

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

**DEPARTMENT OF CITRUS**

**RULE NO.:**       **RULE TITLE:**  
20-3.008           Monthly By-Product Report  
**PURPOSE AND EFFECT:** Amending rule to clarify the information to be provided and changing reporting requirement from monthly to annually.

**SUBJECT AREA TO BE ADDRESSED:** By-Product Report requirements

**RULEMAKING AUTHORITY:** 601.10(1), 601.15(10)(a) FS.  
**LAW IMPLEMENTED:** 601.10(8), 601.15(4), 601.69 FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Alice P. Wiggins, Legal Administrative Assistant, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.myflorida.com or <http://fdocgrower.com/legal/rules/>

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

**DEPARTMENT OF CITRUS**

**RULE NO.:**       **RULE TITLE:**  
20-9.002           Processed Form  
**PURPOSE AND EFFECT:** : Amending rule to update conversion units used in figuring equivalent boxes for payment of equalization excise assessments in the case that the actual number of boxes cannot be substantiated by appropriate records. The figures are updated every three years in order to ensure equivalent boxes are up to date and fair.

**SUBJECT AREA TO BE ADDRESSED:** Conversion units used in figuring equivalent boxes for payment of equalization excise assessments.

**RULEMAKING AUTHORITY:** 601.10(1), 601.15(1),(10)(a), 601.155(3),(7) FS.

**LAW IMPLEMENTED:** 601.15(5),(6), 601.155 FS.  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Alice P. Wiggins, Legal Administrative Assistant, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.myflorida.com or <http://fdocgrower.com/legal/rules/>

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
62-505.200	Definitions
62-505.300	General Program Information
62-505.350	Grant Funding
62-505.600	Priority List Information
62-505.700	Planning, Design, Construction, and Procurement Requirements
62-505.750	Environmental Review
62-505.800	Audit Required

**PURPOSE AND EFFECT:** The Small Community Wastewater Facilities Grants Program is governed by chapter 62-505, F.A.C., and awards grants to assist financially disadvantaged small communities with their needs for adequate sewer facilities. The purpose of this notice is to incorporate recent changes to section 403.1838, Florida Statutes, and to make the rule consistent with Chapter 62-503, F.A.C (Clean Water State Revolving Fund).

**SUBJECT AREA TO BE ADDRESSED:** 403.1838, Florida Statutes, increases the eligibility criteria for grant funding for population from 7,500 to 10,000. The rule will be revised to make this change and otherwise simplify the rule.

**RULEMAKING AUTHORITY:** 403.1835 F.S., 403.1838 FS.  
**LAW IMPLEMENTED:** 403.1838 FS.

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

**DATE AND TIME:** April 5, 2016, 9:00 a.m.  
**PLACE:** Conference rooms A & B of the Douglas Building at 3900 Commonwealth Blvd., Tallahassee, FL 32399

Webinar access to the workshop is available via: <https://meet.lync.com/floridadep/thomas.montgomery/745N928Q>. The webinar has a limitation on the number of participants, so please consider sharing access with other participants, if possible. Audio of the workshop is available by calling 1(888)670-3525. Please enter 2872804152 then #.

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: Thomas Montgomery at (850)245-2967 or email at [thomas.montgomery@dep.state.fl.us](mailto:thomas.montgomery@dep.state.fl.us). If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas Montgomery at (850)245-2967 or email at thomas.montgomery@dep.state.fl.us

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

## Section II Proposed Rules

### AGENCY FOR HEALTH CARE ADMINISTRATION

#### Medicaid

RULE NO.:       RULE TITLE:  
59G-4.022       Anesthesia

PURPOSE AND EFFECT: The purpose of Rule 59G-4.022, Florida Administrative Code, is to incorporate by reference the Florida Medicaid Anesthesia Services Coverage Policy,

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: April 4, 2016, 10:30 a.m. – 11:00 a.m.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica Kenny, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4227, e-mail: Jessica.Kenny@ahca.myflorida.com.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.022 Anesthesia Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for anesthesia services and to all providers of anesthesia services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Anesthesia Services Coverage Policy, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>, and available at [DOS place holder Ref-\_\_\_\_\_].

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jessica Kenny

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 9, 2015

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.032  
 RULE TITLE: Breast Surgery Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.032, Florida Administrative Code, is to incorporate by reference the Florida Medicaid Integumentary Services Coverage Policy, \_\_\_\_\_, and revise the rule title.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information. The rule title is also revised to Integumentary Services.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.  
 LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: April 4, 2016, 10:00 a.m. – 10:30 a.m.  
 PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Monique Johnson. 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: Monique Johnson, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20,

Tallahassee, Florida 32308-5407, telephone: (850)412-4212, e-mail: Monique.Johnson@ahca.myflorida.com.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.032 Integumentary Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for integumentary services and to all providers of integumentary services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Integumentary Services Coverage Policy, \_\_\_\_\_, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>, and available at [DOS place holder Ref-\_\_\_\_\_].

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History- New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Monique Johnson

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2015

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-4.108  
 RULE TITLE: General and Pediatric Surgery Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.108, Florida Administrative Code, is to incorporate by reference the Florida Medicaid Genitourinary Services Coverage Policy, and revise the rule title.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information. The amendment also revises the rule title to Genitourinary Services.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: April 4, 2016, 9:30 a.m. – 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Monique Johnson. 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: Monique Johnson, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4212, e-mail: Monique.Johnson@ahca.myflorida.com.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.108 Genitourinary Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for genitourinary services and to all providers of genitourinary practitioner services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Genitourinary Services Coverage Policy, \_\_\_\_\_, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at

<http://portal.flmmis.com/flpublic>, and available at [DOS place holder Ref-\_\_\_\_\_].

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Monique Johnson

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 22, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 4, 2015

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: RULE TITLE:

59G-4.222 Pain Management Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.222, Florida Administrative Code, is to incorporate by reference the Florida Medicaid Pain Management Services Coverage Policy, \_\_\_\_\_.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: April 4, 2016, 11:00 a.m. – 11:30 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mary Cerasoli. 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: Mary Cerasoli, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4228, e-mail: Mary.Cerasoli@ahca.myflorida.com.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.222 Pain Management Services.

(1) This rule applies to any person or entity prescribing or reviewing a request for pain management services and to all providers of pain management services who are enrolled in or registered with the Florida Medicaid program.

(2) All persons or entities described in subsection (1) must be in compliance with the provisions of the Florida Medicaid Pain Management Services Coverage Policy, \_\_\_\_\_, incorporated by reference. The policy is available from the Florida Medicaid fiscal agent's Web site at <http://portal.flmmis.com/flpublic>, and available at [DOS place holder Ref-\_\_\_\_\_].

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.907, 409.908, 409.912, 409.913 FS.History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mary Cerasoli  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 29, 2015  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 9, 2015

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Retirement**

RULE NOS.: RULE TITLES:  
60S-4.008 Benefits Payable Upon Death  
60S-4.009 Benefits Payable After Termination

PURPOSE AND EFFECT: Amend form FST-11G, Application of Beneficiary for Benefit Payment, and form REF-PAYT, Refund Payout Selection to require an account number and rollover information to custodian.

SUMMARY: The amendments of form FST-11G, Application of Beneficiary for Benefit Payment, and form REF-PAYT, Refund Payout Selection, to require an account number and add a section on page two which clearly indicates the rollover amount to the custodian.

