

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-6.035 Certified Public Expenditures for
 Emergency Services

PURPOSE AND EFFECT: The purpose of Rule 59G-6.035, Florida Administrative Code (F.A.C.), is to establish Florida Medicaid’s reimbursement process for publicly owned or operated emergency transportation services providers that qualify for the Certified Public Expenditures Program appropriated by the Florida Legislature.

SUBJECT AREA TO BE ADDRESSED: Certified Public Expenditures Program for Emergency Transportation Services.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: January 3, 2017, 1:30 p.m. to 2:30 p.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Luc Toussaint. 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: Luc Toussaint, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4211, e-mail: Luc.Toussaint@ahca.myflorida.com.

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

Official comments to be entered into the rule record will be received until 5:00 p.m. on January 4, 2017 and may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-6.035 Certified Public Expenditures Program for Emergency Transportation Services.

(1) This rule applies to all publicly owned or operated emergency transportation services providers rendering Florida Medicaid emergency transportation services to recipients under the fee-for-service delivery system.

(2) Providers must submit AHCA Form 5000-0035, Emergency Medical Transportation Integrated Disclosure and Medicaid Cost Report General Information and Certification, incorporated by reference, and available at <http://ahca.myflorida.com/Medicaid/Finance/finance/LIP-DSH/PEMT/index.shtml>, and at [DOS Placeholder] to the Agency for Health Care Administration (AHCA) annually, to be eligible to use certified public expenditure funds as state match in order to receive federal financial participation. . The form must be completed in accordance with AHCA Form 5000-0035A, Emergency Medical Transportation Services Cost Report Instructions, incorporated by reference, and available at <http://ahca.myflorida.com/Medicaid/Finance/finance/PEMT/index.shtml>, and at [DOS Placeholder].

(3) Funds are appropriated from the Medical Care Trust Fund for the Certified Public Expenditures Program for Emergency Transportation Services and are supplemental to the reimbursement rates on the Florida Medicaid Ambulance Transportation Services Fee Schedule, incorporated by reference in Rule 59G-4.002, Florida Administrative Code.

(4) The Provider Reimbursement Manual CMS PUB. 15-1, is incorporated by reference, and available at <https://www.cms.gov/Regulations-and-Guidance/Guidance/Manuals/Paper-Based-Manuals-Items/CMS021929.html>, and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07043>.

(5) The OMB Circular A-87, is incorporated by reference, and available at https://www.whitehouse.gov/omb/circulars_a087_2004, and at [DOS Placeholder].

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History-New, _____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-55.001 Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendment provides notice regarding the range of disciplinary actions to be taken when 456.072(1)(oo) is violated.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

RULEMAKING AUTHORITY: 456.072, 456.079, 478.52(4) FS.

LAW IMPLEMENTED: 456.072, 456.073, 456.079, 478.52(4) 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, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-15.007 RULE TITLE: Approval and Renewal of New Certified Nursing Assistant Training Programs

PURPOSE AND EFFECT: The purpose of the rule amendment is to update application.

SUBJECT AREA TO BE ADDRESSED: Update application

RULEMAKING AUTHORITY: 464.202, 464.203 FS.

LAW IMPLEMENTED: 464.203 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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 REVENUE

Property Tax Oversight Program

RULE NOS.:	RULE TITLES:
12D-9.007	Role of the Clerk of the Value Adjustment Board
12D-9.015	Petition; Form and Filing Fee
12D-9.019	Scheduling and Notice of a Hearing

PURPOSE AND EFFECT: In response to a Joint Administrative Procedure Committee (JAPC) staff review, the Department is amending the listed rules. The proposed amendment to Rule 12D-9.007, F.A.C., is to remove subsection (15), which does not meet the definition of a rule based on a JAPC staff finding. The proposed amendment to paragraph 12D-9.015(2)(e), F.A.C., is to implement s. 10 of Chapter 2016-128, L.O.F., which amended s. 194.032(2), F.S., removing the requirement of a check box for the petitioner to request a copy of the property record card on the petition forms. Section 194.032(2)(a), F.S., instructs the property appraiser, when he or she receives a petition from the clerk, to provide a copy of the property record card or notify the petitioner the property record card is available online. The purpose of the proposed amendment to paragraph 12D-9.019(5)(b), F.A.C., is to implement s. 8 of Chapter 2013-109 and s. 2 of Chapter 2012-193, L.O.F., to add amended provisions from Chapter 194, F.S., and remove outdated language. This amendment will allow the value adjustment board (VAB) to hear a petition within a block of time and limit the petitioner’s wait time to two hours after the scheduled time for the hearing to commence. The effect of amending these rules is to have statutorily current procedures for VAB activities and proceedings available to all interested parties.

SUMMARY: Amend Rules in Chapter 12D-9, F.A.C. about the value adjustment board proceedings, based on JAPC findings during a rule review.

