

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.192 Statewide Medicaid Managed Care Long-term Care Program

PURPOSE AND EFFECT: The purpose of Rule 59G-4.192, Florida Administrative Code (F.A.C.), is to incorporate by reference the Florida Medicaid Long-term Care Program Coverage Policy, _____. The incorporated coverage policy will specify recipient eligibility, provider requirements, covered services, and consideration of caregiver availability in the care planning and service authorization process.

SUBJECT AREA TO BE ADDRESSED: Statewide Medicaid Managed Care Long-term Care Program.

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.192, F.A.C., will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.978, 409.979 FS.

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

DATE AND TIME: March 16, 2016, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, 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: Devona Pickle. 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: Devona Pickle, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (813)350-4646, e-mail: Devona.Pickle@ahca.myflorida.com. Please note that a preliminary draft of the reference material, if available, will be posted prior to the workshop at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m., on March 23, 2016.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.192 Long-term Care Program.

(1) This rule applies to any person or entity who are requesting Statewide Medicaid Managed Care (SMMC) Long-term Care (LTC) Program services, any person or entity who is prescribing or reviewing a request for SMMC LTC Program services, and to all providers of SMMC LTC Program services who are registered or enrolled with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Long-term Care Program Coverage Policy, _____, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>.

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.978, 409.979 History—New _____.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-11.002 Eligibility for Licensure

PURPOSE AND EFFECT: To revise requirements for licensure.

SUBJECT AREA TO BE ADDRESSED: Requirements for licensure.

RULEMAKING AUTHORITY: 456.017, 468.1685(1), 468.1695(1), (2) FS.

LAW IMPLEMENTED: 456.017, 468.1685(2), 468.1695(1), (2), 468.1705 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: 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.

Section II
Proposed Rules

DEPARTMENT OF STATE

Florida Folklife Program

RULE NOS.: RULE TITLES:
 1P-1.008 Florida Folklife Festival
 1P-1.009 Florida Folklife Apprenticeship Program

PURPOSE AND EFFECT: The purpose of this rule amendment is to delete references to the Bureau of Folklife, which no longer exists, and sections of rule that no longer apply to DHR regarding the Florida Folklife Festival; and to establish in rule the most recent guidelines, application procedures, and forms for the Florida Folklife Apprenticeship Program.

SUMMARY: Delete references in the rule to the Florida Folklife Festival and update the guidelines, application procedures, and forms for the Florida Folklife Apprenticeship Program.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon completion of the SERC checklist, it was determined that the proposed rule amendment will not have a direct or indirect adverse financial impact on small businesses. 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: 267.16(2), 267.16(3) FS

LAW IMPLEMENTED: 267.16(1), 267.16(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: Carlos A. Rey, Florida Department of State, 500 S. Bronough Street, Tallahassee, FL 32399, 850-245-6536, Carlos.Rey@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1P-1.008 Florida Folklife Festival.

Rulemaking Authority 267.16(2) FS. Law Implemented 267.16(1), (5) FS. History—New 1-15-96, Repealed xx-xx-xx.

1P-1.009 Florida Folklife Apprenticeship Program.

(1) Folk artists are individuals who maintain traditions in creative and symbolic forms such as custom, belief, technical skill, language, literature, art, architecture, music, play, dance, drama, ritual, pageantry, and handicraft, which forms are generally learned orally, by imitation or in performance and are maintained or perpetuated without formal instruction or institutional direction.

(2) A function of the Florida Folklife Program is to promote Florida folklife through festivals, conferences, and seminars in which folk artists, folklife interpreters, and collectors are regularly engaged to perform or demonstrate. Because traveling expenses are often high, the Florida Division of Historical Resources (Division) may advance payment of expenses to individuals in the manner provided in Section 112.061, F.S., so as to facilitate the participation of those individuals who otherwise could not afford to attend. When making the decision to advance payment to an individual, the Division shall consider the individual's demonstrated financial need.

(3) The purpose of the Florida Folklife Apprenticeship Program of the Department of State is to preserve and promote Florida's cultural heritage by providing an opportunity for master folk artists to share their technical skills and cultural knowledge with apprentices who will carry forward these traditions. General information, application instructions, deadlines, application forms and methods of selection are set forth in the Florida Folklife Apprenticeship Program Guidelines and Application, which is herein incorporated by reference (Form #HR3E23 effective ~~March 20, 2000~~xx-xx-xx ([hyperlink](#)).

Rulemaking Authority 267.16(2), ~~(3)~~(5) FS. Law Implemented 267.16(1), 267.16(2) FS. History—New 3-12-00, Amended xx-xx-xx.

NAME OF PERSON ORIGINATING PROPOSED RULE: Carlos A. Rey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Timothy Parsons

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 02/17/16

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 12/17/2015

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:	RULE TITLES:
5B-2.001	Definitions
5B-2.0011	Purpose
5B-2.002	Registering with the Division
5B-2.0025	Certification and Quarantine of Nursery Stock
5B-2.004	Certificates of Inspection (Tags)
5B-2.008	Record of Movement of Nursery Stock or Plant Material Under Inspection
5B-2.010	Special Inspection and Certification Fees

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. 42 No. 2, January 5, 2016 issue of the Florida Administrative Register.

5B-2.001 Definitions and Purpose

(1) For the purpose of this chapter, the definitions in Section 581.011, F.S., and the following definitions shall apply:

(a) through (e) No change.

(f) Limited distribution. A pest found in a geographic area or county, but not throughout the entire state.

(g)(f) Location. A nursery, stock dealer, plant broker or agent offering nursery stock for sale or distribution under the control of a parent organization, corporation, partnership, personal business, cooperative, or other legal business entity.

(h) Regulatory significance. For the purpose of this rule chapter, this term will have the same meaning as the term ‘plant pest’ which is defined in Section 581.011(26), F.S. as any living stage of any insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, bacteria, fungi, other parasitic plants or their reproductive parts, or viruses, or any organisms similar to or allied with any of the foregoing, including any genetically engineered organisms, or any infectious substances which can directly or indirectly injure or cause disease or damage in any plants or plant parts or any processed, manufactured, or other plant products.

(2) No change.

Rulemaking Authority 570.07(23), 581.031(1), (4), (5), FS. Law Implemented 581.011, 581.031, 581.083, 581.121, 581.131, 581.141, FS. History—Repromulgated 12-31-74, Amended 6-15-81, 10-28-85, Formerly 5B-2.01, Amended 6-7-95, 8-26-03, Repromulgated 3-11-04, Amended _____.

5B-2.0011 Referenced Material

The following documents are hereby adopted and incorporated by reference. These documents may be obtained by writing to the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Plant and apiary Inspection, P.O. Box 147100, Gainesville, Florida 32614-7100, or online as indicated.

(a) through (n) renumbered to (1) through (14). No change. Rulemaking Authority 570.07(23), 581.031(1), (4), (5) FS. Law Implemented 581.031, 581.083, 581.121, 581.131, 581.141 FS. History—New 6-15-81, Amended 10-28-85, Formerly 5B-2.011, Amended 5-17-92, _____

5B-2.002 Registering with the Division

Every nurseryman, stock dealer, and plant broker shall register with the division before moving, distributing or offering nursery stock for sale. All seeds, cut flowers, cut fern, cut foliage not for propagation, and lawn and pasture grasses not produced as certified turfgrass are specifically exempted from nursery stock classification for registration purposes when apparently free from injurious plant pests.

(1) Application for registration of nurseries shall be made upon an Application For Certificate Of Registration, FDACS-08004, Revised 11/15, as incorporated in Rule 5B-2.0011, F.A.C., and must be signed by the applicant or applicant’s representative.

(a) Nurserymen desiring to obtain a certificate of registration and move, sell, distribute, or offer nursery stock for sale shall request an inspection by the division at least thirty (30) days in advance of the date upon which they desire to move or offer nursery stock for sale. Nurserymen requesting a certificate of registration in less than 30 days shall immediate inspection may be charged a temporary certificate of inspection fee as provided in Rule 5B-2.010, F.A.C. an additional special inspection fee sufficient to defray the cost of inspection.

(b) The nursery stock must be inspected by an authorized representative of the division and found to be ~~apparently~~ free from plant pests of regulatory quarantine significance and to be reasonably free from common plant pests.

(c) No change.

(d) Nurserymen, unless exempted under rule paragraph 5B-2.002, F.A.C., must pay an annual certificate of registration fee. Such fee shall be determined by the amount of nursery stock inventoried in the nursery by an authorized representative during the first inventory inspection after July 1. For field-produced vegetable transplants, field-produced bulbs, and field-produced corms and tubers, the certificate of registration fee shall be based on the amount of planted acreage provided that the total fee does not exceed four hundred sixty dollars (\$460). Upon meeting registration requirements, a certificate of registration shall be issued by the division which shall expire twelve (12) months following date-of-issue. Nurseries having

nursery stock, field-produced vegetable transplants, field-produced bulbs, and field-produced corms or tubers shall have the planted acreage fee added to the fee determined for nursery stock. The combined fees shall not exceed four hundred sixty dollars (\$460).

- 1. through 3. No change.
- (e) through (f) No change.
- (2) No change.

Rulemaking Authority 570.07(23), 581.031(1) FS. Law Implemented 581.131, 581.141 FS. History—Amended 12-31-74, 6-24-75, 3-25-79, 6-15-81, 10-28-85, Formerly 5B-2.02, Amended 5-17-92, 6-7-95, 11-29-95, 6-12-00, 8-26-03, 3-11-04, _____.

5B-2.0025 Certification and Quarantine of Nursery Stock

(1) ~~Foreign~~ Plant pests of regulatory significance requiring immediate quarantine action. All nursery stock found to be infested or infected with or exposed to a plant pest not known to be established in the state will be quarantined, placed under stop sale using a Hold Order And Quarantine, FDACS 08016, Revised 02/10, as incorporated by reference in 5B-65.005, F.A.C., and will not be eligible for certification until the plant pest has been eliminated and released from quarantine and stop sale by the Department.

- (2) No change.

(3) ~~Common Plant Pests~~. All nursery stock found infested or infected with a ~~common~~ plant pest shall be quarantined and placed under stop sale using a Hold Order And Quarantine, FDACS 08016, Revised 02/10, as incorporated by reference in 5B-62.005, F.A.C., when the population of the plant pest is adversely affecting the nursery stock. The nursery stock will not be eligible for certification until the plant pest has been eliminated and released from quarantine and stop sale by the Department.

Rulemaking Authority 570.07(13), (23), 581.031(4), (5) FS. Law Implemented 581.031(4), (5), (6), (7), (30), 581.083, 581.101 FS. History—New 6-7-95, Amended 10-8-96, 8-26-03, _____.

5B-2.004 Certificates of Inspection

No change.

Rulemaking Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 581.031(21), 581.131 FS. History—Amended 6-26-55, Repromulgated 12-31-74, Amended 6-15-81, 10-28-85, Formerly 5B-2.04, Amended 7-27-86, 5-17-92, 6-7-95, 10-8-96, 6-12-00, _____.

5B-2.008 No change.

Rulemaking Authority 570.07(23), 581.031(1), (5) FS. Law Implemented 581.031(19) FS. History—Repromulgated 12-31-74, Amended 6-15-81, 10-28-85, Formerly 5B-2.08, Amended 5-17-92, _____.

