

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: **RULE TITLE:**
1S-2.043 Electronic File Reporting Relating to
Absentee Ballot Request Information, Early
Voting Activity, and Voting History

PURPOSE AND EFFECT: The rule needs to be amended to provide for expanded data fields in absentee ballot request reports and changed timing of early voting periods for reporting statistics on early voting activity. These changes are prompted by Ch. 2013-57, Laws of Florida, which affected some reporting and file upload requirements relating to early voting and absentee ballot request information, and which became effective January 1, 2014. Further, some of the data fields are being removed from this rule and being put into Rule 1S-2.053.

SUBJECT AREA TO BE ADDRESSED: Elections; electronic file reporting.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 98.0981(5), 101.62(3), 101.657(2) FS.

LAW IMPLEMENTED: 98.0981, 101.62, 101.657, 102.141 FS.

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

DATE AND TIME: June 1, 2015, 1:00 p.m.

PLACE: Room 307, R.A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

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: Brandy Hedges at (850)245-6536 or Brandy.Hedges@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lydia Strom, Assistant General Counsel at (850)245-6536 or Lydia.Strom@dos.myflorida.com

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: **RULE TITLE:**
1S-2.053 Election Results and Precinct-Level
Reporting

PURPOSE AND EFFECT: This rule establishes file format specifications, timelines and other content requirements for the electronic compilation, transmission, and reporting of election results, precinct-level election results, voting history, and reconciliation of the aggregate total of ballots cast with the voter history.

SUBJECT AREA TO BE ADDRESSED: Elections; electronic file reporting.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 98.0981(5), 101.141(4) and (10) FS.

LAW IMPLEMENTED: 98.0981, 102.141 FS.

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

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DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NOS.: **RULE TITLES:**
64B10-15.001 Continuing Education for Licensure
Renewal
64B10-15.002 Criteria for Approved Continuing Education
64B10-15.0021 Approved Providers

PURPOSE AND EFFECT: To update and clarify requirements regarding continuing education for licensure renewal, criteria for approved continuing education courses, and requirements for approved providers of continuing education.

SUBJECT AREA TO BE ADDRESSED: Requirements regarding continuing education for licensure renewal, criteria for approved continuing education courses, and requirements for approved providers of continuing education.

RULEMAKING AUTHORITY: 456.013(6), (7), 468.1685, (1), 468.1715(3), 468.1725 FS.

LAW IMPLEMENTED: 456.013, 468.1685(2), (5), 468.1715, (3), 468.1725 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, (850)245-4393

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: **RULE TITLE:**

64B32-6.001 Continuing Education Requirement

PURPOSE AND EFFECT: The amendment is proposed to simplify the rule.

SUBJECT AREA TO BE ADDRESSED: Simplify rule.

RULEMAKING AUTHORITY: 468.361(2) FS.

LAW IMPLEMENTED: 456.013(7), 456.033(1), 468.361 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: **RULE TITLE:**

64B32-6.002 Definitions

PURPOSE AND EFFECT: The amendment is proposed to simplify the rule.

SUBJECT AREA TO BE ADDRESSED: Simplify the rule.

RULEMAKING AUTHORITY: 468.353(1), 468.36(2) FS.

LAW IMPLEMENTED: 468.361 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: **RULE TITLE:**

64B32-6.004 Procedures for Approval of Attendance at Continuing Education Courses

PURPOSE AND EFFECT: The proposed amendment is to simplify the rule, make terminology consistent, and expand acceptable courses.

SUBJECT AREA TO BE ADDRESSED: Rule simplification and consistency.

RULEMAKING AUTHORITY: 468.353(1), 468.361(2) FS.

LAW IMPLEMENTED: 468.361(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: RULE TITLE:
 64B32-6.005 Provider Approval and Renewal Procedures
 PURPOSE AND EFFECT: The proposed amendment is to make terminology consistent.
 SUBJECT AREA TO BE ADDRESSED: Consistent terminology.
 RULEMAKING AUTHORITY: 456.025(74), 468.361 FS.
 LAW IMPLEMENTED: 456.025(74), 468.361 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: RULE TITLE:
 64B32-6.006 AIDS Education and Medical Error Prevention Education
 PURPOSE AND EFFECT: Amendment proposed to simplify the rule.
 SUBJECT AREA TO BE ADDRESSED: Simplify the rule.
 RULEMAKING AUTHORITY: 456.013(7), 456.033 FS.
 LAW IMPLEMENTED: 456.013(7), 456.033 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:
 69O-154.202 Definitions
 69O-154.203 Categories of Reserves
 69O-154.204 Specific Minimum Standards for Morbidity, Mortality and Interest
 PURPOSE AND EFFECT: Over time mortality and morbidity tables no longer reflect anticipated future projected benefits. The NAIC has adopted updated morbidity tables applicable to Long Term Disability policies.
 SUBJECT AREA TO BE ADDRESSED: Adoption of updated NAIC long term disability morbidity tables.
 RULEMAKING AUTHORITY: 624.308(1), 625.121(14), 625.081 FS.
 LAW IMPLEMENTED: 624.307(1), 625.081, 625.121 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: June 4, 2015, 9:30 a.m.
 PLACE: 116 Larson Building, 200 East Gaines Street, 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: Kerry Krantz, Office of Insurance Regulation, E-mail: Kerry.Krantz@floi.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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kerry Krantz, Office of Insurance Regulation, E-mail: Kerry.Krantz@floi.com
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

RULE NO.: RULE TITLE:
 65E-4.016 Mental Health Residential Treatment Facilities

PURPOSE AND EFFECT: The purpose of the proposed rule is to update existing licensure requirements for mental health residential treatment facilities, and remove duplicative language found in other applicable statute and rule. The effect will be the simplification of the regulatory process and a decrease in the administrative burden for those seeking a license to operate a mental health residential treatment program.

SUMMARY: The anticipated revisions to the rule will update the licensing fees to cover the agency's costs associated with the licensing process, pursuant to Section 408.805, F.S. To align with Section 408.808(1), F.S., anticipated revisions will increase the length of time a license is active from one year to two years. Lastly, removal of language duplicative of language found in statute while aligning definitions and language found in statutes and rules governing mental health practice standards simplifies the regulatory process.

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:

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

RULEMAKING AUTHORITY: 394.879(1) FS.

LAW IMPLEMENTED: 394.67, 394.875, 394.876, 394.877, 394.878, 394.879, 394.90, 394.902, 394.903 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Krystle Cacci, Policy Analyst, krystle.cacci@myflfamilies.com, (850)717-4437

THE FULL TEXT OF THE PROPOSED RULE IS:

65E-4.016 Mental Health Residential Treatment Facilities.

(1) Licensure of Mental Health Residential Treatment Facilities. To be licensed as a mental health residential treatment facility an applicant must provide a long term,

homelike residential environment that provides care, support, assistance and limited supervision in daily living to adults diagnosed with a serious and persistent ~~major~~ mental illness who do not have another primary residence. Any facility licensed as a residential treatment facility under this rule must sustain a 60 day average or greater length of stay of residents, except as specifically provided for in Section section 394.875(10)(44), F.S. Any facility providing primarily crisis services as defined in Section 394.67(3), F.S., clinical residential services, either during an urgent care episode or during the 90 days following such an episode shall not be licensable under this rule. Residential treatment facilities that primarily provide treatment for eating disorders, weight loss programs, substance abuse or other specialty psychiatric treatment program are excluded from licensure under this rule.

(2) Definitions. The definitions provided in this section are limited to this Rule 65E-4.016, F.A.C.

(a) "Agency" or "AHCA" means the Agency for Health Care Administration.

(b) "Apartment" means a self-contained dwelling unit with kitchen and bathing facilities and living, dining and sleeping space for use by one to four residents who maintain a common household.

~~(c) "CCMS" means the Department of Children and Family Services Continuity of Care Management System.~~

~~(c)(4)~~ "Governing Board" means the individual or individuals responsible for and having authority for the policies, bylaws, operations, and standards of service and activities of the residential treatment facility. If the RTF facility is operated by an organization that delivers comprehensive mental health services, the governing body of such organization shall be considered the RTF's facility's governing board. If the RTF facility is owned by a partnership or single owner, the partners or single owner shall be regarded as the RTF's facility's governing board.

~~(d)(e)~~ "Department" means the Department of Children and Families ~~Family Services~~.

~~(e)(f)~~ "Individual Service Plan" or "Service Plan" means the part of the clinical record which outlines a comprehensive strategy for improving a client's quality of life and ability to function in the community as meaningfully and independently as possible. It identifies goals and objectives and the services and resources necessary to achieve these goals and objectives. The service plan is designed to integrate the efforts and effects of multiple service and resource providers. The case manager and the client develop the service plan in conjunction with family members, service providers and other entities and individuals necessary to its implementation. a document developed by the case manager and resident which depicts service and resource attainment goals and objectives to guide service delivery.

~~(f)(g)~~ “~~Individual Treatment Plan~~” or “~~Treatment Plan~~” means the individual document or identifiable section of the service plan developed by treatment staff and the client which depicts goals or objectives for the provision of services within specific treatment environments. Examples of treatment environments include, but are not limited to, day treatment, vocational, residential, outpatient and activities of daily living programs, a document or section of the individual service plan developed by residential treatment facility staff or the treatment team and the resident which depicts the goals and objectives relating to skill attainment that need to be accomplished within the facility’s environment.

~~(h)~~ “~~JCAHO~~” means the Joint Commission on Accreditation of Healthcare Organizations.

~~(g)(i)~~ “~~Medication Administration~~” means opening a container of medication, removing a prescribed dosage, and giving the medication to the person for whom it is prescribed. This includes administering injections and eyedrops.

~~(h)(j)~~ “~~Medication Supervision~~” means activities which assist an individual to self-medicate. These activities include prompting a resident to take medication, opening containers and reading labels to the resident, and checking the self-administered dosage against the label of the container.

~~(i)(k)~~ “~~Mental Health Professional~~” or “~~Professional~~” means a clinical psychologist, clinical social worker, physician, psychiatric nurse or psychiatrist as defined in subsection 394.455, F.S.

~~(j)(l)~~ “~~Mental Illness~~” is as defined in subsection 394.455(18)(3), F.S.

~~(m)~~ “~~Office of Health Facility Regulation~~” means the AHCA program responsible for receiving license applications, coordinating licensure survey activities and issuing or denying the license.

~~(n)~~ “~~Physician~~” means a person licensed to practice medicine or osteopathic medicine in Florida.

~~(k)(o)~~ “~~Peer Review~~” means the review of a staff member’s professional work by comparably trained and qualified individuals performing similar tasks.