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: 1) no requirement for an SERC was triggered under

Section 120.541(1), F.S.; and, 2) based on past experiences with activities for providing the public tax information and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S. Any person who wishes to provide information regarding a SERC, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

RULEMAKING AUTHORITY: 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS.

LAW IMPLEMENTED: 193.155, 194.011, 194.013, 194.015, 194.032, 194.034, 194.035, 194.036, 195.022, 196.151, 197.2425 FS.

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

DATE AND TIME: January 10, 2017, 10:00 a.m.

PLACE: Capital Circle Office Complex, Building 2, Room 1220, 2450 Shumard Oak Blvd, 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 48 hours before the workshop/meeting by contacting: Mike Cotton at (850)617-8870. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Cotton, Property Tax Oversight Program, Department of Revenue, P.O. Box 3000, Tallahassee, Florida 32315-3000, telephone: (850)617-8870 or Mike.Cotton@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

12D-9.007 Role of the Clerk of the Value Adjustment Board.

(1) Through (14) No Change.

~~(15) The board clerk shall have such other duties as set forth elsewhere in these rules and Rule Chapter 12D-10, F.A.C., and in the Florida Statutes and as assigned by the board not inconsistent with law.~~

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS. Law Implemented 194.011, 194.013, 194.015, 194.032, 194.034, 194.035, 194.036, 195.022 FS. History–New 3-30-10, Amended 6-14-16,_____.

12D-9.015 Petition; Form and Filing Fee.

(1) No change.

(2) Content of Petition. Petition forms as adopted or approved by the department shall contain the following elements so that when filed with the board clerk they shall:

(a) through (d) No change.

(e) Contain a statement that the petitioner has the right, regardless of whether the petitioner initiates the evidence exchange, to receive from the property appraiser a copy of the property record card containing information relevant to the computation of the current assessment, with confidential information redacted, along with a statement that when the property appraiser receives the petition, the property appraiser will either send the property record card to the petitioner or notify the petitioner how to obtain the property record card online. Provide a check box for the petitioner to request a copy of the property record card;

(f) through (h) No change.

(3) through (14) No change.

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS. Law Implemented 193.155, 194.011, 194.013, 194.032, 194.034, 194.036, 195.022, 196.151, 197.2425 FS. History–New 3-30-10, Amended 11-1-12, 6-14-16,_____.

12D-9.019 Scheduling and Notice of a Hearing.

(1) through (4) No change.

(5)(a) If a petitioner’s hearing does not commence as scheduled, the board clerk is authorized to reschedule the hearing. determine good cause exists to reschedule a petition.

(b) In no event shall a petitioner be required to wait more than a reasonable time after from the scheduled time to be heard or, if the petition has been scheduled to be heard within a block of time, after the beginning of the block of time. A reasonable time shall not exceed four hours. The board clerk is authorized to find that a reasonable time has elapsed based on other commitments, appointments or hearings of the petitioner, lateness in the day, and other hearings waiting to be heard earlier than the petitioner’s hearing with the board or special magistrate. If his or her petition has not been heard within a reasonable time, the petitioner may request to be heard immediately. If the board clerk finds a reasonable time has elapsed and petitioner is not heard, the board clerk shall find good cause is present and shall reschedule the petitioner’s hearing. A reasonable time must not exceed two hours. After two hours, the petitioner has the right to inform the board chairperson, or the clerk as board designee, that he or she intends to leave. If the petitioner chooses to leave, the petitioner must first inform the board chairperson or clerk that he or she intends to leave. The clerk must not list the petitioner as a no show. If the hearing does not commence within two hours and the petitioner leaves, the clerk must reschedule the hearing.

(c) No change.

(6) No change.

Rulemaking Authority 194.011(5), 194.034(1), 195.027(1), 213.06(1) FS. Law Implemented 194.011, 194.015, 194.032, 194.034, 195.022 FS. History—New 3-30-10, Amended 9-26-11, 6-14-16, Section 15, Chapter 2016-128, Laws of Florida, 7-1-16, xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Mike Cotton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Governor and Cabinet of Florida.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/06/2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2016.

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-24.001	General and Definitions
18-24.0022	Florida Forever Goals and Numeric Performance Measures

PURPOSE AND EFFECT: The purpose of this rulemaking is to conform the rule language to changes made in statute. Amendments are needed to add the Land Acquisition Trust Fund as a funding source for Florida Forever acquisitions.

SUMMARY: In 2015, the Legislature amended section 259.035(4)(a), F.S., “requiring the Acquisition and Restoration Council to develop rules defining specific criteria and numeric performance measures needed for lands acquired under the Florida Forever Program with funds deposited into the Land Acquisition Trust Fund pursuant to s. 28(a), Article X of the State Constitution.” (Ch. 2015-229, Laws of Florida) The Acquisition and Restoration Council has previously developed rules defining specific criteria and numeric performance measures; this amendment will simply reflect the addition of the Land Acquisition Trust Fund.