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 economic review conducted by the agency.

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: 121.031, 121.052(14) FS.  
LAW IMPLEMENTED: 61.1301, 112.18, 112.181, 121.021, 121.052(5), 121.055, 121.091 FS.

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

DATE AND TIME: April 7, 2016, 10:00 a.m.  
PLACE: 2450 Shumard Oak Blvd., Bldg. 1, Tallahassee FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Chief, Bureau of Research and Member Communications, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, (850)414-6349

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-4.008 Benefits Payable Upon Death.

(1)(a) If the death of an FRS Pension Plan member occurs, other than in-line-of-duty, prior to the member

becoming vested, the member's designated beneficiary shall receive a refund of the member's accumulated contributions, except as provided in subsection 60S-2.010(4), F.A.C., and shall make application to the Division for such refund on Form FST-11g, effective 12/15 (Rev. 03/10), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00360>, Florida Retirement System Pension Plan Application of Beneficiary for Benefit Payment, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844) 377-1888, if calling from outside the Tallahassee calling area, or locally at (850) 907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 955-8771.

(b) through (c) No change.

(2) through (9) No change.

Rulemaking Authority 121.031 FS. Law Implemented 61.1301, 112.18, 112.181, 121.021(14), 121.052(5), 121.055, 121.091(7) FS. History--New 1-1-72, Amended 10-20-72, 12-31-74, 7-21-75, 8-26-81, Formerly 22B-4.08, Amended 2-6-84, 1-12-87, 2-7-89, 9-5-90, 5-15-91, 11-14-91, Formerly 22B-4.008, Amended 3-18-93, 1-25-94, 8-4-94, 12-12-96, 5-10-99, 8-13-03, 4-5-12, 1-20-14, Amended.

60S-4.009 Benefits Payable After Termination.

(1) through (2) No change.

(3) In order to receive a refund of contributions under the Florida Retirement System, an FRS member must terminate all employment relationships with all FRS participating employers for three calendar months as provided in Section 121.021(39)(c), F.S., and submit a request for refund on Form FRS-M81 (Rev. 05/11), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00358>, Florida Retirement System Pension Plan Request for Refund, herein adopted by reference, to the division. Form FRS-M81 may be completed and submitted online from the Refund Application page of the member's Online Services account accessible from the Division's website ([www.frs.MyFlorida.com](http://www.frs.MyFlorida.com)) or may be obtained from the Forms page of the Division's website, [www.frs.MyFlorida.com](http://www.frs.MyFlorida.com), or by calling the Division Toll Free at (844) 377-1888, if calling from outside the Tallahassee calling area, or locally at (850) 907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 955-8771. The division shall acknowledge the receipt of the FRS-M81 and send the member Form REF-PAYT, effective 12/15, (Rev. 10/12) <http://www.flrules.org/Gateway/reference.asp?No=Ref-02452>,

Florida Retirement System (FRS) Pension Plan Refund Payout Selection, herein adopted by reference, which may be obtained by calling the Division Toll Free at (844) 377-1888, if calling

from outside the Tallahassee calling area, or locally at (850) 907-6500, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800) 922-8771. The member shall complete and return Form REF-PAYT to the division, indicating his or her refund payout selection. By obtaining a refund of contributions a member waives all rights under the Florida Retirement System to the service credit represented by the refunded contributions, except the right to purchase his or her prior service credit in accordance with Rule 60S-2.004, F.A.C. No refund of employee contributions shall be made until the employer has reported the employee's termination through the payroll reporting process.

(4) through (5) No change.

Rulemaking Authority 121.031, 121.052(14) FS. Law Implemented 121.021, 121.052(5)(c), 121.055, 121.091 FS. History--New 1-1-72, Amended 10-10-72, 12-31-74, 1-16-77, 8-26-81, Formerly 22B-4.09, Amended 1-12-87, 2-7-89, 11-14-91, Formerly 22B-4.009, Amended 8-4-94, 2-24-99, 4-5-12, 3-25-13, 12-15-13, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Drake, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 27, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.001  
 RULE TITLE: Application for Complimentary Drug Distributor Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division's permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division's permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.001 Application for Complimentary Drug Distributor Permit.

A complimentary drug distributor permit is required for any person that engages in the distribution of a complimentary drug, subject to the requirements of s. 499.028. A person, prior to engaging in activity for which a complimentary drug distributor permit is required, must file with the department a completed application on form number DBPR-DDC-221, Application for Permit as a Complimentary Drug Distributor, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06636> Rulemaking Authority 499.012(3), 499.05 FS. Law Implemented 499.01, 499.012, 499.0121, 499.028, 499.04, 499.041 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Reginald D. Dixon, Division Director  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Drugs, Devices and Cosmetics

RULE NO.: 61N-2.002  
 RULE TITLE: Application for Cosmetic Manufacturer Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division's permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division's permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.002 Application for Cosmetic Manufacturer Permit

A cosmetic manufacturer permit is required for any person that manufactures or repackages cosmetics in this state. A person that only labels or changes the labeling of a cosmetic but does not open the container sealed by the manufacturer of the product is exempt from obtaining a permit. A person located in this state, prior to engaging in activity for which a cosmetic manufacturer permit is required, must file with the department a completed application on form number DBPR-DDC-206, Application for Permit as a Cosmetic Manufacturer, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06637> Rulemaking Authority 499.012(3) FS. Law Implemented 499.01, 499.012, 499.0121, 499.015, 499.04, 499.041 FS. History—New —

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Reginald D. Dixon, Division Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.004  
RULE TITLE: Application for Diethyl Ether Manufacturer, Distributor, Dealer or Purchaser Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division’s permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division’s permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.004 Application for Diethyl Ether Manufacturer, Distributor, Dealer or Purchaser Permit

Any person who manufactures, distributes, or deals in ether in this state must possess a current valid license issued by the department, except that a manufacturer, distributor, or dealer who also purchases ether in this state shall not be required to obtain an additional permit as a purchaser of ether. A person, prior to engaging in activity for which a diethyl ether manufacturer, distributor, dealer, or purchaser permit is required, must file with the department a completed application on form number DBPR-DDC-233, Application for Permit as a Diethyl Ether Manufacturer, Distributor, Dealer or Purchaser, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850) 717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06638> Rulemaking Authority 499.63, 499.701 FS. Law Implemented 499.62, 499.63, 499.64, 499.66, 499.67 FS. History—New —.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Reginald D. Dixon, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary



DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.005 RULE TITLE: Application for Freight Forwarder Permit  
 PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division’s permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division’s permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.005 Application for Freight Forwarder Permit  
A freight forwarder permit is required for any person that engages in the distribution of a prescription drug as a freight forwarder unless the person is a common carrier. A person, prior to engaging in activity for which a freight forwarder permit is required, must file an application on form number DBPR-DDC-225, Application for Permit as a Freight Forwarder, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850) 717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06639> Rulemaking Authority 499.012(3), 499.05 FS. Law Implemented 499.01, 499.012, 499.0121, 499.04, 499.041 FS. History—New - \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Reginald D. Dixon, Director  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.006 RULE TITLE: Application for Health Care Clinic Establishment Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division’s permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division’s permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.006 Application for Health Care Clinic Establishment Permit