5B-2.010 Special Inspection and Certification Fees

(1) Special inspection and certification services that may be provided by the division when requested by farmers, growers or other interested parties may include treatments, pest identifications, plant identifications, investigations, and regulatory activities not otherwise specifically provided for by Chapter 581, F.S. ~~Governmental agencies requesting special inspections or permits for research purposes may be exempt from fees.~~ The prescribed fees for these special inspections and certifications shall be as follows:

TYPE OF CERTIFICATION	CHARGE	FORM
Inspection and state of origin certificate, Phytosanitary export certificate, Phytosanitary reexport certificate, Post entry quarantine site inspection.	Mileage ¹ and \$50 minimum per inspection. ²	
Other special inspection. ² <u>Temporary inspection fee²</u>	Mileage ¹ and \$50 minimum per inspection. ²	
Follow-up Quarantine Inspections. No charge first inspection.	Mileage ¹ and \$50 minimum per inspection. ² <u>No charge first inspection.</u>	
Phytosanitary export certificate noncommercial (homeowner plants or homeowner plant products)	Mileage ¹ and \$25 minimum per inspection. ²	
Cut flower, cut fern.	\$10 per acre per crop. Inspection plus mileage ¹ , \$25 minimum per location.	
Import inspection for commercial shipments of plants or plant products.	Mileage ¹ and \$50 per hour per inspection from time of arrival to departure, \$50 minimum per location.	

Growing season field inspection of bulbs, seed, vegetable and tobacco transplants.	\$10 per acre per inspection plus mileage ¹ , \$25 minimum _____ per location.	
Vegetable transplants, aquatic and annual (bedding) plants (greenhouse, hotbeds, or other growing units).	Mileage ¹ and \$25 per 10,000 square feet of growing unit space, \$25 minimum per location and \$10 for each 1000 square feet of approved growing space per inspection.	
Nematode certification.	Mileage ¹ and \$50 per sample.	FDACS-08270, Consolidation Declaration For Florida Nursery Stock Destined To Texas Or Louisiana, Revised 11/15. FDACS-08472, Revised 11/15, Texas / Louisiana Stock Dealer Compliance Agreement
Botany diagnostic fee.	\$55 per sample	FDACS 08078, Botany Specimen Report, Revised 11/15.
Entomology diagnostic fees	\$55 per sample.	FDACS 08400 Specimen Submission Form, Revised 11/15.
Plant Pathology diagnostic fee.	\$55 per sample.	FDACS 08429, Plant Pathology Specimen Report, Revised 11/15.
Molecular diagnostic fee.	\$55 per sample.	FDACS 08078, Botany Specimen Report, Revised 11/15. FDACS 08400 Specimen Submission Form, Revised 11/15. FDACS 08429, Plant Pathology

		Specimen Report, Revised 11/15 . FDACS 08077, Nematode Report, Revised 11/15.
Lettuce mosaic samples.	\$90 per sample (\$180 if found positive).	FDACS 08429, Plant Pathology Specimen Report, Revised 11/15 .
Nematology diagnostic fee.	\$55 per sample.	FDACS-08077, Nematode Report, Revised 11/15.
Caribbean fruit fly protocol participation.	Up to \$4.00_per acre per month.	FDACS-08161, Caribbean Fruit Fly Protocol Program Application For Participation, Revised 11/15 FDACS-08233, Caribbean Fruit Fly Certification Program- Establishment Of McPhail Traps, Revised 11/15.
Grades and Standards regrading inspections.	Mileage ¹ and \$50 per hour per inspector from time of arrival to departure, \$50 minimum per inspection ² .	
Permits for importing regulated organisms.	\$12.50 per species not to exceed \$50 per permit.	FDACS-08208, Application And Permit To Move Organisms Regulated By The State Of Florida, Revised 1/13, incorporated by reference in 5B-57.004, F.A.C.

(2) Governmental agencies requesting one of the above services for research purposes may be exempt from fees if the following criteria is met:

(a) Department staff time does not exceed two hours of an eight-hour work day; and

(b) Department staff is not be required to travel greater than fifty miles from employee headquarters.

¹Mileage shall be based on the prevailing state mileage rate.
²There shall be a \$15 charge for each additional phytosanitary export, phytosanitary reexport, inspection and state of origin, post entry quarantine site inspection and other applicable special inspection certificates written at the same location for the same destination provided no inspection was made.
 Rulemaking Authority 570.07(23), 581.031(23) FS. Law Implemented 581.031 FS. History—New 6-15-81, Amended 10-28-85, Formerly 5B-2.10, Amended 7-27-86, 5-6-87, 11-19-89, 5-17-92, 11-29-95, 4-9-96, 10-8-96, 6-12-00, 3-31-02, 11-8-06,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-4.060 Dental Services

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. 42 No. 10, January 15, 2016 issue of the Florida Administrative Register.
 The following changes have been made to the Florida Medicaid Dental Services Coverage Policy.
 Section 2.3 Coinsurance, Copayment, or Deductible, the bullet points are stricken and the first sentence now reads:
 Recipients are responsible for a \$3.00 copayment for non-emergency dental services, per federally qualified health center visit, per day, unless the recipient is exempt from copayment requirements or the copayment is waived by the Florida Medicaid managed care plan in which the recipient is enrolled.
 Section 4.2.1.1 Office Visit – After Regularly Scheduled Hours, section stricken.
 Section 4.2.2.2 Diagnostic Imaging, first bullet now reads:
 Bitewing radiograph(s) every 181 days, per recipient under the age of 21 years
 Section 5.2 Specific Non-Covered Criteria, fourth bullet now reads:
 Individual periapical radiograph(s) on the same date of service when the reimbursement amount exceeds that of a complete series (D0210)
 Section 6.2 Specific Criteria, now reads:
 Fee-for-service providers must maintain a record of any behavior management services provided in the recipient file.
 Section 7.2 Specific Criteria, first bullet now reads:
 Orthodontic initial assessment
 Section 8.4 Diagnosis Code, section stricken.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
 64B5-14.009 Conscious Sedation Requirements:
 Operatory, Recovery Room, Equipment,
 Medicinal Drugs, Emergency Protocols,
 Records, and Continuous Monitoring

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 21, February 2, 2016 issue of the Florida Administrative Register.
 The Summary of Statement of Estimated Regulatory Costs and Legislative Ratification will be corrected to read: SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:
 The agency has determined that this rule amendment will have an adverse impact on small business and will likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. Because the equipment required to be purchased, due to the rule amendment, is not likely to be replaced over the next five years, the impact to small business over the next five years would be approximately the same as the amount in the first year. The agency has determined that the proposed rule is not expected to require legislative ratification based upon the statement of estimated regulatory costs. A SERC has been prepared by the agency.
 This correction does not affect the summary of the SERC as it appeared in the Florida Administrative Register as outlined above.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258
DEPARTMENT OF HEALTH
Board of Dentistry
 RULE NO.: RULE TITLE:
 64B5-14.010 Pediatric Conscious Sedation Requirements:
 Operatory, Recovery Room, Equipment,
 Medicinal Drugs, Emergency Protocols,
 Records, and Continuous Monitoring
NOTICE OF CORRECTION
 Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 21, February 2, 2016 issue of the Florida Administrative Register.
 The Summary of Statement of Estimated Regulatory Costs and Legislative Ratification will be corrected to read:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

The agency has determined that this rule amendment will have an adverse impact on small business but will not likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. The agency has determined that the proposed rule is not expected to require legislative ratification based upon the statement of estimated regulatory costs. A SERC has been prepared by the agency. The following is a summary of the SERC:

It is unlikely that the rule amendment will have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

It is unlikely that the rule amendment will have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

It is unlikely that the rule amendment will increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

The rule amendment would only affect those dentists who hold an active pediatric conscious sedation permit. As of November 5, 2015, 180 dentists in the state hold that permit.

The rule amendment will not impose any additional costs to the agency.

The rule amendment would require every dentist that holds the pediatric conscious sedation permit to obtain additional equipment, specifically a capnograph. It is estimated that the cost for a capnograph ranges between \$700 and \$1,000.

The 180 dentists who hold a pediatric conscious sedation permit would spend an estimated \$850 for a capnograph which would total \$153,000. The dentists would pay sales tax on this equipment for a total of \$9,180.00, based upon Florida's 6% tax rate. Therefore the total impact of the rule amendment on small business within one year would be approximately \$162,180.00. Because the equipment is not likely to be replaced over the next five years, the impact to small business over the next five years would be approximately the same as the amount in the first year, \$162,180.00.

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.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Register as outlined above.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-2.001 RULE TITLE: Licensure to Practice Midwifery
 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. 245, December 21, 2015 issue of the Florida Administrative Register.

Incorporated Form DH-MQA 1051, Application for Midwifery Licensure, effective 8/2015, has been revised to advise applicants that they may be granted an additional six months to complete the required HIV/AIDS course upon submission of an affidavit showing good cause and to delete an affirmation clause as unnecessary.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-2.004 RULE TITLE: Licensure by Endorsement
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 245, December 21, 2015 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee. Rule 64B24-2.004, F.A.C., was improperly coded. Subsection (1)(b), (2)(b) and (2)(c) of the Proposed Amendment of rule 64B24-2.004, F.A.C., should have read as:

64B24-2.004 Licensure by Endorsement.

(1)(b) In determining whether the requirements to hold a certificate or diploma from a foreign institution of medicine or a foreign school of midwifery are substantially equivalent to the requirements established under Chapter 467, F.S., and these rules, the department shall consider whether:

1. The applicant has a high school diploma, or its equivalent, and passed the College-Level Academic Skills Test (CLAST), or has taken and received a passing grade in three college level credits each of Math and English, or can demonstrate competencies in communication and computation by passing the College-Level Examination Program (CLEP) test in communication and computation.

2. The completed midwifery or medical program equivalent to a three year program, offered the equivalent to 90 credit hours, and included minimum required ~~exposure to~~ course work and practicum areas as demonstrated by use of the Form DH-MQA 1111, Foreign-Trained Midwife Applicant Evaluation tool (08/2015), ~~8/07, EVALUATION TOOL—Four Month Pre Licensure Course Foreign Trained Midwife Applicant for Licensure By Endorsement~~, incorporated herein by reference and available at <https://flrules.org/Gateway/reference.asp?No=ref-####>.

3. The applicant has received a determination of substantial equivalency through the use of this evaluation tool by an approved foreign education credentialing agency, ~~meeting the following criteria:~~

- ~~a. Has a comprehensive, standardized orientation and training program for all reviewers who must be experienced and knowledgeable in the area of midwifery education.~~
- ~~b. Has an audit and quality assurance or review committee to monitor the evaluation process.~~
- ~~c. Employs full time staff support including an international expert in education credential equivalency and analysis.~~
- ~~d. Has an updated, current, and comprehensive resource document library available for reference.~~
- ~~e. Consults with a Florida licensed midwife approved by the Department to review the professional education component of the review.~~
- ~~f. Uses original documentation for the institution with institutional seals and signatures.~~

(2)(b) In determining whether the requirements to hold a certificate or license to practice midwifery in another state are substantially equivalent to the requirements established under Chapter 467, F.S., and these rules, the applicant shall submit:

- 1. A current valid unrestricted certificate or license to practice midwifery in another state;
- 2. A certificate or diploma awarded by a midwifery program which was approved by the certifying body of the state in which it was located, or an authenticated copy of that certificate or diploma;
- 3. A copy of the other state’s laws and rules under which the applicant’s certificate or license was issued; and
- 4. Official transcripts from the midwifery program which document classroom instruction and clinical training equivalent to the requirements in these rules ~~Rules 64B24-4.004 through 64B24-4.007, F.A.C.~~

(c) In determining whether the requirements to practice midwifery in another state are substantially equivalent to the requirements established under Chapter 467, F.S., and these rules, the department shall consider whether:

- 1. The applicant has a high school diploma, or its equivalent, and passed the College Level Academic Scholastic

Test (CLAST), or has taken and received a passing grade in three college level credits each of Math and English, or can demonstrate competencies in communication and computation by passing the College Level Equivalent Proficiency (CLEP) test in communication and computation.