~~(l)(p)~~ “~~Quality Assurance Program~~” means a systematic approach designed to evaluate the quality of care provided by an agency and to promote and maintain efficient and effective mental health services.

~~(m)(q)~~ “~~Rehabilitation~~” means services and supports that promote recovery, full community integration and improved quality of life for persons diagnosed with any mental health condition that seriously impairs their ability to lead meaningful lives. Rehabilitation services are collaborative,

person directed and individualized. They focus on helping individuals develop skills and access resources needed to increase their capacity to be successful and satisfied in the living, working, learning, and social environments of their choice. ~~means an educationally based process which provides the opportunities for mentally ill persons to attain the physical, emotional and intellectual skills needed to live, learn, work or socialize in their own particular environments. The process includes developing the resources needed to support or strengthen their level of functioning in these environments.~~

~~(n)(r)~~ “~~Resident~~” means any individual 18 years of age or older receiving services in any mental health residential treatment facility, ~~program or service.~~

~~(o)(s)~~ “~~Residential Treatment Facility,~~” or “~~RTF~~” ~~referenced herein as either RTF or facility,~~ means any building, buildings or distinct, physically separated and separately controlled part of a building, whether operated for profit or not, which meets the criteria defined in subsection 394.67(22)(44), F.S. Short-term residential treatment facilities, regulated under Chapter 65E-12, F.A.C., are excluded from this definition. ~~The criteria which comprise each level of RTF are specified in subsection 65E 4.016(4), F.A.C.~~

~~(p)(t)~~ “~~Restraint~~” means a physical device, method, or drug used to control behavior. A physical restraint is any manual method or physical or mechanical device, material, or equipment attached or adjacent to the individual’s body so that he or she cannot easily remove the restraint and which restricts freedom of movement or normal access to one’s body. A drug used as a restraint is a medication used to control the person’s behavior or to restrict his or her freedom of movement and is not part of the standard treatment regimen of a person with a diagnosed mental illness who is a client of the department. Physically holding a person during a procedure to forcibly administer psychotropic medication is a physical restraint. Restraint does not include physical devices, such as orthopedically prescribed appliances, surgical dressings and bandages, supportive body bands, or other physical holding when necessary for routine physical examinations and tests; or for purposes of orthopedic, surgical, or other similar medical treatment; when used to provide support for the achievement of functional body position or proper balance; or when used to protect a person from falling out of bed, restricting the movement of a person’s limbs, head or body by the use of mechanical or physical devices for the purpose of preventing injury to self or others.

~~(q)(u)~~ “~~Seclusion~~” means the physical segregation of a person in any fashion or involuntary isolation of a person in a

room or area from which the person is prevented from leaving. The prevention may be by physical barrier or by a staff member who is acting in a manner, or who is physically situated, so as to prevent the person from leaving the room or area. ~~the isolation and containment of residents who pose an imminent threat of physical harm to themselves or others.~~

(r)(v) "Self-Preservation" means the ability of a person to perceive danger and take appropriate action to keep safe from injury.

(s)(w) "Treatment" means services which are provided to persons, individually or in groups, which include rehabilitation, counseling, supportive therapy, chemotherapy, psychotherapy or any other accepted therapeutic, educational or supportive process.

(t)(x) "Utilization Review" means the process of using predefined criteria to evaluate the necessity and appropriateness of services and allocated resources to assure that the program's services are necessary, cost effective and effectively utilized.

(3) Licensure Procedure. An entity operating as an Every RTF must shall be licensed biennially annually by the Agency AHCA unless specifically excluded from licensure under the provisions of subsection 394.875(35), F.S. Application for licensure shall be made on AHCA Form 3180-5005, February 2015, Health Care Licensing Application Residential Treatment Facility, which is incorporated by reference and available online at <http://ahca.myflorida.com/MCHO/Health Facility Regulation/Hospital Outpatient/residential.shtml>.

(a) Buildings that are separated from one another in which a similar level of residential care and treatment is provided, as defined in subsection 65E-4.016(4), F.A.C., may be licensed as one RTF facility under the following circumstances:

1. Such buildings are not separated by another building, part of a building or buildings used for other purposes; and
2. Such buildings are not separated by obstructions that impede the rapid movement of staff between them.

(b) When different levels of residential care and treatment are provided in one building, each level must be licensed as a separate RTF.

(c) License fee. An application fee of \$191.83 per bed shall accompany an application for an initial license, change of ownership or license renewal application. For capacity changes effective during the license period, a \$25 license reprint fee applies. In addition, the application fee for capacity increases shall be the per bed fee for each additional bed to be added to the license. All fees are non-refundable. The fee shall be reasonably calculated annually and adjusted by the agency to cover the cost of regulation. Original License — New

~~construction, new operation or change of licensed operator. Applicants for an original license shall submit completed AHCA Form, 3180-5003 Feb. 96, "Crisis Stabilization Unit, Short Term Residential Treatment Facility and Residential Treatment Facility Licensure Application" effective February, 1996 "Health Care Licensing Application Mental Health Services", which is incorporated by reference and provided by AHCA. The following supplemental information must be attached to the application:~~

(d) Accredited Programs. Programs accredited by The Joint Commission (TJC), Commission on Accreditation of Rehabilitation Facilities, (CARF) or Council on Accreditation (COA) shall provide proof of accreditation as required by Section 394.741, F.S. Application for licensure by accredited programs does not preclude monitoring by the Department or managing entity under contract with the Department, the Agency, county public health unit, local fire authority having jurisdiction and fire marshal, and compliance with the provisions of these rules.

(e) Initial License – New construction, new operation or reapplications of an expired license. The applicant shall provide all the information required by Chapter 408, Part II, Sections 394.875, 394.876, F.S., and Chapter 59A-35, F.A.C. The following additional documentation shall be attached to the application:

1. Program narrative which contains the following:
 - a. List of services provided, including a description of each service;
 - b. Staffing pattern description, including the hours and days of on-premises and on-call staff coverage, and the number and types of staff on duty for each shift; and
 - c. Resident population description, based minimally on the criteria in subsection 65E-4.016(4), F.A.C., that are applicable to the level of RTF for which the licensure application is being submitted.
2. Proof of compliance with Section 394.4572 and 408.809, F.S. Table of Organization, including all management levels between the RTF and the governing board.
3. Proof of liability insurance coverage from an authorized insurer in the amount no less than \$300,000 per occurrence with a minimal annual aggregate of not less than \$1,000,000. Resume of the RTF manager.
4. Affidavit of compliance with Section 381.0035, F.S. Fiscal information, including a balance sheet and a statement projecting revenues, expenses, taxes, extraordinary items and other credits and charges for the licensure year.
5. Proof of liability insurance coverage from a licensed insurer in an amount not less than \$300,000 per occurrence with a minimal annual aggregate of not less than \$1,000,000.

56. Copy of a satisfactory ~~current~~ fire safety inspection report completed within the last 365 days by the local fire authority having jurisdiction or the local fire marshal certificate.

67. Copy of a satisfactory sanitation inspection report completed within the last 365 days by the local county public health unit ~~current health inspection certificate~~.

78. For Level I and II RTFs facilities, a signed statement from the appropriate government official that the RTF facility has met applicable local zoning requirements.

89. Proof of current ~~JCAHO~~ accreditation by the Joint Commission; Council on Accreditation (COA); or Commission on Accreditation of Rehabilitation Facilities (CARF) if applicable.

~~(d) A newly developing facility will be provided a 90 day probationary license after the completed application has been verified for compliance with Rule 65E 4.016, F.A.C. The probationary period may be extended for an additional 90 days if the applicant has substantially complied with the requirements for licensure, and if action has been initiated to satisfy all of these requirements.~~

~~(f)(e) License Renewal License.~~

1. An applicant for license renewal of a license shall submit a complete application that meets the requirements of Section 408.806, F.S. and Chapter 59A-35.060, F.A.C. The following additional documentation shall be submitted with the application: ~~apply to AHCA no later than 90 days before expiration of the current license.~~

a. Proof of liability insurance coverage from an authorized insurer in the amount no less than \$300,000 per occurrence with a minimal annual aggregate of not less than \$1,000,000.

b. Copy of a satisfactory fire safety inspection report completed within the last 365 days by the local fire authority having jurisdiction or the local fire marshal.

c. Copy of a satisfactory sanitation inspection report completed within the last 365 days by the local county public health unit.

d. Affidavit of compliance with Section 381.0035, F.S.

e. For RTFs accredited by an accrediting organization listed in 65E-4.016(3)(c), provide a copy of the current accreditation report. The accreditation report shall include any citations to which the accrediting organization requires a response, the RTF's response to each citation and the accreditation award letter. The accreditation report must be submitted only if a new accreditation period has been awarded since the initial application or last renewal application was filed with the Agency.

~~2. Applicants for renewal of a license to operate a facility shall submit an application that meets the requirements of paragraph 65E-4.016(3)(a), F.A.C.~~

~~(f) License Fee. An annual non-refundable license fee shall be submitted with the application for licensure. The fee shall be reasonably calculated annually to cover the cost of regulation. The formula for calculating this fee is the cost of Office of Health Facility Regulation positions for the process of surveying crisis stabilization units, short term residential treatment facilities, and residential treatment facilities for licensure divided by the total number of crisis stabilization units, short term residential treatment facilities, and residential treatment facility beds times the number of beds in the facility applying for licensure.~~

~~(f) Change of Ownership. The license, AHCA Form 3180 5001 Feb. 96, effective February, 1996, which is incorporated by reference, shall be displayed in a conspicuous location inside the facility. For Levels III, IV, and V such license may be held available for inspection at the administrative offices of the facility or the organization which operates the facility.~~

1. An applicant for initial licensure due to a change of ownership must submit a complete application that meets the requirements of Sections 408.806, and 408.807, F.S. and Rules 59A-35.060 and 59A-35.070, F.A.C.

2. The Agency will process the change of ownership application according to the requirements of Chapter 408, Part II, F.S. and Chapter 59A-35, F.A.C.

3. The information required by paragraphs (3)(e)1-7 of this section shall be submitted with the application.

4. A copy of the closing documents, which must include an effective date and the signatures of both the buyer and the seller must be received by the Agency before a license will be issued.

(g) The license shall be displayed in a conspicuous location inside the RTF. For Levels III, IV, and V, such license may be made available for inspection at the administrative offices of the RTF or the organization which operates the RTF.

(4) Residential Treatment Facility Licensure Classifications.

