

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:

65C-16.001	Definitions
65C-16.002	Adoptive Family Selection
65C-16.003	Case Reviews
65C-16.004	Recruitment, Screening and Application Process/Adoptive Applicants
65C-16.005	Evaluation of Applicants
65C-16.007	Abuse Hotline and Registry and Criminal Records Checks
65C-16.008	Dispute Resolutions and Appeals
65C-16.009	Adoption Placement
65C-16.010	Adoption Placement - Post-Placement Services
65C-16.011	Confidentiality - Human Immunodeficiency Virus (HIV) Infected Clients
65C-16.012	Types of Adoption Assistance
65C-16.013	Determination of Maintenance Subsidy Payments
65C-16.014	Post Adoption Services
65C-16.015	Non-Recurring Adoption Expenses
65C-16.016	Access to Closed Adoption Records
65C-16.017	Florida Adoption Reunion Registry
65C-16.019	Intervention in Dependency Cases
65C-16.020	Communication or Contact

PURPOSE AND EFFECT: The Department intends to amend multiple rules within Chapter 65C-16, F.A.C., Adoptions, to accomplish the following issues: 1) Make rule language reflective of legislative changes to Chapter 63 and Chapter 39, F. S.; 2) Simplify wording and resolve issues of ambiguity; and 3) Add clarifying language for implementation of the Adoption Review Committee process. Additionally, the Department intends to add two new rules within Chapter 65C-16, F.A.C. to accomplish the following: 1) Clarify the Department's role when an intervention motion is filed in a dependency case by an adoption entity; 2) Clarify the process for communication or contact between the child and family members pending finalization of an adoption; and 3) Clarify the process for establishing post adoption communication or contact between the child and siblings or significant adults at the time of finalization of the adoption.

SUMMARY: A summary of the rule changes are as follows:

- Delete definitions that are defined in statutory language, revise language of ambiguous definitions and add new definitions for clarification.
- Add language to clarify the federal law requirement of the Multi-Ethnic Placement Act when a particular child presents specific compelling special circumstances.
- Revise language to clarify the requirements for an assessment to determine the best interest of the child when making an adoptive family selection.
- Add clarifying language regarding grandparent and relative priority as specified in Chapter 63.
- Revise and clarify the processes that shall be completed when multiple families apply to adopt the same child.
- Add additional requirements for adoption staff when completing a Child Study.
- Revise language to clarify the requirements for quarterly case reviews.
- Add and clarify the language regarding the adoption recruitment activities that shall be completed for children available for adoption without an identified adoptive family.
- Revise and clarify the requirements for completion of an adoptive home study, including implementation of the statutory requirement for applicants to sign the form, Acknowledgement of Firearm Safety Requirements.
- Revise and clarify the processes for creation and implementation of an Adoption Review Committee within each Community Based Care Agency.
- Revise language to clarify the processes that shall be completed when a service or home study is denied.
- Add clarifying language for adoption staff to complete assessments for services prior to adoption placements.
- Add language to clarify when a 90 day supervision period is not required.
- Delete and add clarifying language for adoption staff regarding the requirement to inform adoptive applicants of adoption benefits.
- Delete the language that adoption assistance is contingent upon state funding as this is contrary to federal regulations.
- Delete and add clarifying language for implementation by adoption staff of the processes for determining adoption subsidy payments.
- Add clarifying language for agencies to implement post adoption services.
- Add clarifying language for implementation by adoption staff of the processes that shall occur when a request is received for the release of closed adoption records.
- Add a new rule for implementation by adoption staff and Children's Legal Services of processes that shall be completed when an intervention motion is filed by an adoption entity.

- Add a new rule for implementation by adoption staff of the processes that shall be completed when the termination of parental rights has been granted and communication or contact between the child and family members, especially siblings, is assessed.

- Add a new rule for implementation by adoption staff of the processes that shall be completed regarding communication or contact between the child and family members or significant adults after finalization of an adoption.

- Added delegation of responsibility for subsidy payments.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.0137, 63.233, 381.004, 409.166(8), 409.167(6) FS.

LAW IMPLEMENTED: 39.0137, 39.0138, 39.521, 39.812, 63.042, 63.0425, 63.085, 63.092, 63.125, 63.162, 63.165, 63.207, 381.001, 409.166, 409.167 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: Jodi Abramowitz. Jodi can be reached at (850)717-4189 or Jodi.Abramowitz@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

- 65C-16.001 Definitions
- 65C-16.002 Adoptive Family Selection
- 65C-16.003 Case Reviews
- 65C-16.004 Recruitment, Screening and Application Process/Adoptive Applicants

- 65C-16.005 Evaluation of Applicants
- 65C-16.007 Abuse Hotline and Registry and Criminal Records Checks
- 65C-16.008 Dispute Resolutions and Appeals
- 65C-16.009 Adoption Placement
- 65C-16.010 Adoption Placement - Post-Placement Services
- 65C-16.011 Confidentiality - Human Immunodeficiency Virus (HIV) Infected Clients
- 65C-16.012 Types of Adoption Assistance
- 65C-16.013 Determination of Maintenance Subsidy Payments
- 65C-16.014 Post Adoption Services
- 65C-16.015 Non-Recurring Adoption Expenses
- 65C-16.016 Access to Closed Adoption Records
- 65C-16.017 Florida Adoption Reunion Registry
- 65C-16.019 Intervention in Dependency Cases
- 65C-16.020 Communication or Contact

65C-16.001 Definitions.

(1) "Abuse Hotline" means the Department's single statewide toll-free telephone number established for the purpose of receiving reports of child abuse, abandonment or neglect.

~~(2) "Adoption" means "adoption" as defined in Section 63.032(2), F.S.~~

~~(3) "Adoption Assistance" means "adoption assistance" as defined in Section 409.166(2)(b), F.S.~~

~~(4) "Adoption Entity" means "adoption entity" as defined in Section 63.032(3), F.S.~~

~~(2)(5) "Florida Adoption Exchange" means the Department of Children and Families statewide website where a child or sibling group available for adoption without an identified family will appear for recruitment of an adoptive family. means a mechanism for linking adoptive family resources with children needing adoption placement. The Exchange serves all department and community based care staff, and the staff of licensed child placing agencies in Florida.~~

(3) "Adopted from the Department" means a child permanently committed to the custody of the Department for the purpose of adoption and has been adopted by parents who have an approved home study by the Department.

(4)(6) "Adoption Home Study" means a written evaluation of the adoptive parents' capacity for adoptive parenthood. The study assesses the applicants' home and living environment, their marriage, if any, family and social history, activities and relationships, and criminal history, if any.

(5) “Adoption Information Center” means Florida’s Adoption Information and Referral Service, a statewide service for pregnant women considering placement of a child for adoption, adopted adults and birth parents and relatives seeking reunions and prospective adoptive parents interested in adopting a child.

(6)(7) “Adoption Reunion Registry” means a voluntary computer database data base which acts as a repository for current names, addresses and telephone numbers of parties to any Florida adoption.

(7) “Adoption Applicant Review Committee” means a committee that provides consultation and assistance to an adoption counselor when the counselor and supervisor are recommending denial of an adoptive home study, or adoption case situations which present challenging issues, such as when multiple families apply to adopt the same child.

(8) “Adoptive Placement” means the act of physically moving a child into the physical custody of the prospective adoptive parents and the signing of the Memorandum of Agreement to Adopt by the preadoptive parents.

(8) “Agency” means “agency” as defined in Section 63.032(5), F.S.

(9) “At-Risk Adoptive Placement” means a placement of a minor in the home of an approved adoptive parent prior to the termination of the minors’ parents’ parental rights.

(10) “Children’s Case Manager” means a person who is responsible for participating in the development and implementation of a service plan, linking the behavioral health service providers to a child or adolescent and his or her family, monitoring the delivery of behavioral health services, providing advocacy services, and collecting information to determine the effect of the behavioral health services and treatment.

(10)(17) “Circuit/Region” means a geographic area through which the Department and community-based care lead agencies plan and administer their programs.

(11) “Community Based Provider” means a private agency which has entered into a contract with the department to provide supervision of and services to children who remained at home with one or both parents and in out of home placements.

(12) “Court” means “court” as defined in Section 63.032(7), F.S.

(13) “Custodian” means a person or entity in whom the legal right to custody of a child is vested.

(14) “Department” means the Department of Children and Family Services.

(11)(15) “Disruption” means the termination of an adoption placement prior to legal finalization.

(12)(16) “Dissolution” means a child is returned to foster care termination of an adoption following legal finalization the

return of a child to out-of-home care and the subsequent termination of the parental rights of the adoptive parents.

(18) “Intermediary” means “intermediary” as defined in Section 63.032(9), F.S.

(13)(19) “Interstate Compact on the Placement of Children” means an agreement among states, enacted into law in all 50 states, the District of Columbia and the Virgin Islands, which governs the interstate movement of children. It establishes orderly procedures for the interstate adoptive or out-of-home placement of children, including post-placement supervision.

(14) “Match Staffing” means a staffing that is convened to match a child available for adoption without an identified adoptive family with prospective adoptive families with non-child-specific approved adoptive home studies.

(20) “Lead Agency” means “eligible lead community-based provider” as defined in Section 409.1671(1)(e), F.S.

(21) “Licensed Child Placing Agency” means “licensed child placing agency” as defined in Section 39.01, F.S.

(15)(22) “Mental health Multidisciplinary Team” means the group of people brought together by the child’s mental health case manager to plan and coordinate mental health and related services to meet the child’s needs in the most appropriate, least restrictive setting. Members of the team should include the child, unless contraindicated, the child’s parent or legal guardian, caregiver, targeted case manager, psychiatrist, therapist or behavioral specialists, and any other agency representative who is providing mental health or related services to the child.

(16)(23) “Non-Recurring Adoption Expenses” means reasonable and necessary adoption fees, court costs, attorney fees, and other expenses as defined in Section 409.166, F.S., that are directly related to the legal adoption of a special needs child, that were incurred prior to adoption finalization.

(24) “Placement” means the act of physically moving a minor into the physical custody of the prospective adoptive parent, or in the case of adoption by a foster parent, relative, or other current caretaker, the date the placement agreement is signed.

(25) “Primary Residence and Place of Employment in Florida” means “Primary Residence and Place of Employment” as defined in Section 63.032(17), F.S.

(26) “Qualifying Adoptive Employee” means a full time, part time or retired employee receiving retirement benefits of a state agency who is paid from regular salary or retirement appropriations or who otherwise meets the employer’s definition of a regular rather than temporary employee and who adopts a child pursuant to Chapter 63, F.S. For purposes of this definition, the term includes instructional personnel, as defined in Section 1012.01, F.S., employed by the Florida School for the Deaf and the Blind.

~~(27) "Relative" means "relative" as defined in Section 39.01(63), F.S.~~

~~(17)(28) "Significant Emotional Tie" means a substantial attachment between a child and his or her caretaker that is critical to a child's present and future well-being. The assessment of this attachment must include such factors as the length of time the child has known the caretaker and the attachment that exists in the relationship. This term is also used in the evaluation of a child's eligibility for adoption subsidy when the question of eligibility rests solely on his or her adoption by the current caregiver. means the relationship between a child and his or her caretaker family when a child is bound to that family in such a vital and ardent manner that removal of the child from that family would have detrimental consequences for the child. This term is also used in evaluating a child's eligibility for adoption subsidy when the question of eligibility rests solely on his adoption by the current caretaker.~~

~~(29) "Sibling" means one of two or more individuals having one or both parents in common.~~

~~(30) "Single Point of Access" means the designated staff person or Alcohol, Drug Abuse and Mental Health staff person or the authorized agent designated by the department within a geographical area who is identified as the point of contact to assist the case management or adoption counselor in accessing mental health assessments and other mental health services for children adopted from foster care or in the care and custody of the department or the appropriate entity within the community-based care agency.~~

~~(31) "Special Needs Child" means "special needs child" as defined in Section 409.166(2), F.S.~~

~~(32) "State Agency" means a branch, department, or agency of state government for which the Chief Financial Officer processes payroll requisitions, a state university or community college as defined in Section 1001.21, F.S., a school district unit as defined in Section 1001.30, F.S., or a water management district as defined in Section 373.019, F.S.~~

~~(33) "Suitability of Intended Placement" means the fitness of the intended placement with primary consideration given to the welfare of the child and the fitness and capabilities of the adoptive parents for a particular child.~~

~~(34) "To Place" means the process whereby a parent or legal guardian surrenders a child for adoption or a child's parents' parental rights are terminated by a court for adoption and the prospective parents' receiving and adopting the child including all actions by any person or agency participating in the process.~~

~~Rulemaking Authority 39.0121, 63.233, 409.166(8), 409.167(6) FS. Law Implemented 39.701, 63.032, 63.092, 63.165, 63.212, 409.166, 409.167 FS. History—New 4-28-92, Amended 4-19-94, Formerly 10M-8.0013, Amended 12-4-97, 8-19-03, 11-30-08, _____.~~

65C-16.002 Adoptive Family Selection.

~~(1) The Department facilitates the adoption of children with special needs. A person Persons seeking to adopt a child who does not meet the definition of special needs pursuant to s. 409.166(2), F.S., non-special needs children will be referred to the Adoption Information Center, a private agencies. Birth parents seeking adoption planning for their non-special needs children will also be referred to the Adoption Information Center, private adoption agencies. Any non-special needs children in the care of the department for whom adoption is the goal, will be referred to private adoption agencies for placement planning, unless there is a plan for adoption by the current custodian.~~

~~(2) General Policy. A person or government involved in adoption may not deny to any individual the opportunity to become an adoptive parent on the basis of race, color or national origin of the individual or the child. A person or government may not delay or deny the placement of a child for adoption on the basis of race, color or national origin of the adoptive parent or the child.~~

~~(2)(3) It is the policy of the state and of the department that Adoption placements must be made consistent with the best interest of the child. The assessment of role of good judgment in assessing the best interest of the child must include the current and projected future needs of the child, consideration of the birth family's medical and mental health history and the strengths of the potential adoptive family to meet the child's needs cannot be replaced by rote policy decrees. The adoptive placement decision exercise of that judgment must be shaped by the following considerations:~~

~~(a) Grandparent priority. A grandparent Grandparents with whom a child has lived for at least six months must be notified that their grandchild is being considered for adoption who is entitled to notice pursuant to as specified in Section 63.0425, F.S., Such grandparents must be afforded the opportunity to have a home study completed and to petition for adoption, and the court is required to give first priority to that petition. If grandparents apply to adopt the child, prior to a Memorandum of Agreement to Adopt being signed by another applicant, the application must be evaluated through an adoptive home study.~~

~~(b) Other relative priority. Other relatives may wish to be considered as an adoption placement for the child. If such a relative is identified and requests consideration for adoption the application of the relative must be evaluated to determine suitability through an adoptive home study.~~

~~(b)(e)~~ Current caregiver custodian priority. ~~The current custodian of the child may wish to adopt.~~ If the current caregiver custodian applies to adopt the child, the application must be evaluated ~~to determine suitability~~ through an adoptive home study. The home study must assess the length of time the child has lived with the current caregiver, in a stable, satisfactory environment and the depth of the relationship existing between the child and the caregiver, and whether it is in the best interest of the child to be adopted by the caregiver custodian. ~~There are some situations in which adoption by the current custodian may not be in the best interest of the child. Examples of these situations include:~~

1. ~~The current custodians want to adopt a child but not his or her siblings and it is in the best interest of the sibling group to be placed together.~~

2. ~~The current custodian has returned other adopted children to the department, or has arranged for some other out-of-home informal long-term placement for a previously adopted child.~~

~~(c)(d)~~ Relatives and nonrelatives Non-custodian with whom child has a relationship. Persons known to the child, but who do not have custody of the child, may wish to be considered for adoption. If such persons apply to adopt the child; prior to a Memorandum of Agreement to Adopt being signed, the application must be evaluated ~~to determine suitability~~ through an adoptive home study. ~~In addition,~~ The depth of the relationship existing between the child and the non-custodial applicant must be assessed and included in the home study examined. The "Memorandum of Agreement," CF-FSP 5072, October 2010, is incorporated by reference and available at www.dcf.state.fl.us/dcf/forms/.