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: Ratification is not required on any of the proposed rules because the proposed changes are technical in nature and, as such, there is no adverse impact or regulatory costs of the rule that exceed any of the criteria established in Section

120.541(2)(a), F.S., based on a review conducted in association with the “Proposed Rule: Is a SERC Required?” checklist.

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: 259.035(1), 259.035(4), 259.105(9), 259.105(18) F.S.

LAW IMPLEMENTED: 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 F.S.

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: Elaine Mann, Division of State Lands, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 100, Tallahassee, Florida 32399-3000, phone: (850)245-2564, email: Elaine.Mann@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

18-24.001 General and Definitions.

(1) This chapter is promulgated to set forth the procedures, standards, and criteria for the evaluation and selection of lands proposed for acquisition, restoration, and other capital improvements with funds from the Florida Forever Trust Fund pursuant to Section 259.105(3)(b), F.S., or funds deposited into the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State Constitution and to set forth the performance measures for all programs funded pursuant to Section 259.105(3), F.S.

(2) For the purposes of this chapter, the following terms are defined as follows:

(a) through (k) No change.

(l) “Fund” means the Florida Forever Trust Fund that is created by Section 259.1051, F.S., or funds deposited into the Land Acquisition Trust Fund pursuant to s. 28(a), Art. X of the State Constitution.

(m) through (v) No change.

Rulemaking Authority 259.035(1), (4), 259.105(9), (18) FS. Law Implemented 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History—New 7-17-01, Amended 5-1-10, _____.

18-24.0022 Florida Forever Goals and Numeric Performance Measures.

(1) The Florida Forever goals and measures described in this rule apply to all programs that receive Florida Forever Trust Funds pursuant to Section 259.105(3), F.S., or funds deposited into the Land Acquisition Trust Fund pursuant to s.

28(a), Art. X of the State Constitution. Some goals and measures are specific to acquiring land, while others are primarily measures for capital improvement expenditures. Some measures are not directly related to Florida Forever program activities per se, but are general ecosystem function measures that may have an indirect connection or a post-acquisition land management or land use component. Some measures are specific to one or more of the programs funded under Florida Forever pursuant to Section 259.105(3), F.S., while the majority of the goals and measures overlaps with several programs.

(2) through (4) No change.

(5) For program expenditures to acquire lands or implement capital improvements that achieve one or more of the measures listed above in subsection (2), (3) or (4), each program funded under Section 259.105(3), F.S., shall report its accomplishments to the Department of Environmental Protection's Division of State Lands by January 15 of each year. ~~Fund r~~Recipients of Florida Forever funds shall also report on those measures that are not directly related to Florida Forever expenditures but are applicable to their program component as described in subsection (4).

(6) No change.

Rulemaking Authority 259.035(1), (4), 259.105(9), (18) FS. Law Implemented 259.035, 259.04, 259.041, 259.045, 259.07, 259.105 FS. History--New 5-1-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elaine Mann, Program Analyst, Division of State Lands
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Internal Improvement Trust Fund
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 06, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 2, 2015

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-3.253
RULE TITLE: Investigations and License, Life Safety and Validation Inspections

PURPOSE AND EFFECT: The Agency is proposing to amend this rule to remove the word "annual" in relation to surveys to allow greater flexibility for inspections.

SUMMARY: Surveys and inspections conducted by the Agency.

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.

For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC.

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

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

RULEMAKING AUTHORITY: 395.1055, 408.819 FS.

LAW IMPLEMENTED: 395.0161, 395.1055, 395.1065, 408.811 FS.

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

DATE AND TIME: Tuesday, January 10, 2017, 1:30 pm - 2:00 pm

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

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: Jessica Munn, Hospital & Outpatient Services Unit, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica Munn, Hospital & Outpatient Services Unit, Bureau of Health Facility regulation, (850)412-4359, email: Jessica.Munn@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-3.253 Investigations and License, Life Safety and Validation Inspections.

(1) No change.

(2) Non-accredited hospitals. Hospitals which are not accredited by an accrediting organization shall be subject to a ~~an annual~~ licensure inspection.

(3) Accredited hospitals. The Agency shall accept the report of an accrediting organization in lieu of ~~a an annual~~ licensure inspection for accredited hospitals and for hospitals seeking accreditation, provided that the standards included in the report demonstrate that the hospital is in compliance with state licensure requirements found in Chapters 395 and 408, F.S. and Chapters 59A-3 and 59A-35, F.A.C., and the hospital does not meet the criteria specified under subparagraphs (c)1. and 2.

(a) through (b) No change.

(c) Accredited hospitals shall be subject to ~~a an annual~~ licensure inspection under the following circumstances:

1. through 2. No change.

(4) through (7) No change.