(a) Level IA. A Level IA RTF facility provides a structured group treatment setting with 24 hours per day, 7 days per week supervision for residents who have major skill deficits in activities of daily living and independent living, and are in need of intensive staff supervision, support and assistance. Nursing services are provided on this level but are limited to medication administration, monitoring vital signs, first aid, and individual assistance with ambulation, bathing, dressing, eating and grooming.

1. Resident Eligibility Criteria. Persons who enter Level I ~~RTFs facilities~~ must meet the following minimum criteria:

- a. Diagnosed as having mental illness;
- b. Age 18 or older;
- c. Ambulatory or capable of self-transfer;
- d. Able to participate in treatment programming and services;
- e. Free of major medical conditions requiring ongoing 24 hours per day, 7 days per week nursing services;
- f. Assessed as having the potential, with staff supervision, to self-administer medication, maintain personal hygiene, and participate in social interaction; and
- g. Does not exhibit chronic inappropriate behavior which disrupts the ~~RTF's facility's~~ activities or is harmful to self or others.

2. Staffing Pattern. Level IA ~~RTFs facilities~~ must maintain a minimum of 1-10 staff to resident ratio with never less than 2 staff on the premises at all times. There must be 24 hours per day, 7 days per week nursing supervision, provided minimally by a licensed practical nurse under the direction of an on-call licensed physician or registered nurse.

(b) Level IB. Level IB ~~RTFs facilities~~ shall meet all Level IA criteria with the exception of fire safety requirements. Level IB fire safety requirements are specified in sub-subparagraph 65E-4.016(17)(b)2.a., F.A.C.

(c) Level II. A Level II ~~RTF facility~~ provides a structured group treatment setting with 24 hour per day, 7 days per week supervision for five or more residents who range from those who have significant deficits in independent living skills and need extensive supervision, support and assistance to those who have achieved a limited capacity for independent living, but who require frequent supervision, support and assistance.

1. Resident Eligibility Criteria. A person who enters Level II ~~RTFs facilities~~, in addition to meeting the eligibility criteria specified in Level I, must meet the following criteria:

- a. ~~Able to administer~~ ~~Self-administers~~—medication with staff supervision,
- b. ~~Able to maintain~~ ~~Maintains~~ personal hygiene and grooming with staff supervision,
- c. ~~Able to initiate~~ ~~Initiates~~ and ~~participate~~ ~~participates~~ in social interaction with staff supervision,
- d. ~~Able to perform~~ ~~Performs~~ assigned household chores with staff supervision, and
- e. Is capable of self-preservation in accordance with subparagraph 65E-4.016(17)(b)2., F.A.C.

2. Staffing Pattern. Level II ~~RTFs facilities~~ must maintain a minimum of ~~1:15~~ ~~1-15~~ staff to resident ratio with never less than one staff on the premises when residents are present during normal waking hours. During normal sleeping hours, a minimum of ~~1:22~~ ~~1-22~~ staff to resident ratio is required. The

~~RTF facility~~ must have procedures to mobilize additional staff 24 hours daily in the event of emergency need.

(d) Level III. A Level III ~~RTF facility~~—consists of collocated apartment units with an apartment or office for staff who provide on-site assistance 24 hours per day, 7 days per week. The ~~RTF facility~~ may be comprised of a block of apartments within a large apartment complex. The residents served in this ~~RTF facility~~ have a moderate capacity for independent living.

1. Resident Eligibility Criteria. A person who enters Level III ~~RTFs facilities~~, in addition to meeting the criteria specified in Levels I and II, must meet the following criteria:

- a. ~~Able to administer~~ ~~Self-administers~~ and ~~monitor~~ ~~monitors~~ own medication with minimal prompting,
- b. ~~Able to perform~~ ~~Performs~~ household chores with minimal prompting,
- c. ~~Able to maintain~~ ~~Maintains~~ personal hygiene and grooming with minimal prompting,
- d. ~~Able to utilize~~ ~~Utilizes~~—recreational and social resources with staff encouragement,
- e. ~~Able to utilize~~ ~~Utilizes~~ community transportation systems,
- f. ~~Able to manage~~ ~~Manages~~ income with assistance, and
- g. ~~Able to express~~ ~~Expresses~~ problems and concerns to appropriate persons.

2. Staffing Pattern. Level III ~~RTFs facilities~~ must maintain a minimum ~~1:15~~ ~~1-20~~ staff to resident ratio with never less than one staff on the premises when residents are present during normal waking hours. During normal sleeping hours, a minimum of ~~1:22~~ ~~1-40~~ staff to resident ratio is required. The ~~RTF facility~~ must have procedures to mobilize additional staff 24 hours daily in the event of emergency need.

(e) Level IV. A Level IV ~~RTF facility~~ provides a semi-independent, minimally structured group setting for 4 or more residents who have attained most of the skills required for independent living and require minimal staff support.

1. Resident Eligibility Criteria. A person who enters Level IV ~~RTFs facilities~~, in addition to meeting the eligibility criteria specified in Levels I, II and III, must demonstrate proficiency in performing at least the following skills without daily supervision:

- a. ~~Able to administer~~ ~~Self-administers~~ and ~~monitor~~ ~~monitors~~ own medications,
- b. ~~Able to perform~~ ~~Performs~~ household chores and activities,
- c. ~~Able to maintain~~ ~~Maintains~~ personal hygiene and grooming,
- d. ~~Able to manage~~ ~~Manages~~ income,
- e. ~~Able to utilize~~ ~~Utilizes~~ recreational and social resources,

f. Able to procure ~~Procures~~ food and other items necessary to maintain a household,

g. Able to prepare ~~Prepares~~ meals either individually or cooperatively, and

h. Able to utilize ~~Utilizes~~ community transportation systems.

2. Staffing Pattern. Level IV RTFs facilities may have less than 24 hours per day, 7 days per week on-premises supervision; however, on-call staff must be available at all times. Staff shall have a minimum of weekly on-premises contact with residents.

(f) Level V. A Level V RTF facility provides a semi-independent, minimally structured apartment setting for 1 to 4 residents who have attained adequate independent living skills and require minimal staff support. The apartments in this setting are owned or leased by the service provider and rented to residents. All apartments on this level that are operated by a service provider, regardless of location, shall be considered the premises of the RTF facility.

1. Resident Eligibility Criteria. Persons who enter Level V RTFs facilities, in addition to meeting the eligibility criteria specified in Levels I, II and III, must demonstrate proficiency in performing at least the following skills:

a. Able to administer ~~Self administers~~ and monitor ~~monitors~~ own medications,

b. Able to perform ~~Performs~~ household chores and activities,

c. Able to maintain ~~Maintains~~ personal hygiene and grooming,

d. Able to manage ~~Manages~~ income,

e. Able to utilize ~~Utilizes~~ recreational and social resources,

f. Able to procure ~~Procures~~ food and other items necessary to maintain a household,

g. Able to prepare ~~Prepares~~ meals either individually or cooperatively, and

h. Able to utilize ~~Utilizes~~ community transportation system.

2. Staffing Pattern. Level V RTFs facilities may have less than 24 hours per day, 7 days per week on-premises staff; however, on-call staff must be available at all times. Staff shall have a minimum of weekly on-premises contact with residents.

(5) Program Reviews, Evaluations and Consultations.

(a) Representatives of the ~~Alcohol, Drug Abuse and Mental Health Program Office; AHCA; and Substance Abuse and Mental Health regional offices or designees~~ District Alcohol, Drug Abuse and Mental Health Program Office; shall provide consultation and conduct ~~annual~~ reviews and evaluations, ~~or more~~ as necessary, of ~~all~~ RTFs to determine compliance with rules and standards.

(b) RTFs shall afford representatives of the Department Alcohol, Drug Abuse and Mental Health Program Office; AHCA; and Substance Abuse and Mental Health regional office or designee and ~~District Alcohol, Drug Abuse and Mental Health Program Offices~~; access to the RTF facility and the documentation necessary for conducting the reviews required to determine compliance with this rule and all other applicable rules and statutes.

(6) Organization and Administration.

(a) Governing Board Responsibilities. The governing board of each RTF shall be responsible for policies, by-laws, operations and standards of service.

(b) Administrative Management.

1. Each RTF Level I, II, and III shall have a manager who is responsible for its daily operations.

2. RTFs shall comply with Chapter 394, F.S., ~~and all other applicable Florida Statutes; Part II of Chapter 408, F.S.,~~ all applicable sections of Chapters 65E-4 and 65E-14, F.A.C.; and Chapter 59A-35, F.A.C. ~~all other applicable Florida Administrative Rules.~~

3. RTFs shall develop and maintain all records required by Chapter 394, F.S., and applicable administrative rules.

(c) Personnel Policies, Records, and Practices.

1. Personnel policies and procedures shall be developed and provided to each employee.

2. There shall be a written description for each position in the RTF facility. Position descriptions shall include the following:

a. Functions,

b. Responsibilities,

c. Supervision, and

d. Minimum academic and experience requirements.

3. Confidential personnel records shall be maintained for each employee of the residential program. These records shall contain minimally the following information:

a. Qualifications for the position;

b. Verified pre-employment references;

c. Evaluation of performance on at least an annual basis;

d. Dates and subjects of in-service training and attendance at conferences, workshops and other relevant activities;

e. Beginning date of employment; ~~and~~

f. Date and reason for separations; ~~and-~~

g. Documentation that the individual has been fingerprinted and screened, if appropriate, in accordance with Section 394.4572, F.S.

4. Each RTF shall post a weekly schedule of work hours.

5. The RTF's facility's personnel recruitment and selection process shall ensure that there is no discrimination based on race, color, religion, gender, disability, national origin, age, marital status, political affiliation, or sexual

~~orientation, because of race, creed, color, age, sex, national origin, or political affiliation.~~

6. The RTF shall make available to employees a written orientation to the program's operation, a copy of their current job description, a copy of this rule and a copy of patient's rights. The receipt or availability of this information shall be documented in personnel records.

(d) Staff Composition, Organization and Coverage.

1. Organization. RTFs shall have a written organizational plan for the administrative and direct services staff which clearly explains the responsibilities of the staff for services provided by the program. The plan shall also include lines of authority, accountability and communication.

2. RTFs shall have direct or telephone access to at least one mental health professional as defined in subsection 394.455(2), F.S., 24 hours a day, 7 days a week. ~~If the professional is not a psychiatrist, the RTF facility shall also arrange for the regular, consultative and emergency services of a psychiatrist licensed to practice in Florida.~~

a. Back-up coverage shall be provided by staff trained to handle acute problems on a 24 hours per day, 7 days per week on-call basis.

b. Staffing patterns shall be no less than required by the level for which a RTF facility is licensed.