~~(d)(e)~~ Family new to the child. Many families who pursue adoption do not have a specific child in mind when they apply. These families must be provided information about the children available for adoption through the Department; and must be helped, through training, preparation, and the home study process, to determine if special needs adoption is appropriate for their family.

~~(3)(4)~~ Siblings.

(a) When considering adoption placement of a sibling group, consideration must include the fact that a sibling relationship is the longest lasting relationship for a child and placing siblings together, whenever possible, preserves the family unit.

(b) In situations where consideration is being given to separating siblings who are in an open dependency case, a sibling separation staffing shall be held, the adoption unit must staff the case as a team. The staffing shall consist of at least three (3) members, preferably with adoption experience. Consideration should be given to including a Department staff person. The members ~~team~~ must consider the emotional ties

existing between and among the siblings and the degree of harm which each child is likely to experience as a result of separation. The positives and negatives of keeping the children together must be thoroughly explored, and at least one (1) member of the team must be assigned the role of defending the position of placing the children together. In particularly difficult cases, professionals who have expertise in sibling bonding and adoptions ~~may this area~~ can be consulted.

(c) The decision to separate siblings who are in an open dependency case must be approved in writing and documented in the Florida Safe Families Network (FSFN) statewide automated system by the community-based-care (CBC) or sub-contractor staff charged with this responsibility. The CBC community based care or sub-contractor staff shall will prepare a memorandum ~~directed to a designated community-based care or sub-contractor staff~~ describing efforts made to keep the siblings together and an assessment of the short term and long range effects of separation on the children. The memorandum must also include a description of the plan for post-adoption communication or contact, as described in Rule 65C-16.020, F.A.C., for future contact between the children if separation is approved. ~~The plan must be one to which each adoptive parent and caretaker can commit.~~

(d) If, after placement as a sibling group, one child does not adjust to the family, a decision must be made regarding what is best for all of the children. The adoption staff must review this situation as a team, and choose the plan that will be least detrimental to the children. The staffing shall be conducted as any other sibling separation staffing as prescribed in subsection (3)(b) of this rule. The decision and rationale must be documented in the children's records, including the FSFN statewide automated system. This documentation must also include the plan for future contact if the decision is to pursue separate placements.

(e) ~~If~~ ~~Sometimes~~ the Department takes ~~may take~~ into custody a child who is a sibling of a ~~to~~ previously adopted child(ren). ~~The D~~epartment, ~~or CBC~~ community based care or sub-contractor staff shall advise the adoptive parents of this occurrence at the time of removal. ~~If~~ ~~the~~ ~~this~~ child becomes available for adoption, the adoptive parents of the previously placed sibling(s) shall be notified and given an opportunity to apply to adopt the ~~this~~ child. The application of these adoptive parents will be given the same consideration as an application for adoption by a relative, as described above.

(4) Requests for consideration made after the Memorandum of Agreement to Adopt has been signed. Once a Memorandum of Agreement is signed by the prospective adoptive parents, the Department will not complete a homestudy on any new applicant to adopt the child, unless court ordered.

~~(5) Occasionally a child whose parent's parental rights have been terminated, for whom there is a plan for foster parent adoption, has relatives who indicate an interest in adopting after the termination process is completed. The following factors must be considered in determining making a decision that represents the best interest of the child when selecting an adoptive family and when multiple families apply to adopt the same child in this situation.~~

~~(a) Attachment. Consideration must be given to the quality and length of the attachment to the current and potential caregiver foster parent. The age of the child at placement with current caregiver and the child's current age must be considered in assessing attachment. The ease with which the child attached to the current family and any indications of attachment difficulty in the child's history must be evaluated. The number of moves and number of caregivers the child has experienced will be an important factor in determining the likelihood that the child will form a healthy attachment to a new caregiver the relative.~~

~~(b) Siblings. Consideration must be given to whether the potential caregiver is willing to adopt all members of a sibling group.~~

~~(c)(b) Kinship. Cultural values and traditions are more likely to be passed on to children Children who have a shared history with extended family and cultural values and traditions are more likely to be passed on to the child when there is opportunity to grow up in the care of family members. Consideration must be given to the quality of the relationship with a the relative seeking to adopt a child. Some children will already know and trust the relative seeking to adopt. If not, the willingness of the relative to participate in pre-placement activities to promote the development of a relationship must be considered.~~

~~(d)(e) Permanence. The capacity and willingness of the prospective adoptive relative and the foster parent to access needed services and meet the child's need for permanence must be evaluated. The ability of the prospective adoptive parent to understand the needs of adoptive children in different developmental stages and his or her their awareness of the inherent challenges of parenting an adopted child must be carefully considered.~~

~~(e) Post communication or contact. The willingness and capacity of the prospective adoptive parent to agree with post-adoption communication or contact with siblings or a significant adult that is determined to be in the best interest of the child must be determined.~~

(6) In any adoptive placement of a Native American child, the federal "Indian Child Welfare Act" governs the order of placement preference. While the Indian Child Welfare Act gives a placement preference, it allows each tribe to establish a different order of preference by resolution, and that order must

be followed. The Act lists the placement preference for adoption of an Indian child in the following order:

- (a) A member of the child's extended family;
- (b) Other members of the Indian child's tribe; or
- (c) Other Indian families.

(7) Study of the Child. ~~Completing the study of the child is an important part of the preparation needed to find an adoptive family. Before preparing the study of the child, Tthe appropriate case manager or adoption counselor must conduct a study of any child to be placed for adoption. In addition to aiding in identifying an adoptive placement, the child study is also documentation of the child's special needs for subsidy purposes and serves as a vehicle for sharing the child's history with the adoptive family. ~~be thoroughly familiar with the content of the child's entire record.~~ The child study must include current and projected or future needs of the child based on all available information regarding the child and the birth family's medical and social history. ~~The child study is also critical documentation of the child's special needs for subsidy purposes. Rather than repeat information from an evaluation or Comprehensive Behavioral Health Assessment in a child study, these documents may be attached and referenced in the child study. All available social and medical history information must be provided to the adoptive parents prior to or at the time of the adoption placement. The study of the child, with identifying information removed, will be a part of the written background information provided to the adopting family.~~ A study of the child shall will include:~~

(a) Developmental History. A developmental history must be obtained from the birth parents whenever possible. When the child has been in care for a period of time, developmental history obtained from birth parents must be supplemented by direct study and observation by the case manager or adoption counselor, foster parents, pediatrician, and if indicated, psychologist, teacher and other consultants. The developmental history must include:

1. Birth and health history;
2. Early development;
3. Child's characteristic way of responding to people;
4. Deviations from the normal range of development; and,
5. Child's prior experiences, including continuity of care,

separations, and information regarding other known significant relationships and placements the child has had prior to and since entering foster care.

(b) Medical History. A medical examination must be completed by a qualified physician, preferably a pediatrician, to determine the child's state of health and significant health factors which may interfere with normal development. The medical history must take into consideration the following:

1. Circumstances of birth and possible birth trauma;

2. Congenital conditions which may ~~or may not~~ have been corrected or need additional correction or treatment;

3. Physical handicaps that may interfere with normal activity and achievement;

4. Significant illnesses and health of the child, parents and other family members; and,

5. Immunization record of the child.

(c) Family History. Family history ~~shall will~~ be obtained from birth parents when possible and ~~shall will~~ include any medical and mental health significant information about both parents and any siblings. ~~Information Material~~ about the child's birth family, ~~which will be shared with the adoptive family and later with the child, must be carefully and accurately recorded. This information shall should~~ include:

1. Age of both parents;
2. Race, national origin or ethnicity;
3. Religion;
4. Physical characteristics;
5. Educational achievements and occupations;
6. Health, medical history and possible hereditary problems;
7. Personality traits, special interests and abilities;
8. Child's past and present relationship with family members and the significance of these relationships; and,
9. Actual or potential impact of past abuse, neglect or abandonment.

(d) Psychological and Psychiatric Evaluations. Psychological or psychiatric evaluations of children known or suspected of having mental health problems must be obtained prior to the adoption placement. Any child who will be placed for adoption with medical subsidy for treatment of a psychological or psychiatric condition must have had such an evaluation within the 12 month period preceding the adoption placement.

(e) Heredity. There are no hereditary factors that rule out adoptive planning for a child. Genetic and medical professionals will assist in deciding which hereditary conditions ~~entail significant risk because they~~ limit life expectancy or adversely affect normal development. ~~With the recognition that there are adoptive parents who are willing to accept children with special needs, such conditions must be carefully evaluated. An unfavorable diagnosis does not rule out adoption for the child when there are families willing to assume the risks.~~

(f) Pre-placement Physical Examination. Prior to placement every child must have received his or her most recent well-child check-up as recommended by the American Academy of Pediatrics guidelines. ~~be given a complete physical examination. This will be completed when a specific family is being considered for a child and they express interest in proceeding after having received specific information about~~

~~the child. Should placement with an identified family not occur after the physical has been completed, another examination will not be necessary if the child is placed with a subsequent family within six months of the date of the physical. No child will be placed without a physical that which has been conducted within 12 six months of placement unless there is a known or suspected medical condition. When there is a known or suspected medical condition, a physical within six (6) months prior to placement will be required. If the adoptive family prefers, an additional the examination may be completed by the family's pediatrician at their expense, and a copy provided for the child's case record. It is important that this examination be thorough and provide the potential adoptive family and the case manager and adoption counselor with a clear understanding of the child's physical condition.~~

(g) Education. An educational history must be documented for the child, including all schools attended, current grade, and a summary of the child's report cards and his or her 504 or Individual Educational Plan, if applicable. An interview with the child's current teacher is required in order to document issues related to academics, socialization skills and behavioral concerns.

(8) A copy of the child study shall The information discussed in paragraphs (a) through (f) must be provided shared in writing to with the adoptive parents prior to the adoptive placement. The identity of the birth family shall must be protected when providing the child study this written material to the family. The information must be shared either using the "Disclosure Information to Adoptive Parents" form, CF-FSP 5328, December 2010, incorporated by reference and available at www.dcf.state.fl.us/dcfforms/ or a form developed by the CBC provider. If the CBC provider chooses to use its own form, that form must contain all of the elements of CF-FSP 5328, December 2010.

Rulemaking Authority ~~39-012, 39-0121, 39-0137,~~ 63.233, 409.166(8) FS. Law Implemented 63.039(1), 63.042, 63.0425, 63.0427, 63.085, 409.166(5) ~~409.145~~ FS. History—New 2-14-84, Formerly 10M-8.02, Amended 5-20-91, 4-28-92, 4-19-94, 8-17-94, 1-8-95, Formerly 10M-8.002, Amended 12-4-97, 12-23-97, 8-19-03, 11-30-08,_____.

65C-16.003 Case Reviews.

(1) The purpose of case reviews is to ensure that reasonable efforts to achieve the permanency goal of adoption are conducted and documented appropriate permanent plans are developed and executed for every child with an adoption goal at the earliest possible time.

(2) The case review requirements for children in adoption planning consist of two (2) three types of reviews:

(a) Judicial Review. All children for whom adoption is the plan, including those for whom a termination of parental rights has not been completed and those for whom termination of

~~parental rights has been completed are subject to periodic court review. Children in adoption placements that have not yet finalized are subject to court review until legal finalization of the adoption. Judicial Review reports for children in adoption planning must include information about reasonable efforts to recruit an adoptive family, place the child for adoption and finalize the adoption.~~

~~(a)(b) Match Quarterly Case Staffings. Staff responsible for case planning for children who are permanently committed to the Department with a goal of adoption in need of adoption shall will meet every 60 days together as a team to collectively discuss and assess the strengths and needs of waiting children without an identified adoptive family with the goal of matching them with and approved prospective adoptive available families. The teams will meet as often as necessary to ensure that permanency needs are met. The team will meet at least quarterly for each waiting child. The available families for the waiting children will be sought from the Florida Safe Families Network (FSFN), community-based care (CBC) agencies, AdoptUSKids, and Children Awaiting Parents (CAP).~~

~~1. The staffing will be conducted by a team of at least three (3) individuals, preferably with adoption experience. The child's case will be presented by the adoption case manager.~~

~~2. The staffing team shall determine all potential matches from the pool of prospective adoptive families.~~

~~3. Once the potential adoptive families have been identified, the staffing team will rate each family based on the family's ability to meet the identified needs of the child based on information documented in FSFN, the Child Study and the adoptive parent's home study. The documentation must include a key of the rating scale used by the team.~~

~~4. The team will be required to obtain input (either verbally or in writing) from adults with significant knowledge of the child's needs, including the adoption case manager, dependency case manager, current caregiver, the child, if age appropriate, guardian ad litem, school professional, and therapist.~~

~~(b)(e) Supervisory Consultation. Supervisory consultation is an on-going function of direct service supervision. Consultation must be directed at ensuring thorough case assessment, case planning and service delivery. Supervisory consultation must be provided to every direct service staff member regardless of prior training and experience, and must include individual supervisory case conferences, at least every 90 calendar days monthly.~~

~~Rulemaking Authority 39.0121 FS. Law Implemented 39.004, 39.701, 39.812, 409.145, 409.175 FS. History—New 4-28-92, Amended 4-19-94, Formerly 10M-8.0023, Amended 12-4-97, 8-19-03, 11-30-08.~~

65C-16.004 Recruitment, Screening and Application Process/Adoptive Applicants.

~~(1) The community-based-care (CBC) or sub-contractor staff shall will ensure that an assessment of adoptive parent resource needs is completed at the beginning of each calendar year, and that recruitment activities are planned for the year based on the results of the assessment. The annual recruitment plan will be submitted to the headquarters Family Safety Program Office by February 15 of each year. The headquarters Family Safety Program Office staff will assist in development of a statewide recruitment plan, based on the needs reflected in the plans.~~

~~(2) The recruitment activities must be designed to meet the needs of all children in foster care who need adoptive families homes and must include opportunities for an exchange of information and communication with informational meetings for potential adoptive applicants to be held at least every 90 days.~~

~~(3) The recruitment activities shall reflect the ethnic and racial diversity of children needing adoptive placement pursuant to the Indian Child Welfare Act, 25 U.S.C. 1901 et seq., and Multi-Ethnic Placement Act, 42 U.S.C.A. §1996.~~

~~(4) Within 10 business days after a child has been permanently committed to the Department, the adoption information screens in FSFN must be completed by the adoption case manager, adoption recruiter, or designee.~~

~~(a) When a child or sibling group has no identified adoptive family and is or are legally free for adoption, the child or sibling group must appear on the Florida Adoption Exchange. The child must be documented with an available status, a child web memo and a current child web ready photo in FSFN. If the child is a member of a sibling group that is seeking to be adopted together by a single family, each child must be documented with the same sibling identification number, sibling web memo and sibling web ready photo in FSFN.~~

~~(b) The child and sibling web memos must be reviewed and web authorized by a supervisor or designated second level reviewer.~~

~~(c) For children under age five (5), the child or sibling photo and child or sibling web memo must be updated every six (6) months. For children age five (5) or older, the child or sibling web photo and child or sibling web memo must be updated annually.~~

~~(d) When a child has an identified adoptive family, the required data for the federal and state reports must be documented in FSFN before the adoption case is closed.~~

(e) Children without an identified adoptive family must also be registered on the national adoption website, AdoptUSKids, and local recruitment resources, such as a Heart Gallery, after the child is documented on the Florida Adoption Exchange.

(5)(4) The prospective adoptive parents' initial inquiry to the Department of Children and Family Services or to the CBC ~~community-based care~~ or sub-contractor staff, whether written or verbal, shall ~~will~~ receive a written response or a telephone call within seven (7) ~~business working~~ days. Prospective adoptive parents who indicate an interest in adopting ~~special needs~~ children must ~~be referred to successfully complete a Department~~ the approved adoptive parent training program, as prescribed in Rule 65C-13.024, F.A.C. If space is limited in scheduled classes, slots in the classes will be assigned in the following priority order:

(a) Persons with an existing relationship with a specifically identified ~~special needs~~ child who is waiting for adoption placement, or that child's sibling.