2. The completed midwifery or medical program equivalent to a three-year program, offered the equivalent to 90 credit hours, and included minimum required ~~exposure to~~ course work and practicum areas as demonstrated by use of the Form DH-MQA 1112, Out of State Midwife Applicant Evaluation tool (08/2015), ~~8/07, EVALUATION TOOL—Four Month Pre Licensure Course Out of State Midwife Applicant for Licensure By Endorsement~~, incorporated herein by reference and available at <https://flrules.org/Gateway/reference.asp?No=Ref-####>.

3. The applicant has received a determination of substantial equivalency through the use of this evaluation tool by an approved education credentialing agency ~~meeting the following criteria:~~

- ~~a. Has a comprehensive, standardized orientation and training program for all reviewers who must be experienced and knowledgeable in the area of midwifery education.~~
- ~~b. Has an audit and quality assurance or review committee to monitor the evaluation process.~~
- ~~c. Employs full time staff support including an international expert in education credential equivalency and analysis.~~
- ~~d. Has an updated, current, and comprehensive resource document library available for reference.~~
- ~~e. Consults with a Florida licensed midwife approved by the department to review the professional education component of the review.~~
- ~~f. Uses original documentation for the institution with institutional seals and signatures.~~

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-4.006 RULE TITLE: Curriculum Guidelines and Educational Objectives

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. 42 No. 33, February 18, 2016 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee. The following changes are made to the rule text.

64B24-4.006 Curriculum Guidelines and Educational Objectives.

- (1) No change.

(2) Standards for midwifery programs shall include: the core competencies established by the American College of Nurse Midwives, Core Competencies for Basic Midwifery Practice, effective ~~12/2012~~ ~~8/2014~~, and the Midwives Alliance of North America, The Midwives Alliance Core Competencies, effective 12/2014, which are incorporated herein by reference, and ~~available~~ at <https://flrules.com/gateway/reference.asp?No=Ref-#####> and <https://flrules.com/gateway/reference.asp?No=Ref-#####>, respectively; and a component on the law and rules which govern the practice of midwifery in Florida.

(3) through (5) No change.

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:

64B24-4.008 Administrative Procedures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 41 No. 246, December 22, 2015 issue of the Florida Administrative Register.

These changes are being made to address comments expressed by the Joint Administrative Procedures Committee. Rule 64B24-4.008, F.A.C., was improperly coded. Subsection (1) of the Proposed Amendment of rule 64B24-4.008, F.A.C., should have read as:

64B24-4.008 Administrative Procedures.

(1) The midwifery school shall specify the lines of authority in the organizational structure governing the program, define its placement within the institution where the training program is conducted, and demonstrate:

(a) No change.

(b) Admission, promotion, and retention policies ~~and procedures~~ for students;

(c) through (f) No change.

(g) An organized system of record making and record keeping which includes, but is not limited to, ~~pertinent~~ information on students, faculty, preceptors, and facilities relative to classroom instruction and clinical training.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:

65C-14.001	Definitions
65C-14.003	Application and Licensing Study
65C-14.006	Administration and Organization
65C-14.007	Buildings, Grounds and Equipment
65C-14.010	General Sanitation and Safety
65C-14.014	Health Services
65C-14.017	Child Abuse and Neglect
65C-14.018	Community Interaction
65C-14.021	Discipline, Control and Punishment
65C-14.022	Permanent Register
65C-14.023	Staff Qualifications
65C-14.040	Admission and Planning
65C-14.048	Release Planning and Aftercare
65C-14.116	Administrative Actions, Appeals and Closures

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. 226, November 20, 2015 issue of the Florida Administrative Register.

65C-14.001 Definitions

(1) No change.

~~(2) “Gender,” “sex,” or “gender identity” means a person’s internal identification or self image as male or female. Gender identity may or may not correspond to the gender assigned to a person at birth that is listed on the person’s birth certificate. The terms “male,” “female,” or “nonbinary” describe how a person identifies.~~

~~(3) “Gender expression” refers to the way a person expresses gender through appearance, dress, grooming habits, mannerisms and other characteristics.~~

~~(2)(4) “Service Plan” means the goal-oriented, time limited, individualized program of action for a child and the child’s family developed by the child-caring ~~child-placing~~ agency in cooperation with the child-placing agency or the child’s family.~~

~~(5) “Sexual orientation” means a person’s emotional, romantic, or sexual attraction to members of the same gender, a different gender, or any gender, e.g., homosexuality, heterosexuality, or bisexuality.~~

~~(6) “Transgender” means having a gender identity that is different than the person’s gender assigned at birth.~~

(7) through (8) are renumbered (3) through (4) No change.

65C-14.003 Application and Licensing

(1) through (3) No change.

(4) The Regional Licensing Authority (the Department) shall conduct a review of the application packet, facility, and all required documentation to ensure compliance with all rules in Rule Chapter 65C-14., F.A.C., prior to issuance of a license.

(5) No change.

65C-14.006 Administration and Organization

(1) Statement of Purpose. The child-caring agency shall have a written ~~mission~~ statement of its purpose. The statement shall contain a description of all the services the child-caring agency provides and the methods of service delivery. The statement shall be available to the Department, referral sources, and the public on request.

(2) through (7) No change.

(8) The child-caring agency shall have a written grievance procedure which allows children in care or others to make complaints without fear of retaliation.

~~(a) The grievance This procedure shall be written in a clear and simple manner. and shall be provided to children, parents or guardians, the Department and others upon request. The procedure must be explained to children and their families at the time of admission.~~

(b) The written grievance procedure shall be provided to:

1. The Department.

2. At the time of admission, the child, his or her parent or guardian, and the child’s attorney and guardian ad litem, if appointed and requested.

3. Others, upon request.

(c) The procedure must be explained to children and their families at the time of admission.

(9) through (15) No change.

65C-14.007 Buildings, Grounds, Equipment, and Interior Accommodations

(1) through (3) No change.

~~(4) Pools shall meet the requirements of Chapter 515, F.S., and the administrative rules promulgated under Chapter 515, F.S.~~

(5) through (6) No change.

(7) Dining Area: The building or cottage shall have one (1) or more dining areas large enough to comfortably accommodate

the number of children who reside there, as well as staff who dine with the children ~~persons who normally are served.~~

~~(8) Space shall be available for children to study quietly. Where study areas exist they shall have tables, chairs, lamps and bookshelves suitable for use by the children in care.~~

(9) through (17) No change.

(18) The facility shall have at least one (1) bedroom for every four (4) children. However, if the applicant or licensee, in a written request, demonstrates that it is in the best interest the health, safety and welfare of each child in a particular set of children in a particular circumstance to have ~~will not be adversely affected by having~~ more than four (4) children in a bedroom, the Department, upon on-site inspection, shall grant the request if it determines that the evidence and statement support the applicant’s or licensee’s request. The approval of the request shall be valid only for the particular set of children in the particular circumstances cited in the written request. The bedrooms shall have 50 square feet for the initial occupant and an additional 50 square feet for each additional occupant, and a ceiling height of at least 7 feet, 6 inches. Programs established prior to July 1, 1987 may utilize dormitory style bedrooms, but new construction or facilities applying for initial licensure must comply with the size and occupancy requirements.

(19) Children shall have the opportunity to personalize and decorate their bedrooms with furnishings and possessions.

(20) No change.

65C-14.010 Safety, Sanitation, and Food Service Requirements

(1) Prior to the issuance of a license or to relicensing, the facility shall be inspected by a representative of the Department, the county health unit, and the local fire department, or persons trained by the office of the State Fire Marshal in fire prevention and safety in accordance with state or local ordinances and codes. Written approval of health and sanitary conditions and fire prevention and protection measures must be on file. All residential child-caring facilities must comply with the health and sanitation standards set forth in ~~Rule Chapter~~ Rule Chapter 64E-12, F.A.C.

(2) Fire Safety.

(a) All child-caring agencies must be inspected annually by the local fire department or persons certified by the Division of the State Fire Marshal in fire prevention and safety in accordance with Rule Chapter 69A-41, F.A.C., Uniform Fire Safety Standards for Residential Child Care Facilities. A report of the inspections and approval must be on file with the Department prior to issuance of a license or relicensing of the facility.

(b) through (e) No change.

(3) through (5) No change.

(6) Food Service.

(a) The child-caring agency shall have a procedure for assign a staff member to the overall management of the food service. If this person is not a professionally registered dietitian, All menus shall be approved by a professionally registered dietitian for the particular population of the group home. Residential programs participating in the United States Department of Agriculture Food and Nutrition Service shall be considered to have met this requirement.

- (b) through (d) No change.
- (7) through (10) No change.

65C-14.014 Health and Medical Services

- (1) through (3) No change.

(4) All medical care beyond the provision of first aid shall be under the direction of a licensed medical professional operating within the scope of his or her license, physician licensed under Chapter 458 or 459, F.S.

- (5) through (8) No change.
- (9) Medication

- (a) through (b) No change.

(c) All medicines and drugs shall be administered only by agency staff, except for children of parenting teens who are not in the custody of the Department. A log shall be kept of the administration of all medication which shall include the following:

1. No change.
2. Reason for ~~over the counter~~ medication administration;
3. through 4. No change.

5. Written acknowledgment by the child (by sSignature or initials) of receipt of child receiving the medication, when age appropriate;

- 6. through 7. No change.

~~(d) Prescription medications shall be prescribed only by a duly licensed person.~~

- ~~(d)(e) No change.~~

- (10) through (13) No change.

(14) The child-caring agency is responsible for meeting the physical health needs of each child in its care.

(a) The child-caring agency shall ensure that each child has an annual physical examination and follow-up care as recommended. For children under three (3) years, a well-child checkup shall be obtained in accordance with the American Academy of Pediatrics ~~periodicity~~ periodicity schedule.

- (b) through (c) No change.

~~(15) The facility shall have at all times a staff member on duty trained to administer first aid and cardiopulmonary resuscitation.~~

~~(15)(16)~~ The child-caring agency, in conjunction with the case manager, shall provide or arrange for medically recommended glasses, hearing aids, prosthetic devices,

corrective physical or dental devices, or equipment recommended by a physician for children in care.

- ~~(16)(17)~~ No change.

65C-14.017 Child Abuse and Neglect and Incident Notification Procedures

(1) The child-caring agency shall have and follow procedures for handling any suspected incidents of child abuse or neglect involving staff or residents.

(2) All suspected cases of child abuse and neglect shall be reported to the Florida Abuse Hotline in accordance with Chapter 39, F.S., including ~~critical~~ incidents of child-on-child sexual abuse involving suspected child abuse and neglect.

- (3) through (5) No change.

(6) The following critical incidents, defined in CF Operating Procedure No. 215-6, April 1, 2013, HRSR 0-10-1 dated January 1, 1986 which is herein incorporated by reference and available at www.dcf.state.fl.us/admin/publications/cfops, shall be reported ~~to leadership~~ in accordance with the child-placing agency's local incident reporting procedures for children in the care and custody of the Department:

- (a) through (f) No change.
- (g) Missing child or young adult.
- (h) through (l) No change.
- (7) through (9) No change.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) 1., 10. FS. History—New 7-1-87, Formerly 10M-9.026. Amended

65C-14.018 Individual Needs of Children in Care

- (1) through (2) No change.

~~(3) Recreation, Leisure Activities, and Employment.~~

~~(a) The facility shall have a log calendar of available indoor and outdoor recreational and leisure activities. Such activities shall be based on the group and individual interests and needs of the children in care.~~

~~(b) A reasonable and prudent parent standard, in accordance with Section 409.145(3), F.S., shall be applied in determining the level of supervision needed for recreational and leisure activities.~~

~~(c) If a child is employed, the child's employment shall be incorporated into the child's service or treatment plan.~~

- ~~(4)(d) No change.~~

- ~~(5)(e) No change.~~

~~(6)(4)~~ The child-caring agency shall ensure that each child has the individual items necessary for personal hygiene and grooming.