3. Staff Development. Staff development and education programs shall be planned and conducted on a regular and continuing basis. Documentation of these sessions shall include date, subject, attendance and instructor. Attendance at professional workshops and conferences should also be documented and placed in employees' personnel records.

(7) Resident Eligibility Criteria.

(a) To be eligible for admission to a RTF facility, a person shall meet the minimum criteria required by the level for which a RTF facility is licensed.

(b) Additional eligibility criteria may be developed if such criteria are needed to ensure ~~insure~~ that individuals admitted by the RTF facility are compatible with the RTF's facility's capability to serve them, or to further delineate the minimum skills or behaviors that a person needs to function in the RTF's facility's environment.

(8) Continuity of Care.

(a) A ~~CCMS~~ case manager shall be assigned to each resident in a publicly funded RTF. In addition to the requirements specified in Rules 65E-4.014 and Chapter 65E-15, F.A.C., the RTF resident's case manager shall be responsible for the following:

1. Providing to RTF staff a copy of the individual service plan and any amendments to the plan;

2. Providing to RTF staff the assessment information needed to determine a resident's eligibility and the information needed to develop the individual treatment plan;

3. Providing to RTF staff ongoing information regarding the resident's progress in other settings and any other factor which may assist in the treatment or rehabilitation process;

4. Providing assistance to RTF staff in relating treatment goals to the environment in which the resident will live after the completion of treatment; and

5. Coordinating discharges from residential treatment to the least restrictive level of care possible with the resident, RTF staff, family members, and significant others as permitted by the resident. Residential placement as needed.

(b) RTF staff shall be responsible for the following activities:

1. Providing to the case manager a copy of the individual treatment plan and any amendments to the plan;

2. Reporting to the case manager the resident's progress in achieving treatment goals;

3. Attending case management conferences as needed;

4. Informing the case manager of any changes in the resident's status or condition that may affect other services the resident receives or may require the case manager's intervention; and

5. Providing to the case manager a discharge, termination or transfer summary as appropriate.

(9) Intake. The intake criteria specified in this subsection shall apply to either a freestanding RTF or to one which first admits a resident if such RTF is part of a system of residential care and treatment. The following assessment and evaluation information shall be obtained or developed by the RTF in order to determine a resident's eligibility. Each RTF, using nationally accepted accrediting standards for guidance, shall adopt written professional standards of quality, accuracy, completeness, and timeliness for all diagnostic reports, evaluations, assessments, and examinations, provided to residents. RTFs shall monitor the implementation of those standards to assure the quality of all diagnostic products.

(a) Physical Assessment.

1. For each resident accepted into a RTF facility from a state mental health treatment facility ~~state institution~~, a medical summary consisting minimally of a problem list, current status, significant lab reports and a copy of the most recent physical examination shall have preceded the resident to the program. The medical summary shall be placed in the resident's record.

2. If a physical examination has not been completed within 60 days prior to the resident's admission to the RTF, the examination shall be initiated within 24 hours of the admission. A licensed physician, licensed physician's assistant or licensed advanced registered nurse practitioner shall complete the examination within 30 days. The medical report shall be placed in the resident's record.

3. Physical examination requirements ~~minimally~~ shall include:

- a. A medical history, including responses to medication, physical diseases and physical ~~disabilities~~ ~~handicaps~~;
- b. The date of the last physical examination;
- c. A description of physical status, including diagnosis and any functional limitation;
- d. Recommendations for care, including medication, diet and therapy; and,
- e. To the extent possible, a determination of the presence of a communicable disease.

(b) Psychiatric or psychological assessment.

~~(c) Mental status examination.~~

~~(c)(4)~~ Psychosocial assessment and history which shall minimally include includes:

- 1. Presenting problems, strengths, needs, and self-management skills; ~~Developmental problems, including past experiences that may have affected development~~
 - 2. Resident's assessment of his or her personal situation and goals ~~Peer group relationships and activities;~~
 - 3. Biological factors including history of head injuries, illnesses, and developmental issues ~~Social skills and deficits;~~
 - 4. Psychological factors including history of trauma and response, risk assessment and coping styles, and substance use ~~Past and present relationship with family and community;~~
 - 5. Social factors including family history and resident's role within the family, formal and informal supports, recreational interests, religious/spiritual practices, financial resources, and cultural influences ~~Prior placement settings;~~
 - 6. Legal, vocational, and educational history and current status ~~Recreational experiences, activities and interests;~~
 - 7. Treatment history including interventions and supports that have been helpful ~~Expectations and role of the family in the treatment process;~~
 - 8. Mental health status examination ~~Psychiatric history, including any previous treatment and the reason for termination;~~
 - 9. Summary of findings and diagnostic impression ~~Vocational history;~~ and
 - 10. Treatment recommendations ~~Educational history.~~
- (10) Admission.

(a) Each resident, within 24 hours of admission to a RTF facility, shall be provided an orientation which includes ~~minimally~~ the following:

1. Explaining the ~~RTF's facility's~~ services, activities, performance expectations, rules and regulations, including providing to the resident written ~~RTF facility~~ rules;

2. Familiarizing the resident with the ~~RTF's facility's~~ premises, the neighborhood and public transportation systems;

3. Scheduling the resident's activities; and

4. Explaining resident rights and grievance procedures, ~~except to residents who have transferred from another facility within the same system and are familiar with their rights and grievance procedures.~~

(b) The following documentation shall be placed in the resident's file:

1. A signed statement by the resident or guardian that the resident has received an orientation which meets the minimum required criteria specified in subsection 65E-4.016(10)(a), F.A.C., of this rule;

~~2. A signed statement that the resident has either read or has been explained facility rules;~~

23. A signed statement by the resident or guardian indicating the resident's financial obligations to the RTF facility and the person responsible for meeting such obligations;

34. For incompetent residents, a statement identifying and locating the guardian of record, legal guardian or court ordered custodian with responsibility for medical and dental care and signed consent for treatment from such person;

45. Written arrangements for phone calls, visits, and, when indicated, family participation in the treatment process;

56. Written arrangements for clothing, allowances and gifts; and

67. For forensic residents, a copy of any court order, charges pending and any other legal status documents and procedures to be followed if the resident leaves the program without approval.

(11) Assessment and Treatment Planning. RTF clinical staff or the treatment team shall begin within 72 hours of admission and complete within 30 days of admission a functional assessment and individual treatment plan for each resident. Interventions which are needed to assist the resident's improve functioning ~~remedy serious deficits~~ shall not be delayed until the assessment and individual treatment plan are completed.

(a) Assessment. The functional assessment shall determine the resident's ability to utilize the skills needed to live function ~~function~~ successfully in the RTF environment, and shall identify any obstacles to the resident's learning or using such skills.

(b) Treatment Planning.

1. Treatment goals or objectives shall be identified with the resident, achievable, have a reasonable time frame for achievement, be written in terms understandable to the resident and guardian, and be stated in terms of measurable and observable changes.

2. The treatment plan shall be developed with and signed by the resident or guardian. If the resident or guardian refuses to sign, the reason for this, if determinable, must be documented in the case record.

3. ~~RTF staff or T~~the treatment team shall review the treatment plan at least monthly and note this in the record.

4. ~~RTF staff or T~~the treatment team shall update and revise the treatment plan with the resident or guardian when goals or objectives are accomplished or when additional resident ~~deficits which are in need of intervention~~ needs are identified requiring intervention. The treatment plan shall be updated at least every 60 days for facility Levels I, II and III and at least every 120 days for facility Levels IV and V.

5. Family members, guardians or significant others shall be included in treatment planning, treatment, and discharge planning to the extent permitted or requested by the resident ~~and when the staff has determined that such participation will be in the best interests of the resident.~~

(12) Treatment Services and Activities. RTFs shall provide an environment that supports a culture of recovery and individual empowerment. RTF practices shall be sensitive to persons with a history of trauma. The types and intensity of services provided shall be based on the client's clinical status and goals, community resources, and preferences and promote personal growth and development, and prevent deterioration or loss of ability ~~services and activities which are adaptable to the individual needs of residents, promote personal growth and development, and prevent deterioration or loss of ability.~~

(a) Policy and Procedures Manual. Each RTF shall have a policy and procedures manual which guides its services and activities. The manual shall be periodically reviewed at least annually and revised as the needs of individual residents or the ~~living~~ group change, and shall be available to staff and residents.

(b) Social and Recreational Activities. RTFs shall provide or refer residents to recreational and social activities during the hours they are not involved in other planned or structured activities. Recreational and social activities shall be planned with resident participation and posted in a conspicuous location.

(c) Religious Activities. Opportunity shall be provided for all residents to participate in religious services and other religious activities within the framework of their individual and family interests.

(d) Resident Tasks. A resident may be assigned tasks related to RTF facility operation, including but not limited to cooking, laundering, housekeeping and maintenance, only if such tasks are in accordance with the treatment plan and are done with staff supervision.

(e) Physical Health Care Services.

1. A RTF facility shall have available, whether within its organizational structure or by written agreements, procedures or contracts with ~~outside~~ health care clinicians or facilities, a full range of services for the treatment of illnesses and maintenance of general health.

2. Staff shall have a basic knowledge of and receive training in the health needs and problems of residents.

3. Direct service staff shall report resident illnesses and significant physical dysfunctions in a timely manner to the resident's ~~organization's~~ physician and note such in the resident's record.

(f) Medication. RTFs shall have written policies and procedures regarding the following aspects of medication management.

1. Storage.

a. No prescription drug shall be kept in the RTF facility unless it has been legally dispensed and labeled for the person for whom it is prescribed.

b. Residents may keep their medication in a secure place in their room, except when such medication is required to be personally carried for frequent or emergency use.

c. Medication may be centrally stored under the following conditions:

(I) If the preservation of medicines requires refrigeration;

(II) When medication is determined and documented by the physician to be hazardous if kept in the personal possession of the person for whom it was prescribed;

(III) If the resident is forgetful or disoriented and is not capable of taking medications as prescribed; or

(IV) When, because of physical arrangements and the conditions or habits of other persons in the program, the medications are determined by the RTF facility manager, nurse or physician to be a safety hazard to others.

d. Centrally stored medications shall be:

(I) Kept in a locked cabinet or other locked storage receptacle:

(II) Accessible only to the staff responsible for distribution of medication; and

(III) Located in an area free of dampness and abnormal temperatures, except in the case of a medication requiring refrigeration.

e. Each container of medication shall be labeled according to state law.

f. Prescription medications which are not taken with the person upon terminating residence shall be returned to a responsible relative or a guardian, or if none exists, given to a pharmacist to destroy. Notation of drug disposition shall be entered in the resident's record.

g. Staff not licensed by the State of Florida to administer medication may assist a resident in the self-administration of medication by:

(I) Obtaining the medication from the centrally stored or other location;

(II) Reminding the resident that it is time for the medication to be administered;

(III) Preparing the necessary paraphernalia, such as water, juice, cups, spoons, and medicine cups;

(IV) Steadying arm, hand or other parts of the resident's body;

(V) Returning to the medication container unused doses of solid medication not used by the resident; and

(VI) Returning the medication container to the centrally stored or other location.