(b) Persons who have expressed an interest in adopting a specifically identified ~~special needs~~ child waiting for adoption, or that child's sibling.

(c) Persons who have explicitly stated their willingness to adopt ~~special needs~~ children available for placement through the ~~Department~~ or its designee, ~~and~~

~~(d) Persons expressing a general willingness to adopt special needs children.~~

(6) Once the prospective adoptive parents complete the approved adoptive parent training program, the Department will complete home studies in the following priority order:

(a) Persons with an existing relationship with a specifically identified special needs child who is waiting for adoption placement, or that child's sibling.

(b) Persons who have expressed an interest in adopting a specifically identified special needs child waiting for adoption, or that child's sibling.

(c) Persons who have explicitly stated their willingness to adopt special needs children available for placement through the Department or its designee.

(7) Any protective adoptive parent, who has completed the approved adoptive parent training program, and does not fall into the categories under (6)(a)-(c), may be referred to the Adoption Information Center. Pursuant to Section. 63.092(3), F.S., the Department is required to perform the preliminary home study only if there is no licensed child-placing agency, child-caring agency registered under Section 409.176, F.S., licensed professional, or agency described in Section 61.20(2), F.S., in the county where the prospective adoptive parent resides.

(8)(5) An application to adopt must be made on the "Adoptive Home Application" form CF-FSP 5071, ~~October 2014 PDF 08/2008, Adoptive Home Application~~, which is incorporated by reference and available at www.dcf.state.fl.us/dcfforms/ or a form developed by the CBC provider, ~~and includes necessary identifying information and information required by statute.~~ If a CBC ~~community-based care~~ provider chooses to use its own form, that form must contain all of the elements of CF-FSP 5071, ~~October 2014 PDF 08/2008, which is incorporated by reference.~~ A ~~copy of the form is available upon request by contacting the Office of Family Safety, at 1317 Winewood Blvd., Tallahassee, FL.~~

Rulemaking Authority 39.012, 39.0121, 39.0137 FS. Law Implemented 39.01(6), 39.0137 FS. History—New 7-18-95, Formerly 10M-8.0042, Amended 8-19-03, 11-30-08.

65C-16.005 Evaluation of Applicants.

(1) No person shall be denied the opportunity to become an adoptive parent on the basis of race, color or national origin. The placement of a child with a family must not be denied or delayed on the basis of race, color or national origin of the family or the child.

(2) An adoptive home ~~A social~~ study which ~~includes~~ involves careful observation, screening and evaluation of the child and adoptive applicants shall be completed by a staff person with the CBC, subcontractor agency, or other licensed child-placing agency prior to the adoptive placement of the child. The aim of this evaluation is to select families who will be able to meet the physical, emotional, social, educational and financial needs of a child, while safeguarding the child from further loss and separation from ~~siblings and significant adults primary caretakers.~~ The adoptive home study is valid for 12 months from the approval date.

(3) In determining which home studies and applications for adoption will ~~should~~ be approved, all of the following criteria, not listed in any order of priority, must be considered:

(a) The child's choice, if the child is developmentally able to participate in the decision. The child's consent to the adoption is required if the child is age 12 or older unless excused by the court;

(b) The ability and willingness of the adoptive family to adopt some or all of a sibling group, although no individual child shall be impeded or disadvantaged in receiving an a loving and nurturing adoptive family home due to the inability of the adoptive family to adopt all siblings. The needs of each individual child must be considered, as well as the family's demonstrated efforts to maintain the sibling connection promoted;

(c) The commitment of the applicant to value, respect, appreciate, and educate the child regarding his or her racial and ethnic heritage and to permit the child the opportunity to know and appreciate that ethnic and racial heritage;

(d) The family's child rearing experience. Applicants with previous child-rearing experience ~~who exhibit the energy, physical stamina, and life expectancy which would allow them to raise the child to adulthood~~ and who have a demonstrated history of having provided consistent financial and emotional support to other minor children, either birth or adopted, will be considered. Applicants who do not have previous child-rearing experience as a parent but who demonstrate the capacity to parent a special needs child by providing care or supervision of a child, such as in a role as an aunt or uncle, teacher, foster parent or friend, will also be considered. Families with no child-rearing experience must also be assessed for their capacity to provide care for a special needs child.

(e) Applicants who have experienced an adoption disruption or dissolution in the past shall be assessed regarding must be carefully evaluated. When evaluating the previous disruption or dissolution experience, staff must assess the reasons for the disruption or dissolution, the family's openness in dealing with the problems that led to the disruption or dissolution, their willingness to accept help with the problems, and their continued support of willingness to help the child through his or her change of move to the next placement;

(f)(e) Marital Status. Applications to adopt will be accepted from married couples and from single adults. Consideration should be given as to stability of the marriage and/or any significant relationships. In determining stability, adoption staff shall consider the length of the marriage or relationship and any history of repeated separations and reconciliations. Couples married less than two years must be given particularly careful evaluation;

(g)(f) Residence. Florida families must be prepared to remain in Florida long enough to have the adoption home study completed, the child placed, and the adoption finalized. Families from other states wishing to adopt Florida children may apply and be studied by an agency authorized or licensed to practice adoption in their state of residence. Out-of-state placements will be facilitated through established regional or national adoption exchanges or directly with out of state agencies, and must will comply with Section 63.207, F.S. the requirements of the Interstate Compact for the Placement of Children;

(h)(g) Income. The family must have legal and verifiable income and resources to ensure financial stability and security to meet expenses incurred in the adequate care of the family. While a family's income must meet the needs of its current members, a family interested in a special needs child must not be precluded from consideration if the availability of an

adoption subsidy would enable them to adopt a special needs child. Management of current income and the ability to plan for future changes in income so that the child's social, physical and financial needs will be met are as important as the amount of income;

(i)(h) Housing and ~~neighborhood~~. Housing and neighborhoods must provide adequate space and the living conditions necessary to promote the health and safety of the family;

(j)(i) Health. Applicants will be required to fully disclose health history for themselves and each member of the household, to include, current physical, mental or emotional health status, including any condition that is progressive and debilitating in its course, and any past and current treatment and services received for such condition, regarding themselves and each member of the household. A current physical shall not be required unless the applicant has disclosed a physical, mental or emotional condition that jeopardizes the safety and permanency of the child's placement; The physical, mental and emotional health of the prospective adoptive household members must not jeopardize the safety and permanency of the child's placement and will be considered in determining the best interest of the child;

(k)(j) Other Children, Including Adult Children, of ~~in~~ the Family. When families have children by birth or adoption, the anticipated impact of a new child on the family must be considered. Contact must be attempted with all children of the adoptive family in order to determine the anticipated impact on the family and as part of the assessment of the potential adoptive parent's capacity to parent a special needs child;

(l) Other Household Members. Other household members must be interviewed and included in the assessment of the adoptive family to determine the anticipated impact on the family. For household members who will serve in a caregiving capacity, the following areas shall be assessed: attachment to child, parenting history, physical and mental health, background checks and references;

(m)(k) Working Parents. The willingness and ability of prospective adoptive parents who are employed outside the home to make arrangements to be with the child during the transition period must be considered. It is desirable that one parent be free to devote full time to the care of the child for a period of time after placement. The exact length of time is determined by the needs and the age of the child, and the needs of the child must be given priority over the employment situation of the parent;

(n)(l) Department, ~~or~~ Community-based-care (CBC), or Sub-Contractor Employees. Employees of the Department and the CBC community-based care, including sub-contractor staff, will be considered as adoptive applicants. In situations where the employee has a close working relationship with the

foster care or adoption staff in his or her local area, or had such a relationship within the past two (2) years in the recent past, completion of the applicant's home study process shall be conducted by a licensed child-placing adoption agency outside the local area. The ~~appropriate entity in the CBC community based care provider~~ agency must be notified within 72 hours immediately when an application to adopt is received from a Department, departmental CBC or community based care provider agency, or subcontractor employee. The CBC agency provider entity will make a decision regarding whether the adoption home study for the employee will be completed by the CBC provider agency, or if the services of another agency will be sought. If the decision is to have the employee's adoption home study and subsequent placement handled by another agency, the CBC agency shall community based care provider entity will make the necessary arrangements with the Family Safety program office in the other circuit or the chosen agency. When an adoptive applicant is a member of a board or group which has actual or perceived authority over the Ddepartment, its CBC agency community based care provider, its staff or operations, such applicant will be referred to another circuit or a local licensed child-placing agency for handling;

~~(o)(m)~~ Criminal History. All adoptive parent applicants must disclose to the Ddepartment, or CBC agency, or subcontractor agency community based care provider any prior or pending local, state or national criminal proceedings in which they have been or are involved;

~~(p)(n)~~ Background Screening. All adoptive applicants must complete the requirements for background screening as outlined in Rule 65C-16.007, F.A.C.; and,

~~(q)(e)~~ Use of References. A minimum of five (5) written references shall will be required. Only one (1) reference may be obtained from an employer and only one (1) of the references may be obtained from a relative. At least two of the references will be non-relatives. All other rReferences must be obtained from persons who either: 1) have observed had the opportunity to observe the applicants in situations that may give some indication for their capacity for parenthood, or 2) who as the result of their relationship to the applicant, possess or should possess documentation or knowledge of the applicant's capacity for parenthood. References should be obtained from employers of applicants and from schools or day care providers who have had an opportunity to know the family. All references shall be provided directly to the agency person conducting the home study by the person providing the reference; and,

(r) The "Acknowledgement of Firearms Safety Requirements" form CF-FSP 5343, February 2015, incorporated by reference and available at www.dcf.state.fl.us/dccforms/, or a form developed by the

CBC provider, must be signed and dated by the adoptive applicants as a part of the home study process. A copy of the signed form must be retained as a part of the approved home study and a signed copy must be provided to the prospective adoptive parents. If a CBC provider chooses to use its own form, that form must contain all of the elements of CF-FSP 5343, February 2015.

(4) Family Preparation and Study Process.

(a) Adoption staff shall must explain to applicants what to expect during the preparation and study process. Adoption staff The process must also help to establish a relationship with adoptive applicants which will make it possible for adoptive applicants them to ask for and receive use help during the presentation, pre-placement, placement and the post-placement adjustment period.

(b) The Department approved adoptive parent training must be provided to and successfully completed by all prospective adoptive parents except licensed foster parents and relative and non-relative caregivers who have previously attended the approved training within the last five (5) years, as prescribed in Rule 65C-13.024, F.A.C., or have the child currently placed in their home for six (6) months or longer and been determined to understand the challenges and parenting skills needed to successfully parent the children available for adoption from foster care. The staff person conducting the home study must clearly document in the adoptive parent home study the reasons why the relative or non-relative caregiver will not be required to complete adoptive parent training.

(c) At the beginning of each year CBC agencies community based care organizations responsible for adoption services must establish a 12 month training calendar so that inquiring families can be aware of when they can expect to begin the preparation process. Providers must also have maintain the ability to conduct extra training classes groups when there is a need. This will be particularly important when there are significantly higher the number numbers of families waiting for a training class group than cannot can be accommodated in the regularly scheduled sessions. Providers who ensure that all appropriate adoption licensing and foster care staff are trained and certified in the delivery of the adoption training will be prepared to deal with such emergency situations.

(5) Family Preparation Through Use of the Individual Study Process.

(a) Although the most preferred method of preparing applicants for adoptive parenthood is the approved adoptive parent training group process, there will be exceptional cases in which an individual study approach must be used. Some examples of factors which might lead to a decision to prepare an applicant family via an individual study are as follows:

1. Extreme distance which would cause hardship for the family;

2. Small numbers of inquiring families at irregular times;

3. Families who are adopting subsequent children and have already been trained; and,

4. Cases in which the applicant may need individualized education on portions of the curriculum even though the child has been living in the home for an extended period and there is evidence of well functioning relationships.

(b) Each decision to use the individual study approach must be approved in writing by ~~the appropriate entity in the CBC community based care~~ or sub-contractor agency, and the ~~home study family's record~~ must include justification for use of this method.

(c) The focus of the individual study, as in group preparation, must be on education and preparation of the family.

(6) Families Who Adopt Again. Prior approval of a family to adopt does not automatically deem the family appropriate to adopt again. ~~Families previously approved in other states or circuits in Florida should be carefully evaluated.~~ Consideration of any family for placement of a subsequent child requires an updating of the previous adoptive parent home study. The ~~Such an~~ update shall will include an assessment of the following:

(a) Issues Related to the Previously Adopted Child. This ~~shall should~~ include a brief description of the child, his or her incorporation into the family, and the skills the parents have demonstrated in providing for this child;

(b) Motivation of the family in seeking to adopt another child at this time;

(c) School adjustment of the previously adopted child, including the communication and ongoing relationship with the local school system. If a child is home schooled, the child's socialization, community visibility and peer relationships must be assessed;

(d) Health Needs. Any significant medical problems and any impact they have had on the previous adoption or might be expected to have on subsequent placements ~~must be discussed;~~

(e) Housing needs and the capacity of the home to comfortably accommodate another child;

(f) Income. Any major changes in the family income must be discussed. A determination ~~shall should~~ be made as to whether or not the addition of another child, even with adoption subsidy, will tax the family's ability to manage within their current income;

(g) Marriage. The effect of the previous adoption on the marriage ~~must be discussed;~~

(h) Extended Family and Neighbors. How the previous adoption has been perceived, received or rejected by family, How and neighbors perceive the family relationships, including the visibility of the child within the neighborhood, when available;

(i) Updated References. A minimum of five (5) rReferences shall should be obtained when updating an adoption home study toward placement of an additional child. References shall asked to address how the family seems to have managed with the previously adopted child and how they believe the family will cope with additional children. References must be obtained from persons who either: 1) have observed the applicants in situations that give some indication for their capacity for parenthood, or 2) who as the result of their relationship to the applicant, possess documentation or knowledge of the applicant's capacity for parenthood. The case manager shall attempt to obtain a reference from an adult child of the applicant, if applicable. Only one (1) of the references may be obtained from a relative;

(j) Abuse Hotline/Criminal Records Check. Abuse ~~h~~Hotline and criminal records checks must be conducted pursuant to Sections 39.0138 and 39.521, F.S., as part of each subsequent application to adopt; and,

(k) Other Major Changes. Address any additional family members not considered in the initial study. Also address any other major changes, such as job changes, deaths, and serious illness or medical conditions which may have had an effect on the family or which may compromise the applicant's ability to meet the needs of another child.

(7) The Written Adoption Home Study. Whether or not the parent preparation is conducted in a group process or in an individual study, A written report, generally referred to as the adoption home study, must be prepared for each studied family. The ~~adoption written~~ home study must address the issues discussed in subsections (1) through (6) above.

(8) At the conclusion of the preparation and study process, the counselor and supervisor will make a decision about the family's appropriateness to adopt. ~~The That~~ decision to approve or not to approve will be reflected in the final recommendation included in the ~~home written~~ study. If the recommendation is for approval, the home study and written recommendation will be submitted to ~~the appropriate entity in the CBC community based care~~ or sub-contractor agency for approval. If the counselor and supervisor do not recommend approval, the case will be reviewed by an Adoption Applicant Review Committee according to the directions provided in subsection 65C-16.005(9), F.A.C.

(9) Adoption Applicant Review Committee. Each CBC agency community-based care provider responsible for providing adoption services for children in the Department's custody must establish an Adoption Applicant Review Committee. The committee must will consist of at least three (3) people who have completed the Department adoption competency training persons. When the request for committee review is due to a possible recommended denial of a home study or a Department staff person has knowledge of national criminal results, state sealed or expunged criminal results or child abuse and neglect history results that are unknown to the CBC agency community-based care provider, one (1) member of the committee shall be a Department staff person, preferably with adoption expertise, who has knowledge of the applicant's national and state criminal history and child abuse and neglect history. The CBC community-based care agency will select a committee member to serve as the committee chair.