(a) These items shall be accessible to each child unless it is unsafe for the child.

(b) Each child shall have and has training in personal care, hygiene, and grooming appropriate to the child's age, gender,

race, culture and development. ~~Children whose gender identity does not match their gender assigned at birth shall not be denied access to items necessary for or training regarding personal hygiene and grooming that are consistent with their gender identity or expression.~~

(7) The child-caring agency shall ensure that each child has clean, well fitting, seasonal clothing, appropriate to the child's age and individual needs.

~~(8)(5) The child-caring agency shall involve the child in the selection, care and maintenance of the child's personal clothing, as appropriate to the child's age and ability. The child-caring agency shall allow a child to possess and bring personal belongings. The child-caring agency may limit or supervise the use of these items while the child is in care using with the reasonable and prudent parent standard in accordance with Section 409.145(3), F.S.; however, it may not restrict items based on the child's gender identity or expression.~~

(9)(6) The child-caring agency shall send all personal clothing and belongings with the child when the child leaves the facility or will return clothing and personal items to the child-placing agency, parent or guardian, or child's attorney or guardian ad litem, when applicable.

(10)(7) A child and the child's parent or legal guardian (unless parental rights have been terminated by a court of competent jurisdiction) have the right to determine the child's religious affiliation.

(a) Child-caring agencies operating under religious auspices shall have the written permission of the child and child's parent or guardian if the child is required to attend religious services. If the parent or guardian is not able to be located to give consent, efforts to contact the parent or guardian shall be documented in the child's file.

(b) No change.

~~(8) The child-caring agency shall ensure that each child has clean, well fitting, seasonal clothing, appropriate to the child's age and individual needs.~~

(11)(9) Allowance

(a) The child-caring agency shall provide opportunities for children placed by the Department to learn the value and use of money by providing an allowance and opportunities for earning, spending, and saving.

(b) through (d) No change.

(e) Allowance shall not be withheld as punishment.

(e) is renumbered (f) No change.

(g) For privately placed youth, the child-caring agency shall document the discussion of allowance in the placement agreement.

65C-14.021 Discipline and Behavior Management

(1) No change.

(2) If separation from others is used as a discipline control measure, the facility shall have an unlocked, lighted, well-ventilated room of at least 50 square feet and within hearing distance of a staff member. The time limit for isolation shall not exceed 60 minutes.

(3) Facility staff shall not:

(a) through (b) No change.

(c) Use chemical or mechanical restraints.

(c) through (f) are renumbered (d) through (g) No change.

(h)(g) Engage in discriminatory treatment or harassment on the basis of a child's race, national origin, religion, gender, gender expression, sexual orientation, or disability, or any other characteristic.

~~(i)(h) Permit harassment or bullying of children by staff or other youth based on their race, national origin, religion, gender, gender expression, sexual orientation, disability, or any other characteristic.~~

~~(i) Attempt to change or discourage a child's sexual orientation, gender identity, or gender expression.~~

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) 1., 13. FS. History--New 7-1-87, Formerly 10M-9.030. Amended.

65C-14.022 Records and Confidentiality Requirements

(1) through (7) No change.

(8) The child-caring, child-placing agency, foster home or adoptive home who has accepted an HIV infected child for care shall be given a statement in writing which includes the following language: "This information has been disclosed to you from confidential records. The confidentiality of this record is protected by state law. State law prohibits you from making any further disclosure of such information without the specific written consent of the person to whom such information pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is NOT sufficient for this purpose."

(9) through (10) No change.

Rulemaking Authority 409.175(5)(a), 381.004(2)(e)11 FS. Law Implemented 409.175(5)(a) 1., 9., 13., 381.004(2)(e)11, (f) FS. History--New 7-1-87, Formerly 10M-9.031. Amended.

65C-14.023 Personnel and Staffing Requirements

(1) through (2)

(3) The facility shall have a personnel file for each employee which shall include ~~but not be limited to~~ the following:

(a) through (c) No change.

(d) Verification of background screening, including:

1. through 2. No change.

3. Juvenile records checks through the Florida Department of Juvenile Justice for personnel ages 12 to 18, to include children of child-caring agency staff who reside in the facility;

4. through 7. No change.

8. If the applicant or any other adult household member residing in the facility has resided in any other state during the past five (5) years, requests for abuse and neglect histories and civil court records regarding domestic violence complaints and orders of protection must be made of those states, and the results of such requests included with the personnel file.

(e) No change.

~~(f) Medical information relating to health or mental health conditions, including medication(s), that may interfere with the employee's ability to meet the expectations set out in the "Partnership Plan for Children in Out of Home Care, CF FSP 5226, incorporated by reference in subsection (3)(e) of this rule;~~

(g) through (i) are renumbered (f) through (h) No change.

(4) through (14) No change.

(15) Residential child-caring agency personnel shall have the following qualifications:

(a) Executive directors hired after July 1, 1987 shall have a bachelor's degree from an accredited a college or university and at least three (3) years of experience in management or supervision.

(b) Program directors, or staff serving a similar function, who are responsible for supervising, evaluating and monitoring the delivery of services within the child caring agency and for supervising supervisors of direct care staff shall have a master's degree in social work or in a related area in s. 402.402(1)(b), F.S. of study from an accredited a college or university and at least two (2) years of experience in social services, or a bachelor's degree from a college or university and four (4) years of experience working with children.

(c) Staff responsible for the supervision, evaluation and monitoring of the direct care staff shall have a bachelor's degree in social work, or in a related area of study from an accredited a college or university, and at least two (2) years of experience working with children or two (2) years of college and four (4) years of experience working with children.

(d) Staff who provide therapy perform direct counseling to children and their families shall meet the qualifications as required in the "Agency for Health Care Administration, Community Behavioral Health Services Coverage and Limitations Handbook," March 2014, incorporated by reference and available at <http://portal.flmmis.com/FLPublic/Portals/0/StaticContent/Public/HANDBOOKS/Community Behavioral Health Services Coverage and Limitations Handbook Adoption.pdf> ~~www.AHCA.myflorida.com.~~

(16) through (17) No change.

(18) The child-caring agency shall ensure that staff members working directly with children receive at least 40 hours of training activities during each full year of employment. Activities related to supervision of the staff member's routine

tasks shall not be considered training activities for the purposes of this requirement.

~~(a)(19)~~ The child-caring agency shall document that training received by direct child care staff in the first full year of employment includes the following areas:

~~1.(a) Administrative procedures and overall program goals;~~
~~(b) Understanding of children's emotional needs and problems which affect and inhibit their growth;~~

~~(c) Family relationships and the impact of separation;~~

~~(d) Substance abuse: recognition and prevention;~~

~~(e) Identification of and reporting responsibilities in regard to child abuse and neglect;~~

~~(f) Principles and practices of child care;~~

~~(g) Behavior management techniques, including crisis management and passive physical restraint;~~

~~2.(h) Emergency and safety procedures; and~~

~~3.(i) The screening, supervision and use of volunteers.~~

~~(j) Sexual orientation, gender identity, and gender expression.~~

~~(k) Trauma informed care, including recognizing the signs, symptoms, and triggers of trauma; and for maternity homes, the impact of trauma on the parent-child relationship.~~

(b) The child-caring agency shall document that training received by direct child care staff annually includes the following areas:

1. Understanding of children's emotional needs and problems which affect and inhibit their growth;

2. Family relationships and the impact of separation;

3. Substance abuse: recognition and prevention;

4. Identification of and reporting responsibilities in regard to child abuse and neglect;

5. Principles and practices of child care;

6. Behavior management techniques, including crisis management and passive physical restraint; and

7. Trauma-informed care, including recognizing the signs, symptoms, and triggers of trauma; and for maternity homes, the impact of trauma on the parent-child relationship.

~~(19)(20)~~ The child-caring agency shall have written personnel policies and practices conducive to the recruitment, retention, and effective performance of qualified personnel. These policies and practices shall include the following:

(a) through (b) No change.

(c) Provisions for inexperienced direct care staff members to accompany experienced staff until new staff members are able to perform their job functions independently effectively protect the health and safety of children;

(d) Procedures for annual evaluation of the work and performance of each staff member ~~and for six (6) month evaluations of each new direct care staff member,~~ which include provisions for employee participation in the evaluation process;

(e) through (f) No change.

Rulemaking Authority 409.145(5), 409.175(5)(a), 435.01 FS. Law Implemented 409.145(2)(e), 409.175(5)(a)1., 4., 5., 7., 9., 435.05 FS. History—New 7-1-87, Formerly 10M-9.033. Amended

65C-14.040 Admission, Placement, and Ongoing Services

(1) No change.

(2) The admission of each child in the care and custody of the Department to a residential child-caring agency shall follow completion of a pre-admission study completed by the child-placing agency, and shall include the following:

(a) through (d) No change.

~~(e) For transgender youth, a determination whether the youth should be placed with their gender assigned at birth or their identified gender. Factors to be considered shall include:~~

~~1. The physical safety of the transgender youth;~~

~~2. The emotional well-being of the transgender youth;~~

~~3. The youth's preference;~~

~~4. The recommendation of the youth's guardian ad litem;~~

~~5. The recommendation of the youth's parent, when parental rights have not been terminated;~~

~~6. The recommendation of the youth's case manager; and~~

~~7. The recommendation of the youth's therapist, if applicable.~~

~~(3) The child caring agency facility shall only accept children who meet the admission criteria.~~

~~(4) No child shall be denied placement in any child-caring agency facility based on race, religion, gender, gender expression, sexual orientation, or transgenderism.~~

~~(3)(5) No child under the age of six (6) years, or the age of enrollment in the first grade of school, shall be admitted to a residential child-caring agency except in the following situations:~~

~~(a) Under emergency circumstances,~~

~~1. An emergency placement of a child under six (6) years shall be documented in the child's case record, verifying that no alternate plan for care was available at the time of admission.~~

~~2. Continued diligent effort shall be made, including referral to the Department to place a child under age six (6) in foster care or other appropriate care. Such plans shall be made within 30 days of the child's admission.~~

~~3. Residential care for children under six (6) years who are part of a sibling group may be continued if separation would cause additional trauma to the child.~~

~~(b) ~~or~~ To prevent the separation of siblings,~~

~~1. Siblings shall be placed in the same home whenever possible.~~

~~2. If it is not possible to place the siblings in the same home, siblings may be placed on the same campus. Efforts to place the siblings in the same home shall be documented in the child's record.~~

~~(c) To prevent separation of ~~or~~ a parenting young adult and child. An emergency placement of a child under six (6) years shall be documented in the child's case record, verifying that no alternate plan for care was available at the time of admission. Continued diligent effort shall be made, including referral to the Department to place a child under age six (6) in foster care or other appropriate care. Such plans shall be made within 30 days of the child's admission. Residential care for children under six (6) years who are part of a sibling group may be continued, if separation would cause additional trauma to the child as appropriate.~~

~~(4)(6) The child-caring agency shall provide prior to or at admission an orientation to living in the facility for each child and the child's parent or guardian or child-placing agency staff. The orientation shall include the following:~~

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

~~(d) Services offered;~~

~~(e)(4) Behavior management practices; and~~

~~(f)(e) The inherent diversity of group home populations, including race, ethnicity, gender, and religion, ~~sexual orientation, gender expression; and transgenderism.~~~~

~~(5)(7) The child-caring agency shall provide each child, ~~and~~ the child's parent or guardian, the child's attorney and guardian ad litem, if appointed and requested, and the Department with written policies governing the care of children, including visitation and discipline policies.~~

~~(6)(8) The child-caring agency shall have written policies that encourage and support family visits, mail, telephone calls, and other forms of communication with parents, relatives, friends or others with whom the child may have a significant relationship. A copy of the policies shall be provided to each child all children, the child's parent or guardian, the child's attorney and guardian ad litem, if appointed and requested, child placing staff, parents or guardians, child-placing staff, and the Department.~~

~~(7)(9) The child-caring agency shall have a written agreement or plan with the child and parent or guardian, and the Department or the licensed child-placing agency which describes the following:~~

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

~~(f) The conditions under which the child will be discharged released from the program.~~

~~(g) No change.~~

~~(10) through (13) are renumbered (8) through (11) No change.~~

~~(12)(14) The development of the service or treatment plan shall include:~~

~~(a) The child's parents or guardian, the child's attorney and guardian ad litem, and other appointed representatives and a representative of the referring agency, if appropriate; and~~

~~(b) No change.~~

(15) through (17) are renumbered (13) through (15) No change.