(8) Conformance with accreditation standards. In all hospitals where the Agency does not conduct ~~a an annual~~ licensure inspection, by reason of the hospital's accreditation status, the hospital shall continue to conform to the standards of accreditation throughout the term of accreditation, or shall notify the Agency of the areas of non-conformance. Where the Agency is notified of non-conformance, it shall take appropriate action as specified under subsection (3).

(9) No change.

Rulemaking Authority 395.1055, 408.819 FS. Law Implemented 395.0161, 395.1055, 395.1065, 408.811 FS. History—New 9-4-95, Formerly 59A-3.204 Amended 5-16-06, 10-16-14.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jessica Munn

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/07/2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 07/14/2016

**AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing**

RULE NO.: 59A-5.004
RULE TITLE: Validation, Licensure, & Life Safety Inspections and Complaint Investigations

PURPOSE AND EFFECT: The Agency is proposing to amend this rule to remove the word "annual" in relation to surveys of Ambulatory Surgical Centers to allow greater flexibility for inspections. In addition a technical change will be made to a statute number under Rulemaking Authority.

SUMMARY: Surveys and inspections conducted by the Agency.

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.

For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC.

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

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

RULEMAKING AUTHORITY: 395.1055, 395.0161, 408.819 FS.

LAW IMPLEMENTED: 395.003, 395.0161, 395.1065, 408.811 FS.

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

DATE AND TIME: Tuesday, January 10, 2017, 12:30 pm - 1:00 pm

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

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: Jessica Munn, Hospital & Outpatient Services Unit, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica Munn, Hospital & Outpatient Services Unit, Bureau of Health Facility regulation, (850)412-4359, email: Jessica.Munn@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-5.004 Validation, Licensure, & Life Safety Inspections and Complaint Investigations.

(1) No change.

(2) Non-accredited ambulatory surgical centers. Centers which are not accredited by an accrediting organization shall be subject to a scheduled ~~annual~~ licensure inspection. The fee for conducting a licensure inspection shall be \$400.00.

(3) Accredited ambulatory surgical centers. The Agency shall accept the report of an accrediting organization in lieu of a ~~an annual~~ licensure inspection for accredited centers and for centers seeking accreditation, provided that the standards used by the accrediting organization are determined by the Agency to incorporate comparable state licensure requirements, found in Chapters 395 and 408, F.S. and Chapters 59A-5 and 59A-35, F.A.C., and the center does not meet the criteria specified under subparagraphs (c)1. and 2.

(a) through (b) No change.

(c) Accredited centers shall be subject to a ~~an annual~~ licensure inspection under the following circumstances:

1. through 2. No change.

(d) The fee for a ~~an annual~~ licensure inspection shall be \$400.00 for any accredited center subject to inspection pursuant to paragraph (c).

(4) through (6) No change.

(7) Conformance with accreditation standards. In all centers where the Agency does not conduct a ~~an annual~~ licensure inspection, by reason of the center's accreditation status, the center shall continue to conform to the standards of accreditation throughout the term of accreditation, or shall notify the Agency of the areas of non-conformance. Where the Agency is notified of non-conformance, it shall take appropriate action as specified under subsection (3).

(8) No change

Rulemaking Authority 395.1055, 395.0161, 408.819 FS. Law Implemented 395.003, 395.0161, 395.1065, 408.811 FS. History—New 6-14-78, Formerly 10D-30.04, 10D-30.004, Amended 11-13-95, 9-17-14, ____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jessica Munn

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/07/2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 07/14/2016

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

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

PURPOSE AND EFFECT: This rule is proposed to set out the requirements of the pre-match physical of the fight participants and the referees.

SUMMARY: Pre-match physical requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 548.003 FS.

LAW IMPLEMENTED: 548.006, 548.041(1)(b), 548.046(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paul Waters, Executive Director, Florida State Boxing Commission, 2601 Blair Stone Road, Tallahassee, FL 32399-1016 or telephone (850)488-8500.

THE FULL TEXT OF THE PROPOSED RULE IS:

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

(1) Each participant shall, at the time of the weigh-in, be examined by a physician who is either a licensed M.D. or D.O. The physician shall certify in writing the participant's physical

condition and a professional assessment as to whether or not the participant may engage in the match. The physician shall, prior to the match, file with the commission representative a written report of the medical examination of the participant, which report shall state whether or not, in the opinion of the physician, the participant is physically fit to engage in the match. No participant shall be permitted to engage in a match unless he or she has been examined and pronounced fit to do so by a physician.

(2) Physicians shall have a suitable place or room in which to make their examinations prior to each match.

(3) The examination given all participants shall include the following:

- (a) Temperature;
- (b) Pulse; sitting, standing and running;
- (c) Lungs;
- (d) Heart;
- (e) Blood pressure;
- (f) Vision;
- (g) Weight;
- (h) Skin.