(a) The committee will provide consultation and assistance to the adoption counselor on any child-specific adoptive home study in which the counselor and supervisor are recommending denial, or adoption case situations which present challenging issues. Requests for committee review may be made by the adoption counselor, an appropriate entity within the Department or the appropriate entities with the CBC agency community-based care provider. Requests for committee review must will be made in writing and forwarded to the appropriate entity in the CBC community-based care agency. While the committee is available to review any challenging case, all cases with the following issues whether child-specific or non-child-specific, except as set forth below, must be referred to the committee.

1. Multiple families who have approved home studies and have applied to adopt the same child.

24. Health. Applicants Cases in which it is determined that the adoptive applicant is experiencing a serious or chronic medical condition and such condition predictably compromises or could compromise the applicant's ability to provide the physical, emotional, social and economic support necessary for the child to thrive.

32. Child Abuse, Abandonment and Neglect Record Check History. Applicants Cases in which the Child Abuse, Abandonment and Neglect Record Check Hotline clearance reveals verified findings of abuse, neglect, or abandonment which did not result in a disqualifying felony conviction, and cases in which there were some indicators of abuse or neglect was not substantiated. When an applicant has one (1) or more investigations with findings of verified or not substantiated, all of the investigations that involve the applicant must be reviewed to assess if there are reoccurring circumstances that

may affect the safety and well-being of the children in the home.

43. Criminal History. In cases in which the required criminal history checks pursuant to Sections 39.0138 and 39.521, F.S., reveal that the applicant(s) have been convicted of crimes specified in Section 39.0138(2), F.S., their application must be denied. A referral to the Adoption Applicant adoptive applicant Rreview Ccommittee will not be required. The applicant must be advised that he or she cannot be approved. If the criminal history check reveals that the applicant was convicted of a law violation listed in Section 39.0138(3), F.S., within the last five (5) years, the applicant cannot be considered for approval, until five (5) years after the date of conviction violation was committed. After five (5) years have passed, the applicant shall be referred to the Adoption Applicant Review Committee if the applicant submits a new Adoptive Home Application, CF-FSP 5071, incorporated in 65C-16.004(6), F.A.C. These applicants must be referred to the committee.

54. Cases in which the applicant is a current or former foster parent and the review of the foster parent file reveals that there have been care and supervision concerns or a violation of licensing standards.

5. With the exception of those applicants convicted of a crime specified in Section 39.0138, F.S., counselors must seek the assistance of the committee prior to a decision to deny an applicant.

(b) The adoptive applicant review committee chairperson will convene the committee within 30 days of receipt of the request and provide all necessary written documents to the committee members prior to the committee convening. and issue Aa written recommendation will be submitted to the regional Family Safety Program Office circuit legal counsel and the appropriate entity within the CBC community-based care agency within 10 30 days of the committee's decision receipt of the request. Following input from the regional Family Safety Program Office circuit legal counsel and the CBC agency community-based care entity, the chairperson will prepare a written report within ten (10) business days summarizing consensus of the committee and the recommendation from the regional Family Safety Program Office circuit legal counsel and the CBC community-based care agency entity. The recommendation to approve the applicant will be submitted to the appropriate entity within the CBC community-based care agency or a designee. The recommendation to deny the applicant will be submitted to the regional managing director circuit administrator or designated Department staff person and the CBC appropriate entity within the community-based care agency or a designee.

(c) ~~The CBC appropriate entity within the community-based care agency or a designee will provide the applicant with written notification of the decision to approve within 10 business working days of the decision. The regional managing director circuit administrator or designated Ddepartment staff person shall provide the applicant with written notification of the decision to deny the application, within 10 business working days of the decision. The written notice must include the reason for the denial, and must advise the applicant of his or her judicial option for review of the denial pursuant to as described in the Administrative Procedures Act, Chapter 120, F.S.~~

(d) ~~The county of jurisdiction shall complete all Adoption Applicant Review Committee staffings on any child or any home study related to the child. If the county of jurisdiction can not complete the staffing due to a conflict, a request shall be made, in consultation with the regional managing director or designee, to transfer the staffing to another county.~~

Rulemaking Authority 39.012, 63.233 FS. Law Implemented 39.0138, ~~39.521~~, 63.042, 63.092, 63.207 ~~409.404~~ FS. History—New 2-14-84, Formerly 10M-8.05, Amended 4-28-92, 4-19-94, 8-17-94, 1-8-95, 7-18-95, Formerly 10M-8.005, Amended 12-23-97, 8-19-03, 11-30-08, _____.

65C-16.007 Abuse Hotline and Registry and Criminal Records Checks.

(1) ~~Abuse and neglect history Hotline checks must be conducted on all adoptive applicants, frequent visitors, and other household members 12 years of age and older, pursuant to Sections 39.0138 and 39.521, F.S. The applicants must be informed of this requirement early in part of the home study process investigation early in the home study process and must provide written consent for the checks check to be completed. For applicants who have previously been foster parents or have adopted in other states, Abuse Hotline checks must be completed in the previous state. Abuse and neglect history Hotline checks must be current within 30 calendar days of placement of an adoptive child in the home.~~

(a) ~~The counselor completing the home study must submit to the background screening coordinator, sufficient information to conduct a search of the Florida Abuse Hotline Information System. Pursuant to Sections 39.0138 and 39.521, F.S., Abuse Hotline record checks must also be conducted on all other household members who are 12 years of age or older. When the adoptive applicant or other adult household member has lived in another sState within five (5) years of the request for a home study, a child abuse and neglect registry check of the other sState must be requested completed. If the other State does not have a child abuse and neglect registry or has been approved by the Administration for Children and Families for a delayed effective date, a local or county child abuse and neglect registry check must be completed. In states~~

~~that do not use a centralized intake or state automated child welfare system (SACWIS), the Florida child welfare professional is required to contact the county administered child protection program to complete the record check. If the other sState does not have a local or county child abuse and neglect registry, the counselor must determine whether to approve the applicant based on all other information required by Rules 65C-16.002, 65C-16.004, and 65C-16.005, F.A.C.~~

(b) ~~Any request for information from FSFN the Abuse Hotline must be in writing and must include a statement of statutory authorization to receive the information.~~

(c) ~~All Department of Children and Families personnel and other agencies and professionals using information from FSFN the Abuse Hotline, or any child abuse case record shall should be informed that misuse of such information may cause them to be held personally liable, and any person injured or aggrieved by such disclosure may be entitled to damages, and unauthorized release of abuse reports may result in criminal prosecution. The offense is a misdemeanor in the third degree.~~

(2) ~~Local, statewide, and national criminal records checks and juvenile records checks must be conducted on all adoptive applicants and other household members 18 years of age and older. Local, statewide, and juvenile records checks must be conducted on all household members 12 through 17 years of age. Pursuant to Sections 39.0138 and 39.521, F.S., criminal background checks through local, state and federal law enforcement agencies will be conducted on all persons age 12 or older residing in the prospective adoptive home. For applicants who have been foster parents or who have adopted in other states, local and state checks must be completed in the state of previous residence.~~

(a) ~~If Should the criminal records background checks reveal that the applicant has been convicted of a crime specified in Section 39.0138(2), F.S., the application must be denied. Juvenile delinquency checks through the Florida Department of Law Enforcement must be conducted on all household members twelve through seventeen years of age as a public record search. If this check reveals a Juvenile Justice record, this information must be addressed in the home study and a determination must be made regarding possible impact on the adopted child.~~

(b) ~~If the criminal records checks reveal that the applicant has been convicted of a crime specified in Section 39.0138(3), F.S., the applicant can not be considered for adoption until five (5) years after the date of conviction. After five (5) years have passed, the applicant shall be referred to the Adoption Applicant Review Committee if the applicant submits a new Adoptive Home Application, CF-FSP 5071, incorporated in Rule 65C-16.004(6), F.A.C.~~

(c) If the criminal records checks reveal that the applicant has been found guilty or entered a plea of guilty or nolo contendere for crimes other than those listed in Sections 39.0138(2) or (3), F.S., the applicant shall be evaluated as to the extent of his or her rehabilitation. Factors to be considered will include the severity of the action resulting in the record, how much time has elapsed since the offense, circumstances surrounding the incident, and whether records indicate single or repeated offenses. Referral of these applicants to the Adoption Applicant Review Committee is not required but they must be submitted to the appropriate entity in the community-based-care (CBC) agency or designee for approval.

(d) If the juvenile records check reveals a juvenile record, this information must be addressed in the home study and a determination must be made regarding possible impact on the adopted child.

(3) For foster parents and relative caregivers who are the current caregivers and adopting a Department child, federal background checks must be current within five (5) years of the date at the time of adoption placement. For nonrelatives or for potential adoptive-parents who are not the current caregivers of the child foster parents or relative caregivers, federal background checks must be current within one (1) year of the date at the time of adoption placement. All potential adoptive parents must have state and local background checks that are current within 90 days of the date of adoption placement.

(4) Applicants who have been convicted of any crime specified under Section 39.0138(3), F.S., within the last five years cannot be considered for approval until five years after the violation was committed. At that time these applicants must also be referred to the adoption review committee. Applicants who have been found guilty or entered a plea of guilty or nolo contendere for crimes not listed in Section 39.0138(3), F.S., shall be carefully evaluated as to the extent of their rehabilitation. Factors to be considered will include the severity of the action resulting in the record, how much time has elapsed since the offense, circumstances surrounding the incident, and whether records indicate single or repeated offenses. Referral of these applicants to the adoption review committee is not required but they must be submitted to the appropriate entity in the community based care agency or designee for approval.

(4)(5) Abuse Reports Involving Complaints Against Adoptive Parents.

(a) When the Department receives reports of abuse, or neglect or abandonment by adoptive parents whose adoptions have been finalized, they will be handled as any other family on whom a report has been received.

(b) In cases where such reports are received on families whose adoptions are not finalized, the protective investigator

will consult with the adoption counselor or supervisor who knows the family and children.

(c) If ~~Should~~ an allegation of abuse, neglect or abandonment is ~~be~~ made directly to the case manager or adoption counselor, the Florida Abuse Hotline must be notified immediately. The report will be transmitted to the local Protective Investigation unit. Complaints which do not contain allegations of abuse, neglect or abandonment and are made directly to the case manager or post adoption counselor ~~shall must~~ be investigated by the case manager or post adoption counselor.

(d) If an investigation of an abuse, neglect or abandonment report by protective investigations reveals that the subject of the report is an adoptive parent whose adoption has not been finalized, the case manager or adoption counselor must be notified within 72 hours immediately and must assume responsibilities in the investigation as outlined above. ~~The child should be removed from the adoptive home if he or she meets the criteria for removal pursuant to Sections 39.301 and 39.401, F.S.~~

(e) If abuse or neglect is established but does not warrant ~~immediate or permanent~~ removal of the children, careful consideration shall ~~should~~ be given to providing post adoption services, including a referral to the multidisciplinary team, to the family for a specified period of time. ~~A referral to the mental health multidisciplinary team may be appropriate.~~ Prior to the expiration of the specified period of time, input from ~~the appropriate entity in the CBC community-based care~~ or sub-contractor agency must be sought to assess progress being made and the likelihood that the consent to the adoption will ~~may safely~~ be issued. ~~The CBC appropriate entity in the community based care~~ or sub-contractor agency shall convene a meeting to decide if the placement will be terminated and the child returned to foster care or if a recommendation to issue consent for finalization of the adoption will be given is appropriate.

(f) Whether the recommendation is finalization of the adoption or removal of the children, information about the report complaint, services provided to the family, and reasons for the final decision must be documented and provided to the court.

Rulemaking Authority 39.012, 39.0121, 63.233, ~~409.145~~ FS. Law Implemented 39.0138, 39.521, 63.092, ~~409.145~~ FS. History—New 5-20-91, Formerly 10M-8.00513, Amended 4-28-92, 4-19-94, 8-17-94, 1-8-95, Formerly 10M-8.0053, Amended 12-23-97, 8-19-03, 11-30-08, _____.

65C-16.008 Informal Dispute Resolutions and Appeals.

When an adoptive home study, consent to adopt, or post-adoption service applicant or parent is denied a service or an adoptive home study by the Department, or by a community-based-care (CBC) agency acting for the Department, efforts

~~shall~~ ~~should~~ be made to settle the dispute at the counselor/supervisor level. If this attempt is unsuccessful, the Adoption Applicant Review Committee will be convened as outlined in Rule subsection 65C-16.005(9), F.A.C. If this review results in a decision that supports the original recommendation decision, the applicant or parent shall be notified must be told of the denial that decision in writing by the regional managing director circuit administrator or designated Department staff person and advised of his or her right to request an administrative hearing pursuant to Chapter 120, F.S. their judicial option for review of the denial as described in the Administrative Procedures Act, Section 120.68, F.S., and of their right to a hearing pursuant to Section 120.57, F.S. A copy of the written notification of the results of the hearing must be provided to the appropriate department and community based care staff.

Rulemaking Authority 63.233 409.145 FS. Law Implemented 63.092 409.145 FS. History—New 5-20-91, Formerly 10M-8.00514, Amended 4-19-94, 7-18-95, Formerly 10M-8.0054, Amended 8-19-03, 11-15-06, 11-30-08,_____.

65C-16.009 Adoption Placement.

(1) The effective date of the adoption placement is the date the child is placed in the physical custody of the adoptive parent or the date the Memorandum of Agreement, CF-FSP 5072, incorporated by reference in 65C-16.002(3)(d), F.A.C., is signed.

(2)~~(1)~~ The adoption placement process incorporates the following:

(a) Selection of the family. The counselor will assess the abilities of the approved adoptive family to parent a specific child before considering presentation of the child's information;

(b) Presentation of all family and medical ~~the~~ information to the family regarding the child and to the child regarding the family;

(c) First supervised meeting shall occur with a family who has an approved home study, or with a family who is known to the child, is in the process of having a home study completed, and has cleared all required background checks;

(d) Get acquainted period and pre-placement visits can vary depending on the age and child's history; and

(e) Identify and access needed services prior to the day of placement; and,

~~(f)(e)~~ Day of placement.

(3)~~(2)~~ The decision on final placement is based on the child's readiness and the cues given by the child to the counselor that he or she is ready to move in with into his or her new family home.

(4) An out-of-state placement for the purpose of adoption shall have the prior authorization of the court and of the Interstate Compact on the Placement of Children (ICPC).

~~(5)(3)~~ The mechanics of final placement include:

(a) An assessment of the child and family's adjustment during the transition activities, all needed services for the child and family have been identified and are active at the time of and their readiness for placement;

~~(b) A decision regarding the appropriate geographical location for placement. Depending on the child's developmental age, the placement may occur in the foster home, the adoptive home, or another location determined suitable by the parties. The child's case manager or adoption counselor will be present to facilitate the transition to the adoptive family at the time of placement; regardless of the selected location; and,~~

(c) An opportunity for the child to say good-bye to significant adults and children as identified by the child. each member of the foster family.

~~(6)(4)~~ When it is necessary for the child to travel to the home of the adoptive parent for placement, the child shall should be accompanied by ~~the case manager or adoption counselor and~~ the person with whom he or she has the most meaningful relationship. If this person is a member of the foster family, the community-based-care (CBC) agency department will provide financial reimbursement for any costs incurred.

~~(7)(5)~~ At-Risk Placement.

~~(a)~~ Occasionally it may be in the child's best interest to be placed in a prospective adoptive applicant's home prior to completion of legal termination of parental rights. Examples of situations where an at-risk placement may be appropriate include:

~~1.(a)~~ The child's termination of parental rights is on appeal and all known relatives have been considered and have been found unavailable or not appropriate;

~~2.(b)~~ The child has been voluntarily surrendered and termination of parental rights by the court is anticipated;

~~3.(c)~~ A petition for termination of parental rights has been filed and, as it appears unlikely that the child can be returned to the biological parents ~~within a reasonable period of time;~~ and,

~~4.(d)~~ The child must be moved from his or her current foster home placement, and the placement in a pre-adoptive home will result in one less move for the child.

~~(b)~~ Pre-adoptive families entering into an at-risk placement must have an approved adoptive parent home study and understand that there is no guarantee that permanent commitment to the Department will occur. Families entering into an at-risk placement must indicate in writing that they understand and accept the risks involved.

~~(6)~~ Consideration of a placement under one of the above situations presumes that relatives as placement resources have been considered and found not available or inappropriate.

