

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

#### DEPARTMENT OF STATE

##### Division of Library and Information Services

RULE NO.:       RULE TITLE:

1B-2.011       Library Grant Programs

PURPOSE AND EFFECT: The purpose of this amendment is to modify State Aid to Libraries Grant, Library Construction Grant, Library Cooperative Grant, and the Library Services and Technology Act ("LSTA") Grant program rules.

SUBJECT AREA TO BE ADDRESSED: State Aid to Libraries Grant, Library Construction Grant, Library Cooperative Grant, and the Library Services and Technology Act ("LSTA") Grant.

RULEMAKING AUTHORITY: 257.14, 257.15, 257.191, 257.192, 257.24, 257.41(2) FS.

LAW IMPLEMENTED: 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40, 257.41, 257.42 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: Marian Deeney, Division of Library and Information Services, Florida Department of State, (850)245-6620, Marian.Deeney@dos.myflorida.com

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

#### WATER MANAGEMENT DISTRICTS

##### Suwannee River Water Management District

RULE NO.:       RULE TITLE:

40B-8.021       Definitions

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to amend Rule 40B-8.021, F.A.C., to add definitions to aid in the implementation of minimum flows and levels for the Econfina, Aucilla and Wacissa Rivers and associated priority springs; and revise existing definitions to provide for rule clarity.

SUBJECT AREA TO BE ADDRESSED: 40B-8, F.A.C., new definitions and definition revision

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042 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: Clay Coarsey, Professional Engineer, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

#### 40B-8.021 Definitions.

Unless the context indicates otherwise, the following terms shall have the following meanings:

(1) "Aucilla River" means the riverine waterbody that originates in south-central Georgia and flows south and southwest into Florida discharging into the Gulf of Mexico at the border of Jefferson and Taylor Counties, Florida.

(2) "Aucilla River At Lamont, FL gage" means stream flow measuring gage number 02326500 located on the Aucilla River at the border of Taylor and Jefferson Counties, Florida.

(3) "Big Blue Spring" means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 40 seconds north latitude and 83 degrees 59 minutes 5 seconds west longitude.

(4) "Buzzard Log Spring" means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 48 seconds north latitude and 83 degrees 59 minutes 13 seconds west longitude.

(5) "Cassidy Spring" means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 58 seconds north latitude and 83 degrees 59 minutes 21 seconds west longitude.

(6) "Econfina River" means the riverine waterbody that originates in Taylor County, Florida and flows south and southwest discharging into the Gulf of Mexico in Taylor County, Florida.

(7) "Econfina River Near Perry, FL gage" means stream flow measuring gage number 02326000 located on the Econfina River in Taylor County, Florida.

(8)(4) "Fanning Spring" means single spring vent located within Levy County, adjacent to the Suwannee River at 29 degrees 33 minutes 14 seconds north latitude and 82 degrees 56 minutes 07 seconds west longitude.

(9)(2) "Flow Duration Curve" means a statistical representation of flows, actual or synthetic, and their recurrence probabilities over a determined period of record.

(10)(3) “Flow duration frequency” means the historic probability of a particular flow over a specified period of record.

(11) “Garner Spring” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 49 seconds north latitude and 83 degrees 58 minutes 59 seconds west longitude.

(12)(4) “Historic period” means the period of record as documented in each technical report establishing minimum flow or level.

(13) “JEF63991” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 30 seconds north latitude and 83 degrees 59 minutes 9 degrees west longitude.

(14) “JEF63992” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 23 seconds north latitude and 83 degrees 59 minutes 12 degrees west longitude.

(15) “JEF63993” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 18 minutes 8 seconds north latitude and 83 degrees 58 minutes 47 seconds west longitude.

(16) “Jefferson Blue Spring” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 50 seconds north latitude and 83 degrees 59 minutes 20 seconds west longitude.

(17)(5) “Levy Blue Spring” means a single spring vent located within Levy County, near the Town of Bronson, adjacent to the Waccasassa River at 29 degrees 27 minutes 03 seconds latitude and 82 degrees 41 minutes 56 seconds longitude.

(18) “Little Blue Spring” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 51 seconds north latitude and 83 degrees 59 minutes 21 seconds west longitude.

(19)(6) “Little Fanning Spring” means the single spring vent located within Levy County, adjacent to the Suwannee River at 29 degrees 35 minutes 09 seconds north latitude and 82 degrees 56 minutes 04 seconds west longitude.

(20) “Log Spring” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 20 minutes 26 seconds north latitude and 83 degrees 59 minutes 35 seconds west longitude.

(21)(7) “Lower Suwannee River” means the river segment below the Wilcox gage to the estuary.

(22)(8) “Madison Blue Spring” means the single vent spring system located within Madison County, adjacent to the Withlacoochee River at 30 degrees 28 minutes 48 seconds north latitude and 83 degrees 14 minutes 40 seconds west longitude.

(23)(9) “Manatee Spring” means the single spring vent located within Levy County, adjacent to the Suwannee River at 29 degrees 29 minutes 21 seconds north latitude and 82 degrees 58 minutes 37 seconds west longitude.

(24)(10) “Minimum surfacewater flow” means a flow, expressed in cubic feet per second combined with a temporal element. The temporal element may be specifically expressed as a duration and return interval.

(25)(11) “Minimum surfacewater level” means an elevation in feet NGVD combined with a temporal element. The temporal element, for purposes of this chapter, may be specifically expressed as a duration and return interval.

(26) “Minnow Spring” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 19 minutes 54 seconds north latitude and 83 degrees 59 minutes 12 seconds west longitude.

(27)(12) “NGVD” means National Geodetic Vertical Datum of 1929.

(28)(13) “Withlacoochee River Near Pinetta, FL gage” means stream flow measuring gauge number 02319000 located on the Withlacoochee River approximately 10 miles upstream from Madison Blue Spring at 30 degrees 35 minutes 43 seconds north latitude and 83 degrees 15 minutes 35 seconds west longitude.

(29) “Nutall Rise” means the spring located on the border of Jefferson and Taylor Counties, adjacent to the Aucilla River at 30 degrees 9 minutes and 2 seconds north latitude and 83 degrees 57 minutes and 48 seconds west longitude.

(30)(14) “Stage Duration Frequency Curve” means a statistical representation of stages, actual or synthetic, and their recurrence probabilities over a determined period of record.

(31)(15) “Suwannee River” means the riverine waterbody which originates in south-central Georgia and flows southeast and south into Florida discharging into the Gulf of Mexico north of Cedar Key.

(32)(16) “Santa Fe River” means the riverine waterbody which originates in Lake Santa Fe, Alachua County, Florida and flows west discharging into the Suwannee River south of Branford, Florida.

(33)(17) “Santa Fe River Near Graham, FL gage” means stream flow measuring gage number 02320700 located on the Santa Fe River approximately 1.5 miles upstream from Sampson River at 29 degrees 50 minutes 46 seconds north latitude and 82 degrees 13 minutes 11 seconds west longitude, in Alachua County, Florida.

(34)(18) “Santa Fe River at Worthington Springs, FL gage” means stream flow measuring gage number 02321500 located on the Santa Fe River 0.8 mile downstream from New River at 29 degrees 55 minutes 18 seconds north latitude and

82 degrees 25 minutes 35 seconds west longitude, in Alachua County, Florida.

~~(35)(19)~~ “Suwannee River Next Wilcox, FL gage” means stream flow measuring gage number 02323500 located on the Suwannee River at 29 degrees 05 minutes 90 seconds north latitude and 82 degrees 09 minutes 37 seconds west longitude.

(36) “Thomas Spring” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 20 minutes 23 seconds north latitude and 83 degrees 59 minutes 32 seconds west longitude.

~~(37)(20)~~ “Waccasassa River and Estuary” means the riverine waterbody which originates in Gilchrist and Alachua Counties and flows southwest discharging into the Gulf of Mexico between Cedar Key and Yankeetown.

~~(38)(21)~~ “Waccasassa River Near Gulf Hammock, FL gage” means stream flow measuring gage number 02313700 located on the Waccasassa River 0.5 mile upstream from Otter Creek at 29 degrees 12 minutes 14 seconds north latitude, 82 degrees 46 minutes 09 seconds west longitude in Levy County, Florida.

(39) “Wacissa Head Spring” means the spring located within Jefferson County, adjacent to the Wacissa River at 30 degrees 20 minutes 24 seconds north latitude and 83 degrees 59 minutes and 29 seconds west longitude.

(40) “Wacissa River” means the riverine waterbody that originates from a spring system in Jefferson County, Florida and flows southeast diffusing into numerous braids before discharging into the Aucilla River.

(41) “Wacissa River Near Wacissa, FL gage” means stream flow measuring gage number 02326526 located on the Wacissa River in Jefferson County, Florida.

~~(42)(22)~~ “Withlacoochee River” means the riverine waterbody which originates in south-central Georgia and flows southeast and south into Florida discharging into the Suwannee River at Ellaville.

~~(43)(13)~~ “Withlacoochee River Near Pinetta, FL gage” means stream flow measuring gauge number 02319000 located on the Withlacoochee River approximately 10 miles upstream from Madison Blue Spring at 30 degrees 35 minutes 43 seconds north latitude and 83 degrees 15 minutes 35 seconds west longitude.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, ~~373.415~~ FS. History—New 9-15-05, Amended 8-7-06, 7-29-07, 12-10-07,\_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
40B-8.071	Minimum Surface Water Levels and Flows for the Econfina River.
40B-8.081	Minimum Surface Water Levels and Flows for the Aucilla River and Nutall Rise.
40B-8.091	Minimum Surface Water Levels and Flows for the Wacissa River and Wacissa River Priority Springs.

**PURPOSE AND EFFECT:** The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking to develop rules 40B-8.071, 40B-8.081, and 40B-8.091 to implement new minimum flows and levels for the Econfina, Aucilla and Wacissa Rivers and associated priority springs. The effect of the rule will be to provide protection for these areas from significant harm resulting from uses of ground and surface water.

**SUBJECT AREA TO BE ADDRESSED:** This proposed rule development will establish minimum flows and levels for Econfina, Aucilla and Wacissa Rivers and associated priority springs, in accordance with Rule 62-40.473, F.A.C., and Sections 373.042 and 373.0421, F.S.

**RULEMAKING AUTHORITY:** 373.044, 373.113 FS.

**LAW IMPLEMENTED:** 373.042, 373.0421, 373.103 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:** Clay Coarsey, Professional Engineer, Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

40B-8.071 Minimum Surface Water Levels and Flows for the Econfina River.

The Governing Board hereby establishes the following minimum surfacewater flows. The Governing Board finds that the following minimum surfacewater flows are the limit at which further withdrawals would be significantly harmful to the water resources or ecology.

(1) The minimum surfacewater flow for the Econfina River Near Perry, FL gage is an allowable reduction of 23 percent when flow is below 211 cubic feet per second (cfs) and 8.6 percent when flow is greater than or equal 211 cfs. Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103 FS. History--New \_\_\_\_\_.

40B-8.081 Minimum Surface Water Levels and Flows for the Aucilla River and Nutall Rise. The Governing Board hereby establishes the following minimum surfacewater flows. The Governing Board finds that the following minimum surfacewater flows are the limit at which further withdrawals would be significantly harmful to the water resources or ecology.

(1) The minimum surfacewater flow for the Aucilla River At Lamont, FL gage is an allowable reduction of 6.5 percent when flow is less than or equal to 355 cubic feet per second (cfs), 13 percent when flow is greater than 355 cfs and is less than or equal to 558 cfs, and 17 percent when flow is greater than 558 cfs.

(2) The minimum surface water flow for Nutall Rise is established as a percent reduction from the median flow contribution to the Aucilla River. The allowable reduction in flow of Nutall Rise is 6.5 percent from the median flow. Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103 FS. History--New \_\_\_\_\_.

40B-8.091 Minimum Surface Water Levels and Flows for the Wacissa River and Wacissa River Priority Springs. The Governing Board hereby establishes the following minimum surfacewater flows. The Governing Board finds that the following minimum surfacewater flows are the limit at which further withdrawals would be significantly harmful to the water resources or ecology.

(1) The minimum surfacewater flow for the Wacissa River Near Wacissa, FL gage is an allowable reduction in flow of 5.1 percent when flow is less than or equal to 376 cubic feet per second (cfs) and 7.3 percent when flow is greater than or equal to 376 cfs.

(2) The minimum surface water flows for the Wacissa River Priority Springs are established as the following percent reductions from the median flow contribution to the Wacissa River:

- (a) Big Blue Spring: 6.5 percent;
- (b) Buzzard Log Spring: 6.5 percent;
- (c) Cassidy Spring: 6.5 percent;
- (d) Garner Spring: 6.5 percent;
- (e) JEF63991: 6.5 percent;
- (f) JEF63992: 6.5 percent;
- (g) JEF63993: 6.5 percent;
- (h) Jefferson Blue Spring: 6.5 percent;
- (i) Little Blue Spring: 6.5 percent;

- (j) Log Spring: 6.5 percent;
- (k) Minnow Spring: 6.5 percent;
- (l) Thomas Spring: 6.5 percent;
- (m) Wacissa Headspring: 6.5 percent.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103 FS. History--New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: RULE TITLE:

64B4-3.0085 Intern Registration

PURPOSE AND EFFECT: The Board proposes the rule amendment to revise the incorporated application form.

SUBJECT AREA TO BE ADDRESSED: Intern Registration.

RULEMAKING AUTHORITY: 491.004(5) FS.

LAW IMPLEMENTED: 491.0045 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: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.: RULE TITLES:

69A-46.0165 Submission of the Application for a Water-Based Fire Protection Inspector Permit

69A-46.017 Required Continuing Education

69A-46.030 Definitions

69A-46.035 Standards of the National Fire Protection Association to be Complied With

69A-46.040 Installation Requirements for Automatic Sprinkler Systems Employing Water as the Extinguishing Agent

69A-46.041 Inspection Requirements for Fire Protection Systems

PURPOSE AND EFFECT: The proposed rules update Rule Chapter 69A-46, F.A.C., on qualifying and continuing education requirements associated with the maintenance of a Water-Based Fire Protection Inspector Permit and provide for equivalent certifications. The proposed rules also provide that a contractor's "authorized agent" may complete and sign test

and inspection certificates. The proposed rules newly define various components of water and foam spray systems and adopt NFPA 25 standards regarding the frequency intervals for such systems inspections. The proposed rules also provide updated guidelines on the attachment of color-coded testing and inspection tags, revise existing forms, and delete unnecessary and obsolete references.

**SUBJECT AREA TO BE ADDRESSED:** Application procedures for Water-Based Fire Protection Permits and requirements for the installation, testing, and maintenance of automatic sprinkler systems employing water as an extinguishing agent.

**RULEMAKING AUTHORITY:** 633.104, 633.318(11) FS.

**LAW IMPLEMENTED:** 553.79(6), 633.102, 633.104, 633.306, 633.308, 633.312, 633.318(4), (8), (10), (11), 633.332(4), 633.334, 633.338 FS.

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

**DATE AND TIME:** Tuesday, April 5, 2016, 1:00 p.m. – 5:00 p.m.

**PLACE:** Clermont Community Center, 620 West Montrose Street, Room D, Clermont, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Keith McCarthy, telephone: (850)413-3624, email: Keith.McCarthy@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Keith McCarthy, Safety Program Manager, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida 32399-0342; telephone: (850)413-3624 or Keith.McCarthy@myfloridacfo.com

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

## Section II Proposed Rules

### DEPARTMENT OF HEALTH

#### Board of Nursing Home Administrators

**RULE NO.:**           **RULE TITLE:**

64B10-11.002   Eligibility for Licensure

**PURPOSE AND EFFECT:** Revise requirements for licensure by examination and by endorsement.

**SUMMARY:** To revise requirements for licensure.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this will

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Because the amendments will expand eligibility for licensure by endorsement, there will be no adverse impact on small business nor increase in costs to any entity in excess of \$200,000 within 1 year; further, legislative ratification will not be necessary, as costs will not to exceed \$1 million in 5 years.

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:** 456.017, 468.1685(1), 468.1695(1), (2) FS.

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

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, (850)245-4393

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-11.002 Eligibility for Licensure.

(1) No change.

(2) To establish eligibility for licensure as a nursing home administrator by examination under Section 468.1695, F.S., the applicant must prove that the applicant has:

(a) Successfully passed the examinations required in subsection (1). ~~If the applicant has previously taken and achieved a passing score on the national examination in order to obtain licensure in another state, the Board will accept the results of the national examination in satisfaction of the requirement of paragraph (1)(a).~~

(b) No change.

(3) To establish eligibility for licensure as a nursing home administrator by endorsement under Section 468.1705, F.S., the applicant must:

(a) No change.