~~(16)(18)~~ Each child in residence shall attend school in accordance with Section 1003.21(1)(a), F.S. the laws of the State of Florida. The child-caring agency shall plan jointly with school personnel and the parent or guardian or child-placing agency staff to place children in appropriate grades and classes and to help them make an adjustment to their school.

(19) through (25) are renumbered (17) through (23) No change.

65C-14.048 Discharge Planning and Post-release Services
No change.

65C-14.116 Administrative Actions, Appeals and Closures
(1) through (2) No change.

(3) Administrative Action for Existing Child-Caring Agencies.

(a) If a licensing violation requires the children to move out of the home temporarily while the violation is remedied, then the license must be suspended.

~~(b)(a)~~ The Department shall consider the following factors when determining whether a child-caring agency’s license will be ~~suspended or~~ revoked:

1. Whether the agency has had licensing violations during the term of the license;

2. Whether the agency has a history of institutional abuse reports;

~~3. Whether the licensing violations compromise the safety or well-being of children; and~~

4. Whether the agency has the ability to protect the children in care;

~~5. Whether the agency has failed to comply with a corrective action plan during the term of the license; and~~

6. Whether the agency has the ability and willingness to implement a corrective action plan.

(b) through (c) are renumbered (c) through (d) No change.

(4) through (5) No change.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a)1., (6), ~~(9)(a)~~ FS. History–New

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-28.001	Definitions
65C-28.002	Visitation
65C-28.003	Medical Treatment
65C-28.004	Placement Matching Requirements
65C-28.005	Changing Placements
65C-28.006	Permanency Staffings
65C-28.007	Voluntary Licensed Out-of-Home Care
65C-28.009	Adolescent Services
65C-28.010	Minor Parents in the Custody of the Department
65C-28.011	Criminal, Delinquency and Abuse/Neglect History Checks for Relative and Non-Relative Placements
65C-28.012	Home Studies for Relative and Non-Relative Placements
65C-28.013	Indian Child Welfare Act
65C-28.014	Behavioral Health Services
65C-28.015	Residential Mental Health Treatment
65C-28.018	Meeting the Child's Educational Needs
65C-28.019	Normalcy

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. 229, November 25, 2015 issue of the Florida Administrative Register.

65C-28.001 Definitions

All definitions for this rule are located in Rule 65C-30.001, F.A.C.

Rulemaking Authority 39.012, 39.0121, 39.5085(2)(a), ~~63.233, 409.175(5), 394.9082~~ FS. Law Implemented 39.401(3), ~~39.6014, 39.5085, 39.521, 39.701, 409.145(1), 409.165(1), 409.401, 409.175~~ FS. History–New 5-4-06. Amended.

65C-28.002 Family Time

(1) Family Time between a Child in Out-of-Home Care and Parents.

(a) Family Time between the child and the child’s parents shall occur in accordance with court orders. ~~and as reflected in the case plan and safety plan. If the court order conflicts with the safety plan, the child welfare professional shall contact Children’s Legal Services to determine what steps will be taken to modify family time.~~ If at any time the safety of the child can not be assured , family time shall be suspended for up to 72 hours and the child welfare professional ~~Department or contracted service provider~~ shall contact Children’s Legal Services to determine what steps will be taken to modify family time. ~~Family time between a child and parents may only be limited or terminated by order of the court.~~

(b) through (c) No change.

(2) ~~Family Time Visitation~~ among Siblings. The child welfare professional responsible for the case shall ensure that separated siblings under supervision maintain family time visitation unless the ~~family time visitation~~ would be contrary to the safety or well-being of any of the children. Sibling family time visitation shall only be limited or terminated by order of the court.

Rulemaking Authority 39.012, 39.0121(13) FS. Law Implemented ~~39.0139, 39.402(9), 39.506(6), 39.521(1)(d)2., (3)(b)1., (d), 39.701(2)(a)7., (2)(c)6., 39.811(7)(b)~~ FS. History— New 5-4-06. Amended _____.

65C-28.003 Medical Treatment

(1) No change.

(2) Ongoing health care and treatment ~~provision~~ shall include physical, dental and vision examinations as required by Rule Chapter 59G-4, F.A.C., “Medicaid Services.”

(a) No change.

(b) If the child welfare professional responsible for the case receives a notice for a scheduled child health check-up, he or she shall immediately send copies to the child’s custodial parent, the child’s licensed out-of-home caregiver or relative or non-relative caregiver. Information pertaining to the child’s health check-up shall be documented in FSFN by the child welfare professional responsible for the case within 48 hours of notification of completion of the medical appointment ~~after the check up by the child welfare professional responsible for the case.~~

(3) No change.

(4) The child welfare professional and licensed caregivers shall receive training in regard to and comply with the federal Health Insurance Portability and Accountability Act which provides procedures regarding the management and protection of personal health information. The child welfare professional shall inform relative and non-relative caregivers regarding the requirements of HIPAA.

~~(5)(4)~~ No change.

~~(6)(5)~~ Consent for Medical Care of Children in Out-of-Home Care When Parental Rights Have Not Been Terminated. There are three types of medical care and treatment, each of which requires its own method to obtain consent for medical treatment. This may include a relative or non-relative who has been granted custody by the court. The attending physician shall determine the type of care needed.

(a) Ordinary Medical Care and Treatment. After a child is adjudicated dependent, the contracted service provider may delegate authority to consent to ordinary medical care and treatment to the out-of-home caregiver if the child remains in the custody of the Department. Children’s Legal Services shall request the A court order placing the child in out-of-home care should specify individuals who are authorized to consent to ordinary medical care and treatment for the child.

(b) Extraordinary Medical Care and Treatment. If the health care provider determines that an illness or injury requires medical treatment beyond ordinary medical care and treatment, but is not an emergency, the express and informed consent of the child’s parent for the treatment shall be sought. If a parent provides express and informed consent for any extraordinary medical procedure, the form and content of the consent shall be as directed by the prescribing health care professional.

1. If the parent is unavailable, unwilling or unable to provide informed consent for the proposed medical care, the child welfare professional shall consult with the medical provider to determine if the treatment should be required. If consultation with the medical provider results in a determination that the treatment should be required, the child welfare professional shall seek and obtain an order of the court authorizing the treatment prior to the treatment being rendered. ~~The prescribing health care professional will be directed by Section 394.459(3), F.S., in the form and content of the express and informed consent.~~ In cases when the child is prescribed psychotropic medications, the procedures established in Section 39.407(3), F.S., will be followed.

2. No change.

(c) Emergency Medical Care and Treatment. Although parents shall be involved whenever possible, obtaining consent is not required for emergency care and treatment. If the emergency care and treatment is provided without parental consent, the child welfare professional shall ensure the parent and the guardian ad litem, if appointed, are notified no later than 48 hours from the time the child welfare professional was notified of the care and treatment. ~~after the treatment is administered.~~ The child’s case file shall contain a statement signed by the attending physician that the situation was an emergency and the care was needed to ensure the child’s health or physical well-being. The case file shall also contain documentation that the parent and guardian ad litem, if appointed, were notified after the treatment was administered. If the parents are unable to be located, all attempts to locate and notify parents shall be documented in the child’s case file.

~~(7)(6)~~ No change.

~~(8)(7)~~ Required Documentation for Medical Care and Treatment.

(a) No change.

(b) All actions taken to obtain medical history and parental consent for medical screening, treatment, medications or immunizations shall be documented in FSFN and a copy provided to the out-of-home caregiver for placement in the Child’s Resource Record. If parental consent is received, a copy of the “Consent for Treatment and Release of Medical Information”, CF- FSP 4006, October 2005, which is incorporated by reference and available at www.dcf.state.fl.us/dcfforms, shall be placed in the child’s case

file and a copy provided to the caregiver for placement in the Child’s Resource Record, as defined in Rule 65C-30.001, F.A.C.

(c) through (d) No change.

~~(9)(8)~~ Notification of parents. The child welfare professional shall ensure that the child’s parent is notified of within 48 hours following any medical treatment of the child where the parent was not involved in providing consent for the treatment within 48 hours from the time the child welfare professional was notified of the treatment.

65C-28.004 Placement Matching

(1) Appropriate placement matching begins prior to the child’s placement. When a child is unable to be safely placed with a parent, the most appropriate available out-of-home placement shall be chosen after analyzing the child’s age, gender, sibling status, special physical, educational, emotional and developmental needs, alleged type of abuse, neglect or abandonment, community ties and school placement, and potential responsible caregivers that can meet the child’s needs. The child welfare professional responsible for the case shall gather information about the child and document it in the appropriate section of the child’s FSFN record.

(2) through (3) No change.

(4) In the case of a child who is a member of an Indian tribe or an Alaskan Native child, placement shall comply with the provisions of the federal Indian Child Welfare Act, 25 U.S.C. §1901 et seq. (see Rule 65C-28.013, F.A.C.).

(5) through (6) No change.

(7) Placement of Children with Special Physical, Medical, Emotional or Developmental Needs.

(a) No change.

(b) The child welfare professional responsible for the case shall provide any formal assessment of the child ~~the child’s assessment and results~~ to the child’s parent, out-of-home caregiver, Children’s Legal Services attorney, and guardian ad litem and child’s attorney, if appointed.

(c) The child welfare professional responsible for the case shall document in FSFN any notification provided to parents and others regarding a child’s assessment and any referrals made as a result of the assessment ~~results~~.

(d) No change.

(e) Whenever a special need is suspected, the child welfare professional responsible for the case shall provide service referrals. ~~take steps to address the need(s)~~

1. If the child is suspected or identified as needing medical foster care, the child shall be referred to the local Children’s Multidisciplinary Assessment Team (CMAT) within five (5) business days. If the CMAT determines ~~refers~~ the child is eligible for medical foster care services, the child welfare professional or other designated staff shall coordinate with the

Medical Foster Care program in the local area regarding arrangements necessary to meet the child’s needs. Services shall be coordinated and provided in accordance with the Medical Foster Care Statewide Operational Plan, April 2014, incorporated by reference and available at <http://www.floridahealth.gov/AlternateSites/CMS-Kids/providers/documents/MFCPlan.pdf>. The child welfare professional shall also consult with Children’s Legal Services to determine whether the child is eligible for the appointment of an attorney under Section 39.01305, F.S.

2. If the child is suspected or identified as having a developmental delay or condition, the child welfare professional responsible for the case shall ensure that a referral for an assessment and eligibility for developmental services ~~are shall be obtained by the child welfare professional responsible for the case.~~

3. No change.

4. If the child is suspected or identified as having a mental health issue, the child welfare professional responsible for the case shall ensure a referral for an assessment ~~is shall be obtained by the child welfare professional responsible for the case.~~

5. No change.

(f) When a disability is determined and a need for services is identified, the child welfare professional shall arrange for services for the child and ~~or~~ supports for the out-of-home caregiver.

(8) Placement of Children with Communicable Diseases.

(a) through (b) No change.