Such placements must only occur with approved adoptive families. These placements must be carefully planned and must have written approval of the appropriate entity with the community based care provider, prior to discussion with the family. The prospective adoptive family must clearly understand the risks involved in such a placement. This is particularly critical if the termination of parental rights is being appealed or if it can be anticipated that the biological family will seek to prevent the severance from occurring. The pre-adoptive family must be given the opportunity to consider the risks and allowed to decide if they are willing to proceed. Families entering into an at risk placement must indicate in writing that they understand and accept the risks involved.

Rulemaking Authority 39.0212, 63.233 FS. Law Implemented 39.521, 63.092 FS. History—New 4-28-92, Formerly 10M-8.0058, Amended 8-19-03, 11-30-08,_____.

65C-16.010 Adoption Placement – Post-Placement Services.

(1) The Department has a legal responsibility to provide services until the finalization of an adoption. This period shall be a minimum of no less than 90 days from the date the child was placed in the physical custody of the adoptive parent. The first home visit must be made within one (1) week after placement, unless the child has been residing in the home for more than 30 days. There shall be a minimum of three (3) home supervisory visits in placements which are non-problematic. For placements which do not proceed smoothly, additional and more frequent contacts are necessary. The adoptive child ~~or children~~ must be contacted a minimum of once every 30 days calendar month until adoption finalization. The entire family must be seen together at least once during the post-placement supervision period.

(2) Some placements are, by nature, complex and will require additional services during the post-placement period. All needed services must be identified and accessed prior to the day of finalization of an adoption. Examples of these placements include:

~~(a) Sibling placements. Incorporating a large sibling group into an adoptive family is complex due to the number of new relationships this entails. Another difficult situation occurs when one child in a sibling group experiences difficulty in establishing a relationship with the adoptive family and the other child or children appear to be adjusting well. The case manager or adoption counselor must decide whether to separate the siblings. Before making a decision to separate siblings, the adoption unit must staff the case as a team. The positives and negatives of keeping the children together must be thoroughly explored and the team must decide what is in the best interest of the children. If it is determined that the removal of only one child is best, arrangements must be made~~

~~for continuing contact among the children. Refer to Rule 65C 16.002, F.A.C., for criteria to assist in decision making for sibling placements. The decision and the reasons for the decision must be documented in the case file. The file must also include documentation of a plan to ensure the two or more families will maintain on going contact among separated siblings.~~

~~(b) Children with severe emotional and behavioral difficulties. Children who required specialized services to maintain stability in their foster home often need the same services in the adoptive home.~~

~~(c) Adolescents. Adoption placement of adolescents can be difficult because the developmental task for this age group is to become free of close family ties and establish independence. This can make the task of attaching to an adoptive family challenging and additional services for the family and the adopted youth may be required.~~

~~(d) Children placed transracially. Families adopting children of a different race will face challenges specific to this situation. It is important for adoption staff to assist the family in understanding the importance of race and ethnic heritage and to assist the family in accessing resources to help meet the specific needs of the child who is adopted transracially.~~

(3) Children with severe emotional and behavioral difficulties who required specialized services to maintain stability in their foster home often need the same services in the adoptive home. An ongoing assessment of the effectiveness of services implemented at the time of placement must be a part of placement supervision to determine if the current services are effective or if additional services are needed.

~~(4)(3) Mental Health Multidisciplinary Team. During the post-placement supervision period, adoptive families may access the services of the Mental Health Multidisciplinary Team. When the services of the team are needed, the case manager or adoption counselor shall should initiate contact with the identified single point of access in the district Alcohol, Drug Abuse and Mental Health Program Office.~~

~~(4) Although emotional ties through the parent/child relationship are being established through living together, the legal finalization procedure gives the relationship sanction and protection. Legalization of the adoption ensures the child who is adopted the rights and responsibilities of membership in a permanent family.~~

(5)(a) At the end of the supervisory period, the case manager or adoption supervisor and the adoption counselor, or the appropriate community-based-care (CBC) agency provider entity, must make a final assessment of the placement. Before the final adoption hearing, or within 90 days after the adoption petition is filed with the court by the adoptive family, whichever occurs first, a final home evaluation must be

completed as directed in Section 63.125, F.S., and a written report on the findings, including a recommendation on the granting of the adoption petition, must be filed with the court. In addition to the requirements of Section 63.125, F.S., the following must be addressed in the written report to the court:

(a)1. A summary of issues discussed in Rule 65C-16.005, F.A.C., Evaluation of Applicants and Rule 65C-16.007, F.A.C., Abuse Hotline and Registry and Criminal Records Checks.

(b)2. ~~A full discussion and disclosure~~ regarding any unusual circumstances in the adoptive family, including health records and findings, and financial problems.

(6)(b) After the post-placement period has been completed, the appropriate CBC agency ~~community-based provider~~ or sub-contractor staff, shall sign ~~signs~~ the consent to adoption and forward ~~forwards~~ it to the adoptive parents' attorney. ~~Attached to the consent must be~~ Any available or readily obtainable the family and medical history ~~containing such information concerning the medical history~~ of the child and birth parents must be attached to the consent ~~as is available or readily obtainable. This information must be made available to the adopting parents. With the consent and medical history, the attorney can proceed with the filing of the petition for adoption in court. If not previously provided, the adoptive parents must be provided with a copy of the study of the child at this time. If the family and medical history study contains identifying information about the biological family, that information must be deleted prior to presenting it to the family.~~

(a)(e) At the time of the adoptive placement, the CBC agency ~~community-based provider~~ or sub-contractor case manager or adoption counselor shall complete ~~completes~~ the original and two (2) copies of Section A and B of the Certified Statement of Final Decree of Adoption, DH 527, August 2008, incorporated by reference in Rule 64V-1.0031(1), F.A.C., and verify the information with the adoptive parents to be used by the Clerk of the Court to obtain the new birth certificate. The CBC agency or subcontractor case manager or adoption counselor ~~As soon as the petition is filed, and a copy is routed to the adoption unit, that unit shall then will forward the Certified Statement of Final Decree of Adoption to the parent's attorney Clerk of the Court for completion and certification and will notify the attorney that the form has been forwarded.~~

(b)(d) When a placement disrupts, the CBC agency ~~community-based provider~~ or sub-contractor case manager or adoption counselor shall ~~must~~ record a disruption summary, which provides an evaluation and assessment of the reasons for the disruption in FSN. In addition to assessing and summarizing the reasons for the disruption, the summary must also assess the impact the failed placement had on the child

and issues which must be resolved before another placement can be considered. Any specific attributes or skills which will be necessary in the next adoptive parents must also be included. This summary must be recorded within 10 days after the disruption occurs.

Rulemaking Authority 39.0121, 63.233 FS. Law Implemented ~~39.521, 39.812, 63.125, 63.152~~ FS. History—New 2-14-84, Formerly 10M-8.06, Amended 4-28-92, 4-14-94, 1-8-95, Formerly 10M-8.006, Amended 12-4-97, 8-19-03, 11-30-08, _____.

65C-16.011 Confidentiality – Human Immunodeficiency Virus (HIV) Infected Clients.

(1) ~~The community based care provider or sub-contractor agency shall disclose to adopting parents the name of a child who has been tested for HIV and the results of that test when the decision to adopt the child has been confirmed by the adopting parents. Prior to the adoptive parent's confirming their confirmation of the decision to adopt, the adoptive parents shall be told that the child being considered by them has tested positive for HIV but cannot be told the child's identifying information, including the child's last name, until after the decision to place has been made. Once the decision to adopt has been confirmed, the community-based-care agency or sub-contractor agency shall disclose to adopting parents the full name of a child who has been tested positive for HIV.~~

(2) ~~The adopting parents who have accepted an HIV infected child into their home must be given a written statement which includes the following language: "This information has been disclosed to you from records whose confidentiality 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."~~

(3) ~~The adoption record must contain documentation that the written statement was given to the adoptive family.~~

Rulemaking Authority 381.004(2)(e)(11) ~~(3)(f)11~~. FS. Law Implemented 381.004(2)(e)(11) ~~(3)(f)11~~. FS. History—New 5-20-91, Amended 4-19-94, Formerly 10M-8.0061, Amended 8-19-03, 11-30-08, _____.

65C-16.012 Types of Adoption Assistance.

(1) ~~The intent of adoption assistance is to promote the adoption of special needs children who are in the department's foster care program or in the care of a licensed private child placing agency. It is the responsibility of the community-based-care (CBC) or sub-contractor agency adoption staff shall to inform prospective adoptive parents of the availability of all of the benefits listed below.~~

(2) Maintenance Subsidy. A monthly payment may be made for support and maintenance of a special needs child until the child's 18th birthday. Unless approved by the Department's regional managing director or designee Secretary of the Department pursuant to subsection 65C-16.013(8), F.A.C., the amount of the payment may not exceed the ~~statewide standard~~ foster care maintenance payment board rate for which the child would have been eligible had the adoption placement not taken place.

(3) Post Adoption Services. Post adoption services shall include:

(a) ~~In addition to~~ Temporary case management;

(b) Adoptive parents' support groups or newsletters;

(c) ~~and~~ Information and referral requests; and,

(d) ~~post adoption services include~~ Assistance to cover the cost of medical, surgical, hospital and related services needed as a result of a physical or mental health condition of the child which existed prior to the adoption.

(4) Other Medical Services. Other medical services available may include on-going Medicaid coverage and continuing eligibility with Children's Medical Services for children who were receiving such services prior to adoption.

(5) Reimbursement for Non-recurring Adoption Expenses. Nonrecurring adoption expenses are those ~~reasonable and~~ necessary adoption fees, court costs, attorney's fees, and other expenses that are directly related to the legal adoption of a special needs child.

~~(6) Adoption Benefit for State Employees. State employees as defined in Section 409.1663, F.S., who adopt a child may be eligible for a lump sum payment as defined in Section 409.1663, F.S.~~

~~(6)(7)~~ Tuition Waiver. Children who were in the custody of the ~~Department~~ and who were adopted from the Department after May 5, 1997, are eligible for an exemption of undergraduate college tuition fees at Florida universities or community colleges as stated in Section 1009.25, F.S.

(7) Federal Adoption Tax Credit. Families that adopt children with special needs are eligible for a tax credit based on expenses related to the adoption or a reimbursable amount based on the year of the adoption finalization. Staff must inform adoptive parents of this tax benefit and the website www.irs.gov to obtain Form 8839 and the instructions for completing Form 8839.

(8) Adoption assistance for eligible children will be paid irrespective of the child's state of residence. Adoptive parents receiving adoption assistance are obligated to notify the ~~Department or CBC~~ of any change of address.

~~(9) The provision of all adoption assistance is contingent upon the availability of state and federal funds.~~

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166 FS. History--New 2-14-84, Formerly 10M-8.18, 10M-8.018, Amended 8-19-03, 11-30-08, _____.

65C-16.013 Determination of Maintenance Subsidy Payments.

(1) The purpose of adoption subsidy is to make available to prospective adoptive parents financial aid which would ~~could~~ enable them to adopt a special needs child. Every adoptive family must be advised of the availability of adoption subsidy and the purpose for which it is intended. Except as set forth in subsection (6) below, placement Placement without subsidy must be the placement of choice unless it can be shown that such placement is not in the best interest of the child.

(2) The child's and the family's need for subsidy must be determined prior to the adoptive placement and no subsidy payment may be made prior to all parties signing the "Adoption Assistance Agreement," CF-FSP 5079, PDF October 2010, incorporated by reference and available at <http://www.dcf.state.fl.us/dcfforms/search/dcfformssearch.aspx>.

(a) If the Department or community-based-care (CBC) agency has responsibility for placement and care of the child, the CBC agency in the county where the court has jurisdiction is responsible for entering into the Adoption Assistance Agreement and paying the adoption subsidy, even if the child is placed in an adoptive home in another county.

(b) If the Department or CBC agency does not have responsibility for placement and care of the child, the CBC agency in the adoptive parents' county of residence is responsible for determining whether the child meets the definition of special needs, entering into the Adoption Assistance Agreement and paying the adoption subsidy.

(c) When the this need for subsidy is not determined prior to placement, and the adoptive parents feel they have been wrongly denied subsidy benefits on behalf of an adopted child, they have the right to appeal the denial request a fair hearing pursuant to Chapter 120, F.S. If it is found that the subsidy was wrongly denied, through the fair hearing process, subsidy is approved, the effective date of the subsidy will be retroactive payment will be made dating back to the date the family officially requested subsidy in writing. Retroactive payment dating back to the date of placement will not be approved.

(3) Medical or mental health evaluations shall may be required to document the need for maintenance subsidy that exceeds the statewide standard foster care board rate. When this is the case, these evaluations must be no more than 12 months old at the time of initial subsidy determination.

(4) Efforts to place the child in a non-subsidized placement must be documented in the child's record. Documentation of ~~this exploration~~ shall include at least be one (1) of the following:

(a) List of other families considered;

(b) Letters to agencies specifically seeking a home for the child; or and

(c) Registration of the child on the statewide adoption website on the adoption exchange.

~~(5) It is not the intent of this requirement that a No child shall remain unnecessarily in foster care while the Department searches for a non-subsidized placement, if a family who can meet the special needs of the child is available, but requires a subsidy.~~

~~(6)(5) The only one exception to the requirement to explore placement without subsidy is when it has been determined that the child's adoption by his or her current caregiver caretaker, with whom he or she he/she has established significant emotional ties, is the placement of choice. However, the current caregiver caretaker must be asked if he or she he/she will adopt the child without subsidy. This inquiry exploration must be documented in the child's record. The CBC or subcontractor agency adoption staff shall inform the caregiver caretaker must understand that being an adoptive parent includes different parental rights and responsibilities. Some of these responsibilities are financial, and adoption subsidy, unlike foster care board rate payments, is not intended to cover the complete cost of the child's care. The maintenance subsidy payment is intended to assist the adoptive parent in supporting the extra costs associated with adopting a child with special needs.~~

~~(7)(6) Initial Maintenance Subsidy. The initial determination of the monthly maintenance subsidy shall will be based on the needs of the child at the time of the negotiation and the projected future needs of the child based on the family and medical history of the child and birth family or, for adoptions finalized on or after July 1, 2007, as stated in Section 409.166, F.S. Negotiations for the initial maintenance subsidy shall begin at \$417 monthly.~~

~~(8)(7) When a child has a specific and diagnosed physical, mental, emotional, or behavioral problem which requires care, supervision, and structure beyond that ordinarily provided in a family setting, a maintenance subsidy may be negotiated up to 100% of the statewide standard foster care board rate. No subsidy may exceed the standard foster care board rate for which the child was eligible. A subsidy may exceed 100% of the statewide foster care board rate when as a foster child, unless an exception is granted by the Department's regional managing director Secretary or designee as discussed in subsection (8) below. Requests for exceptions must be in writing. In no case shall the subsidy exceed the foster care~~

maintenance payment for which the child is or would be eligible if the child had been in placed in a family foster home. Maintenance subsidy is not intended to cover services which ~~can~~ may be obtained through family insurance, Medicaid, Children's Medical Services, medical subsidy, or through special education plans provided by the public school district.