(b) Have worked as a fully licensed nursing home administrator for 2 years within the 5-year period immediately preceding the application for licensure by endorsement; and

(c)1. Hold a valid active license to practice nursing home administration in another state, ~~provided that the current requirements for licensure in that state are substantially equivalent to, or more stringent than, the current requirements in the state of Florida;~~ or

2. No change.

Rulemaking Authority 456.017, 468.1685(1), 468.1695(1), (2) FS. Law Implemented 456.017, 468.1685(2), 468.1695(1), (2), 468.1705 FS. History--New 12-26-79, Amended 3-1-82, 7-29-82, Formerly 21Z-11.02, Amended 1-18-87, 6-2-87, 12-3-90, Formerly 21Z-11.002, 61G12-11.002, Amended 7-16-95, Formerly 59T-11.002, Amended 5-15-00, 11-6-02, 8-30-05, 11-8-07, 12-2-13, 7-8-15, .

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 20, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: March 2, 2016

DEPARTMENT OF CHILDREN AND FAMILIES

Economic Self-Sufficiency Program

RULE NOS.: RULE TITLES:

65A-1.205 Eligibility Determination Process

65A-1.701 Definitions

65A-1.702 Special Provisions

65A-1.703 Family-Related Medicaid Coverage Groups

65A-1.705 Family-Related Medicaid General Eligibility Criteria

65A-1.716 Income and Resource Criteria

PURPOSE AND EFFECT: To revise the Family-Related Medicaid eligibility policies, procedures, and forms used to implement the Medicaid Program so that the requirements of the Affordable Care Act that govern the Florida Medicaid coverage groups are met.

SUMMARY: The proposed rules amend the Medicaid Program eligibility policies, procedures, and forms used in the eligibility determination process for the Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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, 414.095, 414.45 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919, 409.1451 (5)(b)(7)414.045, 414.095, 414.31, 414.41 FS.

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

DATE AND TIME: April 5, 2016, 10:00 am – 12:00 pm

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Vonsenita Tranquille. 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: Vonsenita Tranquille, Economic Self-Sufficiency Program, (850)717-4238, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, Vonsenita.Tranquille@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 65A-1.205 follows. See Florida Administrative Code for present text.

#### 65A-1.205 Eligibility Determination Process

(1) The individual completes and submits a Department application for public assistance to the best of the individual's ability using either the ACCESS Florida Application, CF-ES 2337, 03/2015, <https://www.flrules.org/gateway/reference.asp?NO=Ref-00981>, incorporated by reference, or an ACCESS Florida Web Application (only accepted electronically), CF-ES 2353, 12/2013, <https://www.flrules.org/gateway/reference.asp?NO=Ref-00982>, incorporated by reference. Individuals applying for Family-track medical assistance only or Children's Health Insurance Program (CHIP) should complete and submit the Family-Related Medical Assistance Application, CF-ES 2370, 12/2013, incorporated by reference, [http://www.dcf.state.fl.us/programs/access/docs/Family Medicaid App.pdf](http://www.dcf.state.fl.us/programs/access/docs/Family_Medicaid_App.pdf). Applicants may apply for public assistance in person or by phone, mail, the internet or fax.

For food assistance the application form must contain at least the individual's name, address and signature to initiate the application process. An eligibility specialist determines the eligibility of each household member for public assistance. An applicant can withdraw the application at any time without affecting their right to reapply. An application for Medicaid coverage on behalf of a child(ren) in the care of the Department is made by completing and submitting the Child In Care Medicaid Application, CF-ES 2293, 05/2010,

<http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormId=368>, incorporated by reference.

(a) The Department must determine an applicant's eligibility for public assistance initially at application and if the applicant is determined eligible, at periodic intervals thereafter. If the applicant is determined ineligible for Medicaid benefits, based on the modified adjusted gross income (MAGI) budgeting methodology, the Department will forward the application form to Children's Health Insurance Program (CHIP), or to the Federally Facilitated Marketplace (FFM). It is the applicant's responsibility to keep appointments with the eligibility specialist and furnish information, documentation and verification needed to establish eligibility. If the Department schedules a telephonic appointment, it is the Department's responsibility to be available to answer the applicant's phone call at the appointed time. The eligibility specialist must provide assistance in obtaining information, documentation or verification when requested by the applicant or when assistance appears necessary.

(b) The Department must verify the Social Security Numbers (SSNs) for each eligible individual for public assistance benefits.

(c) The Department follows time standards for processing public assistance applications which vary by public assistance program type. The time standards for processing applications for the Food Assistance Program and Temporary Cash Assistance Program are set forth in 7 C.F.R. § 273.2(g)(1) and 45 C.F.R. § 206.10(a)(3)(i) and (ii), respectively. The time standard for processing applications for Medicaid is set forth in 42 C.F.R. § 435.912 (a),(b), and (c). For Food Assistance and Temporary Cash Assistance Programs, time standards begin the date following the date the application was filed and end on the date the Department makes benefits available or mails a notice concerning eligibility, whichever is earlier. For the Medicaid Program, the time standard begins on the date of application and ends on the date the Department mails an eligibility notice. The Department must process and determine eligibility within the following time frames:

1. Expedited Food Assistance -7 days.
2. Food Assistance -30 days.
3. Refugee Assistance, Medicaid, Temporary Cash Assistance, Optional State Supplementation ,Qualified Medicare Beneficiary (QMB), Specified Low-Income Medicare Beneficiary (SLMB), Qualifying Individual (QI1) and Qualified Disabled and Working Individuals (WD) -45 days.
4. Medicaid based on disability -90 days.

All days counted after the date of application are calendar days. Applicant delay days do not count in determining the Department's compliance with the time standard. The

Department uses information provided on the Screening for Expedited Medicaid Appointments form, CF-ES 2930, 04/2007.

<http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormId=170>, incorporated by reference, to expedite processing of Medicaid disability-related applications. The “Are You Disabled and Applying for Medicaid?” brochure, CF/PI 165-107, 06/2008, <http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormID=165>, incorporated by reference, describes required information for Medicaid Program eligibility determinations.

(d) If the eligibility specialist determines during the interview or at any time during the processing of the application that the applicant must provide additional information or verification, or that a member of the assistance group must register for employment services, the eligibility specialist must give the applicant written notice to provide the requested information or verification, or to comply with the work registration process, allowing ten calendar days from the date of a notice for additional information or verification or the interview date, whichever is later, to comply.

(e) For all programs, if the requested verifications are not returned within ten calendar days from the date of written request or the interview, or 60 days from the date of application, whichever is later, the application will be denied unless the applicant requests an extension prior to the due date or there are extenuating circumstances justifying the additional extension.

(f) For Medicaid only applications, when the applicant must provide medical information, the due date is 30 calendar days following the date of a written request for such information or the interview date, or 60 days from the date of application, whichever is later.

(g) If the due date falls on a state holiday or weekend, the due date deadline is the next business day. In accordance with 42 C.F.R. § 435.912 (c)(1) and (2), the types of unusual circumstance that might affect the application processing time for Medicaid applications include applicant delay, physician delay and emergency delay as defined below. Unusual circumstances are non-agency application processing delays, and the calendar time passing during such delay period(s) does not count as part of the 90-day application processing time standard for determining the timeliness of Medicaid eligibility decisions based on disability.

1. “Applicant delay” days are the number of calendar days attributed to the applicant that causes the eligibility decision to be made after the established time standard. Applicant delay can result from an applicant missing a scheduled appointment or failure to provide requested eligibility information, including requested medical information, or requested

verification. Applicant delay begins the date the applicant misses the deadline for the required action and ends the date the applicant takes the required action

2. “Physician delay” days are the number of calendar days attributed to the applicant’s physician(s) that causes the eligibility decision to be made after the established time standard. Physician delay can result from a physician not providing requested medical evidence or from conducting a medical examination timely. Physician delay begins ten days after the Department makes its initial request for medical evidence from the physician and ends the date the Department receives complete medical evidence that is responsive to the Department’s request; or, physician delay begins fourteen days after the Department requests a medical examination and ends the date the Department receives the complete medical examination results.

3. “Emergency delay” days are the number of calendar days attributed to situations that are beyond the control of the Department that causes the eligibility decision to be made after the established time standard. Emergency delay can result from disasters, unexpected office closure(s), and unexpected or unscheduled computer systems inaccessibility or unavailability. Emergency delay begins the day such an event begins and ends the day the Department is able to resume application processing.

(2) In accordance with 7 C.F.R. § 273.14(b), 45 C.F.R. § 206.10(a)(9)(iii), and 42 C.F.R. § 435.916(a) or (b), and 435.919 the Department must redetermine eligibility at periodic intervals.

(a) A complete eligibility review is the process of reviewing all factors related to continued eligibility of the assistance group.

(b) A partial eligibility review entails a review of one or more, but not all factors of eligibility. The Department schedules partial reviews based on known facts or anticipated changes in circumstances concerning the assistance group. The partial review does not usually require an interview unless needed to obtain the necessary information. The Department will complete a review of an unanticipated change concerning the assistance group when the change is reported.

(c) The Department will make a renewal of eligibility for Medicaid without requiring information from the individual if it is possible to do so based on reliable information contained in the individual’s case or other more current information available to the Department and send the individual a written notice concerning eligibility. The Department will request only the information needed to renew eligibility. For individuals who are not requesting assistance, the Department will collect information in accordance with 42 C.F. R. §435.907(e). If a renewal cannot be made based upon existing

and available information, the Department will provide the individual with:

1. A notice, at least 30 days prior to the end of the eligibility renewal date, that it is time to review their eligibility for continued benefit and the options available to them to complete the renewal process; and

2. Notice of the Department's decision concerning the renewal of eligibility.

(a) The Department will give the individual timely and adequate notice of action taken that adversely affects their eligibility or to reduce or discontinue Medicaid benefits.

(b) The Department will reconsider the eligibility of an individual who is closed due to failure to submit the renewal application or to provide requested information, if the individual meets the renewal application conditions within three months after the date of closure.

(3) The Department conducts phone or face-to-face interviews with applicants and recipients, or their authorized or designated representatives, when required for the application or to complete the eligibility review process. The Department conducts face-to-face interviews, upon request, in the Office of Economic Self-Sufficiency Program Offices, at the applicant's or recipient's home, or at other mutually agreed upon locations. The applicant or recipient, or their authorized or designated representative, must keep the interview appointment or reschedule a missed appointment. The Department mails a notice of missed interview to food assistance households who miss an interview.

(4) If an applicant or recipient does not sign and date the application, fails to keep an appointment or reschedule with the eligibility specialist; not sign and date the submit the required documentation or verification, or request an extension of due date, the Department will deny the application because it cannot establish eligibility.

(5) The Department can substantiate information provided by the applicant or recipient as part of each determination of eligibility. For any public assistance program, when there is a question about the accuracy of the information provided, the Department will ask for additional information.

(a) Substantiation establishes accuracy of information by obtaining consistent, supporting information from the individual or other third parties. The information can be obtained or provided electronically, telephonically, in writing, or by personal contact.

(b) Documentation establishes the accuracy of information by obtaining and including in the case record an official document that supports the tatement(s) made by the individual.

(6) The Department conducts data exchanges with other agencies and systems to obtain relevant public assistance eligibility information on each applicant, recipient, and

members of the Standard Filing Unit. It uses data exchanges to verify or identify social security numbers, verify the receipt of other benefits from other sources or programs, verify other eligibility information reported by the applicant or recipient, and to discover unreported relevant eligibility information. For Medicaid eligibility, information obtained from the Federal Data Services Hub (FDSH) and State Wage Information and Collection Agency (SWICA) is considered verified upon receipt and does not require third party verification.

(a) The Department conducts data exchanges with the Social Security Administration, the Internal Revenue Service, the Florida Department of Economic Opportunity, the Florida Department of Lottery, the Federal data Services Hub, the Florida Department of Corrections, federal and state personnel and retirement systems, other states' public assistance programs and files and educational institutions.

(b) The Department compares information obtained through data exchanges with the information already on file. If the data exchange identifies new or different information than what is already on file, the Department conducts a partial eligibility review to determine whether benefit levels must change.

(c) The Department considers beneficiary and Supplemental Security Income (SSI) benefit data from the Social Security Administration, unemployment compensation benefits, the Department of Health, Department of Corrections and information obtained from the Office of Vital Statistics verified upon receipt and does not require third party verification. Other information and data obtained by the Department may require third party verification before the Department will rely upon it to take adverse actions on a case. The Department accepts self attestation of information when reasonably compatible with electronically verified information needed to determine the eligibility of an individual for Medicaid except where the law requires other procedures (such as citizenship and immigration status). If the information provided by or on behalf of an individual is consistent with the information obtained by the Department, the Department will determine or renew eligibility based on such information unless questionable.

(d) The Department will collect additional information to determine eligibility for Medicaid on any basis other than the MAGI Standard, and furnish Medicaid on such basis for the following:

1. Individuals whom the Department identifies based on information contained in the application as potentially eligible on a basis other than the MAGI standard;

2. Individuals who otherwise request a determination of eligibility on a basis other than the applicable MAGI standard.

(7) The Department will collect information for individuals who are not requesting assistance in accordance with 42 C.F.R. §435.907(e).

(8) In accordance with Food Assistance Program waivers, food assistance applicants and recipients who have been interviewed, but have not returned the requested verification by the due date, can be denied prior to the 30th day. Face-to-face interviews are not required.

(9) The following additional forms, which are incorporated into this rule by reference, can be used in the eligibility determination process: Verification of Employment/Loss of Income, CF-ES 2620, 05/2010; <http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormId=197> ; Verification of Dependent Care Expenses, CF-ES 2621, 03/2010; <http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormId=198>; Verification of Shelter Expenses, CF-ES 2622, 03/2010; <http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormId=442>; School Verification, CF-ES 2623, 10/2005; <http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormId=516>; and Work Calendar, CF-ES 3007, 10/2005, <http://dnp1.dcf.state.fl.us/DCFForms/Search/OpenDCFForm.aspx?FormId=348>. Copies of these forms can be obtained upon request made to the Office of Economic Self-Sufficiency Headquarters Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or on the Department's web site at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>  
 Rulemaking Authority 409.919, 414.095, 414.45 FS. Law Implemented 409.903, 409.904, 409.919, 414.045, 414.095, 414.31, 414.41 FS. History—New 4-9-92, Amended 11-22-93, 8-3-94, Formerly 10C-1.205, Amended 11-30-98, 9-27-00, 7-29-01, 9-12-04, 9-11-08, 7-1-10, 2-20-12, \_\_\_\_\_.

Substantial rewording of Rule 65A-1.708 follows. See Florida Administrative Code for present text.

#### 65A-1.701 Definitions.

As used in Rules 65A-1.701 through 65A-1.716, F.A.C., the following terms have the following meanings unless a different meaning is given:

(1) Adoption Subsidy: A monthly payment to assist adoptive parents in caring for an adopted child who has been determined to meet the eligibility criteria of a special needs child.

(2) Adoptive Parent: A person who provides children a permanent home through a court process, that once final, names the adoptive parents as the child's legal parents.

(3) Adult Cystic Fibrosis Waiver (ACF): A Home and Community Based Services (HCBS) Waiver program. A waiver that serves participants who are 18 years or older and who have a diagnosis of Cystic Fibrosis. Cystic Fibrosis is an

inherited disease that affects the lungs, digestive system, sweat glands and male fertility.

(4) Affordable Care Act (ACA): The Patient Protection and Affordable Care Act of 2010 (Pub. L. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111-152), as amended by the 3% Withholding Repeal and Job Creation Act (Pub. L. 112-56).

(5) Agency for Health Care Administration (AHCA): The designated single state agency responsible for the administration of the Florida Medicaid program in Florida.

(6) Appropriate Placement: Placement of an individual into a Medicaid-participating nursing facility that provides the type and level of care the Department determines the individual requires; or the receipt of approved HCBS waiver services by an individual in accordance with an approved plan; or the receipt by an individual hospice services provided by a Medicaid-participating hospice provider by an individual in accordance with 42 U.S.C. § 1396d.

(7) Assistance Group: All individuals within the standard filing unit who are potentially eligible for benefits.

(8) Caretaker relative: A dependent child's relative by blood, adoption, or marriage with whom the child is living, and who is assuming primary responsibility for the child's care. The relative must be one of the following

(a) The child's legal or biological father, mother, grandfather, grandmother, brother, sister, including those of half-blood, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, first cousin once removed, nephew, or niece; and persons of preceding generations as denoted by prefix of "grand", "great", "great-great", "great-great-great", etc.; or

(b) The present or former spouse of a person listed in (a) above, even after the marriage is terminated by death or divorce.

(9) Child: An unmarried individual under the age of 21.

(10) Child-Placing Agency: A child welfare agency that is any institution, society, agency, or facility, which places children in foster homes for temporary care or in prospective adoptive homes for adoption.

(11) Children's Health Insurance Program (CHIP): Premium health insurance coverage for children under age 19, as referenced in rule 65A-1.703(1), F.A.C..