A health care clinic establishment permit is required for the purchase of a prescription drug by a place of business at one general physical location that provides health care or veterinary services, which is owned and operated by a business entity that has been issued a federal employer tax identification number. A person located in this state, prior to engaging in activity for which a health care clinic establishment permit is required, must file a completed application on form number DBPR-DDC-224, Application for Permit as a Health Care Clinic Establishment, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, \_\_\_\_\_ or \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06640> Rulemaking Authority 499.012(3), 499.05 FS. Law Implemented 499.01, 499.012, 499.0121, 499.04, 499.041 FS. History—New - \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Reginald D. Dixon, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.008  
 RULE TITLE: Application for Medical Gas Manufacturer Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division’s permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division’s permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.008 Application for Medical Gas Manufacturer Permit

A medical gas manufacturer permit is required for a person or entity located in this state which engages in the manufacture of medical gases by physical air separation, chemical action, purification, or filling containers by a liquid-to-liquid, liquid-to-gas, or gas-to-gas process and distributes those medical gases within this state. A person located in this state, prior to engaging in activity for which a medical gas manufacturer permit is required, must file with the department a completed application on form number DBPR-DDC-204, Application for Permit as a Medical Gas Manufacturer, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06641> Rulemaking Authority 499.831, 499.832, 499.834 FS. Law Implemented 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Reginald D. Dixon, Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.009  
RULE TITLE: Application for Medical Gas Wholesale Distributor Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division’s permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division’s permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.009 Application for Medical Gas Wholesale Distributor Permit

A medical gas wholesale distributor permit is required for wholesale distribution, whether within or into this state. A person, prior to engaging in activity for which a medical gas wholesale distributor permit is required, must file with the department a completed application on form number DBPR-DDC-217, Application for Permit as a Medical Gas Wholesale Distributor, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850) 717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06642> Rulemaking Authority 499.831, 499.832, 499.834 FS. Law Implemented 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Reginald D. Dixon, Director  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: RULE TITLE:  
 61N-2.010 Application for Medical Oxygen Retail Establishment Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division’s permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division’s permitting applications for several permit types.

**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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.010 Application for Medical Oxygen Retail Establishment Permit

A medical oxygen retail establishment permit is required for an entity that is located in the state and that sells or delivers medical oxygen directly to patients in this state. A person located in this state, other than a pharmacy licensed under chapter 465, prior to engaging in activity for which a medical medical oxygen retail establishment permit is required, must file with the department a completed application on form number DBPR-DDC-223, Application for Permit as a Medical Oxygen Retail Establishment, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06643> Rulemaking Authority 499.831, 499.832, 499.834 FS. Law Implemented 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Reginald D. Dixon, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: RULE TITLE:  
 61N-2.013 Application for Over-the-counter Drug Manufacturer Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division’s permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division’s permitting applications for several permit types.

**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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.013 Application for Over-The-Counter Drug Manufacturer Permit

An over-the-counter drug manufacturer permit is required for any person that engages in the manufacture or repackaging of an over-the-counter drug. A person located in this state, other than a pharmacy operating in compliance with pharmacy practice standards set forth in chapter 465 and the rules promulgated thereunder, engaging in activity for which an over-the-counter drug manufacturer permit is required, must file an application on form number DBPR-DDC-205, Application for Permit as an Over-The-Counter Drug Manufacturer, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06644> Rulemaking Authority 499.012(3) FS. Law Implemented 499.01, 499.012, 499.0121, 499.015, 499.04, 499.041 FS. History—New -

NAME OF PERSON ORIGINATING PROPOSED RULE: Reginald D. Dixon, Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.: 61N-2.014  
 RULE TITLE: Application for Prescription Drug Manufacturer Permit

PURPOSE AND EFFECT: The Division proposes to adopt and incorporate the division's permitting application forms into rule.

SUMMARY: The proposed rules adopt and incorporate the division's permitting applications for several permit types.

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 economic review conducted by the agency.

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: 499.012(3), 499.05, 499.63, 499.701, 499.831, 499.832, 499.834 FS.

LAW IMPLEMENTED: 499.01, 499.012, 499.0121, 499.015, 499.028, 499.04, 499.041, 499.62, 499.63, 499.64, 499.66, 499.67, 499.81, 499.83, 499.831, 499.832, 499.833, 499.834, 499.84, 499.85, 499.86, 499.87, 499.88, 499.89, 499.90, 499.91, 499.92, 499.93, 499.931, 499.94 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: Dinah Greene, Operations Review Specialist, Division of Drugs, Devices and Cosmetics, Department of Business and Professional Regulation, 1940

North Monroe Street Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1802, Dinah.Greene@myfloridalicense.com

THE FULL TEXT OF THE PROPOSED RULE IS:

61N-2.014 Application for Prescription Drug Manufacturer Permit

A prescription drug manufacturer permit is required for any person that is a manufacturer of a prescription drug and that manufactures or distributes such prescription drugs in this state. A person located in this state engaging in activity for which a prescription drug manufacturer permit is required, must file an application on form number DBPR-DDC-201, Application for Permit as a Prescription Drug Manufacturer, effective April 2016, adopted and incorporated herein by reference and comply with all the requirements for permitting in Chapter 499, F.S. and Rule 61N, F.A.C. This form is available upon request from the Division of Drugs, Devices and Cosmetics at 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)717-1800, or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06645> Rulemaking Authority 499.012(3) FS. Law Implemented 499.01, 499.012, 499.0121, 499.015, 499.04, 499.041 FS. History—New -

NAME OF PERSON ORIGINATING PROPOSED RULE: Reginald D. Dixon, Director  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2016  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 26, 2016

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:

64B14-7.003 Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendments are intended to update language and to clarify disciplinary guidelines.

SUMMARY: The proposed rule amendments update language and clarify disciplinary guidelines.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.072(4), 456.079(1), 468.802 FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.811 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: Anthony Spivey, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; (850)245-4355.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-7.003 Disciplinary Guidelines.

(1) No change

(2) Violations and Ranges of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and 120.57(2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

