

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-4.203
RULE TITLE: Financial Requirements

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to incorporate changes in the authorizing statute, revise technical errors and update references.

SUBJECT AREA TO BE ADDRESSED: The Agency proposes to amend Rule 59A-4.203, F.A.C., to delete the requirement for pro forma statements, clarify definitions and revisions to allow a provider that is part of a corporate entity to submit a consolidated corporate financial statement to satisfy financial soundness and stability for Gold Seal purposes, incorporate changes in the authorizing statute, and make technical changes.

RULEMAKING AUTHORITY: 400.235 FS.

LAW IMPLEMENTED: 400.235 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: June 9, 2016, 9:00 a.m. – 10:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Terrosa Buie, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or email: LTCStaff@ahca.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.010
RULE TITLE: License Reactivation Education for Brokers and Sales Associates

PURPOSE AND EFFECT: The Commission proposes the rule amendment correct a typographical error and to correct terminology in the rule.

SUBJECT AREA TO BE ADDRESSED: Pre-licensing education for broker and sales associate applicants and

continuing education for active and inactive broker sales associate licensees.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182, 475.183, 475.451 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: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, (850)487-1395

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-3.020
RULE TITLE: Post-licensing Education for Active and Inactive Broker and Sales Associate Licensees

PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if modification is necessary to update the rule language.

SUBJECT AREA TO BE ADDRESSED: Post-licensing education for active and inactive broker and sales associate licensees.

RULEMAKING AUTHORITY: 475.05, 475.017 FS.

LAW IMPLEMENTED: 475.04, 475.17, 475.182 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: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, (850)487-1395

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-10.038 Mailing Address

PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if modification is necessary to update the rule language.

SUBJECT AREA TO BE ADDRESSED: Mailing address.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.275 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: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, (850)487-1395

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-24.002 Citation Authority

PURPOSE AND EFFECT: The Commission proposes to review the rule to determine if modification is necessary to update the rule language.

SUBJECT AREA TO BE ADDRESSED: Citation authority.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.224, 475.25(1) 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: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801, (850)487-1395

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

Section II
Proposed Rules

NONE

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE NOS.: RULE TITLES:

55A-7.003	Definitions
55A-7.007	General Eligibility for Appointment and Retention Preference
55A-7.008	Persons Eligible for Appointment and Retention Preference
55A-7.009	Announcements, Applications and Due Process
55A-7.010	Employment Preference When Using a Numerically Based Selection Process
55A-7.011	Employment Preference When Numerically Based Selection Process Is Not Used
55A-7.0111	Reinstatement or Reemployment; Promotion Preference
55A-7.013	Documentation of Preference Claim
55A-7.015	Preference in Retention
55A-7.016	Enforcement of Preference

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 57, March 23, 2016 issue of the Florida Administrative Register. The law implemented section of the notice incorrectly states section 295.065, F.S., twice. The correct citation is 295.065, 295.07, 295.08, 295.085, 295.09, 295.11, 295.123, 295.14 FS.

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE NOS.:	RULE TITLES:
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55A-7.0111	Reinstatement or Reemployment; Promotion Preference
55A-7.013	Documentation of Preference Claim
55A-7.015	Preference in Retention
55A-7.016	Enforcement of Preference
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 57, March 23, 2016 issue of the Florida Administrative Register. These changes are being made to address comments expressed by the Joint Administrative Procedures Committee and written comments timely submitted to the agency.

55A-7.003 Definitions.

As used in the rules of chapter 55A-7, F.A.C.:

(1) through (2) No change.

(3) "Augmented Rating" means the final numerical score received by a preference-eligible applicant after it is increased by Veterans' Preference augmentation points in accordance with s. 295.08, F.S. and subsection 55A-7.010, of this rule chapter.

(4) "Complaint Lacking Merit" means a complaint lacking a substantial ground basis in law or ~~and/or~~ fact, and which has is so insufficient in that there is little or no if any prospect of being that it can be successfully resolved in favor of the veteran.

(5) "Death under Combat Related Conditions" means the death was determined by the Department of Defense or U.S. Government to have occurred ~~been incurred~~ as the direct result of armed conflict, while engaged in hazardous service, in the performance of duties under conditions simulating war, or through an instrumentality of war.

