2015	4/7/2015	41/08
40A-1.600	3/18/2015	4/7/2015	41/08

**Suwannee River Water Management District**

40B-1.703	3/19/2015	4/8/2015	41/24
40B-1.1010	3/19/2015	4/8/2015	41/24

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

59A-33.007	3/16/2015	4/5/2015	40/244
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**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

60S-2.007	3/16/2015	4/5/2015	40/242
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**Senior Management Service Optional Annuity Program**

60V-1.007	3/16/2015	4/5/2015	40/242
60V-2.001	3/16/2015	4/5/2015	40/242
60V-2.003	3/16/2015	4/5/2015	40/242
60V-2.004	3/16/2015	4/5/2015	40/242

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

61G4-16.0021	3/19/2015	4/8/2015	41/31
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**DEPARTMENT OF HEALTH**

**Board of Clinical Laboratory Personnel**

64B3-5.003	3/16/2015	4/5/2015	41/26
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**Board of Medicine**

64B8-9.009 3/17/2015 4/6/2015 40/182 41/34

**Board of Psychology**

64B19-11.012 3/17/2015 4/6/2015 41/30

**FISH AND WILDLIFE CONSERVATION  
COMMISSION**

**Vessel Registration and Boating Safety**

68D-24.017 3/17/2015 4/6/2015 41/25

**LIST OF RULES AWAITING LEGISLATIVE  
APPROVAL PURSUANT TO SECTION 120.541(3),  
FLORIDA STATUTES**

**DEPARTMENT OF ELDER AFFAIRS**

**Federal Aging Programs**

58A-5.0191 Withdrawn 3/19/2015

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Minimum Flows and Levels**

62-42.300 2/18/2015 \*\*\*\*\* 40/46 40/68 40/218

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Solid Waste Management Facilities**

62-701.730 1/26/2015 \*\*\*\*\* 40/191;35/37 38/23;35/43

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

69L-7.020 Withdrawn 2/26/2015

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