<b>VIOLATION</b>	<b>PENALTY RANGE</b>	
	<b>MINIMUM</b>	<b>MAXIMUM</b>

<u>VIOLATION</u>	<u>PENALTY RANGE</u> <u>MINIMUM</u>	<u>PENALTY RANGE</u> <u>MAXIMUM</u>

<p>(a) Attempting to obtain a license or certificate by bribery, <u>fraudulent misrepresentation</u> <del>fraud</del> or through an error of the Department or the Board. (468.811(1)(a), 456.072(1)(h), F.S.)</p>				<p>substantive violation occurred in Florida and a \$1000 fine</p>	<p>which action was originally taken and \$2000 fine <del>Impaired practitioners working in Florida may be ordered into the PRN.</del></p>
<p>First Offense</p>	<p>Denial/revocation with ability to reapply and <del>\$1000</del> <u>fine</u></p>	<p>Denial/revocation with ability to reapply and <del>\$3000</del> <u>\$10,000</u> fine</p>	<p>(c) <u>Being convicted or found guilty of or pleading nolo contendere to, regardless of adjudication, in any jurisdiction.</u> <del>Guilt</del> of a crime <u>that directly relates relating</u> to practice or ability to practice <u>the licensee's profession.</u> (468.811(1)(c), 456.072(1)(c), F.S.)</p>		
<p>Second Offense</p>	<p>Revocation with ability to reapply and <u>up to \$10,000</u> <del>\$3000</del> fine</p>	<p>Revocation with <u>no</u> ability to reapply and <del>\$6000</del> <u>\$10,000</u> fine</p>			
<p>Third Offense</p>	<p><del>Revocation with ability to reapply and \$6,000 fine</del></p>	<p><del>Revocation with no ability to reapply and \$10,000 fine</del></p>			
<p>(b) Action taken against license by another jurisdiction. (468.811(1)(b), 456.072(1)(f), F.S.)</p>			<p>First Offense</p>	<p>6 months probation with conditions and \$1000 fine</p>	<p>Denial/revocation and \$5000 fine</p>
<p>First Offense</p>	<p>Imposition of discipline which would have been imposed if the substantive violation occurred in Florida</p>	<p>Suspension/denial <u>or revocation</u> until the license is unencumbered in the jurisdiction in which action was originally taken and \$1000 fine. <del>Impaired practitioners working in Florida may be ordered into the PRN</del></p>	<p>Second Offense</p>	<p>1 year suspension and \$5000 fine</p>	<p>Revocation and \$10,000 fine</p>
<p>Second Offense</p>	<p>Imposition of discipline which would have been imposed if the</p>	<p>Revocation until the license is unencumbered in the jurisdiction in</p>	<p>(d) Filing a false report or failing to file a report as required; <u>willfully impeding or obstructing such filing; or inducing another person to impede or obstruct such filing.</u> (468.811(1)(d), 456.072(1)(l), F.S.)</p>	<p>First Offense</p>	<p>6 months suspension 1 year probation with conditions and \$250 fine</p>
			<p>First Offense</p>	<p>1 year probation with conditions and \$100 fine</p>	<p>6 months suspension 1 year probation with conditions and \$250 fine</p>

Second Offense	6 months suspension, 1 year probation with conditions and \$250 fine	Revocation and \$500 fine	456.072(1)(a), (m)(q), F.S.)		
Third Offense	1 year suspension, 2 years probation with conditions and \$500 fine	Revocation and \$1000 fine	First Offense	1 year probation with conditions and up to \$10,000 \$500 fine	1 year suspension, 1 year probation with conditions and up to \$10,000 \$1500 fine
(e) <del>Fraudulent, false False,</del> deceptive, or misleading advertising. (468.811(1)(e), F.S.)			Second Offense	<del>2 years 4-year</del> suspension, <del>2 years 1-year</del> probation with conditions and up to \$10,000 \$1500 fine	Revocation and <del>\$10,000 \$3000</del> fine
First Offense	Reprimand	6 months suspension and \$250 to \$10,000 fine	Third Offense	<del>2 years suspension, 2 years probation with conditions and \$3000 fine</del>	Revocation and \$5000 fine
Second Offense	1 year <del>6 months</del> suspension and up to \$10,000 <del>\$250</del> fine	Revocation and \$10,000 fine <del>9 months suspension and \$500 fine</del>	(i) Practicing orthotics, prosthetics, or pedorthics with a delinquent license. (456.036, 468.811(i), F.S.)		
Third Offense	<del>9 months suspension and \$500 fine</del>	<del>1-year suspension and \$1000 fine</del>	First Offense	1 year suspension, 1 year probation with conditions and \$1000 fine	2 years suspension, 2 years probation with conditions and \$5000 fine
(f) – (g) No change.			Second Offense	Revocation and \$5000 fine	Revocation and \$10,000 fine
(h) <del>Making misleading, deceptive, or fraudulent representations in or related to the practice of the licensee’s profession</del> Deceptive, untrue or fraudulent representations in any application, affidavit or statement provided to the Board in any proceeding before the Board. (468.811(1)(k)(j), 468.809,			(j) Failure to notify the Board of the licensee’s current mailing address and place of practice. (456.035(1), 468.811(i), F.S.)		
			First Offense	Reprimand	Reprimand and \$100 fine
			Second Offense	Reprimand and \$100 fine	3 months probation with conditions and \$250 fine
			Third Offense	3 months probation with conditions and	6 months probation with conditions and



	\$250 fine	\$500 fine			
(k) Violation of <del>an</del> law, rule, order, order of the <del>board,</del> agency, or department previously entered in a disciplinary hearing <del>Board,</del> or failure to comply with a subpoena issued by the board, agency, or department. (468.811(1)( <del>f</del> )( <del>g</del> ), (j), 456.072(1)(q), ( <del>ee</del> ); F.S.)			<del>procuring, employing, or advising</del> Aiding or abetting any unlicensed person or entity to practice. (456.072(1)(j), F.S.)		
First Offense	Suspension until law, rule, order, or subpoena is complied with and \$500 fine	Revocation and \$1500 fine	First Offense	1 year probation with conditions, and \$1000 fine	6 months suspension, 1 year probation with conditions and \$3000 fine
Second Offense	6 months suspension, 1 year probation with conditions and \$1500 fine	Revocation and \$5000 fine	Second Offense	6 months suspension, 1 year probation with conditions and \$3000 fine	1 year suspension, 2 years probation with conditions and \$6000 fine
(l) through (p) No change.			Third Offense	1 year suspension, 2 years probation with conditions and \$6000 fine	Revocation and \$10,000 fine
(q) Failure to report another licensee in violation. (456.072(1)(i), F.S.)			(s) – (t) No change.		
First Offense	Reprimand	Reprimand and \$100 fine	(u) Practicing, offering to practice, beyond the scope permitted by law or accepting and performing professional responsibilities the registrant knows, or has reason to know, the registrant is not competent to perform. (456.072(1)(o), 468.811(1)(l), F.S.)		
Second Offense	6 months probation with conditions and \$500 fine	6 months suspension, 6 months probation with conditions and \$1000 fine	First Offense	6 months probation with conditions including refund of fees billed and collected and \$500	6 months suspension, 6 months probation with conditions or denial/revocation and \$10,000 fine
Third Offense	6 months suspension, 6 months probation with conditions and <del>\$1000</del> \$500 fine	1 year suspension, 1 year probation with conditions and \$1000 fine			
(r) <u>Assisting,</u>					

	fine	
Second Offense	6 months suspension, 6 months probation with conditions and \$1000 fine	1 year suspension, 1 year probation with conditions and \$10,000 fine
Third Offense	1 year suspension, 1 year probation with conditions and \$2500 fine	Revocation and \$10,000 fine
(v) No change.		
(w) <u>Delegating or contracting for the performance</u> <del>Delegation of</del> professional responsibilities <u>by a to unqualified person when the registrant delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them.</u> (456.072(1)(p), F.S.)		
First Offense	1 year probation with conditions and \$500 fine	6 months suspension, 1 year probation with conditions and \$1000 fine
Second Offense	6 months suspension, 1 year probation with conditions and \$1000 fine	1 year suspension, 2 years probation with conditions and \$2500 fine
Third Offense	1 year suspension, 2 years probation with conditions	Revocation and \$5000 fine

	and \$2500 fine	
(x) No change.		
(y) <u>Engaging or attempting to engage in sexual misconduct as defined and prohibited in s. 456.063(1).</u> <del>Exercising influence to engage patient in sex-</del> (456.072(1)(v)( <del>u</del> ), F.S.)		
First Offense	1 year suspension, 4 years probation with conditions and \$2500 fine	Denial/revocation and \$5000 fine
Second Offense	Revocation and \$5000 fine	Revocation and \$10,000 fine
(z) Failure to report to the Board before October 1, 1999, <u>any</u> convictions, findings of guilt, or pleas of nolo contendere entered before July 1, 1999, that have not previously been reported. (456.072(1)( <del>x</del> )( <del>w</del> ), F.S.)		
First Offense	Reprimand and \$250 fine	6 months probation with conditions and \$500 fine
Second Offense	6 months probation with conditions and \$500 fine	6 months suspension, 6 months probation with conditions and \$1000 fine
Third Offense	6 months suspension, 6 months probation with conditions and \$1000 fine	Revocation and \$2000 fine