~~(8) When the Secretary of the Department determines that it is appropriate, an exception may be granted to the policy limiting subsidy to 100% of the statewide standard foster care board rate. No maintenance adoption subsidy may exceed the actual amount of the foster care board paid for the child. Any request for an exception to exceed the statewide standard foster care board rate must come in writing to the Secretary from the circuit or region administrator.~~

~~(9) The "Adoption Assistance Agreement," (Form CF-FSP 5079, PDF 08/2008, Adoption Assistance Agreement), hereby incorporated in subsection (2) of this rule by reference, must be signed and dated by all parties prior to the finalization of the adoption. A copy of the form is available upon request by contacting the Office of Family Safety, at 1317 Winewood Blvd., Tallahassee, FL. The effective date of the agreement is the date of placement in the adoptive home, or in the case of adoption by the current caregiver, on the date The effective date of the agreement is the date the child was placed with the family as an adoptive placement and the Memorandum of Agreement to Adopt, CF-FSP 5027, incorporated by reference in Rule 65C-16.002(3)(d), F.A.C., was is signed by the potential adoptive caregiver and the CBC or subcontracted agency. If not completed on the same date, the effective date will be the latter of the two. Payments may not be made for any months in which there is no adoption assistance agreement in place.~~

~~(10) The family must be advised by the adoption case manager that it is their responsibility to notify the Department or CBC immediately of any change in circumstances, including moving out of state, no later than 48 hours after the change.~~

~~(11) The adoption subsidy agreement remains in effect until:~~

~~(a) The child dies,~~

~~(b) The child reaches 18 years of age or is determined to be emancipated,~~

~~(c) The parents are no longer legally responsible for the support of the child, including the death of a parent when the adoption is by a single parent or both parents when the adoption is by a married couple, or the parental rights of the adoptive parents have been terminated.~~

~~(d) The parents are no longer providing any support to the child. Support includes emotional and/or financial support, even in situations when the child is no longer living in the home.~~

(12) Adoptive parents may request an increase in the maintenance subsidy after the initial subsidy agreement was approved due to increased needs related to conditions of the child that were identified as current or future needs of the child prior to the adoptive placement or the circumstances of the family have changed in order to meet the increased needs of the child.

(a) The negotiation of this increase ~~shall~~ must be based on the ~~foster care board rate if the child was in a family foster, therapeutic foster or medical foster home~~ board rate at the time of the request. Requests for increases must be provided in writing by the adoptive parents and approval ~~shall~~ will be based on the merit of each case ~~and available funding~~.

(b) If the increase request is denied, the designated ~~Department staff~~ shall ~~must~~ send a denial letter with notification of the adoptive parents' right to appeal the denial pursuant to request a fair hearing pursuant to Administrative Procedures Act, Chapter 120, F.S. If it is found that the increase was wrongfully denied, through the fair hearing process, the increase request is approved, the effective date of the new subsidy will be the date the increase request was received. A new subsidy agreement must be signed by all ~~appropriate~~ parties with the new approved amount documented.

(13) No child will have his or her subsidy payment reduced based on application of this rule.

(14) Any child who has been determined eligible for adoption subsidy whose adoption has been dissolved by termination of parental rights or by the death of the adoptive parents will retain his or her original subsidy eligibility if subsequently placed for adoption.

(15) No change shall be made to a maintenance subsidy without concurrence of the adoptive parents except as provided by federal regulation or state law. The subsidy agreement is not transferable to another caregiver.

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166(4) FS. History—New 2-14-84, Formerly 10M-8.20, Amended 5-20-91, 4-19-94, Formerly 10M-8.020, Amended 12-23-97, 8-19-03, 11-30-08.

65C-16.014 Post Adoption Services.

(1) After finalization, the adoptive family may require temporary case management support, information and referral assistance and related post adoption services. Each community-based-care (CBC) agency shall provide post adoption services that include the following:

(a) At least one (1) full-time designated post adoption services staff;

(b) At least one (1) monthly adoptive parent support group(s) or monthly newsletters; and,

(c) Information and referral services.

(2) The need for medical assistance, formerly known as medical subsidy, must be established prior to the adoption placement, although the service might not actually be needed until a later date. When this need is not established prior to the placement and the adoptive parents feel they have been wrongly denied a service services on behalf of an adopted child, they have the right to appeal the denial to request a fair hearing pursuant to Chapter 120, F.S. If it is found the service was wrongfully denied, through the fair hearing process, a service is approved, the effective date of the service will be the date the family officially requested the service. Retroactive payment dating back to the date of placement will not be approved.

(3)(2) An individualized A service must be terminated when the condition for which it was granted no longer exists or on the child's 18th birthday, whichever occurs first. Children needing residential mental health services will be referred to the Department's Substance district's Alcohol, Drug Abuse and Mental Health Program Office, children's program for services.

(4)(3) The cost for a service will not be paid when those costs can be or are covered by the adopting family's medical insurance, Children's Medical Services, Children's Mental Health Services, Medicaid, Agency for Persons with Disabilities or local school districts.

(5)(4) The adoptive parents must obtain the approval of the CBC agency community based care provider or sub-contractor agency prior to planning for the use of a service if the adoptive parents will be seeking reimbursement.

(a) Once approval has been obtained, tThe adoptive parents must submit a copy of the bill for the service to the CBC agency community based care provider or sub-contractor agency to initiate reimbursement. The bill must be clearly legible and must specify the name of the child, the service rendered, and the date of the service, and in addition to the charge for the service.

(b) If the adoptive parents and the CBC agency are in agreement, payments can be made directly to the service provider.

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166 FS. History—New 2-14-84, Formerly 10M-8.21, 10M-8.021, Amended 12-23-97, 8-19-03, 11-30-08.

65C-16.015 Non-Recurring Adoption Expenses.

(1) Under any adoption assistance agreement with adoptive parents of a special needs child, the state is authorized to make payments to the adoptive parents for non-recurring, one time, expenses the adoptive parents have incurred in connection with adoption of the special needs child. Nonrecurring adoption expenses are those ~~reasonable and necessary~~ adoption fees, court costs, attorney fees, and

other expenses which are directly related to the legal adoption of the special needs child. Such costs may include expenditures for physical and psychological examinations of the adoptive parents if required as a part of the adoption process, as well as transportation, lodging and food for the child or adoptive parents when necessary to complete the placement or adoption process.

(2) ~~Agency adoption fees must be waived for families adopting children who are in custody of the department for whom subsidies will be paid. Agency adoption fees shall be established by written agreement between the agency and family prior to the performance of the requested service. need not be waived for families adopting children who are in the custody of licensed child placing agencies.~~ If these children are otherwise eligible, agency fees shall be counted as an allowable expense under non-recurring adoption expenses. It is not necessary that the family be receiving maintenance adoption subsidy ~~a money payment~~ to be eligible for reimbursement of non-recurring adoption expenses ~~this program~~.

(3) ~~The maximum payment allowable under this program is \$1,000 per adoption placement.~~ In cases where siblings are placed and adopted either separately or as a unit, each child is treated as an individual with separate reimbursement for nonrecurring expenses up to the maximum amount of \$1,000 per child.

(4) There can be no income eligibility requirements for adoptive parents in determining whether payments for non-recurring expenses of adoption will be made.

(5) Adoptive parents cannot be reimbursed for out-of-pocket expenses for which they have been otherwise reimbursed.

(6) Except where it would be contrary to the best interest of the child, an a reasonable but unsuccessful effort must be made to place the child without adoption assistance prior to reimbursement for non-recurring adoption expenses.

(7) The following procedures will initiate payments for reimbursement of nonrecurring adoption expenses:

(a) All adoptive parents of special needs children will be advised by the staff person conducting the home study of the availability of nonrecurring expense reimbursement.

(b) Reimbursement for eligible costs may be made to the adoptive parent or directly to a vendor. All adoptive parents will be advised by the staff person conducting the home study to keep copies of receipts of expenditures related to the adoption. Copies of such receipts must be available in the subsidy record. Eligible expenses include court costs, attorney fees, birth certificates, costs of required physicals and psychological examinations, costs of transportation, lodging and food for the child and/or adoptive parents when necessary

to complete the adoption process, and the cost of the home study if the child is in the custody of a private agency.

(c) When a placement decision has been made, the adoption assistance agreement shall will be negotiated with the family and must will include a statement of the projected cost to be reimbursed for nonrecurring adoption expenses, as well as proposed maintenance and medical subsidy amounts if appropriate.

(d) Payments for nonrecurring expenses can be made up to one (1) year two years following the finalization of the adoption. ~~However, every effort should be made to complete these transactions within three months following adoption finalization.~~

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166 FS. History—New 5-20-91, Amended 4-19-94, Formerly 10M-8.0221, Amended 8-19-03, 11-30-08,_____.

65C-16.016 Access to Closed Adoption Records.

(1) The confidentiality of adoption records, original birth records, and adoption court files is protected by sealing them upon adoption finalization. Persons seeking information from those records will be referred to the headquarters Office of Child Welfare, Florida Adoption Reunion Registry Family Safety for assistance. Florida law requires

(a) Non-identifying information

1. The Department, community-based-care (CBC) agency, or other adoption entity shall disclose all available non-identifying information to be released to adoptive parents before the adoption becomes final or upon the adoptive parent's request.

2. The Department or CBC shall release all available non-identifying information to and adult adoptees who were former foster children upon their request after they reach the age of majority but does not allow access to the record by other parties.

3. The Department or private adoption entity shall release only non-identifying information to adult adoptees who were placed for adoption through a private adoption.

(b) Identifying information

1. Identifying information shall only be released pursuant to a court order.

2. Prior to releasing identifying information to an adult adoptee who was in foster care, any information that is confidential pursuant to state or federal law must be redacted, such as social security numbers, HIPAA information, reporter information in child protective investigations and information related to domestic violence centers.

a. Final release approval of the redacted record shall be by the Department's legal counsel or designated reviewer.

b. A log of all redacted information, including the page number where the redaction is located and a brief description of what was redacted, shall be attached to the redacted record when it is provided to the Department’s legal counsel or designated reviewer for final release approval.

c. Redacted records of child protective investigations with the log of all redacted information shall be forwarded to the regional legal counsel for final release approval.

(2) The Department or CBC agency shall retain as confidential all records relating to each child who was adopted through the Department or contracted provider. These confidential records shall be referred to as “Department closed adoption records” and shall be retained in the circuit/region or with the CBC agency until requested by the Department.

(3)(2) The Department, CBC agency, or private adoption entity shall index all closed adoption records by the names of the adoptive parents, and, where available, the files must be cross-referenced by the birth and adoptive names of the minor.

(4) Requests for information from closed adoption records must be made in writing. No written, and no information will be released by telephone. Because records must be indexed by names of the adoptive parents, that information must be included in the letter requesting release of information as well as some form of identification such as a photocopy of the client’s driver’s license or birth certificate. Written requests for the release of closed adoption records must include the following:

(a) A form of identification from the requestor, such as a photocopy of the requestor’s driver’s license or birth certificate;

(b) The name of the adoptive parents, if known; and,

(c) The birth or adoptive name of the child, if known.

(5) No information will be released by telephone.

(3) In order to respond to written requests from adoptive parents or adult adoptees for non-identifying information, the department or the community based care provider agency must be able to access the adoption records and other records which concern the adoptee. The department or community based care provider agency shall retain as confidential all records relating to each child who became adopted through the department’s adoption program. These confidential records shall be referred to as department closed adoption records and shall be retained in the circuit/region or in the community based care provider agency until called for by the headquarters Office of Family Safety for permanent storage.

(6)(4) In the event that a licensed child-placing agency closes, the agency shall provide all closed adoption records to the Department. Upon receipt of the adoption records, the Department shall will assume all further responsibility responsibilities for the closed adoption records of private licensed child placing agencies in Florida who cease to operate.

Rulemaking Authority 63.233 FS. Law Implemented 63.162, 63.233 FS. History—New 5-20-91, Amended 4-28-92, 4-19-94, Formerly 10M-8.024, Amended 8-19-03, 11-30-08,_____.

65C-16.017 Florida Adoption Reunion Registry.

(1) The state registry of adoption information created in Section 63.165, F.S., is also known as the Florida Adoption Reunion Registry. The purpose of the registry is to reunite adult adopted persons with members of their family without either party having to take court action to accomplish this goal. The Department shall retain and maintain the registry records on a permanent basis. The registry shall be open with respect to all adoptions in the state, regardless of when they took place. The registry shall be available for those persons choosing to enter information, but no one shall be required to do so.

(2) The department operates the state wide registry for persons who have come forward to voluntarily register information about themselves for release to specified other parties to that adoption. The registry is the mechanism whereby individuals from families separated by adoption may be reunited should each party seek that reunion. All birth and adoptive parents who are parties to an adoption shall be advised of registry services prior to adoption finalization.

(2)(3) Procedures for Registration.

(a) Any person may register by completing and submitting the “Application for Adoption Registry Services” (Form CF 1490, PDF 08/201108/2008, Application for Registry Services), hereby incorporated by reference, and available at www.dcf.state.fl.us/dcfforms/, indicating to whom they consent to release identifying information about themselves. A copy of the form is available upon request by contacting the Office of Family Safety, at 1317 Winewood Blvd., Tallahassee, FL.

(b) Persons to whom identifying information may be released are limited by Section 63.165, F.S., to the following:

1. Adoptee;
2. Birth father;
3. Birth mother;

- ~~4. Adoptive mother;~~
- ~~5. Adoptive father;~~
- ~~6. Birth siblings;~~
- ~~7. Maternal birth grandparents of the adoptee; and~~
- ~~8. Paternal birth grandparents of the adoptee.~~

~~(3)(4)~~ Adoptee birth data shall ~~will~~ be verified by registry staff, with the assistance of the Vital Records section of the Office of Vital Statistics in the Department of Health. In cases where birth information cannot be verified and registration is not possible, applicants will be notified of data used as a basis for search and given opportunity to correct or change that data for resubmission. Should verification of the birth information still not be possible, no further attempts will be made to process that application. If the applicant desires to submit new or different information, a new application and accompanying fee must be submitted.

~~(4)(5)~~ ~~The Original~~ applications, signed by registrants, will be placed on file and kept for 99 years permanently.

~~(5)(6)~~ Updating of Registry Information.

(a) Any registrant may change the name, address or telephone number associated with their registration, may limit or restrict their consent to release information, or may completely withdraw from the registry at any time using the "Application to Update Information on File with Adoption Registry", ~~Form CF 1491, PDF 08/2008, Application to Update Information on File with Adoption Registry~~, hereby incorporated by reference and available at www.dcf.state.fl.us/dcf/forms/. A copy of the form is also available upon request by contacting the [Adoption Information Center, Office of Family Safety, at 1317 Winewood Blvd., Tallahassee, FL.](#)

(b) Responsibility for update rests with registrants and only the most current information on file will be disclosed to designated recipients upon their completion of registration procedures.

~~(7) All registry documents containing identifying information shall be handled and stored in accordance with procedures for the handling of confidential information.~~

~~(6)(8)~~ The ~~D~~department shall ~~will~~ offer counseling services to registrants at the time of registration. Counseling, as referenced specified in Section 63.165(2), F.S., shall consist consists of professional advice provided by the ~~D~~department, by designated staff counselors employed by the ~~D~~department, by agencies licensed by the State of Florida to provide adoption services, or by other persons who have adoption training or experience.

~~(7)(9)~~ Fee for Service.

(a) The registry fee for initial filing of identifying information with the registry shall be \$35.00. This fee shall be submitted in the form of a money order, bank draft, or personal check by the registrant to the Department of Children

and Families, Office of Child Welfare, 1317 Winewood Blvd., Building 1, Tallahassee, Florida 32399, Attention: Reunion Registry Specialist, and shall be deposited in a trust account specified by the department. These fees shall be used to defray the direct and indirect costs of operating the registry.

(b) The registry fee for updating information previously filed or for changing, limiting or withdrawing consent to release identifying information shall be \$10.00 for each occurrence. This fee shall be submitted in the form of a money order, bank draft, or personal check by the registrant to the Department of Children and Families, Office of Child Welfare, 1317 Winewood Blvd., Building 1, Tallahassee, Florida 32399, Attention: Reunion Registry Specialist. These fees shall be deposited in a trust fund specified by the department. These fees shall be used to defray the direct and indirect costs of operating the registry.

~~(c) The Department shall mail a letter to registrants acknowledging receipt of the application and registry fee. Receipts will be mailed to registrants to acknowledge the processing of fees. Accompanying letters of acknowledgement will state the status of the applicant's registration.~~

~~(d) Fees are collected to offset costs of researching birth information, processing applications, and providing staff to service client information and other requests. When an application has been accepted by the registry for processing, fees will be deposited and will not be returned to the applicants, even if registration proves to be impossible.~~

(e) Fees for counseling services shall be set and collected by the ~~D~~department, licensed agency, or other professional who provides the service.

(f) The ~~D~~department shall waive fees in cases where need and hardship is ~~can~~ be documented. Acceptable documentation of hardship includes verification that applicant is receiving unemployment benefits, public assistance, social security income or food stamps.