(6) through (12) No change.

(13) "Numerically Based Selection Process" means an examination resulting in a numerical score that is used to determine the qualifications for ~~entrance into~~ employment.

(14) through (17) No change.

(18) "Veteran" or "Wartime Veteran" is defined in s. 1.01(14), F.S.

~~(a) The term "veteran" means a person who served in the active military, naval, or air service, and who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States Department of Veterans Affairs on individuals discharged or released with other than honorable discharges. Active duty for training will may not qualify a veteran be allowed for Vveterans' Ppreference eligibility.~~

(b) To receive benefits as a "Wartime Veteran," a veteran ~~as described in (a)~~ must have served at least 1 ~~one~~ day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the specific following periods of wartime service described in s. 1.01(14), F.S.:

~~1. Spanish American War: April 21, 1898, to July 4, 1902, and including the Philippine Insurrection and the Boxer Rebellion.~~

~~2. Mexican Border Period: May 9, 1916, to April 5, 1917, in the case of a veteran who during such period served in Mexico, on the borders of, or in the waters adjacent to Mexico.~~

~~3. World War I: April 6, 1917, to November 11, 1918; extended to April 1, 1920, for those veterans who served in Russia; also extended through July 1, 1921, for those veterans who served after November 11, 1918, and before July 2, 1921, provided such veterans had at least one day of service between April 5, 1917, and November 12, 1918.~~

~~4. World War II: December 7, 1941, to December 31, 1946.~~

5. Korean War: June 27, 1950, to January 31, 1955.

6. Vietnam War: February 28, 1961, to May 7, 1975.

7. Persian Gulf War: August 2, 1990, to January 2, 1992.

~~8. Operation Enduring Freedom: October 7, 2001, and ending on the date thereafter prescribed by presidential proclamation or by law.~~

~~9. Operation Iraqi Freedom: March 19, 2003, and ending on the date thereafter prescribed by presidential proclamation or by law.~~

(19) No change.

Rulemaking Authority 295.07(2) F.S.. Law Implemented 1.01(14), 295.065, 295.07 FS. History—New 3-30-88, Formerly 22VP-1.003, Amended 2-12-90, 6-21-92, 7-12-93, 12-27-98, 7-26-00, 6-11-08,_____.

55A-7.007 General Eligibility for Appointment and Retention Preference.

Rule cChapter 55A-7, F.A.C., sets forth procedures for providing preference and priority in the employment selection

and retention practices of agencies of the State and its political subdivisions as defined in s. 1.01(8), F.S., applying such rules to those certain servicemembers, veterans, spouses and family members of servicemembers and veterans specified in s. 295.07(1), F.S., who:

(1) Have not been classified by any branch of the Armed Forces of the United States as a deserter; or

(2) Have not received a discharge under less than honorable conditions upon separation from the Armed Forces.

(3) Have not been designated as exempt pursuant to s. 295.07(4), F.S.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.065, 295.07(4), 295.123 FS. History—New 3-30-88, Formerly 22VP-1.007, Amended 12-27-98,_____.

55A-7.008 Persons Eligible for Appointment and Retention Preference.

The following persons shall be eligible to receive preference in appointment and retention in employment pursuant to s. 295.07, F.S.:

(1) through (2) No change.

(3) A wartime veteran as defined in s. 1.01(14), F.S., ~~and subsection 55A-7.003(19), F.A.C.~~, who has served in active duty during a specified wartime period for at least ~~1~~ one day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the specified periods of wartime service; however, active duty for training is not allowed for eligibility.

(4) through (5) No change.

(6) A veteran as defined in s. 1.01(14), F.S., ~~and subsection 55A-7.003(19), F.A.C.~~, who has served in active duty as specified; however, active duty for training is not allowed for eligibility.

(7) No change.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.07(1) and (3) FS. History—New 3-30-88, Formerly 22VP-1.008, Amended 2-12-90, 6-21-92, 6-11-08,_____.

55A-7.009 Announcements, Applications and Due Process.

(1) through (2) No change.

(3) Any employment application forms for positions that are subject to Veterans' Preference under s. 295.07, F.S., shall ask whether the applicant is claiming Veterans' Preference, and shall state that required documentation must accompany application or be submitted prior to the application ~~closing or~~ deadline date and time.