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

- (a) Inguinal and/or abdominal hernia;
- (b) Organic heart murmurs;
- (c) Active pulmonary lesions;
- (d) Abnormal temperature as determined by the

physician;

(e) Blood pressure over 140/90 mmHg. If the systolic pressure is above 140, the physician shall take the participant's blood pressure again either within twenty (20) minutes or on the day of the matches. Amateurs may fight with a systolic pressure over 140 at the discretion of the physician;

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

(g) Recent wounds, especially on face and ears;

(h) Hand injury and/or fracture(s) less than 6 weeks old, if, in the physician's opinion, the injury would be detrimental to the participant's health or ability to effectively compete or exhibit;

(i) Reason to believe that the participant is using or is under the influence of a prohibited substance contained within Rule 61K1-3.017, F.A.C.

(j) Dental abscess or loose tooth or teeth;

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

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

2. Solitary eye;

3. Blindness defined as central visual acuity of 20/200 or less in the best eye with the best possible correction, and/or a visual field of 20 degrees or less.

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

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

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

(o) Altered gait or balance; or

(q) History of any abnormality in a computerized axial tomography (CAT) scan, electroencephalogram (EEG), electrocardiogram (EKG), magnetic resonance imaging (MRI) scan, or other similar medical tests.

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

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

(7) Female participants shall not participate if any of the following conditions are identified by the physician during the pre-match physical:

(a) Pelvic disease states such as symptomatic endometriosis;

(b) Abnormal vaginal bleeding;

(c) Recent secondary amenorrhea of undetermined cause;

(d) Recent breast bleeding;

(e) Recently discovered breast masses;

(f) A positive pregnancy test, conducted at the time of the pre-match physical examination.

(8) The pre-match physical examination shall be documented on Form BPR-0009-455, "Participant Information and Medical Sheet", effective December 2014, adopted and incorporated herein by reference, which may be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref->

_____, and which shall be completed by the participant and the physician conducting the weigh-in. Any participant who refuses to complete this form shall not be allowed to engage in any match in Florida.

(9) Participation in subsequent matches:

(a) Any participant who is suspended and issued Form BPR-0009-478, "Order of Automatic Suspension", effective September 2015, adopted and incorporated herein by reference, which may be obtained at <http://www.flrules.org/Gateway/reference.asp?No=Ref->

_____, by the executive director, or any similar suspension issued by any other jurisdiction shall not participate until cleared by a physician licensed as an M.D. or D.O. A physician may extend a medical suspension any time he or she believes it to be in the best interest for the safety of a participant. In all cases, the decision by the physician at the pre-match physical to issue or extend a medical suspension is final and not reviewable;

(b) Participants shall receive a mandatory seven-day rest period after competing in a match. Day 1 of the mandatory rest period shall commence on the first day following the event.

(10) Transgender Participants

(a) Transsexuals: Male to Female

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

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

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

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

(b) Transsexuals: Female to Male.

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

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

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

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

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

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

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

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

(c) Pre-Fight and day of Fight:

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

medication appropriately, which must be documented in an additional Form DBPR FSBC 20, "Pre-Licensure Physical Sheet" revised September 2015, adopted and incorporated by reference in Rule 61K1-3.007.

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

(11) All medical information provided to the commission directly shall not be released to any individual or entity without prior disclosure to the participants and only for the express purpose of determining the ability to participate in a match. Such medical information may be released to physicians or representatives of the commission or the commission office. Participants shall sign Form DBPR FSBC 20, "Pre-Licensure Physical Sheet" effective September 2015, as a release to permit the commission to release the medical information to the necessary individuals prior to the match for the express purpose of determining fitness to participate in a match.

(12) Participants who have had prior pertinent medical conditions identified by their physician on Form DBPR FSBC 20, "Pre-Licensure Physical Sheet," September 2015, may not participate in a match until the participant has been cleared by a physician. If the commission office determines that the participant's health or his or her opponent's health is at risk due to the preexisting medical condition, the commission office shall refuse to permit the participant to participate. The commission office may request additional medical tests to determine whether a preexisting medical condition is a threat to the participant or his or her opponent.

(13) Whenever a participant is unable due to illness or injuries to take part in a match for which he is under contract, he (or his manager) shall immediately report that fact to the commission, and the participant shall be required to submit to an examination by a physician designated by the commission prior to future participation in matches in the State of Florida.

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

(15) If at any time prior to the match, evidence is revealed that indicates that the match may be unusually adverse to the health of a participant or referee, the executive director or his or her designee shall order a medical examination to be given to the participant or referee, the report of which examination shall be made to the executive director or his or her designee. Rulemaking Authority 548.003 FS. Law Implemented 548.006, 548.041(1)(b), 548.046(2) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida State Boxing Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida State Boxing Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 4, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 30, 2016

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-16.0001
RULE TITLE: State Examination for Funeral Industry Professionals.

PURPOSE AND EFFECT: The Division proposes an amendment to the Rule to address the examination requirements for licensure.

SUMMARY: Add examination requirements for licensure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, and the substance of the rule amendment, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary because the rule does not impose additional rights, obligations, or duties on any persons or any businesses, and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 497.103, 497.144, 497.368, 497.373 FS.