(12) Code: The Internal Revenue rules and regulations.

(13) Community Spouse: The legal spouse of a married couple who lives in the community when one spouse is in or seeking institutional care.

(14) Community Spouse Income Allowance: The portion of an institutionalized spouse's monthly income, if any, which may be protected for the community spouse's maintenance needs if agreed to by the institutionalized spouse.

(15) Community Spouse Resource Allowance: The portion of the couple's total assets which is protected for the community spouse and not considered to be available to the institutionalized spouse for purposes of determining eligibility.

(16) Coverage Group: A classification under which one or more individuals may be eligible for benefits.

(17) Department: The Department of Children and Families (DCF) unless otherwise specified.

(18) Dependent: A person who depends upon another person for all or part of their support or maintenance.

(19) Developmental Disabilities Individual Budgeting (iBudget) Waiver: A Medicaid HCBS Program for persons with intellectual disabilities

(20) Eligible Couple: A married couple with both persons meeting the criteria for Medicaid eligibility. See the definition for "spouse".

(21) Enrollment: The status of an individual who satisfies the non-financial and resource eligibility criteria for the Medically Needy Program but who is not eligible for any benefits until their share of cost is met.

(22) Excess Shelter Allowance: The amount by which the sum of a community spouse's shelter expenses and the standard utility allowance exceeds 30 percent of the Minimum Monthly Maintenance Needs Allowance (MMMNA).

(23) Familial Dysautonomia (FD): An HCBS waiver program that provides support and services to persons living in their own homes or family homes.

(24) Family Size: The number of persons counted as members of an individual's household.

(25) Federal Benefit Rate (FBR): Income standard levels established by the federal government to determine income eligibility and payment benefits for the Supplemental Security Income (SSI) Program.

(26) Federally Facilitated Marketplace (FFM): A Federally designated entity used by small businesses and individuals to find, compare, and purchase qualified health plans.

(27) Foster Care: Substitute care for children placed away from their parent(s) or guardian(s) and for whom the state or tribal agency has placement and care responsibility. This includes but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and preadoptive homes.

(28) Foster Care Children Eligibility: Children receiving Title IV-E foster care maintenance payments who have their eligibility determined according to AFDC eligibility rules that existed on July 16, 1996.

(29) Home and Community Based Services Waiver Program (HCBS): A Medicaid waiver program designed to serve targeted populations in the least restrictive setting as

opposed to either a nursing home facility, intermediate care for the intellectually disabled facility, or hospital facilities.

(30) Hospice: A coverage group for terminally ill individuals (or couples) who elect hospice services and who meet all categorical or Medically Needy eligibility criteria and who also meet Medicaid hospice requirements.

(31) Hospital Swing Beds: Medicaid approved beds in rural hospitals designated to provide acute hospital care or nursing facility care.

(32) Household: Spouses, ex-spouses, non-cohabitating partners, persons related by blood or marriage, persons who are presently residing together as a family unit or who have resided together in the past as a family unit, and persons who have a child in common regardless of former or present marital status.

(33) Income: For Family-Related Medicaid Programs refer to Rule 65A-1.707, F.A.C. For SSI-related programs refer to 20 C.F.R. § 416.1100. and Rule 65A-1.713, F.A.C.

(34) Institutional Care Program (ICP): A Medicaid program that helps to pay for the cost of care in a nursing facility and provides general medical coverage.

(35) Institutional Vendor Payment: The payment made by the Medicaid Program to a Medicaid licensed nursing facility for the medical care of eligible individuals.

(36) Institutionalized Individual: An inpatient in a nursing facility, hospital swing bed, hospital distinct-part skilled nursing facility, or intermediate care facility for the developmentally disabled for whom Medicaid payments are paid based on the level of care provided.

(37) Institutionalized Spouse: An inpatient or individual seeking placement in a medical or nursing facility who is legally married to a community spouse.

(38) Intermediate Care Facility for individuals with Intellectual Disabilities (ICF/ID): An institution or distinct part of an institution for treatment, care or rehabilitation of the developmentally disabled or persons with related conditions as set forth in 42 C.F.R. § 435.1010. These were formerly called "intermediate care facilities" for the mentally retarded (ICF/MR).

(39) Medically Needy Coverage Group: Coverage under the Medicaid Program for individuals with gross income that exceeds the applicable Medically Needy Income Levels (MNIL) in Rule 65A-1.716(2), F.A.C.

(40) MEDS-AD Demonstration Waiver: Medicaid coverage group for certain aged or disabled individuals who:

(a) Meet all SSI-related Medicaid non-financial eligibility criteria.

(b) Whose resources do not exceed the limit in the Medically Needy Program.

(c) Whose income is at or below 88 percent of the federal poverty level, and

(d) Are not receiving Medicare or if receiving Medicare are also eligible for Medicaid covered institutional care services, hospice services or home and community based services.

(41) Minimum Monthly Maintenance Needs Allowance (MMMNA): The minimum monthly maintenance needs allowance recognized by the state for the community spouse of an institutionalized individual.

(42) Model Waiver: An HCBS waiver program that provides medical services to eligible children under the age of 21 who have degenerative spinocerebellar disease and are living at home. The Model Waiver is a deeming waiver in which parental income is disregarded and the child is considered to be a family of one. The Model Waiver is designed to delay or prevent institutionalization.

(43) Modified Adjusted Gross Income (MAGI): Income that is based on the Internal Revenue Service tax rules and is the adjusted gross income, plus any tax exempt interest and foreign investments excluded from the adjusted gross income.

(44) Non-Filer: An individual who does not intend to file a tax return and is not claimed as a tax dependent on another person's tax return.

(45) Parent: A father or mother or a person acting as a father or mother.

(46) Patient Responsibility: The amount by which AHCA must reduce its payments to a medical institution or intermediate care facility, or reduce its payments for home and community based services provided to an individual towards their cost of care.

(47) Program of All-Inclusive Care for the Elderly (PACE): An optional Medicaid program intended to serve the frail and elderly in the home and community

(48) Project AIDS Care (PAC): The PAC waiver provides home and community based services to Medicaid eligible persons with a documented diagnosis of AIDS, who choose to live at home.

(49) Qualified Designated Provider. A qualified designated provider (QDP) is an entity approved to conduct presumptive eligibility determinations for Medicaid for pregnant women.

(50) Qualified Disabled Trust: A trust established by a parent, grandparent, legal guardian, or court on or after October 1, 1993, for the sole benefit of a disabled individual under the age of 65 which may consist of the disabled individual's resources and income. The trust must provide that upon the death of the disabled individual the State shall receive all amounts remaining in the trust up to an amount equal to the total amount of medical assistance paid on behalf of the disabled individual by the Medicaid program pursuant to the state's Title XIX state plan.

(51) Qualified Income Trust: A trust established on or after October 1, 1993, for the benefit of an individual whose income exceeds the ICP income standard and who needs institutional care or HCBS. The trust must consist of only the individual's pension, Social Security and other income. The trust must be irrevocable and provide that upon the death of that individual the State shall receive all amounts remaining in the trust up to an amount equal to the total amount of medical assistance paid on behalf of that individual pursuant to the state's Title XIX state plan.

(52) Qualified Noncitizen: An individual who is lawfully admitted for permanent residence under the Immigration and Nationality Act (INA).

(53) Qualified Pooled Trust for the Disabled: A trust established by a disabled individual's parent, grandparent, or legal guardian, or a court on or after October 1, 1993, for the sole benefit of disabled individuals and managed by a non-profit or not-for-profit association as defined in the Internal Revenue Code. A separate account must be maintained for each disabled beneficiary. For investment and management purposes, the separate accounts may be pooled together. To the extent that any amounts remaining in the beneficiary's account upon their death are not retained by the trust, the trust must provide that upon the death of the disabled beneficiary, the State shall receive all amounts remaining in the trust up to an amount equal to the total amount of medical assistance paid on behalf of that individual pursuant to the state's Medicaid Title XIX state plan.

(54) Resource Allowance: The amount of the couple's total countable resources which may be allocated to the community spouse of an institutionalized person.

(55) Resources: For the SSI-Related Medicaid Program, cash or other liquid assets, or any real or personal property that an individual owns and could convert to cash to be used for their support and maintenance. The term "Resources" and "assets" are used interchangeably in this rule chapter.

(56) Share of Cost (SOC): The amount of the individual's or family's income that exceed the Medically Needy Income Level (MNIL): A SOC represents the amount of allowable medical expenses that a Medically Needy enrolled individual or family must incur each month before becoming eligible to receive Medicaid benefits for medical expenses incurred during the remainder of the month.

(57) Sibling: A full, half, or adopted brother or sister who have one or both parents in common.

(58) Spouse: An individual lawfully married to another individual under federal and state law.

(59) Standard Deduction: A base amount of income that is not subject to tax and that can be used to reduce a taxpayer's adjusted gross income (AGI).

(60) Standard Filing Unit (SFU): All individuals whose needs, income and/or assets are considered in the determination of eligibility for a category of assistance

(61) Statewide Medicaid Managed Care Long Term Care- (SMMC-LTC): A Medicaid waiver that offers statewide long term care managed care program for Medicaid recipients who are 65 years of age or older, or age 18 or older and eligible for Medicaid by reason of a disability; and who are determined to require nursing facility level of care.

(62) Tax Dependent: An individual for whom another individual claims a deduction for a personal exemption on their tax return.

(63) Tax Dependent Out of the Household (OOTH): An individual not living in the home, whom the tax-filer intends to claim on a tax return.

(64) Tax-Filer: An individual who intends to file a tax return.

(65) Title XIX: The provisions of the Social Security Act that set forth Medicaid policies and procedures. The terms "Title XIX" and "Medicaid" are used interchangeably in this rule chapter.

(66) Title XVI: The provisions of the Social Security Act that set forth Supplemental Security Income (SSI) policies and procedures. The terms "Title XVI" and "SSI" are used interchangeably in this rule chapter.

(67) Traumatic Brain Injury and Spinal Cord Injury (TBI/SCI) Waiver: A home and community based Services (HCBS) Medicaid waiver program for individuals with traumatic brain or spinal cord injuries that offers services that will allow eligible recipients to live at home or in the community and to achieve productive lives to the highest degree possible

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History—New 10-8-97, Amended 2-15-01, 4-1-03, 6-13-04, 8-10-06, -----.

Substantial rewording of Rule 65A-1.702 follows. See Florida Administrative Code for present text.

65A-1.702 Special Provisions.

(1) Date of Eligibility. The date eligibility for Medicaid begins. Eligibility for Medicaid begins the first day of a month if an individual is eligible any day during the month, except as provided below:

(a) Individuals determined presumptively eligible will receive temporary coverage that begins on the date the individual is determined presumptively eligible and ends on the last day of the month in which the presumptive eligibility determination was made unless an application for full Medicaid is submitted before the end of the presumptive eligibility period. Presumptive Eligibility for Pregnant Women is determined by a Qualified Designated Provider.

(b) The Department will provide Medicaid to a child if the mother has applied for it, has been determined eligible for it and is receiving Medicaid on the date of the child's birth. The child is eligible for Medicaid on the date of birth and remains eligible for one year unless one of the following occurs:

1. The child leaves the state,
2. The child dies, or
3. The child no longer resides with the mother.

(c) Individuals applying for the Medically Needy Program become eligible on the date their incurred allowable medical expenses equal the amount of their share of cost (SOC), excluding payments by all third party sources, unless the third party is a public program or a state or a political subdivision of a state and provided, further, that all other factors of eligibility are met. Any medical bill that is unpaid, still owed and has not been used to meet a past SOC is an allowable medical expense that can be used to meet the individual's current SOC and shall not be used in future months towards the individual's future SOC. A medical bill that is incurred and paid during any of the three months before the month of application can be used towards the individual's SOC for the retroactive months.

(d) Emergency Medicaid for Aliens (EMA) provides Medicaid coverage for noncitizens who qualify for Medicaid except for their citizenship status, and who have a medical emergency. Coverage for individuals eligible for EMA is limited to the duration of the medical emergency. EMA begins the first day of a covered emergency and ends the day following the last day of the emergency medical situation. Documentation of the medical emergency must be obtained from a medical provider. A Medicaid renewal date of 12 months will be assigned. Subsequent medical emergencies require documentation, but the individual will not have to file a new application and the Department will not make a new eligibility determination during this 12 month period. The ineligible noncitizen must meet all Medicaid eligibility requirements except for providing a Social Security Number, cooperating in the pursuit of child support payments, and providing proof of citizenship status.

(e) Enrollment. The enrollment period under the Medically Needy program begins with the month the individual satisfies the non-financial and resource eligibility criteria, if applicable, but not earlier than the third month prior to the month of application.

(2) Processing Medicaid Applications for Supplemental Security Income (SSI) Denials.

(a) The Department will use data obtained from the Social Security Administration's (SSA) State Data Exchange (SDX) data to identify individuals who have been denied SSI benefits by SSA since August 22, 1996. The date of application for Medicaid eligibility purposes is the date of application for SSI benefits with SSA.

(b) The Department will identify the individuals for whom the Department does not have an open Medicaid case or a pending Medicaid application at the time the SDX data is reviewed . These individuals or their SSA payee will be notified in writing to contact the Department within 30 days of the date of the written notice. Failure to do so without good cause, will result in the issuance of written notice of Medicaid denial for failure to follow through in determining eligibility.

(c) Good cause includes severe illness of the individual or a family member, an accident involving the individual or a family member, hospitalization of the individual or a family member, death of the individual or a family member, natural disasters in a relevant geographical area, being away from home or the unexpected closure of a Department's office.

(d) Those individuals whom the Department identifies as having an open Medicaid case or a pending Medicaid application at the time the SDX data is reviewed will not be required to contact the Department, unless additional information is needed to complete the eligibility process. The 30 day deadline for contacting the Department does not apply to these individuals.

(3) Ex Parte Process.

(a) When a recipient's eligibility for Medicaid ends under one coverage group, the Department must evaluate their eligibility for continued medical assistance under all other available Medicaid coverage group(s) before terminating Medicaid coverage. Both Family-Related Medicaid and SSI-Related Medicaid eligibility are determined based on available information. If additional information is required to make the determination for Family Related Medicaid, the information can be requested from the recipient. For SSI-Related Medicaid eligibility, the information can be requested from the recipient or SSA. There is no requirement for the individual to contact the Department or file an application to initiate the ex-parte review for continued Medicaid eligibility.

(b) All individuals who lose Medicaid eligibility under one coverage group will continue to receive Medicaid under that coverage group until the ex parte Medicaid renewal process is complete. If the Department determines that the individual is not eligible for any other Medicaid coverage group, the individual may appeal the decision and, unless waived, benefits will be continued if the appeal or request for a hearing is received by the last day of the month prior to the effective date of the termination of Medicaid as stated in the notice. The continuation of such medical assistance will be in effect if pending resolution of the appeal.

(c) Individuals losing eligibility due to income that was calculated based on the Modified Adjusted Gross Income (MAGI) budgeting methodology will be transferred to Children's Health Insurance Program (CHIP) or the Federally

Facilitated Marketplace (FFM), for a determination of eligibility.

(4) Requirement to File for Other Benefits.

(a) As a condition of eligibility for Medicaid, the Department requires that an individual apply for any annuity, pension, retirement, disability or Medicare benefits to which they may be entitled.

(b) After the Department notifies an individual that they must apply for the other benefit(s), if the individual fails to do so, they are not eligible for Medicaid.

(5) Child Support Enforcement Cooperation (CSE) . For the purpose of establishing Medicaid eligibility, a pregnant woman is not required to cooperate with Child Support Enforcement as a condition of eligibility. Cooperation with CSE is also not required child only Medicaid cases.

(6) Re-evaluating Medicaid Adverse Actions for Individuals who do not Request a Hearing. The Department shall re-evaluate any adverse Medicaid determination upon a showing by the individual that the previous determination was incorrect and that the individual has good cause for not requesting a hearing within the 90 calendar day time period prescribed in Chapter 65-2.046, F.A.C. This provision applies only when benefits were terminated or denied erroneously or the amount of a share of cost or patient responsibility was determined erroneously. A re-evaluation must be requested within 12 months from the effective date of the notice of adverse action.

(a) Good cause for re-evaluating Medicaid adverse actions consists of any of the following:

1. Mathematical Error – The Department made a mechanical, computer or human error in its mathematical computations of resources or income requirements for Medicaid eligibility.

2. Records Error – The Department made an error in a Medicaid determination which caused an incorrect decision. For example, there is evidence showing that the individual's resources satisfied Florida's standard of eligibility but the application was denied on the basis of excess resources.

3. New and Material Evidence – The Department's determination was correct when made but new and material evidence that the Department did not previously consider establishes that a different decision should be made.