~~(10) CF1490, PDF 08/2008, Applications for Registry Services, and CF1491, PDF 08/2008, Application to Update Information on File with Adoption Registry, which are incorporated by reference, are available upon request from the Department's Office of Family Safety, Interstate Compact Office at 1317 Winewood Blvd., Tallahassee, FL. Rulemaking Authority 63.233 FS. Law Implemented 63.165 FS. History--New 8-19-03, Amended 11-30-08,_____.~~

65C-16.019 Intervention in Dependency Cases

(1) This rule applies when:

(a) The child is in the custody of the Department;

(b) Parental rights have not been terminated;

(c) A parent executes a consent for the child's placement with an adoption entity; and,

(d) An adoption entity files a petition to intervene in the dependency case.

(2) Intervention. An adoption entity's intervention does not relieve the Department of its responsibility to assess whether the best interest of the child is met. At the time of the intervention hearing, the Department shall inform the court as to whether it opposes or supports the motion for intervention. The Department shall oppose the adoption entity's intervention if the adoption entity fails to provide the Department with the intervention preliminary home study.

(3) The intervention preliminary home study shall be completed by the private adoption entity and shall include the following:

(a) When a prospective adoptive family is identified, the home study must document that the family and medical history of the child's family and the current and projected needs of the specific child were discussed.

(b) When a prospective adoptive family is identified, the preliminary home study must be updated to include a determination that the family has the strengths to meet the identified current and projected needs of the specific child including the adoptive parents' willingness to access needed services.

(4) The Department shall evaluate the intervention preliminary home study of the adoption entity's prospective adoptive parent and any other relevant information available to the Department to determine whether the placement will be in the child's best interest based on the following factors:

(a) Each parent's compliance with the case plan at the time of consent;

(b) Any concerns about the parent's reason for executing the consent.

(c) Any reservations about the mental capacity of the parent who executed the consent;

(d) The status of notification of relatives that adoption is the new permanency goal;

(e) The status of notification of the adoptive parents of siblings that adoption is the new permanency goal;

(f) The quality and length of the child's relationship with the child's current caregiver;

(g) The quality and length of the child's relationship with any prospective adoptive parents;

(h) The current placement and status of other siblings;

(i) The wishes of the child, if the child is of the appropriate age and maturity to express a preference;

(j) The length of time the child has been in his or her current placement;

(k) All special needs of the child, including the child's physical health, mental health, educational needs, and attachment concerns;

(1) The Department or community-based care agency (CBC) shall check the child abuse and neglect registries of all states where the prospective adoptive parents and other adults living in the prospective adoptive home resided in the previous five (5) years.

(5) If the court grants the intervention, the CBC or subcontractor shall terminate their supervision and end the removal episode of the child in FSFN with a discharge reason of transferred to another agency. The CBC or subcontractor shall not close the case in FSFN until finalization of the adoption.

(6) If the court grants the intervention, the adoption entity shall prepare a transition plan in conjunction with the CBC or subcontractor, the current caregiver, and prospective adoptive parents. The transition must respect the child's developmental stage and psychological needs, ensure the child has all of his or her belongings, and allow for a gradual transition from the caregiver's home.

(7) If the court grants the intervention, the adoption entity shall provide monthly supervision reports to the Department through Children's Legal Services until the finalization of the adoption. The adoption entity's monthly supervision reports shall contain:

(a) Date and location of each face-to-face contact with the child;

(b) A summary of the child's academic performance, if the child attends school;

(c) A summary of the child's current health status, including mental health, the dates of any health related appointments in the previous month, the identity of any health providers seen, and a list of the child's current medications, if any;

(d) The type and frequency of the child's interactions with his or her siblings;

(e) A description of any unmet needs and recommendations for meeting the identified needs; and,

(f) A description of how the child is attaching with the prospective adoptive parent.

(8) Until the child's adoption is finalized, the Department shall continue to report the child's status to the court and shall continue to collect the information necessary for its dependency case and for its efforts to ensure a permanent placement for the child. This information shall be contained in documents the adoption entity provides to the Department, CBC or its subcontractor, including the adoption entity's monthly supervision reports and the intervention preliminary home study of the prospective adoptive parents.

(9) After the child is placed with the adoption entity's prospective adoptive parent, the Department, through an attorney for the Department, shall schedule regular status reviews with the court to monitor the child's progress with the prospective adoptive placement until the adoption finalization. CLS or the OAG shall file the adoption entity's monthly supervision reports with the court for these status reviews and shall provide a copy of all monthly supervision reports to the CBC agency or its subcontractor for its case record.

(10) Department's Case Record. When an adoption entity intervenes in a dependency court case, the Department, CBC agency, or its subcontractor shall maintain an open inactive case record on the child until the adoption is finalized. For this case record, the Department, CBC agency, or its subcontractor shall collect and maintain the following:

(a) The intervention preliminary home study;

(b) Other documentation relating to the placement with the prospective adoptive parents; and,

(c) A copy of all monthly supervision reports provided to an attorney for the Department.

(11) If the adoptive family requests subsidy and the child is determined eligible for maintenance adoption subsidy, all required documentation supporting the request must be provided to the CBC or subcontractor and the private adoption screen in FSFN must be completed if the subsidy is approved.

(12) Department's Legal Case File. When an adoption entity intervenes in a dependency court case, the Department, through an attorney for the Department, shall maintain a legal case file until the adoption is finalized. For this file, the Department shall collect and maintain the following:

(a) The intervention preliminary home study;

(b) Any other evidence presented during the intervention hearing relating to the placement with the prospective adoptive parents;

(c) Monthly supervision reports from the adoption entity until the adoption is finalized;

(d) The final home study; and,

(e) The final order of adoption.

(13) Final Home Study. The intervening adoption entity shall provide the court and the Department with a final home study before a final order of adoption is granted. The final home study shall meet the following requirements:

(a) The final home study must be performed by a licensed child-placing agency, a child-caring agency registered under Section 409.176, F.S., a licensed professional, or an agency as described in Section 61.20(2), F.S., unless the petitioner is a stepparent or relative.

(b) The final home study shall contain:

1. The information from the intervention preliminary home study;

2. Documentation of a minimum of two (2) scheduled visits with the child and the child's adoptive parent after the child is placed in the prospective adoptive home to determine the safety and well-being of the child. One of the visits must be in the home;

3. Relevant information about the child's needs and the services accessed by the adoptive parents to meet those needs; and,

4. Any other information relevant to the prospective adoptive family.

(14) A determination of eligibility for maintenance adoption subsidy and, if eligible, the signing of the Adoption Assistance Agreement, CF-FSP 5079, incorporated in 65C-16.013(2), F.A.C., shall be completed prior to finalization of the adoption. The adoption entity with custody of the child shall provide all documentation regarding eligibility to the CBC. See 65C-16.013, F.A.C., for more information of determination of maintenance adoption subsidy payments.

(15) The Department must be given notice of the adoption finalization hearing.

(16) The intervening adoption entity shall file the final order of adoption in the child's dependency case for purposes of case closure.

(17) If at any time the child is returned to the custody of the Department, the intervening adoption entity shall provide the Department with all legal filings from the adoption case. Rulemaking Authority 63.233 F.S. Law Implemented 63.085, 63.092 F.S. History - New

65C-16.020 Communication or Contact.

(1) This rule applies to communication or contact between a child who is the subject of a petition for adoption under Chapter 63, F.S., and his or her siblings or other relatives, after:

(a) The parents' rights to the child have been terminated, and

(b) The child's custody has been awarded to the Department pursuant to Section 39.811, F.S.

(2) Communication or Contact Pending Adoption.

(a) The Department shall make a recommendation to the court regarding the appropriateness of communication or contact with the child's siblings and other relatives for the period of time after the termination of parental rights and prior to adoption.

(b) The Department's recommendation shall include:

1. A statement and rationale as to why the recommended communication or contact with each specified relative is in the best interest of the child and does not interfere with the permanency goal for the child.

2. A recommendation for the nature and frequency communication or contact with each specified relative.

3. A justification for any recommendations against communication or contact with siblings and grandparents.

(3) Communication or Contact Post-Adoption.

(a) Prior to the termination of parental rights, the Department shall have discussions with the child, if age appropriate, and the prospective adoptive parent, if known, to identify any siblings or other relatives who may be appropriate for post-adoption communication or contact with the child. When the prospective adoptive parent is identified after the termination of parental rights, this discussion must occur prior to adoptive placement. During these discussions, the Department shall convey the following information to the prospective adoptive parent:

1. That the Department shall make a recommendation regarding post-adoption communication or contact to the court.

2. That the adoptive parent shall retain the right to petition for a review of the communication or contact order issued in the final order of the adoption at any time.

3. That the validity of the adoption shall not be contingent upon the adoptive parent following the terms of the post-adoption communication or contact arrangement stated in the final order of adoption.

4. That the adoptive parent shall not have his or her ability to change residence within or outside the State of Florida restrained because of the post-adoption communication or contact arrangement stated in the final order of adoption.

(b) The Department shall make a recommendation to the court regarding post-adoption communication or contact with the child's siblings and other relatives.

1. Siblings. The Department's recommendation to the court regarding post-adoption communication or contact with the child's siblings shall address communication or contact with each sibling known to the Department at the time of the adoption's finalization, regardless of whether the sibling has been previously adopted.

a. If the child's sibling has been previously adopted, the Department must take into account the provisions regarding post-adoption communication in the final order of adoption for that sibling. The Department shall not recommend post-adoption communication or contact with a sibling where the communication or contact will violate the sibling's final order of adoption.

b. The Department shall provide a justification for all recommendations against communication or contact with siblings known to the Department at the time of the adoption's finalization.

2. Other Relatives. Excluding siblings, the Department shall not recommend post-adoption communication or contact with any relative without the agreement of the prospective adoptive parent. The Department, in making its

recommendation to the court, shall provide a recommendation for the nature and frequency of post-adoption communication or contact with the specified relatives.

Rulemaking Authority 63.233, F.S. Law Implemented 63.0427, F.S. History - New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Courtney Smith

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 21, 2015

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-1.004 Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise definitions of freshwater game fish to include Choctaw bass. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would add Choctaw bass to the list of Freshwater game fish defined in 68A-1.004 (32)(a), F.A.C..

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: During the Commission’s regular meeting April 13-14, 2016, 8:30 a.m. – 5:00 p.m., each day

PLACE: Wyndham Grand Jupiter at Harbourside Place, 122 Soundings Avenue, Jupiter, Florida 33477

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Tom Champeau, Director, Division of Freshwater Fisheries Management, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399, (850)488-4066

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

- (1) through (32) No change.
- (33) Freshwater game fish:
 - (a) The following members of the Genus *Micropterus*:
 - 1. through 4. No change.
 - 5. Choctaw bass (*Micropterus haiaka* (nom. prov.))
 - (b) through (g) No change.
- (34) through (93) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History— New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 4-1-07, 7-1-08, 10-23-08, 7-1-10, 11-8-10, 1-1-11, 4-9-13, 7-29-15._____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Tom Champeau, Director, Division of Freshwater Fisheries Management, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399, (850)488-4066

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 11, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2016

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

RULE NO.: RULE TITLE:
61N-1.028 Product Tracking and Tracing – Definitions
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. 32, February 17, 2016 issue of the Florida Administrative Register.

61N-1.028 Product Tracking and Tracing – Definitions

(1) through (25) No change.

(26) “TRANSACTION HISTORY” means a statement in paper or electronic form, including the transaction information for each prior transaction going back to the manufacturer of the product. The transaction history for a grandfathered product begins with the owner of the product on ~~January 1, 2015~~ March 1, 2016.

(27) through (31) No change.

Rulemaking Authority 499.0121, 499.05 FS. Law Implemented 499.002, 499.0121, 499.05, 499.052 FS. History—New _____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:
 64E-3.003 Qualifications for Examination
 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. 242, December 16, 2015 issue of the Florida Administrative Register. Incorporated Form DH 1005, Application for Radiologic Technology Certification, effective 10/15, has been revised to require an oath or affirmation that the applicant meets the requirements set forth in paragraphs 468.304(3)(a) through (d), F.S.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NO.: RULE TITLE:
 69I-20.038 Late Annual Report(s), Late Payment(s),
 and Late Delivery of Unclaimed Property
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the Notice of Change published in the Vol. 42, No. 42, March 2, 2016 issue of the Florida Administrative Register.

The proposed changes to subsection (4) should have read:

(4) A ~~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:

The remainder of the Notice of Change remains the same.

**Section IV
 Emergency Rules**

NONE

Section V

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:RULE TITLES:

- 69A-2.006 Storage; General
- 69A-2.007 Storage; Magazine Construction Requirements
- 69A-2.008 Storage; Within Magazines
- 69A-2.009 Storage; Smokeless Propellant
- 69A-2.0091 Storage; Black Powder
- 69A-2.010 Storage; Blasting Agents
- 69A-2.011 Storage; Inventory Required
- 69A-2.013 Transportation; General
- 69A-2.014 Transportation; Vehicles; Safety Requirements
- 69A-2.015 Transportation; Operation of Vehicles
- 69A-2.016 Transportation; Explosives at Piers, Railway Stations, Etc.
- 69A-2.017 Transportation; Smokeless Propellants; Small Arms Ammunition Primers
- 69A-2.018 Transportation; Blasting Agents

NOTICE IS HEREBY GIVEN that on February 10, 2016, the Department of Financial Services, Division of State Fire Marshal, received a petition for Variance or Waiver from Lockheed Martin Missiles and Fire Control (Petitioner). The Petition requests a waiver relating to subsection 69A-2.008(9), F.A.C. and variances from Rules 69A-2.006-2.010, 69A-2.011 and 69A-2.013-2.018, F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Melissa E. Dembicer, Assistant General Counsel, Division of Legal Services, 612 Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, (850)413-5829. Please refer all comments to Melissa E. Dembicer-melissa.dembicer@myfloridacfo.com.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Legislative and Special Initiatives Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 4, 2016, 1:00 p.m.

PLACE: The Capitol Building, Cabinet Meeting Room – Lower Level, 400 South Monroe Street, Tallahassee, FL 32399; telephone conference: 1(888)670-3525, participant pass code: 9585411847

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Legislative and Special Initiatives Committee will address human trafficking matters including the development of a Statewide Alliance, establishing statewide standards, reviewing and developing a centralized referral and assessment process for Florida, identifying methods to kill demand and establishing metrics for statewide reporting.

A copy of the agenda may be obtained by contacting: Lynn Guyton at Lynn.Guyton@myfloridalegal.com or by accessing the board's website at:

http://myfloridalegal.com/_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Office of the Attorney General Pam Bondi at (850)414-3300. 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 Council 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: Lynn Guyton, (813)287-7950, Lynn.Guyton@myfloridalegal.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Board of Professional Surveyors and Mappers announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 21, 2016, 10:00 a.m.

PLACE: Call-in number: 1(866)951-1151, participant code: 806980369

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This will be a meeting of the Board of Professional Surveyors and Mappers, Rules Workgroup. The Board has charged the Workgroup to review Rule Chapter 5J-17, F.A.C., discuss potential improvements to the rules, and prepare recommendations for the Board. Any recommendations by the Workgroup will be reviewed and discussed by the full Board in a separate meeting or rule workshop.

A copy of the agenda may be obtained by contacting: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, FL 3299-6500, (850)410-3674.

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: Jenna Harper at (850) 410-3674. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Board of Professional Surveyors and Mappers announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2016, 9:30 a.m.

PLACE: Embassy Suites Orlando-Downtown, Eola Conference Room, 191 E. Pine Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Rules Committee will discuss updating and rewriting Chapter 5J-17, F.A.C.

A copy of the agenda may be obtained by contacting: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674. One week prior to the meeting date, the agenda will also be available online at: www.freshfromflorida.com/Public-Notices/.

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: Jenna Harper at (850)410-3674. 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: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

The Florida Aquaculture Review Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 23, 2016, 9:00 a.m.

PLACE: 170 Century Blvd, Bartow, Florida 33830, (863)578-1870

NOTE: Meeting also accessible through teleconference by dialing: 1(888)670-3525 and entering participant code: 1543680102

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida and to evaluate and select FY 2017-2018 Statements of Interest for full proposal requests.