(aa) Being convicted or found guilty of or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of or ability to practice a licensee's profession. <u>(468.811(1)(b), 456.072(1)(c), F.S.)</u>					fine	
	First Offense	6 months probation with conditions and \$1000 fine	Denial/revocation and \$5000 fine	Third Offense	2 years suspension, 2 years probation with conditions and <u>up to a \$10,000 \$3000</u> fine	Revocation and <u>up to a \$10,000 \$5000</u> fine
Second Offense	1 year suspension and \$5000 fine	Revocation and \$10,000 fine	(cc) Failing to report to the board within 30 days after the licensee has been convicted or found guilty of, or entered into a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. <u>(456.072(1)(x)(w), F.S.)</u>			
(bb) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession. <u>(456.072(1)(a), 456.072(1)(m), 468.811(1)(k), F.S.)</u>				First Offense	Reprimand and \$250 fine	6 months suspension, 1 year probation with conditions and \$500 fine
First Offense	1 year probation with conditions and <u>up to a \$10,000 \$500</u> fine	1 year suspension, 1 year probation with conditions and <u>up to a \$10,000 \$1500</u> fine	Second Offense	6 months suspension, 1 year probation with conditions and \$500 fine	1 year suspension, 2 years probation with conditions and \$1000 fine	
Second Offense	1 year suspension, 1 year probation with conditions and <u>up to a \$10,000 \$1500</u>	Revocation and <u>up to a \$10,000 \$3000</u> fine	Third Offense	1 year suspension, 2 years probation with conditions and \$1000	Revocation and \$2000 fine	
			(dd) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for <del>the</del> solicitation of the people involved in the accidents.			

(456.072(1)(y)( <del>xx</del> ), F.S.)			guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b <del>m</del> relating to the Medicaid program. (456.072(1)(ii), F.S.)		
First Offense	Citation	Citation and \$250 fine			
Second Offense	Reprimand and \$250 fine	Reprimand and \$500 fine			
Third Offense	Reprimand and \$500 fine	6 months probation with conditions and \$1000 fine			
(ee) Being terminated from an impaired practitioner treatment program; for failure to comply with terms of contract or for not successfully completing any drug-treatment or alcohol-treatment program. (456.072(1)(hh) ( <del>gg</del> ), F.S.)					
First Offense	Suspension until the licensee is able to demonstrate his/her ability to practice with reasonable skill and safety, followed by up to 5 years probation with conditions.	<u>Revocation</u>		Revocation <u>or in the case of</u> application for licensure, denial of license.	
			(gg) –(hh) No change.		
Second or Subsequent Offense	Suspension until the licensee is able to demonstrate his/her ability to practice with reasonable skill and safety, <u>followed by</u> up to 5 years probation with conditions, or revocation, and up to \$2,000 fine.		(ii) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud. (456.072(1)(ll), FS)		
			First Offense	Revocation or in the case of application for licensure, denial of license <u>and a \$10,000 fine.</u>	
(ff) Being convicted of, or entering a plea of					

(3) through (4) No change.

Rulemaking Authority 456.072(4), 456.079(1), 468.802 FS. Law Implemented 456.072(4), (ii), (jj), (kk), (ll), (4), 456.079, 468.811 FS. History—New 7-1-98, Amended 9-17-00, 7-5-06, 7-6-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Orthotists and Prosthetists  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 4, 2015

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Mental Health Program**

RULE NOS.:       RULE TITLES:

65E-5.260       Transportation  
65E-5.280       Involuntary Examination

PURPOSE AND EFFECT: Rule 65E-5.260, F.A.C., is being amended to incorporate by reference revised versions of mandatory forms CF-MH 3052a and CF-MH 3052b. The revised forms include the full text of the definition of mental illness, providing clarity for law enforcement officers and health care professionals who use the forms. The revised forms also include new questions about the context in which involuntary examinations are initiated, allowing the Agency for Health Care Administration to obtain data to improve the delivery of mental health crisis services.

Rule 65E-5.280, F.A.C. is being amended to incorporate by reference a revised version of mandatory forms CF-MH 3118. The revision will include new questions about the context in which involuntary examinations are initiated, allowing the Agency for Health Care Administration to obtain data to improve the delivery of mental health crisis services.

SUMMARY: This promulgation incorporates by reference three revised forms for use by law enforcement officers when transporting a person for an involuntary mental health examination and the designated receiving facilities where a person is taken for such an examination. The forms gather data used by the Agency for Health Care Administration for analyses and compilation of annual reports on involuntary examinations it submits to the Department of Children and Families and the Legislature.

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 to determine whether or not there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in Section 120.54(2)(a), F.S. Based on the 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: 394.457(5) FS.

LAW IMPLEMENTED: 394.462, 394.462(1), 394.463, 394.463(2)(e), (h), 400 FS.

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

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: Wanda Carter, wanda.carter1@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wanda Carter, SAMH Program Information Unit, 1317 Winewood Boulevard, Building 6, Tallahassee, Florida 32399-0700, wanda.carter1@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

65E-5.260 Transportation.

(1) Each law enforcement officer who takes a person into custody upon the entry of recommended form CF-MH 3001, Feb. 05, "Ex Parte Order for Involuntary Examination," which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter, or other form provided by the court, or the execution of mandatory form [CF-MH 3052b](#), ~~Sept. 06~~, "Certificate of Professional Initiating Involuntary Examination," which is hereby incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter, or completion of mandatory form [CF-MH 3052a](#), ~~Sept. 06~~, "Report of a Law Enforcement Officer Initiating Involuntary Examination," which is incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule

chapter, shall ensure that such forms accompany the person to the receiving facility for inclusion in the person’s clinical record.

(2) No change.

Rulemaking Authority 394.457(5) FS. Law Implemented 394.462, 394.462(1) FS. History–New 11-29-98, Amended 4-4-05, 1-8-07, \_\_\_\_\_.

65E-5.280 Involuntary Examination.

(1) through (4) No change.

(5) In order for the department to implement the provisions of Section 394.463(2)(e), F.S., and to ensure that the Agency for Health Care Administration will be able to analyze the data it receives pursuant to that section, designated receiving facilities shall forward copies of each recommended form CF-MH 3001, “Ex Parte Order for Involuntary Examination,” as referenced in subsection 65E-5.260(1), F.A.C., or other order provided by the court, mandatory form CF-MH 3052a, “Report of Law Enforcement Officer Initiating Involuntary Examination,” as referenced in subsection 65E-5.260(1), F.A.C., mandatory form CF-MH 3052b, “Certificate of Professional Initiating Involuntary Examination,” as referenced in subsection 65E-5.260(1), F.A.C., accompanied by mandatory form [CF-MH 3118](#), ~~\_\_\_\_\_~~ ~~Sept. 06~~, “Cover Sheet to Agency for Health Care Administration,” which is hereby incorporated by reference and may be obtained pursuant to Rule 65E-5.120, F.A.C., of this rule chapter to: BA Reporting Center, FMHI-MHC ~~2637 2737~~, 13301 Bruce B. Downs Boulevard, Tampa, Florida 33612-3807.