2. Distribution of Centrally Stored Medication.

a. A staff person who has access to and is responsible for the distribution of centrally stored medication shall be available at all times.

b. Staff may distribute medication only to the person for whom it is prescribed.

3. Medication Administration.

a. Professionals licensed to administer medications in accordance with Chapter 464, F.S., may administer medications in accordance with the physician's directions.

b. A licensed practical nurse may administer medications when under the direction of a registered nurse, a licensed physician, or a licensed dentist who minimally must be accessible by telephone.

(g) Emergency Services. All direct service staff shall be provided training to handle emergency medical and mental health situations.

1. RTFs shall have written policies and procedures regarding handling and reporting of emergencies. Such policies and procedures shall be reviewed at least annually by all staff.

2. RTFs shall not use seclusion.

3. ~~RTFs shall not use restraints. With the exception of half bed rails used under the prescription and supervision of a physician, RTFs shall not use restraints.~~

4. A minimum of one RTF staff member per shift shall maintain current first aid and CPR certification.

5. Each RTF shall have training and procedures for managing aggressive behavior.

6. First aid kits shall be available to RTF facility staff at all times. Contents of the first aid kits shall be selected by the staff ~~or~~ and consulting medical personnel and shall include items designed to meet the needs of the RTF facility.

7. RTFs shall have written policies and procedures for obtaining emergency diagnosis and treatment of dental problems.

8. RTFs shall have written policies and procedures for providing emergency medical and psychiatric care.

a. There shall be written, posted procedures which clearly specify who is available and authorized to provide necessary emergency psychiatric or medical care and how to arrange for referral or transfer to another facility, including ambulance arrangements, when necessary.

b. RTFs shall transfer residents who pose an imminent physical danger to themselves or others to an appropriate provider of crisis services as defined in Section 394.67(3), F.S. and document all such transfers in the resident's medical record. In the case of a forensic resident, the RTF shall notify the referring court, as applicable acute care facility.

~~(I) RTFs shall develop and maintain written transfer procedures, including a cooperative agreement with appropriate acute care facilities.~~

~~(II) RTFs shall maintain a registry of all transfers to acute care facilities and shall notify the referring court in the case of forensic residents, if appropriate.~~

9. Emergency Reports and Records.

a. RTFs shall report to the ~~appropriate district administrator and~~ guardian and significant others and case manager, with appropriate consent, any serious occurrence involving a resident outside the normal routine of the residential program such as abduction, abuse, assault, accident, contraband, illness requiring hospitalization, sexual abuse, suicide, death and homicide.

b. The reporting of all critical unusual incidents shall comply with departmental incident reporting procedures as prescribed in CF-OP 215-6 HRSR 215-6, "Incident Reporting and Analysis System (IRAS) Incident Reporting and Client Risk Prevention," April July 1, 2013 1994, which is incorporated herein by reference.

(13) Discharge, Termination and Transfer.

(a) A discharge, termination or transfer summary shall be included in the resident's record.

(b) If required by the court, the program shall obtain court approval for the discharge of forensic residents and submit to the court any required reports.

(14) Resident Rights. The legal and civil rights of residents shall be safeguarded.

(a) Residents shall be informed of their rights, including the right to legal counsel and all other requirements of due process. Receipt of such information shall be documented by the signatures of the resident or guardian and maintained in the medical record.

(b) RTFs shall be administered in a manner that protects the resident's rights, life and physical safety.

(c) RTFs shall post abuse and neglect phone numbers and the ~~Disability Rights Florida District Human Rights Advocacy Committee (HRAC)~~ phone number in a conspicuous area.

(d) The ~~RTF's facility's~~ space and furnishings shall enable the staff to provide appropriate supervision while respecting the resident's right to privacy.

(e) Each ~~RTF facility~~ shall have written policies and procedures which allow resident communication and visits with family members and other visitors when such visits do not interfere with treatment activities. Such policies and procedures shall be provided to the resident and family and updated when changes occur.

1. If treatment interventions require restriction of communication or visits, as set forth in the program's policies and procedures, treatment staff shall evaluate these restrictions at least weekly for their effectiveness and continuing need. Such restrictions shall be subject to the provisions of Chapter 65E-5, F.A.C., documented and signed by the RTF facility manager, and placed in the resident's record.

2. Restriction of communication or visits required for practical reasons, including the expense of travel or telephone calls, shall be determined with the resident's family or guardian.

(f) The resident's opinions and recommendations shall be considered in the development and continued evaluation of the facility and its operations. The facility shall have written policies and procedures for receiving and responding to resident communications concerning its program.

(g) RTFs shall have written policies concerning resident grievance procedures.

(h) Residents shall not be subjected to remarks which ridicule them, their families or others.

(i) RTFs shall not suspend ~~have written procedures for suspending~~ residents from the RTF facility which are ~~approved by the governing board and the district administrator.~~

(j) RTFs shall not exploit a resident or require a resident to make public statements acknowledging gratitude to the program.

(k) Residents shall not be required to perform at public gatherings.

(l) RTFs shall not use identifiable pictures of a resident without written consent from the resident or guardian. Before any such pictures are used, a signed consent form indicating how they will be used shall be placed in the resident's record.

(m) Residents shall be allowed to wear their own clothing as appropriate.

1. Training and assistance in the selection and proper care of clothing shall be available.

2. Clothing shall be suited to the climate.

3. Clothing shall be in good repair, of proper size and similar to the clothing worn by the resident's peers in the community.

(15) Resident Records.

~~(a) RTF's or organizations operating RTF's Policies and Procedures for Resident Records. A freestanding facility or an organization operating a facility shall have written policies and procedures regarding resident-records in accordance with Rule 65E-4.014, F.A.C. that include the following:~~

~~1. Resident records shall be confidential, current and accurate.~~

~~2. Resident records shall be stored in a locked room or container.~~

~~3. The information in resident records shall be safeguarded against loss, defacement, tampering or use by unauthorized persons.~~

~~4. Confidentiality of the information contained in a resident's record and communication between staff members and residents shall be protected as stated in Section 394.4615, F.S., and Chapter 65E 5, F.A.C. Records may only be removed from the jurisdiction and safekeeping of the facility or the organization operating a facility according to written policies and procedures as required by law.~~

~~5. Records may only be removed from the jurisdiction and safekeeping of the facility or the organization operating a facility according to written policies and procedures as required by law.~~

~~6. Each RTF shall provide training in verbal and written confidentiality requirements to all staff as part of new staff orientation and ongoing staff development.~~

~~(b) Maintenance of Records. Each freestanding facility or organization operating a facility shall have a master filing system which includes a comprehensive record of each resident's involvement in every aspect of the program.~~

~~(b)1. Level I, II and III RTFs facilities operating under an organization that maintains a master filing system not on the RTF premises shall, in lieu of the master resident record, maintain for each resident a record at the RTF that contains minimally the following information:~~

- ~~1.a~~ Demographic information,
- ~~2.b~~ Psychosocial assessment,
- ~~3.e~~ ~~Medical Health~~ assessment,
- ~~4.d~~ Current medication profile,
- ~~5.e~~ Individual treatment plan and plan amendments,
- ~~6.~~ Service plan.
- ~~7.f~~ Emergency contact sheet, and
- ~~8.g~~ Progress notes.

~~(c) 2-~~ RTFs or organizations that operate RTFs shall adopt policies regarding the storage, disposal or destruction of resident records that protect against disclosure of confidential information in compliance with Chapter 119 and 267, F.S. ~~Resident records shall be maintained minimally for 7 years after the date of the last entry.~~

~~3. Resident record services shall be directed, staffed and equipped to facilitate processing, checking, indexing, filing, retrieval and review of all resident records.~~

~~4. There shall be adequate space, equipment and supplies, compatible with the needs of the resident record services, to enable the personnel to function effectively and to maintain clinical records readily accessible.~~

(16) Program Evaluation.

(a) Quality Assurance.

1. RTFs shall have or be part of an established quality assurance program with written policies and procedures in accordance with Rule 65E-4.014, F.A.C. ~~that include the following:~~

- ~~a. Composition of review committees,~~
- ~~b. Case review procedures,~~
- ~~e. Criteria and standards used in the review process and procedures for their development, and~~
- ~~d. Procedures to assure dissemination of the results and corrective action.~~

2. Each quarter a peer review and a utilization review shall be conducted which ensure at a minimum that:

- a. Resident admissions are appropriate;
- b. Services are delivered in the least restrictive environment possible;
- c. Resident rights are protected;
- d. When permitted by the resident, the resident's family or significant others are involved in resident assessment, treatment planning and discharge planning;
- e. Service plans are individualized, comprehensive and relevant to residents' needs;
- f. Minimum standards for resident records are met;
- g. Minimum therapeutic dosages of medication are prescribed and appropriately administered;
- h. Medical emergencies are handled appropriately;
- i. Critical Incidents ~~Specialty cases~~ such as suicides, death, violence, staff abuse, and resident abuse are reviewed;
- j. All critical ~~major~~ incident reports are reviewed;

- k. The length of stay for each resident is appropriate;
- l. Supportive services are ordered and obtained as needed;
- m. Continuity of care is provided; and
- n. Delay in receiving services is minimal.

(b) The program shall conduct an annual review of program effectiveness, program goals, policies, procedures and ~~service~~ treatment provision.

(c) All program evaluation and review information shall be made available to the Department ~~department~~, upon request, within the limits of confidentiality pursuant to Section 394.459(9), F.S.

(17) RTF Facility Standards.

(a) Building Construction Requirements.

1. The construction and renovation of a RTF facility shall comply with the provisions of Chapter 553, F.S., Building Construction Standards.

2. Sewage, including liquid wastes from cleaning operations, shall be disposed of in a public sewage system or other approved sewage system in accordance with Chapter 64E-6, F.A.C., Standards for Onsite Individual Sewage Treatment and Disposal Systems ~~Facilities~~.

3. All sanitary facilities shall comply with the requirements of Chapter 64E-10, F.A.C.

4. All plumbing shall comply with the plumbing code legally applicable to the area where the RTF facility is located.

5. The water supply must be adequate, of safe and sanitary quality and from an approved source in accordance with Chapters 64E-4 and 62-550, F.A.C., Drinking Water Standards, Monitoring, and Reporting.