(4) No change.

(5) In the event that a preference-eligible applicant is not selected for a position, the employer shall notify the applicant within 14 business days of the hiring decision, which

~~timeclock shall begin to run when determined by the employer secures a commitment upon submitting an offer of employment to a selected applicant for the position and receiving an acceptance from by the selected applicant for a date certain to start work.~~

(6) The employer is required to document and justify the decision to hire a non-preference eligible applicant over the preference-eligible applicant because the decision may be challenged by the preference-eligible applicant and subjected to review by the Department of Veterans' Affairs pursuant to s. 295.11, F.S., resulting in investigative findings as to the merits which will be sent to the complaining applicant and the employer. If an applicant pursues an administrative determination in accordance with ss. 120.569 or 120.57, F.S., ~~appealed further,~~ the Department's opinion may be sent to the Public Employees Relations Commission.

(7) Jurisdiction to effectuate the purposes of ss. 295.07-295.09, F.S., shall vest with the Public Employees Relations Commission for an administrative determination which may include hearing, dismissal without hearing, and entering orders as it deems appropriate which shall render a final decision under the powers and duties authorized by ss. 295.11 and 447.207(9)(c), F.S. Its decision shall be final agency action which shall be reviewable pursuant to s. 447.504, F.S., in the district courts of appeal pursuant to s. 120.68, F.S.

Rulemaking Authority 295.07(2) F.S.. Law Implemented 295.065, 295.11 FS. History—New 3-30-88, Formerly 22VP-1.009, Amended 2-12-90, 7-12-93, 6-11-08,_____.

55A-7.010, Employment Preference When Using a Numerically Based Selection Process.

(1) The names of persons, unless exempt under s. 295.07(4), F.S., who receive a qualifying examination score for a position, are also eligible to receive an Augmented Rating as defined in rule 55A-7.003(3), F.A.C. Veterans' Preference points ~~shall or augmentation to~~ be added to the final examination score as defined in subsection 55A-7.003(9), F.A.C., in order to increase an applicant's final score, and the names of preference-eligible persons shall be added to an appropriate register in order of the augmented score which is sum of examination score and applicable augmentation points unless subject to (2)(c) of this rule.

(2) 15 ~~points of~~ augmentation points shall be added for:

(a) through (b) No change.

(c) Except for classes of positions with Federal Government designations of professional or technician, all persons eligible for a 15-point preference whose service-connected disabilities have been rated at to be 30% or more shall be placed at the top of the appropriate register or employment list in accordance with his or her respective

~~augmentation points augmented rating score in addition to the preference points.~~

(3) ~~10 points of augmentation points~~ shall be added for:

(a) A wartime veteran as defined in s. 1.01(14), F.S., ~~and subsection 55A 7.003(19), F.A.C.~~, and who has served at least ~~1 one~~ day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the specified periods of wartime service. ~~However, active duty for training is not allowed for eligibility under this paragraph.~~

(b) through (c) No change.

(4) ~~5 points of augmentation points~~ shall be added for:

(a) A veteran as defined in s. 1.01(14), F.S., ~~and subsection 55A 7.003(19), F.A.C.~~, not including wartime veterans who are eligible for 10 points of augmentation under (3) in this rule. ~~However, active duty for training is not allowed for eligibility under this paragraph.~~

(b) No change.

(5) ~~Augmentation points Augmented scores~~ are to be added to a qualified candidate's examination score of 100 ~~or more in addition to the applicable veteran's preference points~~ as follows: 15 points for (2)(a) or (b) in this rule; 10 points for (3)(a), (b), or (c) in this rule; 5 points for (4)(a) or (b) in this rule. However, where the highest possible examination score is more or less than 100, an alternative procedure makes it permissible to apply percentages to calculate additions to points instead, as follows: 15 percent for persons described in (2)(a) or (b) of this rule; 10 percent for persons described in (3)(a), (b), or (c) of this rule; and 5 percent for persons described in (4)(a) or (b) of this rule. If the total possible score is exactly 100, augment directly with 5, 10, or 15 points; if the total possible points are less than or more than 100 points, use percentages to calculate points for addition to examination score. For example, if an applicant scores 50 points, and is a person described in (3)(a), (b), or (c) of this rule, then calculate 10% for additional points, resulting in a final score of 55.