(b) Failure of the individual to provide information required by the Department to accurately determine eligibility for Medicaid where the failure was beyond the individual's control constitutes good cause for re-evaluation. However, if the individual fails to cooperate with the Department in establishing eligibility, good cause for re-evaluation does not exist.

(c) Good cause, for purposes of subsection (6), includes severe illness of the individual or a family member, an accident involving the individual or a family member, hospitalization of the individual or a family member, death of the individual, death of a family member, natural disasters, being away from home, or unexpected closure of a Department's offices

(d) The Economic Self Sufficiency Specialist (ESSS) is responsible for the initial determination of good cause. The decision must, automatically, be reviewed by the ESSS's supervisor. If both the ESSS and the ESSS's supervisor determine that good cause does not exist, the next level administrator, in consultation with the Regional Program Office Administrator, must automatically review the decision. If a determination is made by the Regional Program Administrator that good cause does not exist, the individual will be notified of the decision and of the right to appeal or request a hearing.

(e) If a case is re-opened and the Department discovers that an error was made in the eligibility determination, benefits must be provided retroactively as follows:

1. If an application was denied, benefits will be awarded back to the date of application, provided all other eligibility requirements are met.

2. If an ongoing case was terminated, benefits will be awarded back to the effective date of the termination provided all other eligibility requirements are met.

(f) If re-evaluation of the previous decision results in adverse action, the individual has 90 calendar days from the date of notice of disposition of the re-opened case to request a hearing. If at the end of 90 calendar days a hearing is not requested, the disposition of the re-opened case will be final and binding upon the individual. (7) Assignment of Rights to Benefits. Each individual applying for or receiving Medicaid must cooperate with the Department in its efforts to secure receipt of medical support and payments from third parties that are otherwise due to the individual, unless good cause exists for not cooperating. Good cause exists when the individual previously applied for and was denied third party benefits or medical support, and the reason for denial has not changed.

(8) Retroactive Medicaid. Retroactive Medicaid is based on an approved, denied, or pending application for ongoing Medicaid benefits.

(a) Retroactive Medicaid eligibility is not effective before the third month prior to the month of application. The individual must meet all Medicaid eligibility requirements during the retroactive months. A request for retroactive Medicaid can be made for a deceased individual by a designated representative or caretaker relative, by filing a medical assistance application. However, Qualified Medicare

Beneficiaries (QMB's) are not eligible for retroactive Medicaid benefits under the QMB coverage group as indicated in Title XIX of the Social-Security Act § 1902(e)(8).

(b) SSI Cash Assistance Recipients. Upon SSI approval, all SSI recipients receive a system-generated notice of potential entitlement for retroactive Medicaid benefits and a reply card to be returned to the Department if the SSI recipient is interested in receiving retroactive Medicaid benefits. If the SSI recipient or their designated representative or caretaker relative, contacts the Department or returns the reply card, the Department will proceed with an eligibility determination, including contacting the SSI recipient to request additional information or conducting a telephone interview with the SSI recipient, the designated representative, or caretaker relative.

(9) Re-Enrollment. In order for an individual or family to be eligible for re-enrollment in the Medically Needy program, they must:

(a) Continue to satisfy the resource criteria, if applicable;

(b) Continue to satisfy all non-financial eligibility criteria; and

(c) Provide verifications as needed. The re-enrollment period may exceed 12 months when there is a delay in the Department's processing of the re-enrollment.

(10) Limits of Coverage.

(a) Qualified Medicare Beneficiary (QMB). Under QMB coverage, individuals are eligible for Medicare cost-sharing benefits, including payment of Medicare premiums.

(b) Special Low-Income Medicare Beneficiary (SLMB). Under SLMB coverage, individuals are eligible for payment of the Part B Medicare premium. If eligible, AHCA will pay the premium for up to 3 months retroactive to the month of application.

(c) Working Disabled (WD). Under WD coverage, individuals are eligible for payment of their Medicare Part A premium.

(d) Qualifying Individuals-1 (QI-1). Under QI-1 coverage, individuals are eligible for payment of their Medicare Part B premium. (This is coverage for individuals who would be eligible for QMB or SLMB coverage except that their income exceeds the limits for those programs.)

(11) Determining Share of Cost (SOC). The SOC is determined by deducting the appropriate Medically Needy Income Level from the individual's or family's income.

(12) Eligibility of SSI Cash Assistance Recipients. Eligible SSI recipients who are residents of Florida are automatically eligible for Medicaid pursuant to 42 CFR § 435.120.(13) Trusts.

(a) The Department applies trust provisions set forth in §1902 of the Social-Security Act.

(b) Funds transferred into a trust or other similar device established other than by a will prior to October 1, 1993 by the

individual, a spouse or a legal representative are available resources if the trust is revocable or if the trustee has any discretion over the distribution of the principal. Such funds are a transfer of a resource or income, if the trust is irrevocable and the trustee does not have discretion over distribution of the corpus, or if the individual is not the beneficiary. No penalty can be imposed when the transfer occurs beyond the 60 month look-back period. Any disbursements which can be made from the trust to the individual or to someone else on the individual's behalf shall be considered available income to the individual. Any language which limits the authority of a trustee to distribute funds from a trust, if such distribution would disqualify an individual from participation in government programs, including Medicaid, shall be disregarded.

(c) Funds transferred into a trust, other than a trust specified in 42 U.S.C. § 1396p(d)(4), by a person or entity specified in 42 U.S.C. § 1396p(d)(2) on or after October 1, 1993 shall be considered available resources or income to the individual in accordance with 42 U.S.C. § 1396p(d)(3) if there are any circumstances under which disbursement of funds from the trust could be made to the individual or to someone else for the benefit of the individual. If no disbursement can be made to the individual or to someone else on behalf of the individual, the establishment of the trust shall be considered a transfer of resources or income.

(d) The trustee of a qualified income trust, qualified disabled trust or a pooled trust, shall provide quarterly statements to the Department which identify all deposits to and disbursements from the trust for each month during the eligibility period.

(e) Undue Hardship. A period of ineligibility shall not be imposed if the Department determines that the denial of eligibility based on counting funds in an irrevocable trust according to provisions in paragraphs 65A-1.702(15), F.A.C., would create an undue hardship on the individual. Undue hardship exists when application of a trust policy would deprive an individual of food, clothing, shelter or medical care such that their life or health would be endangered. This can be caused by legal restrictions or by illegal actions of a trustee. All efforts by the individual, or their legal spouse or representative to access the resources or income must be exhausted before this exception applies.

(14) Statewide Inpatient Psychiatric Program (SIPP). SIPP is for Medicaid eligible children under the age of 21 who require a residential level of care for treatment of a serious emotional disturbance. Those who are Medically Needy and those who are Medicare recipients are excluded from this program. Services must be received from a designated SIPP provider selected by the Agency for Health Care Administration (AHCA). SIPP providers must be licensed as a

hospital or residential treatment center for children and adolescents by AHCA. This program provides an exception to provisions that residents of an institution for mental disease (IMD) are not eligible for Medicaid.

Rulemaking Authority 409.919 FS. Law Implemented 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 4-22-98, 2-15-01, 9-24-01, 11-23-04, 5-31-06, 8-10-06, \_\_\_\_.

Substantial rewording of Rule 65A-1.703 follows. See Florida Administrative Code for present text.

65A-1.703 Family-Related Medicaid Coverage Groups.

The Department determines eligibility for mandatory and optional Medicaid coverage groups for individuals, families and children described in “The Patient Protection and Affordable Care Act”, (Public Law 111-148, enacted on March 23, 2010), “The Health Care and Education Reconciliation Act of 2010”, (Public Law 111-152, enacted on March 30, 2010), the Florida Medicaid Program under Title XIX of the Social Security Act, 42 U.S.C. section 1396a(a)(10), the Children Health Insurance Program under Title XXI of the Social Security Act, 42 U.S.C. section 1397bb(a)(1), and s. 409.903, F.S. For coverage groups, the following additional information apply:

(1) For children under 21 years of age, the child must either be living on their own or with a parent or caretaker relative and their spouse, and meet the eligibility criteria of Title XIX section 1902(1)(10)(A)(i)(VII) of the Social Security Act.

(2) For children for whom the Department is assuming full or partial financial responsibility, the child must be:

(a) Placed in either a family foster home, or an approved adoptive home by a child-placing agency, or the child must be placed with a residential child caring agency;

(b) In an independent living facility;

(c) In a licensed emergency shelter home; or

(d) In a publicly operated community residential facility.

(3) Parents, caretaker relatives, and their spouse derive their eligibility from a child residing with them who is under 18, never married, and who is not emancipated, provided their household income is equal to or below the income limit established in the Medicaid State Plan for the coverage group.

The income limit or standard 19 percent of the federal poverty level (FPL) converted to the modified adjusted gross income (MAGI) equivalent FPL. There is no asset limit.

(4) Children placed for adoption and adopted children.

(a) Children under the age of 18 for whom there is a state adoption assistance agreement in effect, other than under Title IV-E of the Social Security Act, between the state and an adoptive parent. In addition to the adoption assistance agreement the state adoption agency shall determine that:

1. The child has a pre-existing special need for medical or rehabilitative care that would have precluded adoption placement without receipt of Medicaid under the Florida Medicaid State Plan; and

2. Prior to execution of the adoption assistance agreement, the child:

a. Was receiving, or was eligible to receive, Medicaid, or

b. Would have been eligible for Medicaid if the Title IV-E financial requirements specified in 42 U.S.C section 473, had been used to determine Medicaid eligibility.

(b) Children placed for adoption. Children under the age of 18 for whom there is a state adoption assistance agreements under Title IV-E of the Social Security Act in effect are deemed eligible for Medicaid even if assistance payments are not being made. If an adoption assistance agreement is in effect, Medicaid eligibility begins when the child is placed for adoption according to state law even if an interlocutory or final judicial decree of adoption has not been issued.

(5) Medicaid for children under age 19. To be eligible for this coverage group the child must meet the general requirements specified in Rule 65A-1.705, F.A.C. The following additional eligibility criteria apply:

(a) There is no asset limit;

(b). The total net income for the household of a child under age 1 must be less than or equal to 185 percent of the MAGI converted FPL and;

(c). The total net income for age 1 but less than age 19 is less than or equal to 133 percent of the MAGI converted FPL.

(6) Medicaid for pregnant women. To be eligible for this coverage group an expecting mother a woman must meet the eligibility requirements specified in Rule 65A-1.705, F.A.C. The following additional eligibility criteria apply:

(a) There is no asset limit;

(b) The total income of the household is at or below 185 percent of the MAGI converted FPL;(c) When eligibility is based solely on a pregnancy, the Department will

(d) Eligibility is extended for 60 days after the pregnancy ends and any remaining days in the month in which the 60<sup>th</sup> day falls regardless of changes in the woman's financial circumstances that may occur within this extended 60-day period. At the end of the extended period an ex parte determination must be completed and the individual notified of any changes in eligibility

(e) The expecting mother is not required to comply with child support enforcement requirements.

(7) Medicaid for children ages 19 to 21: The total net income for the household of a child age 19 to 21 must be less than or equal to 19 percent of the MAGI converted FPL.

(8) Former foster care individuals who are:

(a) Under age 26,

(b) In the Florida foster care system on their 18<sup>th</sup> birthday, and

(c) Receiving full Medicaid when they aged out of foster care.

(d) There is no income limit; and

(e) There is no asset limit.

(9) Medically Needy. To be eligible for this coverage group the individual must meet the eligibility requirements prescribed in Rule 65A-1.705, F.A.C.

(a) Included in this coverage group are the following groups of individuals:

1. Children under age 21 living with a specified relative.

2. Pregnant women.

3. Children in foster care or in adoption subsidy.

4. Parents, caretaker relatives, and their spouse if they are living together.

(b) The following provisions apply to Medically Needy: The individual must have income at or below the respective Medically Needy Income Limit set forth in 65A-1.716(2), F.A.C. If income exceeds the Medically Needy Income Limits refer to subparagraph 65A-1.707(2), F.A.C. Refer to Rule 65A-1.713(1)(h), F.A.C., for additional income criteria applicable to the Medically Needy Program.

Rulemaking Authority 409.919 FS. Law Implemented 409.1451(5)(b), (7), 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 9-28-98, 2-15-01, 6-13-04,\_\_\_\_\_.

Substantial rewording of Rule 65A-1.705 follows. See Florida Administrative Code for present text.

65A-1.705 Family-Related Medicaid General Eligibility Criteria.

(1) The Family-Related Medicaid technical eligibility factors

(a) The age criteria for children is specified in rule 65A-1.703, F.A.C.

(b) The individual must be a resident of Florida as required by subsection 1902(a)(16) of the Social Security Act (2007), incorporated by reference. Individuals who are physically present in Florida on a temporary basis may be considered residents of the State on a case-by-case basis if they indicate an intent to reside in Florida.

(c) The individual must be a citizen of the United States, or a qualified non-citizen as defined in rule 65A-1.701(51) F.A.C.

(d) The identity of each U.S. citizen, or qualified non-citizen, applying for or receiving Medicaid must be documented and verified.

(e) A standard filing unit (SFU) is determined for each individual being tested for eligibility. An SFU is the tax filing group for the tax year in which eligibility is being determined. An SFU is determined as follows:

1. If the individual expects to file a tax return for the tax year in which eligibility is being determined and they do not expect to be claimed as a tax dependent by someone else, the SFU will consist of the individual, the individual's spouse, if any and all claimed tax dependents of the individual. The living arrangements of a spouse or tax dependent is not material to the composition of the SFU.

2. If the individual expects to be claimed as a tax dependent by someone else for the tax year in which eligibility is being tested, the SFU is the individual, the individual's spouse, if any, the tax filer, the tax filer's spouse, if any, and all claimed tax dependents of the tax filer, including individuals claimed as dependent. The living arrangement of a spouse or tax dependent is not material to the composition of the SFU. The following exceptions will apply and the individual will not be included in the tax filing group:

a. If the individual is claimed as a tax dependent by someone other than the parent (natural, adopted, or stepparent);

b. If the individual is a child living with both parents who expect to file separate tax returns and only one parent claims the child as a dependent; or

c. If the individual is a child who is claimed as a tax dependent by a non-custodial parent.

3. If the individual does not expect to file a tax return and is not claimed as a tax dependent on someone else's tax return, the SFU is the individual, the individual's spouse (if living together), and the individual's children (biological, adopted, and stepchild[ren]) that are under the age of 19, or the children age 19 or 20, and enrolled in school full time. If the individual is a child, the SFU is the child's parents, (biological, adopted, and stepparent) living with the child and any siblings (biological, adopted, and step siblings) that are under the age of 19, or who are age 19 or 20 and enrolled in school full time. The needs and income, with the exception of SSI income, of individuals who receive only SSI-Related Medicaid under subsections 1619(a) and (b) of the Social Security Act (2007), incorporated by reference, are counted when determining the eligibility of the SFU.

5. Individuals who are ineligible on the factor of citizenship must be included in the SFU subject to tax filer or non-tax filer rules even though the individual is not eligible to receive medical assistance.

Rulemaking Authority, 409.919 FS. Law Implemented, 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 9-28-98, 4-5-99, 11-23-99, 2-15-01, 9-24-01, 4-1-03, 6-26-08, 9-16-08, \_\_\_\_.

Substantial rewording of Rule 65A-1.716 follows. See Florida Administrative Code for present text.

65A-1.716 Income and Resource Criteria.

(1) The monthly federal poverty level figures based on the family size are as follows:

**SEE PROPOSED RULE FOR TABLE**

(2) Monthly income levels for Family-Related and SSI (Supplemental Security Income)-Related Medically Needy Income Levels (MNIL) are by family size as follows:

Family Size	Monthly Income Level	Family Related MNIL	SSI-Related MNIL
1	\$180	\$289	\$180
2	\$241	\$387	\$241
3	\$303	\$486	-
4	\$364	\$585	-
5	\$426	\$684	-
6	\$487	\$783	-
7	\$549	\$882	-
8	\$610	\$981	-
9	\$671	1079	-
10	\$733	1179	-
Add for each addtl. person :	\$62	\$100	-

Exception: In determining eligibility for a pregnant woman, the income limits for Monthly Income Level and MNIL used shall be increased to the higher limit corresponding to the applicant's actual family size. Family size shall include each anticipated unborn child as a family member.

(3) The resource limits for the Medically Needy program are as follows:

(a) Family-Related Medicaid: \$0

(b) SSI-Related Medicaid:

1. \$5,000 per individual; and

2. \$6,000 per couple

Family Size	Monthly Asset Level
1	\$5,000
2	\$6,000
3	\$6,000
4	\$6,500
5	\$7,000
6	\$7,500
7	\$8,000
8	\$8,500
9	\$9,000
10	\$9,500

For each additional person add \$500.

Exception: In determining eligibility for a pregnant woman the resource limit used shall be increased to the higher limit

corresponding to the applicant's actual family size, including each anticipated unborn child as a family member.