6. Heat shall be supplied from a central heating plant or by a heating system which meets with applicable fire safety codes.

7. RTFs Facilities and additions shall be constructed to allow full compliance with the provisions of paragraph 65E-4.016(17)(b), F.A.C.

(b) Health and Safety.

1. Disaster Preparedness.

a. The RTF facility shall have or operate under a safety committee with a safety director or officer who is familiar with the applicable local, state, federal and National Fire Protection Association safety standards. The committee's functions may be performed by an ~~already~~ existing committee or governing board subcommittee with related interests and responsibilities.

b. The RTF facility shall have or be a part of a written internal and external disaster plan, developed with the assistance of qualified fire, safety and other experts.

(I) The plan shall identify the availability of fire protection services and provide for the following:

- (A) Use of the fire alarm;
 - (B) Transmission of the alarm to the fire department;
 - (C) Response to the alarm;
 - (D) Isolation of the fire;
 - (E) Evacuation of the fire area, with posted evacuation routes;
 - (F) Preparation of the building for evacuation; and
 - (G) Fire extinguishment.
- (II) The plan shall be made available to all facility staff and posted in appropriate areas within the RTF facility.
- (III) There shall be records indicating the nature of disaster training and orientation programs offered to staff.

2. Fire Safety.

a. RTFs shall comply with all applicable federal, state and local fire safety standards.

(I) For RTF facility Level IB, which may have no more than three residents incapable of self-preservation, and for RTF facility Levels II, III, IV, and V, which may have no residents incapable of self-preservation, each resident record shall have a signed statement by a physician or licensed psychologist regarding the resident's capability of self-preservation.

(II) RTF Facility Levels IB, II, III, IV, and V shall have a prompt evacuation capability.

b. Level IV and V RTFs facilities shall have a written policy on the safe use of extension cords and adapters. The use of extension cords and adapters is prohibited in Level I, II and III RTFs facilities.

c. Electrical cords and appliances shall be maintained in a safe condition.

d. Portable heating devices shall be used only in emergency situations as defined in agency procedures approved by the governing board.

e. Flammable liquids or gas cylinders shall not be positioned near flame or heat sources, nor stored with combustible materials.

f. Emergency Power. The RTF facility shall provide egress lighting that will operate in the event of a power failure.

g. Smoking. The program shall have a written policy governing smoking in the RTFs facilities.

(I) The smoking policy shall be conspicuously posted and made known to all residents, staff and visitors.

(II) Smoking shall be prohibited in any area of the RTF facility where combustible supplies, materials, liquids or gases are in use or stored.

(III) Ambulatory residents shall not be permitted to smoke in bed.

(IV) Unsupervised smoking by residents confined to bed shall be prohibited.

(V) Wastebaskets and ashtrays shall be made of noncombustible materials, and wastebaskets shall not be used as ashtrays.

h. Fire Safety Inspections.

(I) A fire safety inspection must be obtained before occupying any new physical RTF facility or addition.

(II) The program shall secure, on a yearly basis or as required by statute, a documented fire safety inspection, including an inspection of electrical equipment.

(III) A report of the most recent fire inspection must be kept on file and accessible to authorized individuals.

3. Personal Safety.

a. The grounds and all buildings on the grounds shall be maintained in a safe and sanitary condition, as required in Chapter 386, F.S., Nuisances Injurious to Health.

b. The building shall be free of hazards such as cracks in the floors, walls, or ceiling; warped or loose boards, tile, linoleum, handrails or railings; and broken window panes or missing window screens.

c. Protection shall be provided from sharp or jagged projections, "invisible" glass, moving parts, heated surfaces, heavy objects that could fall, or any other potentially hazardous condition.

d. The RTF facility shall be free of unsafe accumulations of possessions, including equipment and supplies of residents, staff or owner.

e. Grab bars shall be nonremovable.

f. The temperature of the hot water supply shall be regulated and shall be between 105°-115° at the outlet.

g. Any electrical fans, except ceiling paddle fans, shall be screened. All electrical fans, including paddle fans, shall be placed in a safe location.

h. All potentially dangerous or toxic substances shall be stored in a cabinet or enclosure, away from food or other areas that could constitute a hazard to the residents.

i. If for clinical reasons access to potentially dangerous grooming aids or other personal articles is contraindicated for residents in Level I, II and III RTFs facilities, staff shall explain to the resident the conditions under which the articles may be used and shall document the clinical rationale for these conditions in the resident's record. If clinically indicated, the personal articles of residents in RTF facility Levels I, II and III may be kept under lock and key by staff. Such actions shall be reviewed weekly for effectiveness and continued need.

j. The RTF facility shall develop and enforce policies pertaining to the maintenance, supervision and safe use of any special activity areas or equipment.

(I) Indoor and outdoor recreational areas shall be provided with safeguards designed for the needs of the residents.

(II) Outdoor recreational areas shall be well drained and kept free of litter and trash.

(III) If swimming pools are available in RTFs facilities with eight or more residents, such pools shall be supervised at all times when they are in use.

k. Security. The RTF facility shall develop a written policy which includes procedures that provide security for residents, staff and visitors, consistent with the conditions and risks associated with the RTF's facility's location.

4. Health and Sanitation.

a. Appropriate health and sanitation inspection certificates shall be obtained before occupying any new physical location facility or addition, and at least yearly or as required by statute, thereafter. A report of the most recent inspection must be on file and accessible to authorized individuals.

b. Hot and cold running water under pressure shall be readily available in all washing, bathing and food preparation areas.

c. Garbage, Trash and Rubbish Disposal.

(I) All garbage, trash, and rubbish from residential areas shall be collected daily and taken to storage facilities. Garbage shall be removed from storage facilities frequently enough to prevent a potential health hazard or at least twice per week. Wet garbage shall be collected and stored in impermeable, leakproof, fly-tight containers pending disposal. All containers, storage areas and surrounding premises shall be kept clean and free of vermin.

(II) If public or contract garbage collection service is available, the RTF facility shall subscribe to these services unless the volume makes on site disposal feasible. If garbage and trash are disposed of on premises, the method of disposal shall not create sanitary nuisance conditions.

d. Pets and Live Animals.

(I) The RTF facility shall formulate a policy regarding the availability and care of pets and other animals consistent with the requirements of good health, sanitation and local ordinances.

(II) Live animals shall not be allowed in the kitchen or food service areas while food is uncovered or exposed.

e. The kitchen and food preparation area shall be well-lighted, ventilated and located apart from areas which could cause food contamination. All doors and windows in the kitchen and food preparation areas that open to the outside shall be screened.

f. The floors, walls, shelves, tables, utensils and equipment in all rooms where food or drink is stored, prepared or served or where utensils are washed shall be kept clean and in repair. Stored food shall be protected from vermin, rodents and other contamination.

(c) Food Service.

1. For food service areas with a capacity of 13 or more residents, all matters pertaining to food service shall comply with the provisions of Chapter 64E-11, F.A.C.

2. Third Party Food Service. When food service is provided by a third party, the provider shall meet all conditions stated in this section, and shall comply with Chapter 64E-11, F.A.C. There shall be a formal contract between the RTF facility and provider containing assurances that the provider will meet all food service and dietary standards imposed by this rule. Sanitation reports and food service establishment inspection reports shall be on file in the RTF facility.

3. Staff.

a. The RTF facility or organization which operates the RTF facility shall be responsible for the supervision of food service staff.

b. The staff shall perform their duties in a safe and sanitary manner, be knowledgeable of foods that meet regular diets and participate in continuing in-service education on at least an annual basis. A minimum of one staff member from each RTF facility or organization which operates the RTF facility serving food shall have on staff a Certified Food Manager in compliance with Department of Health requirements. A list of approved test providers may be located at <http://www.floridahealth.gov/healthy-environments/food-safety-and-sanitation/food-manager.html>. ~~complete the Food Service Management Training Course at the county public health unit.~~

c. All employees shall wear clean garments and keep their hands clean at all times while engaged in preparing or serving food and drink.

d. Staff and residents engaging in the preparation and service of food shall use effective restraints to keep hair from food and contact surfaces.

e. No person having a communicable disease in the transmittable stage or who is a carrier of organisms that may cause a communicable disease shall prepare or serve food for others.

f. Duty assignments shall be posted in the kitchen area in RTFs facilities having three or more food service staff.

4. Diet and Nutrition. The RTF facility shall have policies and procedures to assure proper nutritional care of its residents, whether the food is prepared by residents, staff or a third party.

a. For residents who need therapeutic diet services, a physician's order for each diet and the meal pattern, including types and amounts of food to be served, shall be on file. Therapeutic diets shall be prepared and served as ordered by the physician. Staff shall insure that residents on special diets follow the physician's orders.

b. Regular diets shall meet the nutritional needs of residents.

c. An up-to-date diet manual, such as the Diet Manual of the Florida Academy of Nutrition and Dietetics ~~Dietetic Association, Inc.~~, shall be used as the standard reference in planning regular and therapeutic diets.

d. The dietary allowances shall be met by offering a variety of foods adapted to the food habits, preferences and physical abilities of the residents and prepared by the use of standardized recipes.

e. For RTFs facilities serving 3 meals a day, no more than 14 hours shall elapse between the end of an evening meal and the beginning of a morning meal containing a protein food. Intervals between other meals shall not be less than 4 hours and not more than 6 hours.

f. Group RTFs facilities shall plan menus at least 1 week in advance for regular and therapeutic diets. The menus shall be dated and posted where easily viewed by residents, corrected as served, and kept on file for 6 months.

5. Food Preparation, Sanitation and Storage.

a. All food and drink shall be clean, wholesome, free from spoilage and prepared so as to be safe.

b. Group RTFs facilities shall maintain a 1-week supply of non-perishable food, based on the number of weekly meals the program serves.

c. Food shall be served attractively and at safe temperatures.

d. Sufficient and appropriate eating ware shall be on hand.

e. Schedules for cleaning of equipment, storage and work areas shall be in writing and on file.

f. Reports of sanitation inspections shall be on file, showing corrections of any deficiencies.

g. After each use, all non-disposable eating and drinking utensils shall be thoroughly cleansed with hot water and an effective detergent, rinsed free of such solution and sanitized.

h. All food and drink at risk of spoilage shall be kept at or below 45° F, or above 140° F, except when being prepared or served.

i. Each refrigerator or freezer used for storage of perishable foods shall be provided with an accurate indicating thermometer located in the warmest part toward the front side of the refrigerator or freezer so that the temperature can be easily and readily observed.

j. Freezers should be kept at or below 0° F.