LAW IMPLEMENTED: 497.144, 497.368, 497.369, 497.373, 497.374 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: Ellen Simon, Assistant Director,

Division of Funeral, Cemetery, and Consumer Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-4985, Ellen.Simon@MyfloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-16.0001 State Examination for Funeral Industry Professionals.

(1) through (3) No change.

(4) In any instance where pursuant to Chapter 497 it is a prerequisite for obtaining a license that the applicant take and pass the laws and rules examination, if the applicant has taken and passed such examination within 24 months prior to the date of the application currently pending, the requirement shall be deemed satisfied. The requirement shall not be deemed satisfied by having taken and passed the examination more than 24 months prior to the date of the application currently pending. For purposes of this rule the date of the application shall be the date the application is received by the Division of Funeral, Cemetery, and Consumer Services.

Rulemaking Authority 497.103, 497.144, 497.368, 497.373 FS. Law Implemented 497.144, 497.368, 497.369, 497.373, 497.374 FS. History—New 4-27-03, Formerly 61G8-16.0001, Amended 3-7-16, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Funeral, Cemetery, and Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Board of Funeral, Cemetery, and Consumer Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

December 1, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

October 24, 2016

Section III

Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-7.029 General Quality Control Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 237, December 8, 2016 issue of the Florida Administrative Register. The Notice of Proposed Rule is amended to correct the date of Notice of Proposed Rule Development publication to read July 18, 2016.

Section IV
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER16-67 Replacement of Obsolete Emergency Rules

SUMMARY: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-67 Replacement of Obsolete Emergency Rules.

The following Department of the Lottery emergency rules relating to Florida Lottery games, promotions or obsolete rules are being replaced because the games or promotions have concluded, or the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER09-1, 53ER12-57, 53ER13-17, 53ER13-43, 53ER14-65, 53ER15-4, 53ER15-6, 53ER15-8, 53ER15-17, 53ER15-27, 53ER15-30, 53ER15-33, 53ER15-43, 53ER15-53, 53ER15-54, 53ER15-68, 53ER16-5, 53ER16-33, 53ER16-39 and 53ER16-46 F.A.C.

Rulemaking Authority - 24.109(1) FS. Law Implemented - 24.109(1) FS. History - New 12-16-16, Replaces 53ER09-1, 53ER12-57, 53ER13-17, 53ER13-43, 53ER14-65, 53ER15-4, 53ER15-6, 53ER15-8, 53ER15-17, 53ER15-27, 53ER15-30, 53ER15-33, 53ER15-43, 53ER15-53, 53ER15-54, 53ER15-68, 53ER16-5, 53ER16-33, 53ER16-39 and 53ER16-46.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 12-16-16.

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-818.016: Consideration of Recipient's Request for Land Exchanges

The Department of Environment Protection hereby gives notice:

that it has issued an order on December 14, 2016, granting Seminole County, Florida's Petition for Waiver. The Petition was received on October 13, 2016. Notice of Receipt of this

Petition was published in the Florida Administrative Register on October 18, 2016; VOL 42/203. The petition requested a waiver from paragraph 62-818.016(1)(a), F.A.C., which requires that a proposed land exchange parcel for a Florida Communities Trust (FCT) project must be contiguous to an FCT project site. The petition also requested a temporary waiver from paragraphs 62-818.016(2)(d) and (e), F.A.C., which require submission of a survey and legal description of the parcel to be acquired and the parcel to be provided by the Recipient/Trust, and submission of a title policy of the parcel to be acquired in order for FCT staff to further evaluate a land exchange request under the FCT program. No public comment was received. The Order, OGC Case No. 16-1342, granted the Petition to paragraphs 62-818.016(1)(a) and 62-818.016(2)(d) and (e), F.A.C., based on a showing that strict application of these rules would result in a substantial hardship to Petitioner, and on Petitioner's demonstration that a waiver of paragraph 62.818.016(1)(a), F.A.C. and a temporary waiver of paragraphs 62-818.016(2)(d) and (e), F.A.C. would be consistent with the purpose of the underlying statutes, and that said purpose will be achieved because it is promoting the acquisition, preservation and protection of, and access to open space for public recreation and conservation by facilitating the purchase of the alternative project site. Additionally, the purpose of the statutes being implemented will be otherwise met because ultimate approval of the land exchange request will be contingent upon the title policy and survey work being received and sufficient, thereby protecting the interests of the people of Florida.

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

Department of Environmental Protection, Attn: Linda Reeves, 3900 Commonwealth Blvd., Mail Station #103, Tallahassee, Florida, 32399-3000, telephone: (850)245-2702, Linda.Reeves@dep.state.fl.us, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission
The Region XIV Trust Fund Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2017, 10:00 a.m.

PLACE: Miami Dade College, North Campus, Room 9118

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion of Region XIV Reports and other Region XIV business matters.