(c) When a child who has such a disease and is asymptomatic but exhibiting behaviors likely to increase the risk of transmission of the disease to others, such as biting, spitting or the exchange of blood or semen, the child shall be placed, ~~whenever possible,~~ in a home where the caregiver has proper training to ensure the safety of other household members. ~~no other children are present, until the child is medically cleared or the child’s behavior no longer poses a threat. When a placement in a home where no other children are present is not available, all efforts to secure such a placement shall be documented in FSFN.~~

(d) No change.

(9) Placement of Children Who Are Victims of Sexual Abuse.

(a) When a child is identified as a victim of sexual abuse and needs to be placed in out-of-home care, the child welfare professional responsible for the case shall take actions to ensure that the needs of the child for emotional safety and recovery are addressed and that precautions are taken in regards to the safety of other children in the same setting ~~in the event the child exhibits problematic sexual behavior.~~

(b) No change.

(10) through (13) No change.

Rulemaking Authority 39.012, 39.0121(2), (6), (12), (13), 39.307(7), ~~39.5075(8)~~, 409.145(5) FS. Law Implemented 39.307(1)(b), ~~39.402~~, 39.407, 39.522, 409.145(2), ~~409.996(12)~~, FS. History—New 5-4-06. Amended

65C-28.005 Changing Placements

(1) Except in emergency situations ~~or when ordered by the court~~, the child’s parents, unless contrary to court order, licensed out-of-home caregivers and the guardian ad litem or attorney ad litem, if appointed, shall be given at least two (2) weeks notice prior to moving a child from one out-of-home placement to another and the reason a placement change is necessary. In emergency situations, a change of placement can be made immediately. The child welfare professional shall within 72 hours inform the child’s parents, unless contrary to court order, Children’s Legal Services and guardian ad litem and child’s ~~or attorney ad litem~~, if appointed, of the move and the reasons an emergency placement change was necessary.

(a) No change.

(b) If the parent(s) is unable to be located, efforts to locate and notify the parent shall be documented in FSN, unless the court previously excused the Department from further efforts to locate.

(2) No change.

(3) The child welfare professional shall provide supportive services to the caregiver where the child is residing to avoid a change in placement when possible. When a placement is in danger of disrupting, the child welfare professional shall urge the caregiver to wait, ~~when appropriate~~, to request removal of the child until ~~all reasonable~~ efforts can be made to remedy the reasons for the child’s instability. When efforts to stabilize a placement have not been successful or there are circumstances that preclude the child’s continued stay, the child welfare professional will work with the caregiver to reach agreement on a move date that takes into consideration the following needs of the child:

(a) There is ~~an appropriate~~ break in the school year;

(b) An ~~appropriate~~ alternative placement can be located; and

(c) No change.

(4) The caregiver at the new placement shall be prepared and informed prior to placement of the child and shall be given needed support to help the child transition and achieve stability. Out-of-home caregivers shall be given all relevant information about the child in their care while maintaining confidentiality requirements. Specifically, the child welfare professional shall:

(a) through (f) No change.

(g) Provide to the ~~licensed~~ out-of-home caregiver the Child’s Resource Record. The Child’s Resource Record from the previous placement(s) shall be reviewed with the ~~licensed~~ out-of-home caregiver upon the child’s new placement. The child welfare professional shall discuss with the ~~licensed~~ out-

of-home caregiver the caregiver’s role in maintaining and updating the Child’s Resource Record.

65C-28.006 Permanency Staffings

(1) through (3) No change.

(4) The following persons shall be invited to attend:

(a) through (b) No change.

(c) Guardian ad litem and child’s attorney ad litem, if appointed;

(d) through (g) No change.

(h) The child, depending on his or her age, maturity level, and ability to effectively participate in the staffing, ~~as determined by the child welfare professional~~.

(5) through (7) No change.

Rulemaking Authority 39.012, 39.0121(12), (13) FS. Law Implemented ~~39.407(6)(g)3~~, ~~39.521(1)(b)3~~, 39.701(2), (3), (4) FS. History—New 5-4-06. Amended

65C-28.007 Voluntary Licensed Out-of-Home Care

(1) through (2) No change.

(3) Once a child has been determined eligible for medical out-of-home care ~~has been recommended~~, the child welfare professional shall coordinate with the Medical Foster Care program in the local area regarding arrangements necessary to meet the child’s needs.

(4) Voluntary Placement Agreement. When the child is placed into licensed out-of-home care voluntarily, the parent or legal guardian or relative requesting the placement and the Department or contracted service provider shall enter into a written “Voluntary Placement Agreement,” CF-FSP 5004, October 2005, incorporated by reference and available at www.dcf.state.fl.us/dcfforms.

~~(5)~~(4) No change.

~~(5) Voluntary Placement Agreement. When the child is placed into licensed out-of-home care voluntarily, the parent or legal guardian or relative requesting the placement and the Department or contracted service provider shall enter into a written “Voluntary Placement Agreement,” CF FSP 5004, October 2005, incorporated by reference and available at www.def.state.fl.us/dcfforms.~~

(6) No change.

Rulemaking Authority 39.012, 39.0121(12), (13) FS. Law Implemented 39.402(15), ~~39.701(1)(d)~~ FS. History—New 5-4-06. Amended

65C-28.009 Adolescent Services No change.

65C-28.010 Minor Parents in the Custody of the Department

(1) When a minor child in the custody of the Department becomes a parent or enters licensed out-of-home care with his or her own child, the parent and child shall reside together in the same placement unless the younger child's safety cannot be managed with an in-home safety plan. ~~in such placement or there is no foster home or facility available for both.~~ A petition for adjudication of dependency shall not be filed for the younger child unless there are grounds for dependency of that child independent of the minor parent's dependency.

(2) In the event that the minor parent's child is not dependent, the cost of care of the child of a minor parent shall be included in the maintenance payment for the minor parent. There shall be one (1) payment that is enhanced to include the child's needs. If the minor parent is Title IV-E of the Social Security Act eligible, the total payment is Title IV-E reimbursable.

Rulemaking Authority 39.012, 39.0121(13) FS. Law Implemented 39.402(7) FS. History—New 5-4-06. Amended

65C-28.011 Criminal, Delinquency and Abuse/Neglect History Checks for Relative and Non-Relative Placements

(1) through (3) No change.

(4) Any relatives or non-relatives who wish to become licensed as foster parents must meet the licensing requirements of Rule Chapter 65C-13, F.A.C., including the criminal, delinquency and abuse/neglect history check requirements for licensed out-of-home caregivers.

(5) through (6) No change.

(7) Criminal, Delinquency and Abuse/Neglect History Check Results. The Department or contracted service provider shall not make or recommend a relative or non-relative placement if the results of criminal, delinquency and abuse/neglect history checks indicate that the child's safety may be jeopardized in the placement or if the relative or non-relative has a disqualifying offense pursuant to Section 39.0138(2), F.S.

(a) No change.

(b) Criminal Offenses.

1. For placements with relatives or non-relatives, Section 39.0138(2)-(3), F.S., lists there are criminal offenses that ~~statutorily~~ disqualify these persons for placement of the child.

2. No change.

(8) through (9) No change.

65C-28.012 Other Parent Home Assessment and Home Studies for Relative and Non-Relative Placements

(1) Prior to release or placement of a child with another parent, an "Other Parent Home Assessment," CF-FSP 5411, October 2013, incorporated by reference and available at www.dcf.state.fl.us/dcforms, must be completed.

(2) No change.

(3) In fulfilling the requirements of Section 39.521, F.S., a summary of the results of the home study shall be prepared, which shall include the recommendation to be made to the court. This summary includes the following categories, each of which shall be summarized:

(a) through (c) No change.

(d) Whether each proposed out-of-home caregiver will provide ~~adequate and~~ nurturing care and can ensure a safe home.

(e) through (h) No change.

(4) Unless developmentally inappropriate, ~~a~~A determination shall be made and documented regarding the child's preferences on the placement.

(5) No change.

(6) If the child is not in the household where the home study was completed and the proposed out-of-home caregiver is not selected, the proposed caregiver shall be verbally so advised by the child welfare professional responsible for the case within five (5) business days and then documented in FSFN.

(7) through (8) No change.

(9) When a child has been placed in a relative or non-relative household, and other children have already been placed in the home by the Department or contracted service provider, an updated Unified Home Study addressing issues surrounding placement of an additional child in the household shall be prepared and provided to the court in conjunction with a recommendation regarding placing an additional child in the home.

Rulemaking Authority 39.012, 39.0121(12), (13), 39.5085, FS. Law Implemented 39.5085(2), 39.521(2)(r), ~~(3)(b), 39.522(4)~~ FS. History—New 5-4-06. Amended

65C-28.013 Indian Child Welfare Act

The Indian Child Welfare Act of 1978 ("ICWA") is federal legislation found in 25 U.S.C. 1901 et seq., that governs child custody proceedings involving children who are members of an Indian tribe or Alaskan Native children as defined by the Act.

(1) The child welfare professional shall determine at the onset of each child protective investigation if the child is a member of an Indian tribe or Alaskan Native child as defined by the Act. If a child involved in a child protective investigation is identified as being eligible for the protections of the Indian Child Welfare Act, all legal proceedings and case planning activities shall be in compliance with the provisions of the Act and with any existing written Tribal Agreements between the Department and the child's tribe. All child protective investigations, ongoing safety and case management, and legal proceedings activities shall be documented in FSFN.

(2) through (8) No change.

65C-28.014 Behavioral Health Services

~~(1) Comprehensive Behavioral Health Assessment (CBHA). The CBHA referral guidelines are contained in the Medicaid Mental Health Targeted Case Management Services Handbook, 2013 edition, incorporated by reference and available at http://www.fdhc.state.fl.us/Medicaid/e-library/docs/HCM_FL_Training_TCM.pdf. The Handbook provides guidelines for providing the CBHA to children ages zero (0) through five (5) and six (6) up to age 21.~~

(1)(2) A child shall be referred for a Comprehensive Behavioral Health Assessment (CBHA):

(a) through (c) No change.

(3) through (4) are renumbered (2) through (3) No change.

(4) The child welfare professional responsible for the case shall ensure the CBHA is filed with the court.

(5) No change.

~~(6) When service needs are identified, children shall be referred to community mental health providers in the community who accept the child's Medicaid Managed Medical Assistance plan. are enrolled as Medicaid providers. If a Medicaid provider is not available, the child welfare professional shall refer to a provider that best meets the child's needs.~~

(7) No change.

Rulemaking Authority 39.012, 39.0121(12), (13), ~~394.9082(12)~~ FS. Law Implemented 39.701, ~~394.9082~~ FS. History—New 5-4-06. Amended.

65C-28.015 Residential Mental Health Treatment

(1) Initial Consideration of Need for Residential Treatment.

Residential mental health treatment is provided to a child for the specific purpose of addressing the child's mental health needs through observation, diagnosis and treatment in a therapeutic setting, which includes therapeutic group homes and residential treatment centers as defined in Section 394.67, F.S. Residential mental health treatment shall not be used for emergency placements or to provide secure shelter for the child.

If the child is in acute psychiatric crisis, the child shall be referred to a ~~the~~ crisis stabilization unit for emergency screening and stabilization.

(2) through (3) No change.

Rulemaking Authority 39.012, 39.0121(13), 394.4781(4) FS. Law Implemented 39.407(6), 394.4781, 394.4785, 394.479, ~~394.495~~ FS. History—New 5-4-06. Amended.

65C-28.018 Meeting the Child's Educational Needs

(1) Maintaining the child's school stability while in out-of-home care ~~in the school or educational setting the child attended prior to entry into out of home care~~ is first priority, unless remaining in the same school or educational setting is not in the best interest of the child as documented in FSFN.