(4) The maximum resource limit is \$2,000 for those individuals:

(a) Whose Medicaid coverage is based on payment standard income criteria Refer to rule 65A-1.716(2), F.A.C.; or

(b) Are children living with their parent(s) and who, as children, would qualify for cash assistance except for their age. The maximum resource limit of \$2,000 also applies to those coverage groups indicated in rule 65A-1.703, F.A.C. However, there is no asset limit for the coverage groups specified in rule 65A-1.703(3) through (5), F.A.C.

(5) The SSI-Related Medicaid Program Standards:

(a) SSI (42 U.S.C. §§ 1382 – 1383c) Resource Limits:

1. \$2000 per individual.

2. \$3000 per eligible couple, or per eligible individual with an ineligible spouse who is living together.

(b) The income limit which applies to an individual in Home and Community Based Services (HCBS) waiver programs, Institutional Care Programs (ICP), and Hospice is 300 percent of the Federal Benefit Rate (FBR) for an individual.

(c) Spousal Impoverishment Standards.

1. Resource Allocation . The amount of the couple's total countable resources which may be allocated to the community spouse of an institutionalized person is equal to the maximum allowed by 42 U.S.C. § 1396r-5(f)(2)(A).

2. Minimum Monthly Maintenance Needs Allowance (MMMNA). The minimum monthly maintenance needs allowance the Department recognizes for a community spouse is equal to 150 percent of the federal poverty level (FPL) for a family of two as set forth in 42 U.S.C. § 1396r-5(d)(3)(A)(i) and (ii).

3. Excess Shelter Allowance. The community spouse's shelter expenses must exceed 30 percent of the MMMNA to be considered excess shelter expenses to be included in the maximum income allowance:  $MMMNA \times 30\% = \text{Excess Shelter Allowance}$  as defined in 42 U.S.C. § 1396r-5(3)(A)(ii) and (4)(A)(B). This standard changes July 1 of each calendar year.

4. Food Assistance Program Standard Utility Allowance. The amount specified in Rule 65A-1.603(2), F.A.C.

5. Cap of Community Spouse Needs Allowance. The MMMNA plus excess shelter allowance cannot exceed the maximum amount allowed under 42 U.S.C. § 1396r-5(d)(3)(A)(C). This needs allowance changes January 1 of each year.

(d) The average monthly private pay nursing facility rate is \$8,346 .

(e) The following life expectancy tables are compiled from information published by the Office of the Chief Actuary of the Social Security Administration:

**SEE PROPOSED RULE FOR TABLE**

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History–New 10-8-97, Amended 12-9-99, 2-15-01, 11-25-01, 7-28-02, 4-1-03, 9-10-03, 8-30-04, 8-10-06, 4-15-12, 10-16-12, 11-4-12, 9-18-13, .

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Dianna Laffey

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 5, 2013

**AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

**Office of Information Security**

RULE NOS.: RULE TITLES:

71A-1.001	Purpose and Scope
71A-1.002	Definitions
71A-1.003	Agency Information Security Program
71A-1.004	Agency Information Technology Workers
71A-1.005	Agency Contracts, Providers, and Partners
71A-1.006	Confidential and Exempt Information
71A-1.007	Access Control
71A-1.008	Awareness and Training
71A-1.009	Audit and Accountability
71A-1.010	Certification, Accreditation, and Security Assessments
71A-1.011	Configuration Management
71A-1.012	Contingency Planning
71A-1.013	Identification and Authentication
71A-1.014	Incident Response
71A-1.015	Maintenance
71A-1.016	Media Protection
71A-1.017	Physical and Environmental Protection
71A-1.018	System and Application Security Planning
71A-1.019	Personnel Security and Acceptable Use
71A-1.020	Risk Assessment
71A-1.021	Systems, Applications and Services Acquisition and Development
71A-1.022	Systems and Communications Protection
71A-1.023	System and Information Integrity

PURPOSE AND EFFECT: The Agency for State Technology (AST) proposes the repeal of Rules 71A-1.001, 71A-1.002, 71A-1.003, 71A-1.004, 71A-1.005, 71A-1.006, 71A-1.007, 71A-1.008, 71A-1.009, 71A-1.010, 71A-1.011, 71A-1.012, 71A-1.013, 71A-1.014, 71A-1.015, 71A-1.016, 71A-1.017, 71A-1.018, 71A-1.019, 71A-1.020, 71A-1.021, 71A-1.022, and 71A-1.023, F.A.C., as these rules are duplicative of the Agency’s newly adopted rules, Rules 74-2.001, F.A.C., through 74-2.006, F.A.C., the Florida Cybersecurity Standards.

SUMMARY: Rule Chapter 71A-1, Florida Administrative Code, was transferred to AST by operation of Chapter 2014-221, Section 1, Laws of Florida. AST proposes repeal of Rules 71A-1.001, 71A-1.002, 71A-1.003, 71A-1.004, 71A-1.005, 71A-1.006, 71A-1.007, 71A-1.008, 71A-1.009, 71A-1.010, 71A-1.011, 71A-1.012, 71A-1.013, 71A-1.014, 71A-1.015, 71A-1.016, 71A-1.017, 71A-1.018, 71A-1.019, 71A-1.020, 71A-1.021, 71A-1.022, and 71A-1.023, F.A.C., as they are duplicative of the AST’s newly adopted rules, Rules 74-2.001, F.A.C., through 74-2.006, F.A.C., the Florida Cybersecurity Standards.

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.

Repeal of this rule will have no economic impact. 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: 282.318(5) FS.

LAW IMPLEMENTED: 282.318(3) 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: Gerard York, Senior Attorney, Agency for State Technology, 2585 Shumard Oak Blvd., Tallahassee, Florida 32311, (850)488-9377, gerard.york@ast.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

71A-1.001 Purpose and Scope (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.002 Definitions (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.003 Agency Information Security Program (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.004 Agency Information Technology Workers (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.005 Agency Contracts, Providers, and Partners (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.006 Confidential and Exempt Information (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.007 Access Control (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.008 Awareness and Training (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.009 Audit and Accountability (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.010 Certification, Accreditation, and Security Assessments (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.011 Configuration Management (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed \_\_\_\_\_.

71A-1.012 Contingency Planning (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.013 Identification and Authentication (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.014 Incident Response (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.015 Maintenance (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.016 Media Protection (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.017 Physical and Environmental Protection (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.018 System and Application Security Planning (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.019 Personnel Security and Acceptable Use (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.020 Risk Assessment (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.021 Systems, Applications, and Services Acquisition and Development (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.022 System and Communications Protection (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

71A-1.023 System and Information Integrity (Repealed)  
 Rulemaking Authority 14.204(7), 282.318(3), 282.318(6), FS. Law Implemented s. 12, Ch. 2009-80, L.O.F. History – New 11-15-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Danielle Alvarez, Chief Information Security Officer  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jason Allison, Executive Director  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 14, 2016

**AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY**

**Office of Information Security**

RULE NOS.: RULE TITLES:

- 71A-2.001 Purpose; Definitions; Policy; Applicability; Agency Security Programs; Roles and Responsibilities; Risk Management
- 71A-2.002 Control of Computers and Information Resources
- 71A-2.003 Physical Security and Access to Data Processing Facilities
- 71A-2.004 Logical and Data Access Controls
- 71A-2.005 Data and System Integrity
- 71A-2.006 Network Security
- 71A-2.007 Backup and Disaster Recovery
- 71A-2.008 Personnel Security and Security Awareness
- 71A-2.009 Systems Acquisition, Disposal, Auditing, and Reporting
- 71A-2.010 Standards Adopted

PURPOSE AND EFFECT: The Agency for State Technology (“AST”) proposes the repeal of Rules 71A-2.001, 71A-2.002, 71A-2.003, 71A-2.004, 71A-2.005, 71A-2.006, 71A-2.007, 71A-2.008, 71A-2.009, and 71A-2.010, F.A.C., as they are duplicative of the AST’s newly adopted rules, Rules 74-2.001, F.A.C., through 74-2.006, F.A.C., the Florida Cybersecurity Standards.

SUMMARY: Rule Chapter 71A-2, Florida Administrative Code, was transferred to the Agency for State Technology by operation of Chapter 2014-221, Section 1, Laws of Florida. AST proposes repeal of Rules 71A-2.001, 71A-2.002, 71A-2.003, 71A-2.004, 71A-2.005, 71A-2.006, 71A-2.007, 71A-2.008, 71A-2.009, and 71A-2.010, F.A.C., as they are duplicative of the AST’s newly adopted rules, Rules 74-2.001, F.A.C., through 74-2.006, F.A.C., the Florida Cybersecurity Standards.

**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.

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:** 282.318(5) FS.

**LAW IMPLEMENTED:** 282.318(3) 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:** Gerard York, Senior Attorney, Agency for State Technology, 2585 Shumard Oak Blvd., Tallahassee, Florida 32311, (850)488-9377, gerard.york@ast.myflorida.com

**THE FULL TEXT OF THE PROPOSED RULE IS:**

71A-2.001 Purpose; Definitions; Policy; Applicability; Agency Security Programs; Roles and Responsibilities; Risk Management (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.001 Repealed.

71A-2.002 Control of Computers and Information Resources (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.002 Repealed.

71A-2.003 Physical Security and Access to Data Processing Facilities (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.003 Repealed.

71A-2.004 Logical and Data Access Controls (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.004 Repealed.

71A-2.005 Data and System Integrity (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.005 Repealed.

71A-2.006 Network Security (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.006 Repealed.

71A-2.007 Backup and Disaster Recovery (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.007 Repealed.

71A-2.008 Personnel Security and Security Awareness (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.008 Repealed.

71A-2.009 Systems Acquisition, Disposal, Auditing, and Reporting (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.009 Repealed.

71A-2.010 Standards Adopted (Repealed).

Rulemaking Authority 281.102(2), (6), (16) FS. Law Implemented 282.0041, 282.101, 282.318 FS. History-New 8-10-04, Formerly 60DD-2.010 Repealed.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Danielle Alvarez, Chief Information Security Officer  
**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Jason Allison, Executive Director  
**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** March 14, 2016

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

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NOS.:	RULE TITLES:
40B-3.021	Definitions
40B-3.037	Water Well Contractor Licensing
40B-3.041	Permits Required
40B-3.051	Exemptions
40B-3.101	Content of Application
40B-3.201	Permit Fees
40B-3.301	Conditions for Issuance of Permits
40B-3.411	Completion Report
40B-3.492	Violations of Permits
40B-3.502	Construction Methods
40B-3.504	Location
40B-3.512	Well Construction Requirements
40B-3.517	Grouting and Sealing
40B-3.521	Well Seals
40B-3.529	Flowing Wells (Repealed)
40B-3.531	Abandoned Well Plugging
40B-3.902	Forms and Instructions

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 41 No. 100, May 22, 2015 issue of the Florida Administrative Register has been withdrawn.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NOS.:	RULE TITLES:
59A-3.077	Fire Protection
59A-3.079	Codes and Standards to Be Used for Construction of Hospitals
59A-3.080	Plans Submission and Fee Requirements
59A-3.081	Physical Plant Requirements for General, Rehabilitation and Psychiatric Hospitals
59A-3.303	Facilities and Physical Plant Safety

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 245, December 21, 2015 issue of the Florida Administrative Register.

The following sections of the proposed rule should be changed to read:

59A-3.077

No change.

59A-3.079

(1) through (2) No change.

~~(3) The Fire Safety Evaluation System (FSES) NFPA-101A as adopted by the State Fire Marshall and described in Rule 69A-3.012~~

~~(3)(4)~~ No change.

~~(4)(5)~~ In renovation projects and those projects that are making additions to existing facilities, only that portion of the total facility affected by the project ~~shall comply~~ requires compliance with applicable sections of the ~~referenced~~ codes for new construction identified in subsection 1 of this rule.

~~(5)(6)~~ No change.

~~(6)(7)~~ When a building is converted from another type of occupancy to a hospital, it shall ~~comply be in compliance~~ with the requirements for an Institutional Group I-2 Occupancy and the hospital occupancy chapter, of the Florida Building Code (FBC) as adopted by the Florida Building Commission ~~and incorporated by reference and obtainable from the International Code Council at www.icesafe.org and the National Fire Protection Association (NFPA) Life Safety Code 101, Chapter 18, New Health Care Occupancy, as adopted by the State Fire Marshall and incorporated by reference and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269 9101 and described in Rule Chapter 69A-3.012.~~ A change of ownership shall not constitute a change of occupancy.

(8) through (10) renumbered (7) through (9) No change.

~~(10)(11)~~ In addition to the codes and standards of this section, a new physically detached emergency department of a hospital facility must be in compliance with the requirements of the hospital occupancy chapter and with the requirements for an Institutional Group I-2 Occupancy, of the Florida Building Code (FBC), as adopted by the Florida Building Commission ~~and described in Rule Chapter 61G20-1.001 incorporated by reference and obtainable from the International Code Council at www.icesafe.org, and with the National Fire Protection Association (NFPA) Life Safety Code 101, Chapter 18, New Health Care Occupancy, as adopted by the State Fire Marshall and incorporated by reference and obtainable from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269 9101 and described in Rule Chapter 69A-3.012.~~

(12) renumbered (11) No changes.

Rulemaking Authority ~~395.1055, 395.0163~~ FS. Law Implemented FS. ~~395.1055, 395.0163~~ History—New 1-1-77, Formerly 10D-28.79, Amended 1-16-87, 11-23-88, Formerly 10D-28.079, Amended 9-3-92, \_\_\_\_\_.

59A-3.080 Plans Submission and Fee Requirements.

(1) through (6) No change.

(7) Plans and specifications may be submitted for review at any of the three stages of development described in this rule. Only the submission of stage III documents is mandatory.

(a) through (c) No change.

(8) through (16) No change.

Rulemaking Authority 395.0163, 395.1055 FS. Law Implemented ~~395.001~~, 395.0163, ~~471.025~~, ~~481.221~~, ~~553.73~~, ~~633.033~~-FS. History—New 6-14-78, Formerly 10D-30.21, Amended 2-3-88, 5-6-92, Formerly 10D-30.021, Amended 11-12-96.

59A-3.081 Physical Plant Requirements for Mobile Surgical Facilities.

(4) The following are special requirements for Mobile Surgical Facilities ~~established after July 1, 1998~~.

(1)(a) A mobile surgical facility is a mobile facility as defined in ~~Chapter section~~ 395.002, F.S., and that provides elective surgical care under contract with the Department of Corrections or a private correctional facility operating pursuant to Chapter 957, F.S.

(2)(b) General Requirements: In addition to the codes and standards referenced in this rule, the mobile surgical facility shall ~~comply~~ comply be in compliance with the requirements of the National Fire Protection Association (NFPA) Life Safety Code 101, New Ambulatory Health Care Occupancy, adopted ~~by the State Fire Marshal pursuant to and described in~~ Rule Chapter 69A-60, F.A.C.

(a)4. Site Requirements:

~~1.a.~~ A level concrete pad designed for the structural loads of the facility in accordance with the Florida Building Code, adopted ~~by the Florida Building Commission pursuant to and described in~~ Rule 61G20-41.0021, F.A.C.

(1)(b)1.b. through (1)(b)2.g. renumbered (2)(a)2. through (2)(b)7. No change.

(c)3. Mechanical System Requirements:

~~1.(a)~~ The Heating, Ventilating and Air Conditioning systems shall ~~comply~~ be in compliance with NFPA 90A, incorporated by referenced in the Florida Fire Prevention Code adopted ~~by the State Fire Marshal pursuant to and described in~~ Rule Chapter 69A-60, F.A.C.

~~2.(b)~~ The patient gas medical systems shall be Type I as defined by NFPA 99, incorporated by reference in the Florida Fire Prevention Code adopted ~~by the State Fire Marshal pursuant to and described in~~ Rule Chapter 69A-60, F.A.C. Medical gas, vacuum, and oxygen supply systems shall ~~comply~~ be in compliance with the requirements of NFPA 99, incorporated by reference in the Florida Fire Prevention Code adopted ~~by the State Fire Marshal pursuant to and described in~~ Rule Chapter 69A-60, F.A.C.

(1)(b)c. renumbered (2)(c)3. No change.

(2)(c)4.(1)(b)3.d. The plumbing systems shall ~~comply~~ be in compliance with the Florida Building Code – Plumbing adopted ~~by the Florida Building Commission pursuant to and described in~~ Rule 61G20-41.0021, F.A.C.

(1)(b)3.e. renumber (2)(c)5. No change.

(2)(d)(1)(b)4. Electrical System Requirements:

~~1.a.~~ An essential electrical system which complies with a Type I system as defined in NFPA 99, incorporated by reference in the Florida Fire Prevention Code ~~adopted by the State Fire Marshal pursuant to and described in~~ Rule Chapter 69A-60, F.A.C.