A copy of the agenda may be obtained by contacting: Maevis Pierre, Region XIV Secretary, at (305)237-1329 or mpierre6@mdc.edu.

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 29, 2016, 10:00 a.m. until the conclusion of business

PLACE: The Florida Transportation Commission, 605 Suwannee Street, Room 176, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Standing FTC Bi-Monthly Teleconference to discuss FTC business.

A copy of the agenda may be obtained by contacting: The Florida Transportation Commission at (850) 414-4105

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Florida Transportation Commission at (850)414-4105. 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: The Florida Transportation Commission, 605 Suwannee Street, Room 176, Tallahassee, Florida 32399 or by phone at (850)414-4105.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

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

DATE AND TIME: January 20, 2017, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Treasure Coast Regional Planning Council will hold its monthly board meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

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: January 6, 2017, 2:30 p.m., ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, a public meeting for opening of sealed bids is hereby noticed within the timeline for the Invitation to Bid (ITB) 17B-007 for the 2017 Econfina Creek Sand Pine Timber Sale.

A copy of the agenda may be obtained by contacting: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwwater.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Division of Administration, (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).

For more information, you may contact: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwwater.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: January 9, 2017, 3:30 p.m.

PLACE: Sarasota Service Office Address, 6750 Fruitville Road, Sarasota, Florida 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain public comments on the draft injection well permit for the Southwest Florida Water Management District, who applied on June 9, 2016 for a permit to construct and operationally test an injection well system (File No. 344918-001-UC/1R, WACS 102926). The project is located at Wauchula Road and Taylor Road, Manatee County, Florida. The facility will construct and operationally test a non-hazardous Class V, Group 2 aquifer recharge system, consisting of one (1) recharge well (RW-1) with a 24-inch casing set to 950 feet below land surface (bls) and a total depth of 1500 feet bls. Recharge well (RW-1) will be

constructed at the Flatford Swamp in Manatee County, Florida, to investigate the feasibility of recharging excess natural surface water into the upper Floridan aquifer during wet weather flows and anthropogenic dry season flows to aid in the recovery of aquifer water levels and, to the extent practical, restore the natural hydroperiod of the swamp.

During the public comment period provided in Rule 62-528.315, F.A.C., any interested person may submit written comments on the draft permit. All comments shall be considered in making the final decision and shall be answered as provided in Rule 62-528.330, F.A.C. More information or a copy of the draft permit, fact sheet, and application may be obtained by contacting: Douglas Thornton, Engineering Specialist, DEP, 2600 Blair Stone Road, MS 3530, Tallahassee, Florida 32299-2400, phone (850)245-8666. The above address is the office processing the permit.

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: Toni Lomen at (904)256-1637. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: January 3, 2017, 1:30 p.m.

PLACE: City of St. Petersburg Water Resource Department, 1650 Third Avenue North, St. Petersburg, Florida 33713

GENERAL SUBJECT MATTER TO BE CONSIDERED: To obtain public comments on the draft injection well permit for the City of St. Petersburg, who applied on November 9, 2016 for a permit to construct an injection well system (File No. 036855-016-019-UC/1M, WACS 47045). The project is located at 3800 – 54th Avenue South, St. Petersburg, Florida 33711. The facility will construct up to four (4) non-hazardous Class I injection wells (IW-4, IW-5, IW-6, IW-7) with twenty-four inch (24") diameter steel casing set to 750 feet below land surface (bls), and a total depth of 1,150 feet bls. The injection wells will be used for the disposal of domestic effluent receiving a minimum of secondary treatment with high level disinfection. The injection wells may receive reuse water from the Southwest Water Reclamation Facility (SWWRF) and the City's Master Reuse distribution system which is connected to the City's Southwest, Northwest, and Northeast WRFs. The maximum permitted capacity of each well is 18.65 million gallons per day (MGD) under normal conditions, and up to 22.38 MGD during extreme flow conditions. The new injection wells will be located either at the existing WRF or at

the 31st Street Sports Complex owned by the City, located northwest of the intersection of 31st Street South and 54th Avenue South.

During the public comment period provided in Rule 62-528.315, F.A.C., any interested person may submit written comments on the draft permit. All comments shall be considered in making the final decision and shall be answered as provided in Rule 62-528.330, F.A.C. More information or a copy of the draft permit, fact sheet, and application may be obtained by contacting: Douglas Thornton, Engineering Specialist, DEP, 2600 Blair Stone Road, MS 3530, Tallahassee, Florida 32299-2400, phone (850)245-8666. The above address is the office processing the permit.

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: Toni Lomen at (904)256-1637. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Division of Public Health Statistics and Performance Management

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

DATE AND TIME: January 20, 2017, 3:30 p.m. – 6:00 p.m., ET

PLACE: LOEWS Royal Pacific Resort, 6300 Hollywood Way, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Physician Workforce Advisory Council – Strategic Plan Workgroup.