~~(a) If it is not in the child's best interest to maintain the school of origin upon placement in out of home care, The~~ caregiver will work with the child welfare professional, child's parent or guardian, guardian ad litem, child's attorney, and educational surrogate, if appointed, to determine the best educational setting: -

1. At the time of placement in out-of-home care;

2. At the time of any subsequent placement changes; and

3. When it is determined that it is not in the best interest for the child to remain in the child's current educational setting.

(b) No change.

(c) Factors to be considered in determining the best educational setting for the child include:

1. The ability to implement an I.E.P, if applicable.

2. The impact on academic credits.

3. The availability of extracurricular activities important to the child.

4. Course offerings.

5. Cultural and community connections.

6. The child's medical and behavioral health needs.

7. The child's permanency goal and timeframe for achieving permanency.

(d) Changes in educational settings should be made at logical junctures, including during school breaks and at the end of a grading period.

(2) through (3) No change.

(4) If it is in the child's best interest to remain in the school of origin, the child welfare professional shall, in accordance with local agreement, contact the foster care liaison or other designees as identified within the school district for the child's school of origin to determine whether the child meets the requirements of the McKinney-Vento Homeless Assistance Act, 42 U.S.C.A. §11431 et seq., as a "child awaiting foster care placement" or whether the school district will otherwise provide transportation to the school of origin, even if the child is moved to another county.

(a) No change.

(b) If the school district refuses to provide transportation, or declines to define the child as homeless such that the child is not entitled to the protections of the McKinney-Vento Act, the child welfare professional shall:

1. Discuss this denial with Children’s Legal Services to determine whether the child should engage in the McKinney-Vento dispute resolution process; and-

2. Explore other transportation options to maintain school stability.

(5) Special Education Considerations.

(a) No change.

(b) If the child’s parent or legal guardian is unwilling or unable to serve as the child’s educational decision maker, the CLS attorney shall:

1. Determine whether the out-of-home caregiver, excluding child-caring agency staff and therapeutic foster parents, is willing and able to attend the necessary training and to serve as the child’s surrogate parent; or

2. No change.

(6) No change.

Rulemaking Authority 39.012, 39.0121(13), ~~39.4091(4)~~ FS. Law Implemented ~~39.4091~~, 39.6012(2)(b)4 FS. History–New

65C-28.019 Normalcy

(1) through (2) No change.

Rulemaking Authority 39.012, ~~39.0121(9)~~, 39.4091(4), ~~409.175(5)(a)~~, 409.145(5), F.S. Law Implemented 39.4091, 409.145, F.S. History – New

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NOS.: RULE TITLES:

69I-20.038 Late Annual Report(s), Late Payment(s), and Late Delivery of Abandoned Property

69I-20.041 Unclaimed Property Reporting Instructions. 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. 236, December 8, 2015 issue of the Florida Administrative Register.

69I-20.038 Late Annual Report(s), Late Payment(s), and Late Delivery of Unclaimed Property.

(1) through (2) No change.

(3) A written request for an extension of time to file an unclaimed property report for the prior calendar year must be postmarked or filed with the Department by April 30th of the subsequent calendar year. A written request that is not timely postmarked or filed shall be denied. ~~If the written request is timely postmarked or filed,~~ The Department shall review the facts and circumstances of each timely postmarked or filed written request on a case-by-case basis and, if the Department finds that the requestor has shown that good cause exists to

grant an extension, the Department shall postpone the reporting date or extend the property delivery date for a period of up to sixty (60) days, ~~for, but not limited to, the following reasons:~~ For purposes of this subsection, “good cause” means:

(a) through (d) No change.

(4) ~~A Upon~~ Upon written request, for a waiver of applicable penalties must be filed with the Department. The Department shall review the facts and circumstances of each filed written request on a case-by-case basis. A finding by the Department that good cause exists shall constitute appropriate justification to waive applicable penalties. For purposes of this subsection, “good cause” means: shall waive penalties for, but not limited to, the following reasons:

(a) Natural disasters;

(b) Acts of war or terrorism;

(c) Initial report filed by the holder or its subsidiaries which was not induced by an examination from the Department or agents;

(d) Penalty amount in excess of the reported amount; or

(e) Penalty assessed in error; ~~or.~~

(f) System conversions, updates/changes in reporting software.

(5) through (6) No change.

Rulemaking Authority ~~717.119(5)~~, 717.138 FS. Law Implemented 717.117, 717.119, 717.134 FS. History–New 6-23-91, Amended 8-29-94, 1-28-97, Formerly 3D-20.038, Amended.

69I-20.041 Unclaimed Property Reporting Instructions.

The Department’s mission is to collect and return unclaimed property to its rightful owners in accordance with the Florida Disposition of Unclaimed Property Act, Chapter 717, F.S. To achieve these results, the Department is encouraging holders inside and outside the State of Florida that are in possession of unclaimed property to comply with Florida’s unclaimed property law. When reporting and remitting unclaimed property to the Department, holders must follow the procedures in Form DFS-A4-1992, Florida Bureau of Unclaimed Property Reporting Instructions Manual, revised 7-1-15, which is hereby incorporated by reference and available from the Florida Department of Financial Services, Bureau of Unclaimed Property’s website.

Rulemaking Authority 717.117(1), 717.138 FS. Law Implemented 717.101, 717.102, 717.103, 717.1035, 717.104, 717.1045, 717.105, 717.106, 717.107, 717.1071, 717.108, 717.109, 717.1101, 717.111, 717.112, 717.1125, 717.113, 717.115, 717.116, 717.117, 717.119, 717.129, 717.1311, 717.134, 717.138 FS. History–New 5-3-10, Amended.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on February 26, 2016, the Board of Medicine, received a petition for waiver or variance filed by Abid Bashir Darr, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. 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: Adrienne Rodgers, Interim Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on February 26, 2016, the Board of Medicine, received a petition for waiver or variance filed by Sanjeev Venkataraman, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. 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: Adrienne Rodgers, Interim Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-42.002 Licensure by Examination

The Board of Medicine hereby gives notice that on February 25, 2016, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Allison Miner, M.D., on January 6, 2016, seeking a waiver or variance from Rule 64B8-42.002, F.A.C., with regard to the requirement for supervised practice. The Notice was published in Volume 42, No. 7, of the Florida Administrative Register, on January 12, 2016. The Board, at its meeting held on February 5, 2016, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

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

Section VI
Notice of Meetings, Workshops and Public
Hearings

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: April 7, 2016 rescheduled for April 14, 2016, 10:00 a.m. (EST); April 21, 2016 is cancelled

PLACE: Florida Transportation Commission, 605 Suwannee Street, MS #9 Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC General Business.

A copy of the agenda may be obtained by contacting: Lisa O. Stone 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: Lisa O. Stone 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: Florida Transportation Commission, 605 Suwannee Street, Room 176, Tallahassee, Florida 32399 or phone: (850)414-4105.

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, March 10, 2016, 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.

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

SPACE FLORIDA

Space Florida announces a public meeting to which all persons are invited.

DATE AND TIME: March 17, 2016, 8:00 a.m. – 5:00 p.m., ET
 PLACE: Space Life Sciences Laboratory, 505 Odyssey Way, Exploration Park, FL 32953

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Evaluation Committee Members will be conducting Stage 3 of the Evaluation Process and considering the qualification packages submitted by vendors in response to the Design/Build Services for a Spacecraft Integration Facility in Exploration Park, Florida for the Request for Qualifications for RFQ-SR-02-0-2016/TR.

A copy of the agenda may be obtained by contacting: arobbins@spaceflorida.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: arobbins@spaceflorida.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: arobbins@spaceflorida.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, April 20, 2016, 9:00 a.m., Probable Cause Panel, portions which are closed to the public; 1:00 p.m., General Business meeting and Thursday, April 21, 2016, 9:00 a.m. or soon thereafter

PLACE: The Hilton St. Augustine Historic Bayfront, 32 Avenida Menendez, St. Augustine, Florida 32084, (904)829-2277

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board and Probable Cause Panel meeting, portions which are closed to the public.

A copy of the agenda may be obtained by contacting: the Department of Business and Professional Regulation, Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, June 15, 2016, 9:00 a.m., Probable Cause Panel; portions which are closed to the public and 1:00 p.m., General Business meeting, and Thursday, June 16, 2016, 9:00 a.m. or soon thereafter

PLACE: The Ritz-Carlton Golf Resort, Naples, 2600 Tiburon Drive, Naples, Florida 34109, (239)593-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board and Probable Cause Panel meeting, portions which are closed to the public.

A copy of the agenda may be obtained by contacting: the Department of Business and Professional Regulation, Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida, 32399-0767.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, July 20, 2016, 10:00 a.m.

PLACE: Telephone conference: call to connect, dial: 1(888)670-3525, Conference Pass code: 2295006118 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling their office at (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Monday, March 14, 2016, 3:00 p.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, (407)481-5662. Only public portions of the agenda are available upon request.

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: Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, March 15, 2016, 8:30 a.m., ET; meeting will reconvene on Wednesday, March 16, 2016, 8:30 a.m., ET.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – topics include, but are not limited to, proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2 rule discussion, budget discussions, escrow disbursement requests, recovery fund claims, education issues,

petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Lori Crawford at lori.crawford@myfloridalicense.com or Mike Davis at michael.davis@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATES AND TIMES: Wednesday, April 6, 2016, 9:00 a.m. – 5:00 p.m.; Thursday, April 7, 2016, 9:00 a.m. – 5:00 p.m.

PLACE: Second Floor Royal Fern Hall, Fern Forest Nature Center, Broward County Parks and Recreation, 201 Lyons Road South, Coconut Creek, FL 33063

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Coral Reef Conservation Program is holding a two-day meeting for the “Our Florida Reefs” Community Working Group in which both the North and South Community Working Groups will meet jointly. The Community Working Group will review feedback from the public on draft Recommended Management Actions received through a series of Community Meetings in January and February, and consider revisions accordingly.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Daron Willison at (305)795-1223. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The DEPARTMENT OF ENVIRONMENTAL PROTECTION announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2016, 9:00 a.m.

PLACE: DEP-Northeast District Office, Conference Rooms 1A and 1B, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: DEP is announcing an Annual Meeting for the Lower St. Johns Tributaries Fecal Coliform Basin Management Action Plans I and II. Items to be discussed include the water quality updates for Lower St. Johns Tributaries Fecal Coliform BMAPs I and II. These BMAPs are the means for implementation of the adopted total maximum daily loads for fecal coliform. Lower St. Johns River Tributaries BMAP I covers 10 tributaries and Lower St. Johns Tributaries BMAP II includes 15 tributaries.

A copy of the agenda may be obtained by contacting: Anita Nash, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail: Anita.Nash@dep.state.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 48 hours before the workshop/meeting by contacting: Anita Nash, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail: Anita.Nash@dep.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).

For more information, you may contact: Anita Nash, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail: Anita.Nash@dep.state.fl.us.

DEPARTMENT OF HEALTH

The Council on Certified Nursing Assistants announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 11, 2016, 2:00 p.m., ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion regarding revisions to Rule 64B9-15.006, FAC – Standardized Curriculum.

A copy of the agenda may be obtained by contacting: www.FloridasNursing.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Drug Policy Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 11, 2016, 1:00 p.m. – 2:00 p.m., ET

PLACE: Meeting will be held by teleconference using dial in: 1(888)670-3525 participant code: 164 869 6226 or GoToMeeting

<https://global.gotomeeting.com/join/680613277>, Meeting ID: 680-613-277

GENERAL SUBJECT MATTER TO BE CONSIDERED: Established in Section 397.33, Florida Statutes, the Drug Policy Advisory Council reviews and analyzes the impacts of substance abuse in the State and makes recommendations for the implementation of a state drug control strategy.

A copy of the agenda may be obtained by contacting: Rebecca Poston at (850)245-4444, extension 3700 or Rebecca.Poston@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy Sterile Compounding Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 4, 2016, 2:00 p.m.