~~2.b.~~ An electrical system which complies with Article 517 of the National Electric Code, NPFA 70, incorporated by reference in the Florida Fire Prevention Code adopted ~~by the State Fire Marshal pursuant to and described in~~ Rule Chapter 69A-60, F.A.C. and with the Florida Building Code, adopted ~~pursuant to and described in~~ Rule Chapter 61G20-41.0021, F.A.C.

(1)(b)4.c. through (1)(b)4.e. renumbered (2)(d)3. through (2)(d)5. No change.

~~6.f.~~ A lightning protection system as defined in NFPA 780, incorporated by reference in the Florida Fire Prevention Code adopted ~~by the State Fire Marshal pursuant to and described in~~ Rule Chapter 69A-60, F.A.C., for the rain-free covered connection and the mobile facility, unless the mobile facility is shown to be within the cone of protection of the hospital and bonded to the lightning protection systems of the hospital.

(1)(b)5. renumbered (2)(e) No change.

59A-3.303 Facilities and Physical Plant Safety.

(1) through (2)

(3) The facility shall be constructed and maintained in a manner that protects the lives and insures the physical safety of patients, staff and visitors. The center will comply with all relevant federal, state and local building codes, fire, health, safety laws and ordinances and regulations as specified below. Current inspection reports shall be retained in the facility’s files for Agency review.

(a) through (c) No change.

(d) Sanitary System, Facilities and Fixtures.

1. No change.

2. All plumbing shall ~~comply~~ be in compliance with the requirements of the Florida Building Code, Plumbing ~~as adopted pursuant to by the Florida Building Commission and described in~~ Rule Chapter 61G20-1, F.A.C., or the plumbing code legally applicable to the area where the facility is located.

3. No change.

(e) through (g) No change.

(4) through (6) No change.

Rulemaking Authority 395.1055 FS. Law Implemented ~~252.35(2)(1), 252.38(1)(e)~~, 395.1055 FS. History—New 2-15-82, Formerly 10D-28.108, Amended 9-4-95, Formerly 59A-3.108, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NOS.:	RULE TITLES:
61G2-2.0031	Delinquent Status
61G2-2.004	Licensure by Endorsement or Reciprocity
61G2-2.005	Notice of Address or Electronic Mail Address Change

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 25, February 8, 2016 issue of the Florida Administrative Register. The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated February 12, 2016. The correction is as follows:

**PURPOSE AND EFFECT** shall read as: The Board proposes the repeal of rules 61G2-2.0031, 61G2-2.004, and 61G2-2.005, F.A.C. because they are redundant duplication of the statute and thus unnecessary surplusage.

**SUMMARY** shall read as: The rule repeal is necessary because they are redundant duplication of the statute and thus unnecessary surplusage.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION** shall read as: 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 Board. The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas Campbell, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NO.:	RULE TITLE:
61G2-4.003	Change of Sponsor

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 25, February 8, 2016 issue of the Florida Administrative Register. The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated February 12, 2016. The correction is as follows:

**PURPOSE AND EFFECT** shall read as: The Board proposes the rule repeal because the rule is a redundant duplication of the statute and thus unnecessary surplusage.

**SUMMARY** shall read as: The rule repeal is necessary because the rule is a redundant duplication of the statute and thus unnecessary surplusage.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION** shall read as: 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 Board. The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas Campbell, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Geologists**

RULE NO.: RULE TITLE:  
61G16-3.002 Unlicensed Activity Fee  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 16, January 26, 2016 issue of the Florida Administrative Register. The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated February 4, 2016. The correction is as follows:

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION** shall read as:

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 Board. The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneers**

RULE NO.: RULE TITLE:  
61G2-4.003 Change of Sponsor  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 25, February 8, 2016 issue of the Florida Administrative Register. The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated February 12, 2016. The correction is as follows:

PURPOSE AND EFFECT shall read as: The Board proposes the rule repeal because the rule is a redundant duplication of the statute and thus unnecessary surplusage.

SUMMARY shall read as: The rule repeal is necessary because the rule is a redundant duplication of the statute and thus unnecessary surplusage.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION** shall read as:

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 Board. The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas Campbell, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: RULE TITLE:  
64B4-6.0025 Approved Continuing Education Course for Supervisory Training  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 213, November 2, 2015 issue of the Florida Administrative Register. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and a vote by the Board at a duly noticed public meeting held on February 11, 2016. The changes are as follows:

64B4-6.0025 Approved Continuing Education Course for Supervisory Training.

The continuing education course required to meet the qualifications for a qualified supervisor pursuant to Section 491.005, F.S., and subparagraphs 64B4-11.007(3)(b)(a)2., paragraph 64B4-21.007(3)(b), and subparagraph 64B4-31.007(2)(3)(b)(a)2., F.A.C., must be offered by a Board approved provider of continuing education and consist of the following:

- (1) No change.
- (2) It must be 12 ~~46~~ clock hours of in person didactic and interactional instruction; and
- (3) through (4) No change.

Rulemaking Authority 491.004(5), 491.0085 FS. Law Implemented 491.007, 491.0085 FS. History—New 12-29-96, Formerly 59P-6.0025, Amended 12-11-97, 8-13-08, \_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

**Section IV  
Emergency Rules**

**NONE**

**Section V**

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

**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 16, 2016, Florida Municipal Electric Association, Inc., filed a Notice of Withdrawal of Petition for a Variance from or Waiver of the Annual Reporting Requirements in Rule 25-6.0343 of the F.A.C., for Municipal Electric Utilities and Rural Electric Cooperatives that was filed on February 25, 2016, in Docket No. 160040-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.

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.: RULE TITLE:  
64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on March 16, 2016, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Peter Maschal, D.C. The petitioner is seeking a waiver or variance of subsection 64B2-13.004(2), F.A.C., which requires that for the purpose of renewing a license, only those classroom hours earned at Board approved continuing education courses or under the provisions of this rule are acceptable.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

NOTICE IS HEREBY GIVEN that on March 16, 2016, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver filed by Ivette Andrade. Petitioner is seeking a variance or waiver of paragraph 64B3-5.003(3)(e), Option 2, F.A.C., which sets forth the education, training/experience and examination requirements for a specialty licensure in molecular pathology.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-2.003 Definitions

NOTICE IS HEREBY GIVEN that on March 16, 2016, the Board of Clinical Laboratory Personnel, received a petition for variance or waiver filed by Sherri L. Sterling. Petitioner is seeking a variance or waiver of subsection 64B3-2.003(6), F.A.C., which defines applied science as a physical, chemical or biological science course which is specific to a major and directly prepares the individual for performance in a specific profession. Examples of such courses are chemistry for health science majors or nurses, clinical chemistry, clinical microbiology, clinical hematology, advanced entomology, and oceanography.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, (850)245-4355, at the above address or at MQA\_Clinical Laboratory Personnel@doh.state.fl.us. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257 within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on January 7, 2016, by Ann Boehnlein Russo. The Notice of Petition for Waiver or Variance was published in Vol. 42, No. 14, of the January 22, 2016, Florida Administrative Register. Petitioner sought a variance or waiver of Rule 64B7-32.003, F.A.C., regarding the breakdown of hours reported. The Board considered the instant Petition at a duly-noticed public meeting held on January 29, 2016, in St. Augustine, Florida.

The Board's Order, filed on March 4, 2016, denied the Petitioner's request because the petition is not in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C. The Petitioner has not met or cannot meet the purpose of the underlying statute. Additionally, granting a variance of paragraph 64B7-32.003(1)(b), F.A.C., would be the equivalent of eliminating the curriculum standards for Board-approved massage schools.

A copy of the Order or additional information may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4588, or by electronic mail: Claudia.Kemp2@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on November 2, 2015, by Kelley Donyel Williams. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 221, of the November 13, 2015 Florida Administrative Register. Petitioner sought a variance or waiver regarding the requirements for proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on January 29, 2016, in St. Augustine, Florida.

The Board's Order, filed on March 4, 2016, granted the Petitioner's request for a waiver or variance of 64B7-32.002, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4588, or by electronic mail: Claudia.Kemp2@flhealth.gov.

## DEPARTMENT OF HEALTH

## Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on November 5, 2015, by Sarah Marie Westervelt. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 221, of the November 13, 2015 Florida Administrative Register. Petitioner sought a variance or waiver of 64B7-32.002 and 64B7-32.003, F.A.C. regarding the requirements for proof of graduation and the minimum requirement for board approved massage schools. The Board considered the instant Petition at a duly-noticed public meeting held on January 29, 2016, in St. Augustine, Florida.

The Board's Order, filed on March 4, 2016, granted the waiver of the provision in Rule 64B7-32.002, F.A.C., requiring counterfeit proof paper. The requested waiver of Rule 64B7-32.003, F.A.C., is unnecessary because failure to provide Attachment B is not grounds for denial of the application.

A copy of the Order or additional information may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4588, or by electronic mail: [Claudia.Kemp2@flhealth.gov](mailto:Claudia.Kemp2@flhealth.gov).

## DEPARTMENT OF HEALTH

## Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on October 23, 2015, by Angela Bascou. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 211, of the October 29, 2015 Florida Administrative Register. Petitioner sought a variance or waiver requiring completion of a 500 hour program for licensure as Petitioner currently holds a massage license in California. The Board considered the instant Petition at a duly-noticed public meeting held on January 29, 2016, in St. Augustine, Florida.

The Board's Order, filed on March 4, 2016, denied the Petitioner's request because the petition is not in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C. Additionally, the Petitioner seeks a waiver of the statutory requirements in 480.041, FS. The Board has no authority to waive the provisions of statute.

A copy of the Order or additional information may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4588, or by electronic mail: [Claudia.Kemp2@flhealth.gov](mailto:Claudia.Kemp2@flhealth.gov).

## DEPARTMENT OF HEALTH

## Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on November 5, 2015, by Natalia M. Sablina. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 221, of the November 13, 2015 Florida Administrative Register. Petitioner sought a variance or waiver of paragraph 64B7-32.00(2)(a), F.A.C., regarding the requirements for proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on January 29, 2016, in St. Augustine, Florida.

The Board's Order, filed on March 4, 2016, granted the Petitioner's request for a waiver or variance of paragraph 64B7-32.002(2)(a), F.A.C. The petition is in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4588, or by electronic mail: [Claudia.Kemp2@flhealth.gov](mailto:Claudia.Kemp2@flhealth.gov).

## DEPARTMENT OF HEALTH

## Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on December 8, 2015, by Rebecca Sue Downs. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 242, of the December 16, 2015 Florida Administrative Register. Petitioner sought a variance or waiver to receive a license to practice in Florida instead of being required to take the National exam or the MBLEx exam to receive her license. The Board considered the instant Petition at a duly-noticed public meeting held on January 29, 2016, in St. Augustine, Florida.

The Board's Order, filed on March 4, 2016, denied the Petitioner's request because the petition is not in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4588, or by electronic mail: [Claudia.Kemp2@flhealth.gov](mailto:Claudia.Kemp2@flhealth.gov).

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on November 4, 2015, by Violet R. Kaminski. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 221, of the November 13, 2015 Florida Administrative Register. Petitioner sought a variance or waiver of 64B7-32.002, F.A.C., regarding the requirements for proof of graduation. The Board considered the instant Petition at a duly-noticed public meeting held on January 29, 2016, in St. Augustine, Florida.

The Board's Order, filed on March 4, 2016, granted the Petitioner's request for a waiver or variance of 64B7-32.002, F.A.C., and the requirement for counterfeit proof paper is waived. The petition is in substantial compliance with the provisions of Section 120.542, FS, and Chapter 28-104, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Claudia Kemp, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4588, or by electronic mail: Claudia.Kemp2@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 6, 2016, 5:00 p.m.

PLACE: Florida Horse Park Administration Office; 11008 South Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general business.

A copy of the agenda may be obtained by contacting: Jennifer Barrett at (352)307-6699 and email: events@flhorsepark.com Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jennifer Barrett at (352)307-6699 and email: events@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

Commission for Independent Education

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

DATES AND TIMES: March 30, 2016, 1:30 p.m., Commission

Degree Granting Institutions

March 31, 2016, 9:00 a.m., Commission meeting

Non-Degree Granting Institutions.

PLACE: Mission Inn Resort and Club, 10400 County Road 48, Howey In The Hills, Florida 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: On March 30, 2016 beginning at 1:30 p.m. and on March 31, 2016 – beginning at 9:00 a.m. the Commission for Independent Education will consider: All Degree Granting Institutions and Non-Degree granting Institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Applications for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual Licenses, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges, informal hearings, requests for variance and the General Business of the Commission. Public Comment: The Commission is committed to promoting transparency and public input during its public meetings. Speakers are requested to complete a public comment form, which will be available at the meeting, and to indicate whether they represent a group or faction. The Commission will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the chair. The Chair may impose a cumulative time limit for all public comment on any agenda item.

A copy of the agenda may be obtained by contacting: The Commission for independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. If you are hearing or speech impaired, please contact the

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

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

For more information, you may contact: The Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

**DEPARTMENT OF TRANSPORTATION**

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

DATE AND TIME: Tuesday, March 29, 2016, 5:30 p.m. – 8:00 p.m.

PLACE: Hilton University of Florida Conference Center, 1714 SW 34th Street, Gainesville, Florida 32607

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The I-75 Relief Community Open Houses are scheduled to share information on I-75 Relief work to date including recent Task Force and Agency Coordination meetings. The Community Open Houses are being held to provide the public with an opportunity to give input on purpose and need, environmental and community resources, and the approach to evaluating potential corridor options. The Community Open Houses are scheduled from 5:30 p.m. to 8:00 p.m. on March 29, 2016 at the Hilton University of Florida Conference Center, Gainesville, FL; March 30, 2016 at the Hilton Ocala, Ocala, FL; and March 31, 2016 at the College of Central Florida, Citrus Conference Center, Lecanto, FL. The same information and displays will be shown at each Community Open House.

During the Community Open Houses, a pre-recorded overview presentation and display boards will be available for viewing. Please stop by anytime during the Community Open House to review information and provide input. FDOT representatives will be available to answer questions, one on one, at any time during the Community Open House. Your input will be shared with the I-75 Relief Task Force for their consideration. All meeting information and materials will be posted on the project website ([www.i75relief.com](http://www.i75relief.com)).

A copy of the agenda may be obtained by contacting: Huiwei Shen, FDOT Project Manager, at (850)414-4911, [Huiwei.Shen@dot.state.fl.us](mailto:Huiwei.Shen@dot.state.fl.us) or by visiting the project website at [www.i75relief.com](http://www.i75relief.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: Alison Stettner at (407)264-3023 or [Alison.Stettner@dot.state.fl.us](mailto:Alison.Stettner@dot.state.fl.us).

If any person requires translation services (free of charge) please advise Alison Stettner at least 7 days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Huiwei Shen, FDOT Project Manager, at (850)414-4911, [Huiwei.Shen@dot.state.fl.us](mailto:Huiwei.Shen@dot.state.fl.us) or by visiting the project website at [www.i75relief.com](http://www.i75relief.com).

**DEPARTMENT OF TRANSPORTATION**

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

DATE AND TIME: Wednesday, March 30, 2016, 5:30 p.m. – 8:00 p.m.

PLACE: Hilton Ocala, 3600 SW 36th Avenue, Ocala, Florida 34474

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The I-75 Relief Community Open Houses are scheduled to share information on I-75 Relief work to date including recent Task Force and Agency Coordination meetings. The Community Open Houses are being held to provide the public with an opportunity to give input on purpose and need, environmental and community resources, and the approach to evaluating potential corridor options. The Community Open Houses are scheduled from 5:30 p.m. to 8:00 p.m. on March 29, 2016 at the Hilton University of Florida Conference Center, Gainesville, FL; March 30, 2016 at the Hilton Ocala, Ocala, FL; and March 31, 2016 at the College of Central Florida, Citrus Conference Center, Lecanto, FL. The same information and displays will be shown at each Community Open House.

During the Community Open Houses, a pre-recorded overview presentation and display boards will be available for viewing. Please stop by anytime during the Community Open House to review information and provide input. FDOT representatives will be available to answer questions, one on one, at any time during the Community Open House. Your input will be shared with the I-75 Relief Task Force for their consideration. All meeting information and materials will be posted on the project website ([www.i75relief.com](http://www.i75relief.com)).

A copy of the agenda may be obtained by contacting: Huiwei Shen, FDOT Project Manager, at (850)414-4911, [Huiwei.Shen@dot.state.fl.us](mailto:Huiwei.Shen@dot.state.fl.us) or by visiting the project website at [www.i75relief.com](http://www.i75relief.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: Alison Stettner at (407)264-3023 or Alison.Stettner@dot.state.fl.us.