A copy of the agenda may be obtained by contacting: Community Health Assessment at (850)245-4009.

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: Community Health Assessment at (850)245-4009. 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: Community Health Assessment at (850)245-4009.

**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 filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed 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**

FLORIDA HOUSING FINANCE CORPORATION
RFA 2016-116 Housing Credit Financing for the Preservation of Existing Affordable Multifamily Housing Developments
Under this RFA, Florida Housing Finance Corporation expects to offer an estimated \$6,628,500 of Housing Credits to qualified Applicants that commit to preserve existing affordable multifamily housing developments for the

demographic categories of Families, the Elderly, and Persons with a Disability.

Applications shall be accepted until 11:00 a.m., Eastern Time, on Friday, February 3, 2017, and sent to the attention of Ken Reecy, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Ken Reecy at Ken.Reecy@floridahousing.org. The RFA, which outlines selection criteria and Applicant’s responsibilities, can be downloaded from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/2016-116/>

Any modifications that occur to the Request for Applications will be posted at the web site and may result in an extension of the deadline. It is the responsibility of the Applicant to check the website for any modifications prior to the deadline date.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8 a.m. Monday, December 12, and 3 p.m. Friday, December 16, 2016. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
64B33-5.006	12/13/2016	1/2/2017
64F-16.006	12/13/2016	1/2/2017
61K1-1.003	12/14/2016	1/3/2017
61K1-1.004	12/14/2016	1/3/2017
61K1-1.0043	12/14/2016	1/3/2017
61K1-1.006	12/14/2016	1/3/2017
61K1-1.007	12/14/2016	1/3/2017
61K1-1.008	12/14/2016	1/3/2017
61K1-1.009	12/14/2016	1/3/2017
61K1-1.012	12/14/2016	1/3/2017

Rule No.	File Date	Effective Date
61K1-1.037	12/14/2016	1/3/2017
61K1-1.040	12/14/2016	1/3/2017
61K1-3.0007	12/14/2016	1/3/2017
73B-20.006	12/15/2016	1/4/2017
73B-20.009	12/15/2016	1/4/2017
73B-20.013	12/15/2016	1/4/2017
73B-20.020	12/15/2016	1/4/2017
73B-21.004	12/15/2016	1/4/2017
73B-22.006	12/15/2016	1/4/2017
73B-22.010	12/15/2016	1/4/2017
69K-18.001	12/16/2016	1/5/2017
69K-18.002	12/16/2016	1/5/2017
53ER16-67	12/16/2016	12/16/2016
68A-6.007	12/16/2016	12/31/2016
61G4-15.001	12/16/2016	1/5/2017

LIST OF RULES AWAITING LEGISLATIVE
APPROVAL PURSUANT TO SECTION 120.541(3),
373.139(7) AND 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/*****
64B8-9.009	6/15/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
40B-9.123	12/9/2016	**/**/*****

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

Florida Medicaid 1915(c) Waivers

Florida Medicaid 1915(c) Waivers: Project AIDS Care (PAC), Traumatic Brain Injury/Spinal Cord Injury (TBI/SCI), Adult Cystic Fibrosis, Model, and Familial Dysautonomia Waivers

The Agency for Health Care Administration (Agency) is submitting a request to amend five waivers that operate under the authority of Section 1915(c) of the Social Security Act to the Centers for Medicare and Medicaid Services (CMS). The Agency is providing public notice of the 30-day public

comment period for those waivers as specified in 42 CFR 441.304(f) to solicit meaningful input from recipients, providers, and all stakeholders on the amendment requests prior to submission to CMS.

Description of the Waivers and Amendment Request

The purpose of these waiver programs is to maintain and promote the health of recipients through the provision of needed supports and services in order to delay and prevent institutionalization. The goal of these programs is to provide a choice of services that will allow eligible recipients to live safely at home or in the community.

The Agency is requesting an amendment to all five waivers to:

- Update the State's Home and Community-Based Services Settings Rule Transition Plan
- Update waiver contact information
- Update fair hearing language

The Agency is also requesting to:

- Increase the unduplicated count for the TBI/SCI Waiver
- Update the Level of Care requirements for PAC Waiver

The 30-day comment period for each waiver begins on December 19, 2016 and ends on January 18, 2017. The waiver amendment request can be viewed at the following link: http://ahca.myflorida.com/Medicaid/hcbs_waivers/index.shtml

When submitting written comments please identify the specific waiver name in the subject line. Mail comments and suggestions to:

Agency for Health Care Administration
Attention: HCBS Waivers
2727 Mahan Drive, MS #20
Tallahassee, Florida 32308

E-mail your comments and suggestions to: FLMedicaidWaivers@ahca.myflorida.com.

If you are hearing or speech impaired, please contact us using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Rebecca Best at 1(850)412-4038 or email Rebecca.Best@ahca.myflorida.com.

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.