(6) through (8) No change.

Rulemaking Authority 394.457(5) FS. Law Implemented 394.463, 394.463(2)(e), (h), 400 FS. History–New 11-29-98, Amended 4-4-05, 1-8-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Wanda Carter  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 3, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 21, 2015

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

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

RULE NO.:           RULE TITLE:  
6M-8.601           Voluntary Prekindergarten (VPK) Provider  
                          Kindergarten Readiness Rate

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 246, December 22, 2015 issue of the Florida Administrative Register has been withdrawn.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:           RULE TITLE:  
59G-4.002           Medicaid Provider Reimbursement  
                          Schedules

**NOTICE OF PUBLIC HEARING**

The Agency for Health Care Administration announces an additional hearing regarding the above rule, as noticed in Vol. 42 No. 8, January 13, 2016 Florida Administrative Register.

DATE AND TIME: March 25, 2016, 2:00 p.m. – 2:30 p.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Agency is scheduling a public hearing for the purpose of discussing additional revisions to the Florida Medicaid fee schedules and billing codes.

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: Monique Johnson, Bureau of Medicaid Policy, (850)412-4212. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Drugs, Devices and Cosmetics**

RULE NO.:           RULE TITLE:  
61N-1.028           Product Tracking and Tracing – Definitions  
                          **NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 32, February 17, 2016 issue of the Florida Administrative Register.

The correction is in response to the letter received from the Joint Administrative Committee dated March 7, 2016. The

Notice of Change published in Vol. 42, No.47, of the March 9, 2016 issue of the Florida Administrative Register was published in error.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:  
 64B14-7.003 Disciplinary Guidelines  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 193, October 5, 2015 issue of the Florida Administrative Register has been withdrawn.

**Section IV  
 Emergency Rules**

NONE

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

**DEPARTMENT OF EDUCATION**

Florida's Office of Early Learning

RULE NO.: RULE TITLE:  
 6M-8.620 Voluntary Prekindergarten (VPK) Pre- and Post Assessments

The Office of Early Learning hereby gives notice: The Office issued an order granting the request made by Roma Court Academy, for a variance from the requirements of Rule 6M-8.620, F.A.C., Voluntary Prekindergarten Pre- and Post-Assessments, related to the deadlines for administering and reporting the assessment. The petition was filed with the Office of Early Learning on or about December 18, 2015. Notice of the petition was published on December 23, 2015 in Volume 41, no. 247 of the Florida Administrative Register. The order granting the request was filed on March 16, 2016. This order recognizes Petitioner's attempt to order and administer the required assessment in a timely manner and the fact that the assessment was administered. The granting of the variance for meeting the test and recording dates allow for the purpose of the statute to be met while avoiding substantial hardship that would otherwise result.

A copy of the Order or additional information may be obtained by contacting: Margaret O'Sullivan Parker, General Counsel, Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399, Maggi.Parker@oel.myflorida.com.

**PUBLIC SERVICE COMMISSION**

RULE NO.: RULE TITLE:  
 25-6.0343 Municipal Electric Utility and Rural Electric Cooperative Reporting Requirements

The Florida Public Service Commission hereby gives notice: that on March 15, 2016, Florida Electric Cooperatives Association, Inc., filed a Notice of Withdrawal of Petition for Variance from or Waiver of the Annual Reporting Requirements in Rule 25-6.0343 of the Florida Administrative Code, for Municipal Electric Utilities and Rural Electric Cooperatives that was filed on February 25, 2016, in Docket No. 160041-EU. Notice of the petition was published in the FAR on March 1, 2016, Vol. 42, No. 41.

A copy of the Order or additional information may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

RULE NO.: RULE TITLE:  
 40E-6.011 Policy and Purpose

NOTICE IS HEREBY GIVEN that on March 11, 2016, the South Florida Water Management District (District), received a petition for waiver from Florida Power & Light Company (Application No. 16-0311-1) for utilization of Works or Lands of the District known as the L-31E Levee and C-103 Canal, for the installation of powerline poles within the L-31E west right of way and south right of way of C-103 to accommodate a parallel run located north of Miami-Dade's North Canal, Section 16, Township 57 South, Range 40 East; Miami-Dade County. The petition seeks relief from Rules 40E-6.011(4) & (6), F.A.C., which prohibits the placement of permanent & semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District.

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:  
 62-602.270 Eligibility for Operator Examinations

NOTICE IS HEREBY GIVEN that on March 14, 2016, the Department of Environmental Protection, received a petition for the School Board of St. Johns County, Florida seeking a variance from paragraph 62-602.270(1)(a), F.A.C., to allow

students enrolled in the Academy of Coastal and Water Resources at the St. Johns Technical High School, St. Johns County, Florida, to take the Level C Water/Wastewater Exam for the Operator Certification Program prior to high school graduation, subject to certain conditions. The petition has been assigned OGC File No. 16-0146. Any interested person or other agency may submit written comments on the petition within 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ronald McCulley, Department of Environmental Protection, Operator Certification Program, Division of Water Resource Management, 2600 Blair Stone Road, M.S 3506, Tallahassee, Florida 32399-2400, telephone: (850)245-7500, Ronald.McCulley@dep.state.fl.us.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF STATE

Division of Historical Resources

The Department of State's Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: March 25, 2016, 9:00 a.m. to conclusion (meeting will be conducted by teleconference; members of the public may participate)

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or via teleconference: Dial-In Number: 1(888)670-3525, Conference Code: 7911101420#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Historical Commission will hold its March meeting for the purposes of conducting commission business and assisting the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division.

A copy of the agenda may be obtained by contacting: Celeste Ivory at 1(800)847-7278 or email: Celeste.Ivory@DOS.MyFlorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Celeste Ivory at 1(800)847-7278. 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: Celeste Ivory at 1(800)847-7278 or email: Celeste.Ivory@DOS.MyFlorida.com.

#### DEPARTMENT OF STATE

Division of Historical Resources

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

DATE AND TIME: Thursday, March 24, 2016, Following Board of Directors Mtg., Est. Time 5:00 p.m., Finance and Investment Meeting

PLACE: R. A. Gray Building, 500 S. Bronough Street, 4th Floor, Room 307

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Friends of Mission San Luis will hold a meeting for the purposes of conducting Friends' business and assisting the Office of External Affairs in carrying out the purposes, duties, and responsibilities of the Florida Department of State.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly with the Office of External Affairs/Mission San Luis at Diane.Ogorzaly@DOS.MyFlorida.com or at (850)245-6388.

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

#### DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 25, 2016, 12:00 Noon

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Subcommittee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131

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 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-



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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131.

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#### STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Thursday, March 31, 2016, 10:00 a.m. – 11:00 a.m., EST

PLACE: Hermitage Room, First Floor, The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this special meeting is to discuss ITN for FRS audit and OIA budget for fiscal year 2016-17.