A copy of the agenda may be obtained by contacting: Serina Rocco, Environmental Administrator, (850)617-7621, Serina.Rocco@FreshFromFLorida.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 2 days before the workshop/meeting by contacting: Serina Rocco, Environmental Administrator, (850)617-7621, Serina.Rocco@FreshFromFLorida.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).

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NOS.:RULE TITLES:

6M-8.603 Voluntary Prekindergarten (VPK) Provider Placed on Probation and Required to Apply for a Good Cause Exemption

6M-8.700 Provider on Probation; Voluntary Prekindergarten Education Program Improvement Plan and Implementation; First Year Probation

6M-8.701 Provider on Probation; Voluntary Prekindergarten Education Program Annual Probation Progress Report; Second and Subsequent Year Probation

The Office of Early Learning announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, March 10, 2016, 10:00 a.m. – 12:00 Noon or until business is concluded, whichever is earlier

PLACE: via GoToWebinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: THIS HEARING HAS BEEN CANCELLED.

A copy of the agenda may be obtained by contacting: Tara Huls, (850)717-8550.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, 10:00 a.m., ET

PLACE: Telephone conference: dial 1(888)670-3525, when prompted enter pass code: 1760507820#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

ACCESS POINT: The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

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: Jim Mallue at (850)907-6805 or Jim.Mallue@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Product Approval Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: March 31, 2016, 10:00 a.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only. To join the online meeting (Now from mobile devices!) GoToMeeting® Online Meetings Made Easy® is a newly contracted vendor. Please note the access is different than previous meetings.

1. Please join my meeting.

<https://global.gotomeeting.com/join/545051013>

2. Join the conference call: United States: +1(312)757-3119, Access Code: 545-051-013, Audio PIN: Shown after joining the meeting, Meeting ID: 545-051-013

Public point of access: Florida Building Commission, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and discuss the following items for the Commission: Product Approval and Entities Statistical Report; Report on conditional approval from the January 28, 2016 Meeting; Review of product approval and entity applications; and other business for the Commission as listed on the agenda.

A copy of the agenda may be obtained by contacting: Ms. Zubeyde Binici, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit the calendar on our website at: <http://www.floridabuilding.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Ms. Zubeyde Binici, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone: (850)487-1824 or fax: (850)414-8436, or you may view the calendar on our website: <http://www.floridabuilding.org>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "THE COMMISSION", Accessibility Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 31, 2016, 2:00 p.m. until completion

PLACE: Teleconference number for audio and webinar for visual.

- Join the webinar at <https://global.gotomeeting.com/join/735124733>
- Join the conference call: United States (toll-free) 1(877)568-4106, access code: 735-124-733, audio PIN shown after joining the meeting, meeting ID 735-124-733

- Public point of access: Florida Building Commission, Office of Codes and Standards, Department of Business and Professional Regulation, Northwood Centre, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and provide recommendations to the Commission regarding requests for waivers (as listed below) and other business for the Commission in accordance with the Council's agenda.

1. Expert Shutter Waiver #139- 688 SW Whitmore Drive, Pt. St. Lucie, FL 34984-5099
2. Richard E Smith – Indian River Networks Waiver #136 – 241 Sixth Ave., Indialantic, FL 32903
3. Alterations to existing mezzanine for City of Mattress – Waiver #138 – 2255 Palm Beach Lakes Blvd., West Palm Beach, FL 33401
4. Harding Suites Hotel Waiver #141 – 8040 Harding Ave., Miami, Beach, FL 33141
5. Garden Suites Hotel – Waiver #142 – 3900/3920 Garden Ave., Miami, Beach, FL 33140
6. Jungle Island Zipline Tour – Waiver #145 – 1111 Parrot Jungle Tr., Miami, FL 33132
7. Young Life Southwind Dorm – Waiver #130 – 18115 SE 95th Street, Ocklawaha, FL 32179
8. McHardy Renovation – Waiver #134 – 432 MLK Blvd., Stuart, FL 34994

A copy of the agenda may be obtained by contacting: Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or visit our website at www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399-2100, (850)487-1824 or fax: (850)414-8436. 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: Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1824 or visit our website at www.floridabuilding.org.

DEPARTMENT OF HEALTH

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

DATES AND TIMES: Wednesday, April 6, 2016, 4:00 p.m.; Thursday, April 7, 2016, 8:30 a.m.; Thursday, April 7, 2016, 1:30 p.m.; Friday, April 8, 2016, 8:30 a.m.

PLACE: 1905 Hotel Plaza Boulevard, Lake Buena Vista, Florida 32830, (407)828-2828

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credential and Education Committee Hearings, Disciplinary Hearings and General Business.

To view the public agenda materials visit: <http://www.floridasnursing.gov/meeting-information/>.

A copy of the agenda may be obtained by contacting: www.FloridasNursing.gov or writing Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Florida Board of Nursing. 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

Board of Medicine

The Boards of Medicine and Pharmacy announce a public meeting to which all persons are invited.

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

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131.

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 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131. 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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, 8:00 a.m.

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Wendy Alls at wendy.alls@flhealth.gov or calling (850)245-4135.

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 10 days before the workshop/meeting by contacting: Wendy Alls at wendy.alls@flhealth.gov or calling (850)245-4135. 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: Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Council on Physician Assistants announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, 1:00 p.m.

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135.

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 10 days before the workshop/meeting by contacting: Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135. 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: Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Anesthesiology Assistants Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, immediately following the Council on Physician Assistants Meeting

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135.

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 10 days before the workshop/meeting by contacting: Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135. 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: Wendy Alls at wendy.alls@flhealth.gov or call (850)245-4135.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, immediately following the Anesthesiology Assistants Joint Committee Meeting.

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4132.

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 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4132. 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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4132.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, immediately following the Surgical Care/Quality Assurance Committee Meeting

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131.

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 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131. 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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Disruptive Behavior Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, immediately following the Rules/Legislative Committee Meeting

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131.

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 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131. 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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Communication, Education & Information Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, immediately following the Disruptive Behavior Workgroup Meeting

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Rebecca Hewett at Rebecca.Hewett@flhealth.gov or calling (850)245-4137.

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 10 days before the workshop/meeting by contacting: Rebecca Hewett at Rebecca.Hewett@flhealth.gov or calling (850)245-4137. 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: Rebecca Hewett at Rebecca.Hewett@flhealth.gov or call (850)245-4137.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Full Board Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 8, 2016, 8:00 a.m.

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Rebecca Hewett at Rebecca.Hewett@flhealth.gov or calling (850)245-4137.

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 10 days before the workshop/meeting by contacting: Rebecca Hewett at Rebecca.Hewett@flhealth.gov or calling (850)245-4137. 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: Rebecca Hewett at Rebecca.Hewett@flhealth.gov or call (850)245-4137.

DEPARTMENT OF HEALTH

Board of Medicine

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

DATE AND TIME: Wednesday, April 6, 2016, immediately following the Joint Boards of Medicine and Pharmacy Meeting.

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131.

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 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal.sanford@flhealth.gov or calling at (850)245-4131. 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: Crystal Sanford at crystal.sanford@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 7, 2016, 10:00 a.m.

PLACE: Hilton Orlando/Altamonte Springs, 350 Northlake Boulevard, Altamonte Springs, Florida 32701-5297, (407)830-1985

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board website at www.FLBoardofMedicine.gov for cancellations or changes to meeting dates or call the Compliance Management Unit at (850)245-4268 for more information. The hotel public block deadline is Tuesday, March 22, 2016.

A copy of the agenda may be obtained by contacting: Shaila Washington at (850)245-4268 or by email at MQA.MedicalComplianceOfficer@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 10 days before the workshop/meeting by contacting: Shaila Washington at (850)245-4268 or by email at MQA.MedicalComplianceOfficer@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Shaila Washington, (850)245-4268, MQA.MedicalComplianceOfficer@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

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

DATE AND TIME: March 17, 2016, 1:00 p.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suicide Prevention.

A copy of the agenda may be obtained by contacting: Sofia Castro at sindie.castro@myflfamilies.com.

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

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: Sofia Castro at sindie.castro@myflfamilies.com.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

The Fish and Wildlife Conservation Commission (FWC), Division of Law Enforcement, Boating Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: April 6, 2016, 8:00 a.m.

PLACE: Mission San Luis, 2100 West Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Non-Motorized Boats Working Group, a committee of the Boating Advisory Council, to review and discuss non-motorized boating-related topics.

A copy of the agenda may be obtained by contacting: the FWC, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or by calling Precious Boatwright or Kim Smith at (850)488-5600.

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 five days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. 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: Precious Boatwright at (850)488-5600.

FISH AND WILDLIFE CONSERVATION COMMISSION
Vessel Registration and Boating Safety

The Fish and Wildlife Conservation Commission (FWC), Division of Law Enforcement, Boating Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: April 7, 2016, 8:30 a.m.

PLACE: Mission San Luis, 2100 West Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Boating Advisory Council to review and discuss boating-related topics and to take action, if needed. Such action may include discussion about non-motorized vessels, boating accident statistics, and navigation regulations.

A copy of the agenda may be obtained by contacting: the FWC, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or by calling Precious Boatwright or Kim Smith at (850)488-5600.

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 five days before the workshop/meeting by contacting: ADA Coordinator, (850)488-6411. 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: Precious Boatwright at (850)488-5600.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 22, 2016, 2:00 p.m. – 4:00 p.m., FILC Executive Director Application Review

PLACE: Call-in: 1(888)670-3525, participant code: 5073148497; FILC Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and Task Force Meetings: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or toll-free: 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 25, 2016, 10:00 a.m. until conclusion of agenda

PLACE: Telephone conference: dial 1(888)670-3525, enter participant code: 5073148497; FILC Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and Task Force Meetings: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or toll-free: 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 25, 2016, 10:00 a.m. until conclusion of agenda: Planning Committee

PLACE: Call in: 1(888)670-3525, participant code: 5073148497; FILC Administrative Office, 1414 N. Adams Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and Task Force Meetings: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: the Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or toll-free: 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

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

DEPARTMENT OF HEALTH
Division of Environmental Health
RULE NOS.:RULE TITLES:
64E-9.013 Bathing Places
64E-10.002 Special Requirements

NOTICE IS HEREBY GIVEN that the Department of Health has received the petition for declaratory statement from Seacrest Beach II Owner’s Association, Inc. (Seacrest). The petition seeks the agency’s opinion as to the applicability of Rules 64E-9.013 and 64E-10.002, as they apply to the petitioner. Petitioner is seeking a determination of the applicability of these rules as it applies to a beach access easement property that provides access to the beach for Seacrest and surrounding property owners.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Bush at (850)245-4027 or at amanda.bush@flhealth.gov. Please refer all comments to Amanda Bush at the contact information previously listed.

DEPARTMENT OF FINANCIAL SERVICES
Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Credit Union “Payment Center” on March 8, 2016. The petition seeks the agency’s opinion as to the applicability of Section 560.204, Florida Statutes, as it applies to the petitioner.

The petition seeks a declaratory statement from the Office on whether Petitioner’s proposed business activities (of offering a remittance service, without, charging a fee) fall within Florida’s money transmitting licensing statute Chapter 560, Florida Statutes.

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.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643 by March 29, 2016.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI Notices Regarding Bids, Proposals and Purchasing

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

Section XII Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

NOTICE OF BATCHED APPLICATION RECEIPT AND NOTICE OF TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds and Facilities review cycle with an application due date of March 2, 2016.

County: Lake District: 3-7
CON # 10425 Application Receipt Date: 3/1/2016
Facility/Project: Leesburg Regional Medical Center North
Applicant: Leesburg Regional Medical Center, Inc.
Project Description: Convert a Class III rehabilitation hospital to a Class III adult psychiatric hospital of up to 21 beds

County: Duval District: 4-3
CON # 10426 Application Receipt Date: 3/2/2016
Facility/Project: Wolfson Children's Hospital of Jacksonville, Inc.
Applicant: Wolfson Children's Hospital of Jacksonville, Inc.
Project Description: Establish a new 132-bed children's specialty hospital

County: Duval District: 4-3

CON # 10427 Application Receipt Date: 3/2/2016
Facility/Project: Wolfson Children's Hospital of Jacksonville, Inc.

Applicant: Wolfson Children's Hospital of Jacksonville, Inc.
Project Description: Establish a new 24-bed Level II NICU

County: Duval District: 4-3

CON # 10428 Application Receipt Date: 3/2/2016
Facility/Project: Wolfson Children's Hospital of Jacksonville, Inc.

Applicant: Wolfson Children's Hospital of Jacksonville, Inc.
Project Description: Establish a new 32-bed Level III NICU

County: Volusia District: 4-5

CON # 10429 Application Receipt Date: 2/26/2016

Facility/Project: Halifax Hospital Medical Center

Applicant: Halifax Hospital Medical Center

Project Description: Establish a new acute care hospital of up to 150 beds

County: Sarasota District: 8-6

CON # 10430 Application Receipt Date: 3/1/2016

Facility/Project: City of North Port

Applicant: City of North Port

Project Description: Establish a new acute care hospital of up to 200 beds

County: Sarasota District: 8-6

CON # 10431 Application Receipt Date: 2/26/2016

Facility/Project: Sarasota Memorial Hospital

Applicant: Sarasota County Public Hospital District

Project Description: Establish a new acute care hospital of up to 200 beds

County: Miami-Dade District: 11-1

CON # 10432 Application Receipt Date: 3/1/2016

Facility/Project: East Florida - DMC, Inc.

Applicant: East Florida - DMC, Inc.

Project Description: Establish a new acute care hospital of up to 100 beds

County: Miami-Dade District: 11-1

CON # 10433 Application Receipt Date: 3/2/2016

Facility/Project: The Public Health Trust of Miami-Dade County Florida

Applicant: The Public Health Trust of Miami-Dade County Florida

Project Description: Establish a new acute care hospital of up to 100 beds

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

PROPOSALS: CON #10425 District: 3-7
DATE/TIME: Tuesday, April 19, 2016 @ 10:00 a.m. – 12:00 p.m.
PLACE: WellFlorida Council, Inc.
1785 N.W. 80th Boulevard
Gainesville, Florida 32606

PROPOSALS: CON # 10426 District: 4-3
DATE/TIME: Tuesday, April 19, 2016 @ 9:00 a.m. – 10:00 a.m.
PLACE: Health Planning Council of Northeast Florida, Inc.
Conference Room
100 N. Laura Street, Suite 801
Jacksonville, Florida 32202

PROPOSALS: CON # 10427 District: 4-3
DATE/TIME: Tuesday, April 19, 2016, 10:00 a.m. – 11:00 a.m.
PLACE: Health Planning Council of Northeast Florida, Inc.
Conference Room
100 N. Laura Street, Suite 801
Jacksonville, Florida 32202

PROPOSALS: CON # 10428 District: 4-3
DATE/TIME: Tuesday, April 19, 2016, 11:00 a.m. – 12:00 p.m.
PLACE: Health Planning Council of Northeast Florida, Inc.
Conference Room
100 N. Laura Street, Suite 801
Jacksonville, Florida 32202

PROPOSALS: CON # 10429 District: 4-5
DATE/TIME: Tuesday, April 19, 2016, 1:00 p.m. – 4:00 p.m.
PLACE: Health Planning Council of Northeast Florida, Inc.
Conference Room
100 N. Laura Street, Suite 801
Jacksonville, Florida 32202

PROPOSALS: CON #'s 10430 & 10431 District: 8-6
DATE/TIME: Tuesday, April 19, 2016, 10:00 a.m. – 5:00 p.m.
PLACE: Gulf Central Early Steps Building
4630 17th Street
Sarasota, Florida 34235

PROPOSALS: CON #'s 10432 & 10433 District: 11-1
DATE/TIME: Thursday, April 21, 2016, 1:00 p.m. – 5:00 p.m.
PLACE: Health Council of South Florida, Inc.
8095 N.W. 12th Street, Suite 300
Doral, Florida 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida, 32308, attention Marisol Fitch, by 5:00 p.m., March 30, 2016. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by April 13, 2016.

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.