If any person requires translation services (free of charge) please advise Alison Stettner at least 7 days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Huiwei Shen, FDOT Project Manager, at (850)414-4911, Huiwei.Shen@dot.state.fl.us or by visiting the project website at www.i75relief.com.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Thursday, March 31, 2016, 5:30 p.m. – 8:00 p.m.

PLACE: College of Central Florida, Citrus Conference Center, 3800 South Lecanto Highway, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The I-75 Relief Community Open Houses are scheduled to share information on I-75 Relief work to date including recent Task Force and Agency Coordination meetings. The Community Open Houses are being held to provide the public with an opportunity to give input on purpose and need, environmental and community resources, and the approach to evaluating potential corridor options. The Community Open Houses are scheduled from 5:30 p.m. to 8:00 p.m. on March 29, 2016 at the Hilton University of Florida Conference Center, Gainesville, FL; March 30, 2016 at the Hilton Ocala, Ocala, FL; and March 31, 2016 at the College of Central Florida, Citrus Conference Center, Lecanto, FL. The same information and displays will be shown at each Community Open House.

During the Community Open Houses, a pre-recorded overview presentation and display boards will be available for viewing. Please stop by anytime during the Community Open House to review information and provide input. FDOT representatives will be available to answer questions, one on one, at any time during the Community Open House. Your input will be shared with the I-75 Relief Task Force for their consideration. All meeting information and materials will be posted on the project website (www.i75relief.com).

A copy of the agenda may be obtained by contacting: Huiwei Shen, FDOT Project Manager, at (850)414-4911, Huiwei.Shen@dot.state.fl.us or by visiting the project website at www.i75relief.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: Alison Stettner at (407)264-3023 or Alison.Stettner@dot.state.fl.us.

If any person requires translation services (free of charge) please advise Alison Stettner at least 7 days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Huiwei Shen, FDOT Project Manager, at (850)414-4911, Huiwei.Shen@dot.state.fl.us or by visiting the project website at www.i75relief.com.

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

The Seaport Environmental Management Committee of the Florida Seaport Transportation and Development Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 5, 2016, 10:00 a.m.

PLACE: Call-In Number: (605)475-5950, Participant Access Code: 9348585

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General Business.

A copy of the agenda may be obtained by contacting: Toy Keller in the Florida Ports Council offices at (850)222-8028.

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: Toy Keller in the Florida Ports Council offices at (850)222-8028. 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: Toy Keller in the Florida Ports Council offices at (850)222-8028.

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, April 6, 2016 & Thursday, April 7, 2016, 9:00 a.m.; Wednesday, April 20, 2016 & Thursday, April 21, 2016, 9:00 a.m.; Wednesday, April 27, 2016 & Thursday, April 28, 2016, 9:00 a.m.

PLACE: Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, FL 32399-2450

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review, (850)488-1293.

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: Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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#### **PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a public customer meeting in the following docket to which all persons are invited.

**DATE AND TIME:** Monday, April 11, 2016, 11:00 a.m., ET / 10:00 a.m., CT

**PLACE:** Gulf County School Board Room, 150 Middle School Road, Port St. Joe, Florida 32456

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Docket No. 160033-GU – Petition for limited proceeding to restructure rates by St. Joe Natural Gas Company, Inc. The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate restructuring, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact: Commission staff, Don Rome at (850)413-6495, or John Villafrate at (850)413-6220.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact: the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

#### **EMERGENCY CANCELLATION OF MEETING**

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's

website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

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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](mailto: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](mailto: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**

Tampa Bay Regional Planning Council

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.org).

For more information, you may contact: Mr. Avera Wynne, (727)570-5151, ext. 30 or [avera@tbrpc.org](mailto:avera@tbrpc.org).

**REGIONAL PLANNING COUNCILS**

**South Florida Regional Planning Council**

The South Florida Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 25, 2016, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC’s ongoing regional hazardous materials training and planning activities for FY1516.

A copy of the agenda may be obtained by contacting: The South Florida Regional Planning Council at 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, via email request to Manny Cela ([celam@sfrpc.com](mailto:celam@sfrpc.com)), visiting the LEPC website: [www.sfrpc.com/lepc.htm](http://www.sfrpc.com/lepc.htm) or by calling (954)985-4416 in Broward or 1(800)985-4416 toll-free statewide.

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: The South Florida Regional Planning Council. 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: Manny Cela at [cela@sfrpc.com](mailto:cela@sfrpc.com) or (954)985-4416.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

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

DATE AND TIME: Wednesday, April 6, 2016, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Coast Steering Committee Meeting. The committee will be discussing issues, drivers and quantifiable objectives

for the Weeki Wachee, Homosassa and Chassahowitzka systems.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4703; TDD (FL only) 1(800)231-6103 or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: [Chris.zajac@watermatters.org](mailto:Chris.zajac@watermatters.org); 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4413 (Ad Order EXE0489).

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

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

DATE AND TIME: Wednesday, April 6, 2016, 10:00 a.m.

PLACE: District Headquarters, 2379 Broad St., Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cooperative Funding Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2017 requests for project funding in the northern counties of SWFWMD. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4703; TDD (FL only) 1(800)231-6103; or email to [ADACoordinator@swfwmd.state.fl.us](mailto:ADACoordinator@swfwmd.state.fl.us). If you are hearing or

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

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

For more information, you may contact: Chris.zajac@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4413 (Ad Order EXE0490).

**WATER MANAGEMENT DISTRICTS**

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

DATE AND TIME: Thursday, April 14, 2016, 10:00 a.m.  
 PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cooperative Funding Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2017 requests for project funding in Hillsborough, Pasco and Pinellas counties of SWFWMD. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Estella.Gray@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, Ext. 2015 (Ad Order EXE0491).

**WATER MANAGEMENT DISTRICTS**

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

DATE AND TIME: Thursday, April 7, 2016, 10:00 a.m.  
 PLACE: Bartow City Hall, 450 N. Wilson Ave., Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cooperative Funding Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2017 requests for project funding in Polk, Highlands and Hardee counties of SWFWMD. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Terri.behling@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, Ext. 6528 (Ad Order EXE0492).

**WATER MANAGEMENT DISTRICTS**

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

DATE AND TIME: Wednesday, April 13, 2016, 10:00 a.m.  
 PLACE: SWFWMD Sarasota Service Office, 6750 Fruitville Road, Sarasota FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cooperative Funding Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2017 requests for project funding for southern counties of

SWFWMD. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, Ext. 4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Tara.Poulton@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, Ext. 6530 (Ad Order EXE0493).

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 28, 2016, 2:00 p.m.

PLACE: Call-In Number: 1(888)670-3525, Participant code: 934-890-7894#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Legal Work Group meets to discuss general topics relating to legal policies for health information exchange including provisions of a participation agreement and other subscription agreements for health information exchange. You can find contact information for the Health Information Exchange Legal Work Group below.

A copy of the agenda may be obtained by contacting: Dana Watson at (850)412-3784.

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: . 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: Dana Watson at (850)412-3784.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Professional Engineers

The Florida Engineers Management Corporation Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 28, 2016, 2:30 p.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation and other general business of the Committee. Please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 48 hours prior to the date of the meeting to obtain the participant code.

Telephone Conference #: 1(888)392-4560

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Appraisal Board

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

DATE AND TIME: Monday, April 4, 2016, 8:30 a.m., Eastern Time

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 W. Robinson St., Orlando, FL 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Official business of the Appraisal Board - topics include, but are not limited to, proposed legislation affecting Chapter 475, Part II, F.S., Chapter 61J1, F.A.C. rule amendments, budget discussions, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions. All or part of this meeting may be conducted as a

teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Beverly.Ridenauer@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Department of Business and Professional Regulation at (407)481-5632. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 6, 2016, 9:00 a.m., Eastern Time

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

**DEPARTMENT OF HEALTH**

Board of Nursing

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

DATE AND TIME: March 29, 2016, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion regarding revisions to Rule 64B9-15.006, FAC - Standardized Curriculum and Rule 64B9-15.011, F.A.C. - In-

Service Training Requirements for Certified Nursing Assistants.

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

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

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

**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 workshop to which all persons are invited.

DATE AND TIME: April 4, 2016, 1:00 p.m. – 5:00 p.m. This meeting replaces a cancelled meeting scheduled for March 29, 2016, 1:00 p.m. – 4:00 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 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: Phil Horning at (850)617-9540 or by email at Phil.Horning@MyFWC.com.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

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

DATE AND TIME: March 31, 2016, 9:00 a.m.

PLACE: Bryant Building, Room #272, 620 South Meridian Street, Tallahassee, FL 32399-1600

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

This is a quarterly meeting of the Steering Committee for the Florida Beaches Habitat Conservation Plan. Topics to be discussed include staff updates from the last quarter. No votes will be taken.

A copy of the agenda may be obtained by contacting: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

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

For more information, you may contact: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Funeral, Cemetery, and Consumer Services

The Rules Committee of the Board of Funeral, Cemetery, and Consumer Services, operating under Ch. 497, Florida Statutes announces a public meeting to which all persons are invited.

DATE AND TIME: April 6, 2016, 1:00 p.m.

PLACE: DoubleTree by Hilton Jacksonville Airport, 2101 Dixie Clipper Drive, Jacksonville, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Development of rules to implement recently enacted legislation amending Chapter 497, Florida Statutes, affecting cemetery care and maintenance trust distributions, and sometimes referred to as the uni-trust method of determining trust distributions.

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

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: LaTonya Bryant at LaTonya.Bryant@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: LaTonya Bryant at LaTonya.Bryant@myfloridacfo.com or (850)413-3039.

**AGENCY FOR STATE TECHNOLOGY**

The Agency for State Technology announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2016, 1:00 p.m.

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Technology Advisory Council - Bylaws and Election of Officers.

A copy of the agenda may be obtained by contacting: our website at <http://www.ast.myflorida.com/techadvisorycouncil.asp>

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: Melonie White at (850)412-6070. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FLORIDA SELF-INSURERS GUARANTY ASSOCIATION**

The Florida Self-Insurers Guaranty Association, Inc. announces a telephone conference call to which all persons are invited.

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

PLACE: Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Board of Directors will meet to discuss general business of the Association.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, FL 32308, (850)222-1882.

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: Jane Strickland, Administrative Assistant, Florida Self-Insurers Guaranty Association at (850)222-1882. 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).

**PINELLAS COUNTY DEPARTMENT OF ENVIRONMENT & INFRASTRUCTURE (DEI)**

The Pinellas County Public Works announces a public meeting to which all persons are invited.

DATE AND TIME: March 29, 2016, 5:00 p.m. – 7:30 p.m.

PLACE: Hale Activity Center, 330 Douglas Avenue, Dunedin, FL 34698

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pinellas County, in coordination with the Florida Department of Transportation (FDOT) and the Federal Highway Administration (FHWA), invites you to attend an Alternatives Public Workshop for the ongoing Project Development and Environment (PD&E) Study to evaluate rehabilitation or replacement of the bridges along Dunedin Causeway. The study limits extend from west of Royal Stewart Arms Parkway on Honeymoon Island to Gary Place/Gary Circle on Ward Island, Dunedin, Pinellas County. The Alternatives Workshop will provide an opportunity for residents, business owners, property owners and other interested stakeholders to provide comments on the alternatives that are currently being considered. Information about the study process, engineering aspects of the bridges and environmental and recreational considerations that may be affected by the possible alternatives will be presented. A short PowerPoint presentation will also be available for viewing continuously between 5:00 p.m. and 7:30 p.m. Your input will be considered in the development of a recommended alternative as the study progresses.

All interested parties are encouraged to attend this Public Alternatives Workshop, review materials on display, and express your opinions concerning the project. For further information, please contact: Nancy McKibben, MPA, Project Manager, at 14 S. Ft. Harrison Avenue, 6th Floor, Clearwater, FL 33756, (727)464-4812 or nmckibben@co.pinellascounty.org. You can also visit the project website <http://www.pinellascounty.org/dunedincauseway>.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Pinellas County complies with the Americans with Disabilities Act. To obtain accessible formats of project information,

please call (727)464-4880/TDD (727)464-4062. If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. At least seven days prior to the event, contact: the Office of Human Rights, 400 S. Fort Harrison Ave., Suite 500, Clearwater, FL 33756, (727)464-4062 (V/TDD).

A copy of the agenda may be obtained by contacting: Nancy McKibben, MPA, Project Manager, 14 S. Ft. Harrison Avenue, 6th Floor, Clearwater, FL 33756, (727)464-4812 or nmckibben@co.pinellascounty.org.

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

The FWCJUA Producer Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 28, 2016, 10:00 a.m., ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda topics may include the agency authorization process; agency producer agreement; agency producer termination, suspension or revocation to include the appeal process; agency producer fees; online application process; certificate of insurance issuance system; and a report on agency producer activities.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at [www.fwcjua.com](http://www.fwcjua.com).

**QCAUSA**

The Central Florida Expressway Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 31, 2016, 5:00 p.m. – 7:00 p.m.

PLACE: Central Florida Christian Academy, Gymnasium, Central Florida Christian Academy, Gymnasium, 700 Good Homes Road, Orlando, FL 32818

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Central Florida Expressway Authority (CFX) is planning to widen State Road 408 between Good Homes Road and Hiwassee Road. The project will include new travel lanes and proposed sound walls parallel to SR 408 along sections of the project area. The meeting will be an open-house format where the public will be able to obtain project information and speak with members of the project team.

The Central Florida Expressway Authority performs noise studies during the design phase of capacity improvement projects. During the design phase for this project, a noise analysis was conducted and locations were identified where a sound wall would be a viable measure to reduce traffic noise. The Central Florida Expressway Authority is now trying to determine the level of support from nearby property owners

and residents for the construction of these sound walls. The proposed sound wall concepts will be presented at the March 31st meeting.

A copy of the agenda may be obtained by contacting: Brian Hutchings, Senior Communications Specialist, at the Central Florida Expressway Authority, (407)383-5817, Brian.Hutchings@CFXway.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: Brian Hutchings, Senior Communications Specialist, at the Central Florida Expressway Authority, (407)383-5817, Brian.Hutchings@CFXway.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Brian Hutchings, Senior Communications Specialist, at the Central Florida Expressway Authority, (407)383-5817, Brian.Hutchings@CFXway.com.

#### ATKINS - BARTOW

The Florida Department of Transportation (FDOT), District One, in partnership with the Sarasota/Manatee Metropolitan Planning Organization (MPO), Manatee County, the Cities of Bradenton and Palmetto, and the Federal Highway Administration, is holding a visioning workshop as part of the Central Manatee Network Alternatives Analysis (CMNAA). The FDOT invites all members of the public to attend.

DATE AND TIME: Thursday, March 31, 2016, 5:00 p.m. – 7:00 p.m.

PLACE: Bradenton Area Convention Center, 1 Haben Boulevard, Palmetto, FL

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The CMNAA study will recommend an integrated system of short- and long-term multimodal transportation investments that support mobility, accessibility, safety, economic development and improved quality of life. This workshop offers people the opportunity to share their ideas and help shape transportation decisions and investments in the study area, north and south of the Manatee River in Bradenton and Palmetto, Financial Project ID 434451-1-12-01. Project documents and graphic displays will be available for viewing anytime from 5:00 p.m. to 7:00 p.m. at the workshop location. FDOT representatives will be at the workshop to answer your

questions and discuss your issues and ideas. If you cannot attend the workshop, but would like to give us your comments, please complete the survey on the project website at [www.cmnaa.com](http://www.cmnaa.com). The materials shown at the workshop will be on the project website beginning April 1, 2016.

The FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status. People who require special accommodations under the Americans with Disabilities Act of 1990, or who require translation services (free of charge), should contact: Shelly Smith District One Title VI Coordinator, Florida Department of Transportation, 801 N. Broadway Avenue, Bartow, FL 33830, phone: (863)519-2761 or e-mail: [Shelly.smith@dot.state.fl.us](mailto:Shelly.smith@dot.state.fl.us) at least seven days prior to the public hearing. If you are hearing or speech impaired, please contact the FDOT using the Florida Relay Service, 1(800)955-8771 (TDD) or 1 (800) 955-8770 (Voice).

For more information about the project or the public hearing, please contact: project manager Lawrence Massey at (239)225-1980, e-mail: [Lawrence.massey@dot.state.fl.us](mailto:Lawrence.massey@dot.state.fl.us), or visit the project website: [www.cmnaa.com](http://www.cmnaa.com).

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## 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 Division of Drugs, Devices and Cosmetics has received the petition for declaratory statement from Karen Asher-Cohen, Attorney on behalf of Exegi Pharma, LLC, on March 11, 2016. The petition seeks the agency's opinion as to the applicability of Sections 499.01(2) (c), 499.003, Florida Statutes, as it applies to the petitioner.