A copy of the agenda may be obtained by contacting: Kimberly Calhoun, (850)413-1243, email: Kimberly.Calhoun@sbafla.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 7 days before the workshop/meeting by contacting: Jim Moore, (850)413-1164 or email: jim.moore@sbafla.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).

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#### FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 24, 2016, 2:30 p.m.

PLACE: Conference call number: 1(888)670-3525; Passcode: 896 395 5482

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Business of the Parole Qualifications Committee in consideration of applicants for Commissioner.

A copy of the agenda may be obtained by contacting: Sarah Rumph; SarahRumph@fcor.state.fl.us, (850)488-4460.

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: Sarah Rumph. 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.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: April 11, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Room 120L, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** In accordance with the timeframe set forth in section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-15-16-060) for FDEM Food and Beverage Service.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, Phone: (850)410-1391, Email: Tara.Walters@em.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tara Walters, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, Phone: (850)410-1391, Email: Tara.Walters@em.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 8, 2016, 9:30 a.m.

PLACE: South Florida Regional Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To support the reduction of our nation's dependence on imported oil by discussing and promoting the region's use of alternative fuels and alternative fuel vehicles through the Southeast Florida Clean Cities Coalition.

A copy of the agenda may be obtained by contacting: South Florida Regional Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: (954)985-4416. 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: Christine Heshmati at (954)985-4416 or cheshmati@sfrpc.com.

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#### WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI), Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, April 1, 2016, 9:30 a.m.

**PLACE:** TOHO Water Authority, 951 Martin Luther King Blvd., Kissimmee, FL 34741

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>. **NOTE:** One or more additional Governing Board members from each of the three districts

named above may attend and participate in the meeting of the CFWI Steering committee.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: John Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email [johnshearer@cfl.rr.com](mailto:johnshearer@cfl.rr.com) or <http://cfwiwater.com> seven days before the 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 48 hours before the workshop/meeting by contacting: Nilisa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. 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: Mike Register, Director, Division of Water Supply Planning and Assessment, St. Johns River Water Management District, P.O. Box 1429, Palatka, FL 32178-1429, (386)329-4212, [mregister@sjrwmd.com](mailto:mregister@sjrwmd.com); Dean Powell, Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6787, [dpowell@sfwmd.gov](mailto:dpowell@sfwmd.gov); Jason Mickel, Water Supply Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, [jason.mickel@watermatters.org](mailto:jason.mickel@watermatters.org); John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, [johnshearer@cfl.rr.com](mailto:johnshearer@cfl.rr.com).

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#### AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, March 24, 2016, 10:00 a.m. – 2:30 p.m.

**PLACE:** Agency for Health Care Administration, Conference Room "A", 2727 Mahan Drive, Tallahassee, Florida. This meeting will also be available via online webinar which requires a telephone for audio. To join the webinar go to [www.joinwebinar.com](http://www.joinwebinar.com) and enter webinar ID: 156-550-059. For audio, dial 1(877)309-2074 and enter the participant Code: 508 242 117. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)412-3730.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: The agenda will be posted on the Agency website seven (7) days prior to the meeting: <http://ahca.myflorida.com/SCHS/CommitteesCouncils/SCHIP/chismeetings.shtml>.

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: Jennifer Miller, Florida Center for Health Information and Policy Analysis at [Jennifer.Miller@ahca.myflorida.com](mailto:Jennifer.Miller@ahca.myflorida.com) or (850)412-3735. 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: Jennifer Miller, Florida Center for Health Information and Policy Analysis at [Jennifer.Miller@ahca.myflorida.com](mailto:Jennifer.Miller@ahca.myflorida.com) or (850)412-3735.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-4.001 Amateur Sanctioning Organization Licensure, Criteria for Approval and Denial

The Florida State Boxing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2016, 9:00 a.m.

PLACE: Hilton Tampa Downtown Meeting Room, 211 North Tampa Street, Tampa, Florida 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a general business meeting and to review and consider applications for licensure, approve draft language and Notice of Proposed Rulemaking and Statement of Regulatory Cost Worksheet for Proposed Rules 61K1-4.009; 61K1-4.028, 61K1-4.029 and 61K1-4.030 and, to conduct a workshop to discuss Chapter 61K1-4 regarding amateur sanctioning organizations.

A copy of the agenda may be obtained by contacting: Lina Hurtado, (850)488-8500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lina Hurtado, (850)488-8500. 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: Lina Hurtado, (850)488-8500.

**FISH AND WILDLIFE CONSERVATION COMMISSION  
RULE NO.: RULE TITLE:**

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program

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

DATE AND TIME: March 29, 2016, 1:00 p.m.

PLACE: St. Lucie Board of County Commissioners, Commission Chambers, 2300 Virginia Avenue, Fort Pierce, Florida 34982

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This public meeting is for the purpose of introducing the new FWC Derelict Vessel Removal Grant Program and associated guidelines as developed under 68-1.003(7), FAR. Input will be solicited from stakeholders and the public to help craft the final version to be adopted into rule.

A copy of the agenda may be obtained by contacting: the FWC, Division of Law Enforcement, Derelict Vessel Program, 620 South Meridian Street, Room 235, Tallahassee, Florida 32399-1600 or by calling Phil Horning at (850)617-9540.

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: 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). 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: Phil Horning at (850)617-9540 or by email at [Phil.Horning@MyFWC.com](mailto:Phil.Horning@MyFWC.com).

**CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.**

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: March 31, 2016, 5:30 p.m.

PLACE: 720 North Denning Drive, Winter Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Planning meeting for upcoming "Stroll 'n' Roll" event

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: Brittany Lara at (407)623-1070 or

blara@cilorlando.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Brittany Lara at (407)623-1070 or blara@cilorlando.org.

**FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.**

The FWCJUA MAP COMMITTEE announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 12, 2016, 10:00 a.m., Eastern Time

PLACE: Contact Kathy Coyne at (941)378-7408 to participate.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The agenda topic will be the market assistance plan.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

**RS&H - Jacksonville**

The Florida Department of Transportation (FDOT) announces a public kick-off meeting concerning the State Road 79 Project Development & Environment (PD&E) Study from S.R. 8 (I-10) to the Alabama State line to which all persons are invited.

DATE AND TIME: Thursday, March 24, 2016, 5:30 p.m. – 6:30 p.m. CT

PLACE: Northside Assembly of God, 1009 Rangeline Street, Bonifay, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The meeting will be held in an open-house format and will include an informational video. FDOT representatives will be available to discuss proposed improvements, answer questions, and receive comments. Maps, drawings and other project information will be on display.

The intent of the study is to investigate capacity improvements that include: widening from a two-lane to a four-lane roadway, a potential by-pass around the city of Bonifay, and potential one-way pairs within the city of Bonifay. The study will also examine all major intersections regarding safety and operational improvements.

A copy of the agenda may be obtained by contacting: Kimberly Stephens, P.E., FDOT General Consultant Project Manager at (850)415-9015.

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 seven days before the workshop/meeting by contacting: Kimberly Stephens, P.E., FDOT General Consultant Project Manager at (850)415-9015.

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: Ian Satter toll-free at 1(888)638-0250, extension 1205 or at ian.satter@dot.state.fl.us.