PLACE: Hilton Altamonte Springs, 350 Northlake Blvd., Altamonte Springs, Florida 32701

The hotel telephone number is (407)830-1985.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rules associated with sterile compounding.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. 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: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 5, 2016, immediately following Full Board Business

PLACE: Hilton Altamonte Springs, 350 Northlake Blvd., Altamonte Springs, Florida 32701

The hotel telephone number is (407)830-1985.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. 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: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy announces public meetings to which all persons are invited.

DATES AND TIMES: Tuesday, April 5, 2016, 8:00 a.m.; Wednesday, April 6, 2016, 8:00 a.m.

PLACE: Hilton Altamonte Springs, 350 Northlake Blvd., Altamonte Springs, Florida 32701

The hotel telephone number is (407)830-1985.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tuesday, April 5, 2016, 8:00 a.m., general board business to be followed by general discussion and action on rules and compounding rules. Wednesday, April 6, 2016, 8:00 a.m., general board business, to include discipline.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. 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: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: Wednesday, April 6, 2016, 3:00 p.m.

PLACE: Hilton Altamonte Springs, 350 Northlake Blvd., Altamonte Springs, Florida 32701

The hotel telephone number is (407)830-1985.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion regarding issues pertaining to Pharmacy and Medicine.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. 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: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Monday, March 14, 2016, 2:00 p.m.

PLACE: Juvenile Welfare Board Building, 14155 58th Street North in Clearwater.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pinellas Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Allen at (727)373-7842.

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: Stephanie Allen at (727)373-7842. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

The Board of Funeral, Cemetery and Consumer Services, Probable Cause Panel A announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 8, 2016, 10:00 a.m.

PLACE: 111 West Madison Street, Claude Denson Pepper Building, Room 336J, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider the following disciplinary case with prior findings of probable cause: Calvin Sweeting., Case No. 150305-14-FC.

A copy of the agenda may be obtained by contacting: LaTonya Bryant, (850)413-3039 or email: LaTonya.Bryant@myfloridacfo.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

DATE AND TIME: March 9, 2016, 9:00 a.m.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 24, 2016, 10:30 a.m.

PLACE: Toll-free-dial-in 1(877)826-6967

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Operating Committee will review proposed changes in the FAJUA Manuals for recommendation to the Board of Governors and any other matters that may come before the Committee.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive East, Suite 201-A, Tallahassee, Florida, (850)681-2003, sneal@fajua.org.

FOUNDATION FOR INDIGENT GUARDIANSHIP

The Foundation for Indigent Guardianship, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 9, 2016, 10:00 a.m.

PLACE: 1(888)670-3525; code: 7919129022#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: lhflgator@gmail.com

WALTON COUNTY HEALTH DEPARTMENT

The Walton Community Health Center announces a public meeting to which all persons are invited.

DATE AND TIME: March 17, 2016, 11:30 a.m.

PLACE: Walton County Health Department

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various Board Information.

A copy of the agenda may be obtained by contacting: Shelagh Larkin, (850)892-8015, Ext. 1174.

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: Shelagh Larkin, (850)892-8015, Ext. 1174. 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: Shelagh Larkin, (850)892-8015, Ext. 1174.

GHYABI & ASSOCIATES

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

DATE AND TIME: Wednesday March 9, 2016, 4:00 p.m. – 5:00 p.m.

PLACE: Daytona Beach International Airport, Dennis McGee Room - (formally the Volusia Room, up the escalator, to the left), 700 Catalina Drive, Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 242715-2-52-01

Project Description: Interstate 95 (I-95) Widening & Systems Interchange, from North of State Road (SR) 44 to North of US 92 (International Speedway Boulevard)

The purpose of this public information meeting is for the aesthetics subcommittee to meet and discuss options concerning the two proposed locations and design of the aesthetic feature(s) for the gateway in to Daytona Beach.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Katie Widdison, Public Involvement Coordinator, at 1459 North US Hwy 1, Suite 3, Ormond Beach, FL 32174 or by phone at (386)212-0449 or via email at Katie.Widdison@dot.state.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 7 days before the workshop/meeting by contacting: Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Katie Widdison, at the contact information listed above at least seven days prior to the meeting. 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: Bradley Bauknecht, FDOT Project Manager at (386)740-3519 or by email: Bradley.Bauknecht@dot.state.fl.us. You may also contact Katie Widdison, Public Involvement Coordinator, at her contact information listed above. An additional source for information is just a click away. Visit our website at www.cflroads.com.

THE BRAND ADVOCATES, INC.

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

DATE AND TIME: Wednesday, March 9, 2016, 7:00 p.m. – 9:00 p.m.

PLACE: 1000 Venetian Way Condominium, Club House, Miami Beach, Florida 33139

GENERAL SUBJECT MATTER TO BE CONSIDERED: The PAG is a stakeholder group that reflects the range of communities, organizations, groups and individuals who could be affected by decisions regarding possible improvements to the Venetian Causeway. The purpose of the PAG is to ensure that stakeholder views regarding possible improvements to the Venetian Causeway are clearly understood and fully considered by the project team, and to help the project team explore ways to address the issues and needs that may be identified through the study. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., Project Manager at dat.huynh@dot.state.fl.us or visit the project website: www.fdotmiamidade.com/VenetianBridgeStudy.

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: Ms. Eman Gomaa, P.E., at (305)470-5219 or in writing at 1000 NW 111 Avenue, Room 6111-A, Miami, FL 33172 or by email: eman.gomaa@dot.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).

For more information, you may contact: Mr. Dat Huynh, P.E., Project Manager at dat.huynh@dot.state.fl.us or visit the project website: www.fdotmiamidade.com/VenetianBridgeStudy.

VHB

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

DATE AND TIME: Thursday, March 17, 2016, 9:00 a.m. – 11:00 a.m.

PLACE: City of Webster Community Building, 49 SW 1st Street, Webster, FL 33597

GENERAL SUBJECT MATTER TO BE CONSIDERED: For this meeting, the Project Team will be discussing the project’s conceptual trail alternatives and the results from the preliminary analysis. The purpose of this meeting is to go over the following:

1. Overview of the trail alternatives
2. Issues and opportunities
3. Results from the preliminary evaluation
4. Potential improvement strategies brainstorming

A copy of the agenda may be obtained by contacting: Heather Garcia, FDOT Project Manager, at Heather.Garcia@dot.state.fl.us if you have any questions.

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: Sophia Villavicencio-Ortiz, Consultant Project Coordinator, by telephone at (407)839-4006 or by email at svillavicencio@vhb.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Garcia, FDOT Project Manager, via email at Heather.Garcia@dot.state.fl.us

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that the Public Employees Relations Commission (PERC) has received the petition for declaratory statement from Donald Bouchard, Lee Amato, and Dan Lubinsky (Petitioners), Case No. DS-2016-001. The petition seeks the agency’s opinion as to the applicability of Section 447.501, Florida Statutes (2015), as it applies to the petitioner.

The Petitioners were employed as City of Miami Beach firefighters. While employed, they were members of the City of Miami Beach IAFF Local 1510 (Union). The Petitioners retired in late 2012 or early 2013. The Petitioners allege that, prior to their retirement, the Union president and other Union officials through misrepresentation, fraudulent inducements, and threats persuaded the Petitioners and other senior officers to enter into a three-year DROP period, while concealing the fact that they could be grandfathered into a five-year DROP period. By agreeing to the three-year DROP period, the Petitioners lost employment opportunities and benefits they might otherwise have obtained. The retirement of the Petitioners and other senior firefighters paved the way for every Union board member, but one, to be promoted. The Petitioners discovered the basis of their allegations in late 2014. The Petitioners are seeking a Declaratory Statement by PERC determining: 1) whether these circumstances constitute a violation of Section 447.501, Florida Statutes (2015), which is under the exclusive jurisdiction of PERC; or 2) whether these circumstances are under the jurisdiction of the civil or criminal court system due to the inherent fraud, fraudulent misrepresentation, breach of fiduciary duty, and civil conspiracy. Except for good cause shown, motions to intervene by persons whose substantial interests may be affected by the disposition of the declaratory statement must be filed within twenty-one (21) days after publication of the notice in the Florida Administrative Register. Persons whose substantial interests may be affected may file a petition for an administrative hearing.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle NW, Suite 300, Tallahassee, Florida 32303-7256

Please refer all comments to: The Clerk, Public Employees Relations Commission, 4708 Capital Circle NW, Suite 300, Tallahassee, Florida 32303-7256.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has issued an order disposing of the petition for declaratory statement filed by Murex Home Sales, LLC and Wheeler Capital Partners on December 9, 2015. The following is a summary of the agency’s disposition of the petition:

The petition sought a declaratory statement from the Office with regard to the interpretation of Section 494.001(17), the definition of a “loan originator”; (a) whether Petitioner (Murex) is required to be licensed as a Florida mortgage loan originator; and (b) whether Petitioner (Wheeler) would be acting in violation of its license in providing counseling and advice to customers of Murex. The Office’s issued a response on February 25, 2016. It is declared that: A) Murex Home Sales,

LLC is not considered a loan originator under Florida law. B) Wheeler Capital Partners, LLC would not violate Florida law by providing consultation to Murex’s customers as outlined in its petition. C) The Office makes no declaration regarding any interpretation of the application of federal law to Petitioners, including the rules implemented by the Consumer Finance Protection Bureau (CFPB).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643 or agency.clerk@flofr.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION
BDC47-15/16 Lake Kissimmee State Park - Roadway &
Drainage Improvements

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC47-15/16 Lake Kissimmee State park - Roadway & Drainage Improvements. More info @ <http://tinyurl.com/BDC47-15-16>.

BRASFIELD & GORRIE, LLC
INVITATION TO BID

Brasfield & Gorrie, LLC will now be taking sealed bid proposals for the CONCRETE PAVING SCOPE on the UF Stephen C. O'Connell Center Expansion and Renovation project in Gainesville, FL. Sealed Bids are due by no later than March 30, 2016. Sealed bids must either be hand delivered or mailed to the following address:

Brasfield & Gorrie, LLC
c/o Adam Cowan
941 West Morse Blvd., Suite 200
Winter Park, FL 32789
For any questions, please contact:
Steven Nickels
snickels@brasfieldgorrie.com
(407)562-4661

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL
2016-EM-13900 Employment Options
Informed Choice Training
REQUEST FOR PROPOSALS
(FDDC RFP #2016-EM-13900)

Employment Options Informed Choice Training
The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2016-EM-13900) is released to develop and implement a training package for use with individuals with intellectual and developmental disabilities, as well as an accompanying Train-the-Trainer Curriculum for those who will implement the training package and directly support those individuals. The developed materials and training will empower individuals with intellectual and developmental disabilities with information and experiences necessary to make an informed choice regarding their employment options before accepting subminimum wage employment versus competitive employment at or above minimum wage.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$95,000 federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be determined during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free: 1(800)580-7801 or TDD Toll Free: 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is March 16, 2016 by 4:00 p.m. (EST). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of March 21, 2016. The deadline for submitting proposals for this RFP to FDDC is April 11, 2016 by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE REGISTER AND ON THE FDDC WEB PAGE (fddc.org) ON March 2, 2016.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

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

Section XII Miscellaneous

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On February 29, 2016, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of Katuska V. Mirville, L.P.N., License #: PN 5204788. 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. (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Pharmacy

Notice of Emergency Action

On February 29, 2016, State Surgeon General issued an Order of Emergency Restriction of Permit with regard to the permit of Pacifico National, Inc. d/b/a AmEx Pharmacy, Permit #: PH

27532. 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. (2014-2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On February 29, 2016, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of John R. Yates, R.Ph., License #: PS 27850. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2015). 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 ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-16-030

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-030 on March 1, 2016, in response to an application submitted by Woodberry Lakes Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.Zimmer@DEO.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.