6. Dining.

a. Dining tables shall seat small groups of residents unless other arrangements are justified on the basis of resident needs.

b. Dining rooms in Level I or II RTFs facilities shall be adequately supervised and staffed to provide assistance to residents when needed and to assure that each resident receives an adequate amount of and variety of food.

c. The dining area shall be suitably lighted, ventilated and furnished.

(d) Environment.

1. The facility shall establish an environment that enhances the positive self-image of residents and preserves their human dignity.

a. RTFs Residential facilities shall not be identified by an exterior sign or vehicle sign that labels its the residents or special functions of the facility.

b. Vehicle traffic and parking relating to the RTF facility shall be similar to that of surrounding structures or residences.

c. Residences and grounds shall be furnished in a manner similar to a normal home living environment.

2. The grounds of the RTF facility shall have adequate space for resident activities.

3. The RTF facility shall be accessible to individuals with physical disabilities ~~handicapped persons~~ or the RTF facility shall have written policies and procedures that describe how ~~handicapped~~ individuals with physical disabilities can gain access to the facility for necessary services.

4. Areas that accommodate the following shall be available:

a. A full range of social activities;

b. Private conversations;

c. Group activities; and

d. Resident privacy, when appropriate.

5. All areas of the RTF facility occupied by residents shall be climatically controlled in a manner conducive to the comfort and privacy of the residents.

a. A temperature of at least 72° F shall be maintained during waking hours in all areas used by residents. During hours when residents are normally asleep, a temperature of at least 68° F shall be maintained. These temperature requirements apply unless otherwise mandated by federal or state authorities.

b. Temperatures of all inside areas of buildings used by residents shall not exceed 85° F.

c. When cooling devices are used, they shall be placed or adjusted in a manner which minimizes drafts.

6. Drinking water shall be readily available and easily accessible to residents.

7. Mirrors reasonably free of distortion shall be placed in appropriate places to aid in grooming and to enhance self-awareness.

8. Clocks and calendars shall be provided to promote awareness of time and day.

9. The use of door locks or closed sections of the building shall comply with all applicable safety standards.

10. Clean, well-lighted and ventilated laundering facilities for resident use shall be available on the premises or in the immediate neighborhood.

11. A telephone which allows private conversations shall be available and easily accessible within the RTF facility.

12. ~~RTF Facility~~ lighting shall promote clear perceptions of people and functions. When and where appropriate, lighting shall be controlled by residents.

13. Whenever feasible, the environment shall provide views of the outdoors.

14. Books, magazines, newspapers, arts and crafts materials, radios and televisions shall be available in accordance with residents' recreational, cultural and educational backgrounds and needs.

15. Bedrooms.

a. All resident bedrooms shall be ventilated, well-lighted and located convenient to a bathroom.

b. Resident bedrooms designated for single occupancy shall provide a minimum inside measurement of 80 square feet of usable floor space.

c. Resident bedrooms designated for multiple occupancy shall provide a minimum inside measurement of 60 square feet of usable floor space per bed and be limited to four occupants.

d. All resident bedrooms shall open directly into a corridor, a common use area or the outside, except in those ~~RTFs facilities~~ comprised of apartments.

e. Each resident bedroom where furnishings are supplied by the ~~RTF facility~~ shall be furnished with at least the following equipment per resident:

(I) Personal storage space such as dressers, chests or wardrobes;

(II) Upon request, a table and comfortable chair;

(III) Adequate space for hanging clothes; and

(IV) A clean, comfortable bed in good repair with a mattress that is clean and free of odors, stains, rips, tears or lumpy stuffing, and is not less than 36 inches in width and 72 inches in length, with the top surface of the mattress at a comfortable height to assure easy access by residents; and

(V) Bedding appropriate to the seasons, including a pillow, pillow case, sheets, blankets and spread.

f. The placement of residents in a bedroom shall be appropriate to their ages, developmental levels and clinical needs and to meet the goals of the ~~RTF facility~~.

g. Sleeping areas shall be assigned on the basis of the residents' needs for group support, privacy or independence.

h. Bedroom doors shall not have vision panels.

i. Residents shall be allowed to keep and display personal belongings and to add personal touches to the decoration of their rooms. The ~~RTF facility~~ shall have written policies to govern the appropriateness of such decorative display.

j. Each resident will be provided a place in which personal belongings may be securely stored.

16. Bathrooms.

a. A toilet and lavatory facility shall be provided for every six residents, and toilets shall be equipped with seats.

b. A minimum of one tub or shower facility, equipped with non-slip devices, shall be provided for every eight residents.

c. Bathrooms shall be ventilated, adequately lighted and have clearly labeled hot and cold running water.

d. Each bathroom shall have a door in working order to assure privacy.

e. When there is more than one toilet or bathing facility in a bathroom, provisions are required for privacy.

f. Bathrooms used by ~~physically handicapped~~ residents with physical disabilities shall be equipped to ensure safety and independent mobility.

g. Sole access to toilet or bathing facilities shall not be through another resident's sleeping room, except in facilities comprised of apartments.

17. Common Living Areas.

a. A room, separate from sleeping areas, shall be provided where residents may read or engage in socialization or other leisure time activities.

b. A minimum of 35 square feet of living and dining space per resident shall be provided by all facilities except those comprised of apartments. This space shall include living, recreational and other space designated accessible to residents, but shall not include bathrooms, corridors, storage space, or screened porches which cannot be adapted for year round use. Facilities with bedrooms which include living space may count the square footage that is in excess of the bedroom square footage requirements as part of the 35 square footage living and dining space requirements.

(e) Housekeeping and Maintenance.

1. Housekeeping.

a. The ~~RTF facility~~ shall have written policies and procedures for maintaining a clean and sanitary environment, including the following:

(I) The proper use, cleaning and care of equipment;

(II) The proper use of housekeeping and cleaning supplies;

(III) Appropriate techniques for evaluating the effectiveness of cleaning; and

(IV) The roles of staff and residents in maintaining a clean and safe environment.

b. Furniture and furnishings shall be clean and reasonably attractive.

c. Odors shall be controlled by appropriate sanitation practices, effective cleaning procedures and proper use of ventilation.

d. The ~~RTF facility~~ shall be free of unsafe or unsightly clutter or accumulations of possessions, equipment or supplies.

e. Bedding shall be kept clean and free of odors or stains.

(I) Mattresses and pillows shall be sanitized between uses by different residents.

(II) Blankets and bedspreads shall be washed or dry cleaned at least quarterly.

(III) Bed linens shall be washed at least weekly, or more frequently if necessary.

2. Maintenance.

a. The interior and exterior of buildings shall be reasonably attractive and in good repair. Loose, cracked or peeling wallpaper shall be promptly replaced, repaired or removed and the exposed area repainted to provide a satisfactory finish.

b. The ~~RTF~~ facility grounds shall be maintained in a safe and reasonably attractive manner.

c. Furniture and furnishings shall be kept in good repair.

d. All heating, air conditioning, electrical, mechanical, plumbing and fire protection systems shall function properly.

Specific Authority 394.879(1) FS. Law Implemented 394.67, 394.875, 394.876, 394.877, 394.878, 394.879, 394.90, 394.902, 394.903 FS. History—New 2-27-86, Amended 7-29-96, Formerly 10E-4.016, Amended 12-20-98, _____

NAME OF PERSON ORIGINATING PROPOSED RULE: Krystle Cacci, Policy Analyst
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Secretary, Florida Department of Children and Families
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 10, 2015

Section III

Notice of Changes, Corrections and Withdrawals

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-9.061 Appraisals

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. 46, March 9, 2015 issue of the Florida Administrative Register.

40C-9.061 Appraisals.

(1) through (2) No change.

(3) Certified appraisals shall be reviewed by the District to ensure that they comply with the professional practice standards established for ~~property appraisers registered, licensed, or certified in the State of Florida~~ in accordance with Section 475.628, Florida Statutes.

(4) No change.

REASON: The change to subsection 40C-9.061(3), F.A.C. will resolve a JAPC objection to the proposed rule, by referencing the statute that establishes the professional practice standards.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 14, 2015, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for DEV Hospitality, Inc. Petitioner seeks an emergency temporary variance of the requirements of ASME A17.1b, Section 8.6.4.7.4, as adopted by subsection 61C-5.001(1), F.A.C., that requires cleaning of hoistways and pits, which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2015-108).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On May 13, 2015, the Division issued an order. The Final Order was in response to a Petition for a Variance from Cypress Commons, filed April 16, 2015, and advertised on April 17, 2015, in Vol. 41, No. 75, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-098).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On May 13, 2015, the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Embassy Suites Tampa Airport/Westshore, filed April 22, 2015, and advertised on April 24, 2015, in Vol. 41, No. 80, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), F.A.C., that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2015-101).

A copy of the Order or additional information may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-51.001 Manner of Application

NOTICE IS HEREBY GIVEN that on May 14, 2015, the Board of Medicine, received a petition for waiver or variance filed by Diane James, from Rules 64B8-51.001 and 53.002, F.A.C., with regard to Petitioner's application to practice electrology, the hours required for electrolysis training education and transcript verification. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

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

DATE AND TIME: Thursday, May 28, 2015, 5:30 p.m., Finance and Investment Meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

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

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

Under Florida law, E-mail addresses are public records. If you do not want your E-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

The Board of Directors of Living Healthy in Florida, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 26, 2015, 2:00 p.m.

PLACE: The number for interested persons to call into the conference call: 1(888)670-3525, and the participant code: 1941468940#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business.

A copy of the agenda may be obtained by contacting: Debbie Bergstrom at Debbie.Bergstrom@FreshFromFlorida.com or (850)617-7442.

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

For more information, you may contact: Debbie Bergstrom at Debbie.Bergstrom@FreshFromFlorida.com or (850)617-7442.

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2015, 11:30 a.m. or as soon thereafter as can be heard, A Hearing Materials Committee Meeting will begin

PLACE: Marriott Tampa Airport, Tampa International Airport, 4200 George J. Bean Parkway, Tampa, Florida 33607, (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Materials Committee is meeting to discuss case material setup and alternative delivery methods for hearing material to panel members.

A copy of the agenda may be obtained by contacting: Lisa Forbess at (850)245-0455.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lisa Forbess at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lisa Forbess at (850)245-0455.

DEPARTMENT OF EDUCATION

Florida School for the Deaf and the Blind

RULE NO.: RULE TITLE:

6D-3.002 Admission and Enrollment Requirements

The Florida School for the Deaf and the Blind announces a workshop to which all persons are invited.