The Petition seeks a formal opinion from the Department as to whether the Petitioner is required to obtain a permit as a Nonresident Prescription Drug Manufacturer under Chapter 499, Florida Statutes to sell Visbiome™ Extra Strength a medical food.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, [Reggie.Dixon@myfloridalicense.com](mailto:Reggie.Dixon@myfloridalicense.com), website: [http://interredesignalpha/dbpr/ddc/ddc\\_division\\_notices.html](http://interredesignalpha/dbpr/ddc/ddc_division_notices.html).

Please refer all comments to: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047,

Reggie.Dixon@myfloridalicense.com, website:  
[http://interredesignalpha/dbpr/ddc/ddc\\_division\\_notices.html](http://interredesignalpha/dbpr/ddc/ddc_division_notices.html).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that Division of Drugs, Devices and Cosmetics has received the petition for declaratory statement from Lucy Ketner, Payer Relations Coordinator on behalf of Prism Medical Products, LLC. (Petitioners), on March 1, 2016. The petition seeks the agency’s opinion as to the applicability of Sections 499, Florida Statutes as it applies to the petitioner.

The Petition seeks a formal opinion from the Department as to whether the Petitioner is required to obtain a permit as a Medical Distributor license under Chapter 499, Florida Statutes to dispense wound care, ostomy, or urological supplies, more specifically the product Vashe Wound cleanser. A copy of the Petition for Declaratory Statement may be obtained by contacting: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, Reggie.Dixon@myfloridalicense.com, website:  
[http://interredesignalpha/dbpr/ddc/ddc\\_division\\_notices.html](http://interredesignalpha/dbpr/ddc/ddc_division_notices.html).

Please refer all comments to: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, Reggie.Dixon@myfloridalicense.com, website:  
[http://interredesignalpha/dbpr/ddc/ddc\\_division\\_notices.html](http://interredesignalpha/dbpr/ddc/ddc_division_notices.html).

**DEPARTMENT OF HEALTH**

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that the Board of Physical Therapy Practice has received the petition for declaratory statement from Physical Therapy Department, Bay District Schools, filed on March 3, 2016. The petition seeks the agency’s opinion as to the applicability of Section 486.021(11)(a), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board’s clarification of Section 486.021(11)(a), Florida Statutes, regarding the initial day of the 21 day period allowed for physical therapy treatment without a physician referral. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, MQA\_PhysicalTherapy@doh.state.fl.us.

**DEPARTMENT OF HEALTH**

Board of Physical Therapy Practice

**NOTICE OF PETITION FOR DECLARATORY  
 STATEMENT**

The Board of Physical Therapy Practice hereby gives notice that on February 10, 2016, it received a Petition for Declaratory Statement from Grace Hernandez, PT. The petition seeks the Board’s exemption of Section 486.161(2)(b), and (3), Florida Statutes, regarding the physical therapy working group members of the National Hemophilia Foundation to provide volunteer physical therapy services during the international hemophilia conference.

Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. For a copy of this petition contact: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, MQA\_PhysicalTherapy@doh.state.fl.us.

**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 EDUCATION

Florida International University

RULE NO.: RULE TITLE:

6C8-5.009 Use of University Facilities (Repealed)

#### NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services in the discipline of Architecture for medical and research laboratory design will be required for Continuing Services projects at FIU.

Project Location: Modesto A. Maidique Campus (MMC), Biscayne Bay Campus (BBC), Engineering Center (EC), and other properties in South Florida managed by FIU.

Project Description: Continuing Services Contracts are specific projects for architecture and consulting engineering services for renovations, alterations, and additions that have a basic construction budget estimated to be \$2,000,000 or less, or studies for which the fee for professional services is \$200,000 or less. This continuing services contract is for A/E firms with extensive experience in medical and research laboratory design, including construction documents and construction administration.

Term of Contract: Any contract resulting from the selection of a professional consultant (or consultants) to provide these services shall require the consultant to be available on an as-needed basis for the Fiscal Year, July 1 – June 30. Two contracts will be awarded to two different firms. This contract will be awarded for an initial period of one-year with Owner's option to renew the contract, at its sole discretion, for additional one-year periods, however, in no event to exceed a total of five successive years.

Selection Process: Selection of finalists for interviews will be made on the basis of qualifications, including experience and ability; past experience; administrative ability, quality control capability and qualification of the firm's personnel and staff. The final ranking shall be determined based on oral presentations and references. The Selection Committee may reject all proposals and stop the selection process at any time.

#### Instructions:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed "Florida International University Professional Qualifications Supplement (FIUPQS)." The latest version of official FIUPQS forms (FIUPQS\_08\_2015) must be downloaded from the FIU web site at <http://facilities.fiu.edu/projects/A-E-Lab-Consultant2016.htm>.

Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate Governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit Eight (8) bound copies of the required proposal data and one CD copy in Adobe Acrobat PDF format of the requested qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, 11555 S.W. 17th St., Room CSC142, Modesto A. Maidique Campus, Miami, Florida 33199. Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent. The award of this contract is subject to availability of funds.

**GENERAL REQUIREMENTS:** The plans and specifications prepared by the Design Professional are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**FIU HAS CREATED STANDARD CONTRACT FORMS AND STANDARD INSURANCE REQUIREMENTS APPLICABLE TO A/E'S FOR A/E SERVICES TO PROVIDE FOR AN EFFICIENT AND EFFECTIVE PROCESS. THESE FORMS ARE AVAILABLE FOR REVIEW AND CAN BE FOUND AT <http://facilities.fiu.edu/formsandstandards.htm>.**

**ALL APPLICANTS SHOULD REVIEW THE APPLICABLE FIU CONTRACT FORM AND STANDARD INSURANCE REQUIREMENTS CAREFULLY PRIOR TO MAKING A DECISION AS TO WHETHER OR NOT TO RESPOND TO THIS ADVERTISEMENT.**

The Project Fact Sheet, describes the selection process schedule for this Project and additional information regarding the Project scope, and may be obtained from the project web site <http://facilities.fiu.edu/projects/A-E-Lab-Consultant2016.htm>.

In order to minimize the possibility of unethical pressures or influences on the recommendations of the Selection Committee, direct contact with the committee members is not

permitted. Requests for meetings by individual firms will not be granted. Committee members and selection schedule milestone dates can be found in the Project Fact Sheet.

Once the firm acquires and reviews the required forms including instructions, any question or explanation desired by an applicant regarding the project or any part of the process must be requested in writing to griffith@fiu.edu. Responses to questions and requests for information will be posted on the project web site. An effort will be made to respond to all applicant questions; however, the University is not obligated to and may choose not to answer every question. The last day questions or inquiries will be considered prior to final interviews for this project will be announced on the project web site once the date for interviews has been determined.

Should a change in schedule become necessary, updated information will be posted on the project web site <http://facilities.fiu.edu/projects/A-E-Lab-Consultant2016.htm>. All future notices will be posted on the web site. Applicants should check the web site daily.

Submittals must be received between 8:30 a.m. and 12:30 p.m. OR 1:30 p.m. and 4:00 p.m. local time, Friday, April 15, 2016. Submittals will not be accepted before or after the times and date stated above. Facsimile (FAX) submittals are not acceptable and will not be considered.

**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

**SOUTH FLORIDA COMMUNITY CARE NETWORK  
 UPDATED REQUEST FOR PROPOSAL**

South Florida Community Care Network, LLC (SFCCN) invited all qualified individuals and firms to submit proposals for Investment Advisory Services as originally advertised on February 12, 2016, in Vol. 42, No. 29 of the Florida Administrative Register.

SFCCN provides notice of the following updated schedule relating to the proposals received:

Vendors that submitted proposals to the RFP have been invited to make presentations to SFCCN on March 18 and 24, 2016 at the offices of South Florida Community Care Network, LLC, 1643 N. Harrison Parkway, Bldg. H, Suite 200, Sunrise, FL 33323.

**Section XII  
 Miscellaneous**

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Blue Line Industries LLC for the establishment of DRXX lsv  
 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 Duruxx, LLC, intends to allow the establishment of Blue Line Industries LLC, as a dealership for the sale of low-speed vehicles manufactured by Duruxx, LLC (line-make DRXX) at 1355 Bennett Drive, Unit 145, Longwood, (Seminole County), Florida 32750, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Blue Line Industries LLC, are dealer operator(s): Rick Eldridge, 1355 Bennett Drive, Suite 145, Longwood, Florida 32750; principal investor(s): Rick Eldridge, 1355 Bennett Drive, Suite 145, Longwood, Florida 32750.

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: Mandy M. Sefcik, Duruxx, LLC, 14953 South Grant Street, Bixby, Oklahoma 74008.

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.

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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Ferrara's Garage, Inc. for establishment of KYMC motorcycles

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 Kymco USA, Inc., intends to allow the establishment of Ferrara's Garage, Inc., d/b/a Ferrara's Victory as a dealership for the sale of motorcycles manufactured by Kwang Yang Motor Co., Ltd. (line-make KYMC) at 670 South Wickham Road, Melbourne, (Brevard County), Florida 32904, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Ferrara's Garage, Inc., d/b/a Ferrara's Victory are dealer operator(s): Anthony Ferrara, 1513 Bayshore Drive, Cocoa Beach, Florida 32931; principal investor(s): Anthony Ferrara, 1513 Bayshore Drive, Cocoa Beach, Florida 32931.

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: Bruce Ramsey, Kymco USA, Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

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.

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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Jaguar Power Sports LLC for the establishment of JIAJ motorcycles

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 Bintelli LLC, intends to allow the establishment of Jaguar Power Sports LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co., Ltd. (line-make JIAJ) at 4680 Blanding Boulevard, Jacksonville, (Duval County), Florida, 32210, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports LLC, are dealer operator(s): Shaun Jackrel, 4955 Northwest 21st Street, Gainesville, Florida 32605; principal investor(s): Shaun Jackrel, 4955 Northwest 21st Street, Gainesville, Florida 32605.

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: Justin Jackrel, Bintelli LLC, 620 Dobbin Road, Charleston, South Carolina 29414.

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.

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DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Manatee Scooters, LLC for the establishment of SANY motorcycles

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 Alliance-Sym, Inc., intends to allow the establishment of Manatee Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co., Ltd. (line-make SANY) at 3620 Manatee Avenue West, Bradenton, (Manatee County), Florida 34205, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Manatee Scooters, LLC are dealer operator(s): Csaba Nemeth, 3620 Manatee Avenue West, Bradenton, Florida 34205; principal investor(s): Csaba Nemeth, 3620 Manatee Avenue West, Bradenton, Florida 34205.

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: Gene Chang, Alliance-Sym, Inc., 3788 Milliken Avenue, Suite C, Mira Loma, California 91752.

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

Manatee Scooters, LLC for the establishment of ZHNG motorcycles

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 Hammer Brand, LLC, intends to allow the establishment of Manatee Scooters LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng (line-make ZHNG) at 3620 Manatee Avenue West, Bradenton, (Manatee County), Florida 34205, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Manatee Scooters LLC are dealer operator(s): Csaba Nemeth, 3620 Manatee Avenue West, Bradenton, Florida 34205; principal investor(s): Csaba Nemeth, 3620 Manatee Avenue West, Bradenton, Florida 34205.

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: Diana Hammer, Hammer Brand, LLC, 12485 44th Street North, Suite A, Clearwater, Florida 33762.

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

Motorcycle Management Concepts LLC for the establishment of MOGU motorcycles

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 Piaggio Group Americas, Inc., intends to allow the establishment of Motorcycle Management Concepts LLC, as a dealership for the sale of motorcycles manufactured by Piaggio Group Americas, Inc. (line-make MOGU) at 8509 Gunn Highway, Odessa, (Hillsborough County), Florida 33556, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Management Concepts LLC, are dealer operator(s): Aaron Spague, 8509 Gunn Highway, Odessa, Florida 33556; principal investor(s): Aaron Spague, 8509 Gunn Highway, Odessa, Florida 33556.

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: Michael J. Babich, Piaggio Group Americas, Inc., 257 Park Avenue South, 4th Floor, New York, New York 10018.

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

Pasco Turf & Tractor LLC for the establishment of EZGO low speed vehicles

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Textron, Inc., intends to allow the establishment of Pasco Turf & Tractor LLC, as a dealership for the sale of low-speed vehicles manufactured by Textron, Inc. (line-make EZGO) at 5117 Gall Boulevard, Zephyrhills, (Sumter County), Florida, 33514, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Pasco Turf & Tractor LLC, are dealer operator(s): Richard Hawthorne, 5117 Gall Boulevard, Zephyrhills, Florida 33514, principal investor(s): Richard Hawthorne, 5117 Gall Boulevard, Zephyrhills, Florida 33514.

The notice indicates intent to establish the new point location in a county of less 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: Rusty McGahee, Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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

Preston Phillips, Inc. for the establishment of RIYA motorcycles

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 Peace Industry Group (USA), Inc., intends to allow the establishment of Preston Phillips, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Riya Motorcycle Co., Ltd. (line-make RIYA) at 139 US Highway One, Lake Park, (Palm Beach County), Florida, 33403, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Preston Phillips, Inc. are dealer operator(s): Gray Phillips, 208 Clematis Street Suite 503, West Palm Beach, Florida 33401; principal investor(s): Gray Phillips, 208 Clematis Street Suite 503, West Palm Beach, Florida 33401.

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: Meiredith Huang, Peace Industry Group (USA), Inc., 2649 Mountain Industrial Boulevard, Tucker, Georgia 30084.

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

Riva Motorsports Miami, Inc. for the establishment of EZGO low speed 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 Textron, Inc., intends to allow the establishment of Riva Motorsports Miami, Inc., as a dealership for the sale of low-speed vehicles manufactured by Textron, Inc. (line-make EZGO) at 11995 Southwest 222nd Street, Miami, (Miami-Dade County), Florida 33170, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Riva Motorsports Miami, Inc., are dealer operator(s): Michael Martin, 11995 Southwest 222nd Street, Miami, Florida 33170; principal investor(s): Michael Martin, 11995 Southwest 222nd Street, Miami, Florida 33170.

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: Bruce Ramsey, Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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

Riva Yamaha South, Inc. for the establishment of EZGO low speed vehicles

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Textron, Inc., intends to allow the establishment of Riva Yamaha South, Inc., as a dealership for the sale of low-speed vehicles manufactured by Textron, Inc. (line-make EZGO) at 102250 Overseas Highway, Key Largo, (Monroe County), Florida 33037, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Riva Yamaha South, Inc., are dealer operator(s): Michael Martin, 102250 Overseas Highway, Key Largo, Florida 33037, principal investor(s): Michael Martin, 102250 Overseas Highway, Key Largo, Florida 33037.

The notice indicates intent to establish the new point location in a county of less 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: Rusty McGahee, Textron, Inc., 1451 Marvin Griffin Road, Augusta, Georgia 30906.

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

Robert E. Biggs d/b/a Suncoast Trailer Sales, Ind. for the establishment of DRXX low speed 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 Duruxx, LLC, intends to allow the establishment of Robert E. Biggs d/b/a Suncoast Trailer Sales, Ind., as a dealership for the sale of low-speed vehicles manufactured by Duruxx, LLC (line-make DRXX) at 210 Ring Avenue, Palm Bay, (Brevard County), Florida 32907, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Robert E. Biggs d/b/a Suncoast Trailer Sales, Ind., are dealer operator(s): Robert E. Biggs, 210 Ring Avenue, Palm Bay, Florida 32907; principal investor(s): Robert E. Biggs, 210 Ring Avenue, Palm Bay, Florida 32907.

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: Mandy M. Sefcik, Duruxx, LLC, 14953 South Grant Street, Bixby, Oklahoma 74008.

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

World Ventures Corp., for the establishment of SANY motorcycles

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 Alliance-Sym, Inc., intends to allow the establishment of World Ventures Corp., d/b/a Scooterdomain.com as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co., Ltd. (line-make SANY) at 16300 Southwest 137th Avenue, Unit 109, Miami, (Miami-Dade County), Florida 33177, on or after April 16, 2016.

The name and address of the dealer operator(s) and principal investor(s) of World Ventures Corp., d/b/a Scooterdomain.com are dealer operator(s): Gabriel Rene Azcunce, 16300 Southwest 137th, #109, Miami, Florida 33177; principal investor(s): Gabriel Rene Azcunce, 16300 Southwest 137th, #109, Miami, Florida 33177.

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: Gene Chang, Alliance-Sym, Inc., 3788 Milliken Avenue, Suite C, Mira Loma, California 91752.

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 ENVIRONMENTAL PROTECTION State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

City of Apopka

The Florida Department of Environmental Protection (DEP) has determined that the City of Apopka's project involving construction of wastewater treatment improvements is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$48,000,000. The project may qualify for a Clean Water State Revolving Fund loan comprised of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Finding of No Significant Impact can be obtained by writing to: Bryan Goff, SRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2966 or emailing to Bryan.Goff@dep.state.fl.us.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-16-034

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-034 on March 14, 2016, in response to an application submitted by North Point Harbour Community Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

Section XIII

Index to Rules Filed During Preceding Week

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