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulations, Division of Drugs, Devices and Cosmetics has declined to rule on the petition for declaratory statement filed by Planned Parenthood of Southwest and Central Florida, Inc., and Planned Parenthood of South, East and North Florida, Inc., on December 21, 2015. The following is a summary of the agency's declination of the petition:

The Petitioner Planned Parenthood of Southwest and Central Florida, Inc., and Planned Parenthood of South, East and North Florida, Inc., withdrew the petition on February 29, 2016 with the Department.

Please refer all comments to: Department of Business and Professional Regulation, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399.

**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

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP 2016030C Long Lake Restoration at Hugh Taylor Birch  
State Park

Number: 2016030C

Title: DEP Solicitation No. 2016030C, Long Lake Restoration  
at Hugh Taylor Birch State Park

Description:

NOTICE OF Request for Proposal: On behalf of the Florida  
Department of Environmental Protection's the Procurement  
Office is soliciting formal, competitive, sealed bids from  
contractors for bid number 2016030C, Long Lake Restoration  
at Hugh Taylor Birch State Park.

The Department will post notice of any changes or additional  
meeting(s) on the Vendor Bid System (VBS) in accordance  
with section 287.042(3), Florida Statutes, and will not re-  
advertise any notice in the Florida Administrative Register  
(FAR). Access the VBS at:  
[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR  
VEHICLES

Division of Motor Vehicles

Germain on Davis LLC for relocation of HOND vehicles

Notice of Publication for the Relocation of a  
Franchise Motor Vehicle Dealer in a County of More  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is  
given that American Honda Motor Co. Inc., intends to allow  
the relocation of Germain on Davis LLC, d/b/a Germain  
Honda of Naples as an existing dealership for the sale and  
service of Honda motor vehicles (line-make HOND) from its  
present location at 3707 Davis Boulevard, Naples, (Collier  
County), Florida 34104, to a proposed location at 3295 Pine  
Ridge Road, Naples, (Collier County), Florida 34109, on or  
after April 16, 2016.

The name and address of the dealer operator(s) and  
principal investor(s) of Germain on Davis LLC, d/b/a Germain  
Honda of Naples are dealer operator(s): Stephen L. Germain,  
225 East Spring Street, Columbus, Ohio 43215, principal  
investor(s): Stephen L. Germain, 225 East Spring Street,  
Columbus, Ohio 43215, Kim M. Germain, 225 East Spring  
Street, Columbus, Ohio 43215.

The notice indicates intent to relocate the franchise in a  
county of more than 300,000 population, according to the  
latest population estimates of the University of Florida,  
Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have  
standing, pursuant to Section 320.642, Florida Statutes, as  
amended by Chapter 88-395, Laws of Florida, to file a petition  
or complaint protesting the application.

Written petitions or complaints must be received by the  
Department of Highway Safety and Motor Vehicles within 30  
days of the date of publication of this notice and must be  
submitted to: Nalini Vinayak, Administrator, Dealer License  
Section, Department of Highway Safety and Motor Vehicles,  
Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee  
Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by  
US Mail to: Jonathan Payne, American Honda Motor Co. Inc.,  
1919 Torrance Boulevard, Torrance, California 90501.

If no petitions or complaints are received within 30 days  
of the date of publication, a final order will be issued by the  
Department of Highway Safety and Motor Vehicles approving  
the establishment of the dealership, subject to the applicant's  
compliance with the provisions of Chapter 320, Florida  
Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Arbor Tree Management, Inc. for relocation of INFI vehicles

Notice of Publication for the Relocation of a Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Nissan North America Inc. Infiniti Division, intends to allow the relocation of Arbor Tree Management, Inc., as a dealership for the sale of automobiles manufactured by Infiniti (line-make INFI) from its present location at 2124 Bee Ridge Road, Sarasota, (Sarasota County), Florida 34239, to a proposed location at 4950 Clark Road, Sarasota, (Sarasota County), Florida 34239, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Arbor Tree Management, Inc., are dealer operator(s): Robert W. Geyer, 1220 North Lakeshore Drive, Sarasota, Florida 34231, principal investor(s): Patrick H. Dickinson, 3556 East Forest Lake Drive, Sarasota, Florida 34232.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Amber Elkins, Nissan North America, Inc., Infiniti Division, One Nissan Way, Franklin, Tennessee 37067.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Fields of Daytona, LLC for the establishment of MINC vehicles

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that BMW of North America LLC, intends to allow the establishment of Fields of Daytona, LLC, d/b/a Daytona Beach MINI as a dealership for the sale and service of MINI vehicles (line-make MINC) at 1220 North Tomoka Farms Road, Daytona Beach, (Volusia County), Florida 32124, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Fields of Daytona, LLC, d/b/a Daytona Beach MINI are dealer operator(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022; principal investor(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022, Jerome M. Ipjian, 2015 Chestnut Avenue, Glenview, Illinois 60025.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Russell A. Lucas, BMW of North America LLC, 300 Chestnut Ridge Road, Woodcliff Lake, New Jersey 07677.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION  
Certificate of Need

Notice of Litigation

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on March 14, 2015, concerning certificate of need decisions. No decision has been made as to the sufficiency of

these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F. S., as well as Section 408.039, F.S. and Section 59C-1.012, F. A. C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- | CON#  | INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)   |
|-------|--|
| 10397 | Approved, to establish a new 103 bed community nursing home, Alachua County, Alachua County HRC, LLC, (PRH) PruittHealth – Alachua County, LLC   |
| 10400 | Denial, to establish a new 94 bed community nursing home, Alachua County, PruittHealth – Alachua County, LLC, (PRH) same as applicant  |
| 10402 | Denial, to add 50 community nursing home beds through conversion of 50 sheltered nursing home beds & a partial request to add 16 community nursing home beds through conversion of 16 sheltered nursing home beds, Sumter County, CCRC-Freedom Pointe at the Villages LLC dba Freedom Pointe at the Villages Rehabilitation and Healthcare Center, (PRH) same as applicant |
| 10412 | Denial, to establish a new 111-bed community nursing home through the delicensure of 111 beds, Palm Beach County, NHI SPB Operations LLC (PRH) same as applicant   |
| 10419 | Denial, to establish a new 14-bed inpatient hospice facility, Brevard County, VITAS Healthcare Corporation of Florida (PRH) same as applicant  |
| 10420 | Approved, to establish an adult autologous and allogenic bone marrow transplantation program, Miami-Dade County, Baptist Hospital of Miami, Inc. (PRH) University of Miami dba University of Miami Hospital and Clinics  |
| 10421 | Denial, to establish a pediatric heart transplantation program, Miami-Dade County, Variety Children's Hospital dba Nicklaus Children's Hospital (PRH) same as applicant  |

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-16-033

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-033 on March 11, 2016, in response to an application submitted by Scott Mill Hollow Homeowner's Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the application did not meet the statutory requirements for covenant revitalization because the proposed covenants were more restrictive on the parcel owners than the covenants contained in the previous declaration in violation of section 720.404(3), Florida Statutes. Accordingly, the Department's Final Order denied the application for covenant revitalization.

Copies of the final order may be obtained by writing to: the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or [Katie.zimmer@DEO.MyFlorida.com](mailto:Katie.zimmer@DEO.MyFlorida.com).

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-16-037

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-037 on March 11, 2016, in response to applications submitted by White Fences Property Owners, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

Section XIII

Index to Rules Filed During Preceding Week

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