DATE AND TIME: May 29, 2015, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion regarding r. 6D-3.002, F.A.C. Admission and Enrollment Requirements.

A copy of the agenda may be obtained by contacting: Cindy Day, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2200 or dayc@fsdb.k12.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Cindy Day, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2200 or dayc@fsdb.k12.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cindy Day, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2200 or dayc@fsdb.k12.fl.us.

DEPARTMENT OF TRANSPORTATION

The Commercial Motor Vehicle Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2015, 8:30 a.m.

PLACE: Koger Center, Rhyne Building, 3rd Floor, Room 330, 2740 Centerview Drive, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Heather Nelson, Executive Assistant, Commercial Motor Vehicle Review Board, 605 Suwannee Street, MS 90, Tallahassee, FL 32399.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 27, 2015, 10:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

For more information, you may contact: John Meyer, (727)570-5151, ext. 29 or johnm@tbrpc.org.

REGIONAL PLANNING COUNCILS

Apalachee Regional Planning Council

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

DATE AND TIME: Thursday, May 28, 2015, 9:00 a.m., ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Apalachee Regional Planning Council. Executive Committee Meeting begins at 9:00 a.m., ET, Full Council begins at 10:30 a.m., ET.

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

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIME: June 11, 2015, 2:00 p.m., ET

PLACE: District Headquarters, 81 Water Management Drive, Havana, FL 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: Request For Proposal 15-002 Opening for Professional Surveying Services.

Other Meetings for RFP 15-002

Selection Committee Meeting: June 19, 2015 2:00 p.m., ET

If requested by the Selection Committee, oral presentations from the respondents will be held on June 23, 2015 at 2:00 p.m., ET.

A copy of the agenda may be obtained by contacting: Linda Chaisson at (850)539-5999.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Wendy Dugan at (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Monday, June 1, 2015, 3:30 p.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hernando County Task Force Meeting to receive public input and discuss issues relative to Lake Lindsey, the Weeki Wachee River, Mountain Lake and Hunters Lake.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. 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: Jeanette.lopez@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, x4378 (Ad Order EXE0427).

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

The AHCA Pharmaceutical and Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 26, 2015, 1:00 p.m. – 5:00 p.m.

PLACE: Tampa Marriott Westshore, 1001 N. Westshore Blvd., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to testify at this meeting must contact Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com. The number of speakers is limited and will be accommodated in the order of notification to Mr. Hamilton. Because of unforeseen events that may cause changes, interested parties are encouraged to monitor the website: http://www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

The AHCA Drug Utilization Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, June 27, 2015, 8:00 a.m. – 12:00 Noon

PLACE: Tampa Marriott Westshore, 1001 N. Westshore Blvd., Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting involves review and approval of drug use criteria standards for both prospective and retrospective drug use reviews. Application of criteria and standards in the DUR activities. Review and report results of drug use reviews. Recommend and evaluate educational intervention programs.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

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

DATE AND TIME: June 16, 2015, 9:00 a.m.

PLACE: Crowne Plaza Jacksonville-Riverfront, 1201 Riverplace Blvd., Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Auctioneers, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Auctioneers, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

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

DATE AND TIME: Friday, May 29, 2015, 9:30 a.m.

PLACE: The Clarion Inn & Suites, 20967 US Hwy 19 N., Clearwater, Florida 33765

To attend the meeting by telephone, please call: 1(888)909-7654 and enter pass code: 128126 when prompted

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Vicky Krentz at 1(888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

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

DATE AND TIME: Friday, June 19, 2015, 9:00 a.m.

PLACE: Caribe Royale, 8101 World Center Drive, Orlando, FL 32821, (407)238-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov or by accessing the board's website at: <http://floridaspodiatricmedicine.gov/meeting-information/>.

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: Edith Rogers at 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.

FLORIDA HOUSING FINANCE CORPORATION

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

DATE AND TIME: May 28, 2015, 1:30 p.m., Eastern Time

PLACE: Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Blvd., Orlando, FL 32827, (407)825-1234

Note: This workshop will not be accessible via telephone.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The workshop will be held to solicit comments and suggestions from interested persons relative to the Low Income Housing Tax Credit (LIHTC) and State Apartment Incentive Loan (SAIL) program Request for Applications (RFA) issued in 2014, and the RFA process in general. Florida Housing hopes to encourage a good discussion about what's working, what's not working, and what can be improved. Additionally, staff will also outline the tentative 2015/2016 RFA funding amounts and time line, and will proffer conceptual changes that the Corporation is considering for future LIHTC and SAIL RFAs for further discussion.

A copy of the agenda may be obtained by contacting: Ken Reecy at (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 at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

The Florida Developmental Disabilities Council Inc. announces a public meeting to which all persons are invited.

DATES AND TIMES: May 28, 2015, 8:30 a.m. – 9:30 a.m., Executive Comm.

May 28, 2015, 10:00 a.m. – 12:30 p.m., Full Council

May 28, 2015, 1:00 p.m. – 5:00 p.m., State Plan Development

May 29, 2015, 8:30 a.m. – 2:30 p.m., State Plan Development

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The FDDC's Executive Committee will be meet on May 28, 2105 to discuss general business.

The Full Council will meet on May 28, 2015, 10:00 a.m. until 12:30 p.m. (working lunch) to discuss general business.

The remainder of the May 28, 2015 meeting will be dedicated to the development of the 2017-2021 State Plan from 1:00 p.m. to 5:00 p.m.

The May 29, 2015 meeting scheduled from 8:30 a.m. to 2:30 p.m. will be dedicated to the development of the 2017-2021 State Plan.

A copy of the agenda may be obtained by contacting: Debra Dowds or Vanda Bowman at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, 1(800)580-7801 or 1(850)488-4180.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Debra Dowds or Vanda Bowman at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, 1(800)580-7801 or 1(850)488-4180. 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 WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

The Florida Workers' Compensation Insurance Guaranty Association's Board announces a public meeting to which all persons are invited.

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

PLACE: Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Board will meet to discuss the general business of the Association. The agenda will include but not limited to: Minutes, Receiver's Report, Legal Report, Audit Committee Report, Financial & Claim Reports and Operations Report.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (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 at (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).

**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**

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

Springs Data Processing Negotiations

The District issued Request for Quotes (RFQ) No. 28189 to provide expertise in all aspects of M9 ADCP data collection including spatial orientation required to deliver a detailed geo-referenced spatial velocity and bathymetry maps for the river section of interest. On May 12, 2015, the District's Governing Board authorized the Evaluation Committee (the "Committee") for this RFQ to enter into negotiations with the top-ranked Respondent. Negotiations will commence with the top-ranked respondent at 10:30 a.m. on May 27, 2015, at District headquarters, 4049 Reid Street, Palatka, Florida 32177 (C.R. 184). Staff will meet at 9:30 a.m. on May 27, 2015, to discuss negotiation strategies for the 10:30 a.m. meeting with the top-ranked respondent.

DEPARTMENT OF CHILDREN AND FAMILIES

RENOVATIONS TO THE OFFICE OF CHILD WELFARE

A-1 INVITATION TO BID

Proposals are requested from QUALIFIED BUILDING OR GENERAL CONTRACTORS by the State of Florida, Department of Children and Families, hereinafter referred to as OWNER, for the construction of:

TITLE: Renovations and Modifications to the Office of Child Welfare

SITE: 1317 Winewood Blvd., Building 1, Third Floor, Tallahassee, Florida

PREQUALIFICATION: Each prime Bidder shall be state-certified in accordance with Chapter 489, Florida Statutes, as a Building or General Contractor. Bids from firms not able to furnish proof of the required certification are subject to disqualification.

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings and the General and Technical Specifications, which may be examined and obtained from the ARCHITECT/ENGINEER:

A/E: Department of Children and Families, Office of General Services, Design, and Construction. 1317 Winewood Blvd., Building #3, Room 205-G, Tallahassee, Florida 32399-0700

TEL#: (850)717-4011, **CELL#:** (850)524-0097

E-MAIL: bill.bridges@myflfamilies.com

BID DOCUMENTS: Full sets of Drawings and Specifications may be purchased from the ARCHITECT/ENGINEER, by payment of printing and handling costs at the rate of \$20.00 per bid set.

PRE-BID MEETING: A mandatory pre-bid meeting will be held on Tuesday, May 26, 2015 at 10:00 a.m. local time. The meeting will begin in Building #3, Rm #202 Conference Room, 1317 Winewood Blvd., Tallahassee, Florida.

BONDING REQUIREMENTS: See Section B-11 for bid guarantee requirements. See Section C-5 for performance and payment bond requirements.

BID OPENING: Sealed bids will be received, publicly opened and read aloud on:

DATE: June 11, 2015, Thursday

TIME: 2:00 p.m. local time

LOCATION: 1317 Winewood Blvd., Building #3, Room 205G, Tallahassee, Florida. Opening and reading of bids aloud will occur in Building #3, Room 202, Conference Room.

Section XII Miscellaneous

DEPARTMENT OF LAW ENFORCEMENT
 Division of Local Law Enforcement Assistance
NOTICE OF APPLICATION FOR FEDERAL FUNDS AND FUNDING AVAILABILITY

The State of Florida, Department of Law Enforcement (FDLE), Office of Criminal Justice Grants will be submitting an application to the United States Department of Justice, Bureau of Justice Assistance, for Federal Fiscal Year 2015

funds made available under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Section 500 as amended.

A copy of the application will be available for review and comment by the public at FDLE, Business Support Program, Office of Criminal Justice Grants, Tallahassee, Florida 32308. Interested parties should contact the Office of Criminal Justice Grants at (850)617-1250 to obtain a copy of the application for review.

If the Bureau of Justice Assistance approves this application, units of local government will be eligible to receive subgrants from the Department of Law Enforcement. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Chapter 11D-9, Florida Administrative Code, governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subgrant funds.

FDLE will mail a notice of funding availability to the chief official of each county and each city. The notice will state the amount of funds available to the county and include information about the application process.

Questions regarding FDLE's application and the funding process should be directed to Petrina T. Herring, Bureau Chief, Office of Criminal Justice Grants, FDLE, at (850)617-1250.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Office of the Secretary

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH
 Board of Nursing

Notice of Emergency Action

On May 14, 2015, State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certificate of Travaros Demercado Richards, C.N.A.,

Certification #: CNA 258450. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On May 14, 2015, State Surgeon General issued an Order of Emergency Restriction of Certification with regard to the certificate of Palmer G. Arnold, E.M.T., P.M.D. Certification #: EMT 78982; PMD 17643. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2014). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII

**Index to Rules Filed During Preceding
Week**

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