(6) Appointments to positions subject to collective bargaining agreements local merit system rules are to be made from the appropriate register or employment list in accordance with these augmented ratings.

~~(7) Employers shall comply with the requirements of any applicable collective bargaining agreements whenever such agreements provide better preference augmentation than this rule.~~

Rulemaking Authority 295.07(2) FS. Law Implemented 295.08 FS. History—New 3-30-88, Formerly 22VP-1.010, Amended 2-12-90, 7-12-93, 12-27-98, 6-11-08, _____.

55A-7.011 Employment Preference When Numerically Based Selection Process Is Not Used.

(1) No change.

(2) Preference-eligible applicants who meet the minimum qualifications for the open position shall be considered for selection ~~prior to all other applicants~~ and shall be granted an interview in all cases.

(3) When two equally-qualified preference-eligible applicants are considered for an open position, selection preference shall be awarded first to paragraphs (a) and (b) of this subsection, and second to paragraphs (c) through (g) of this subsection:

(a) through (b) No change.

(c) A wartime veteran as defined in s. 1.01(14), F.S., ~~and subsection 55A 7.003(19), F.A.C.~~, who has served at least ~~1 one~~ day in a campaign or expedition for which a campaign badge has been authorized, including any armed forces expeditionary medal or the global war on terrorism medal, or during one of the specified periods of wartime service.

(d) through (e) No change.

(f) A veteran as defined in s. 1.01(14), F.S., ~~and subsection 55A 7.003(18), F.A.C.~~ ~~However, active duty for training may not be allowed for eligibility under this paragraph.~~

(g) No change.

(4) No change.

(5) If, at any step in the selection process, a determination is made that the preference-eligible applicant is not qualified to advance to a subsequent step in the selection process, a higher level of management having authority to overturn the initial determination shall review such determination to ensure that the determination was correct.

(6) Appointments to positions subject to collective bargaining agreements local merit system rules are to be made from the appropriate register or employment list in accordance with these augmented ratings.

~~(7) Employers shall comply with the requirements of any applicable collective bargaining agreements whenever such agreements provide better preference augmentation than this rule.~~

~~(8) Veterans' Preference does not require the employment of a preferred applicant over a nonpreferred applicant who is the most qualified applicant for the position, and if a preference eligible applicant is not selected for a position, an employer may then consider other applicants.~~

Rulemaking Authority 295.07(2) FS. Law Implemented 295.08 FS. History—New 3-30-88, Formerly 22VP-1.011, Amended 2-12-90, 7-12-93, 12-27-98, 12-28-04, 6-11-08, _____.

55A-7.0111 Reinstatement or Reemployment; Promotion Preference.

(1) When an employee ~~in a covered position~~ leaves employment of the state or its political subdivisions for the purpose of serving in the Armed Forces of the United States and is separated therefrom with an honorable discharge, the state or its political subdivision shall reinstate or reemploy such person under the following conditions:

(a) No change.

(b) Reinstatement or reemployment is made within ~~1 one~~ year of the date of separation from the military service, or, in the case of extended active duty for a required military purpose other than for training, within ~~1 one~~ year of the date of discharge or separation subsequent to the extension.

(2) Persons reinstated or reemployed under this rule shall be awarded preference in promotion, and shall be promoted ahead of all other employees who are as well or less qualified for the position. When a numerically based selection process is used, such persons shall be eligible for preference points and ranking on the register as provided by ~~r~~Rule 55A-7.010, F.A.C., of this rule chapter. When a numerically based selection process is not used, ~~r~~Rule 55A-7.011, F.A.C., applies. Eligibility for preference in promotion shall apply only to a veteran's first promotion after reinstatement or reemployment, without exception.

(3) No change.

(4) Where the reinstated or reemployed person is not promoted and the register is vacated to establish a new register for the next promotion, such person shall retain eligibility for preference points and ranking on the new register as provided by ~~r~~Rule 55A-7.010, F.A.C.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.08, 296.085, 295.09 FS. History—New 3-30-88, Formerly 22VP-1.0111, Amended 6-11-08, _____.

55A-7.013 Documentation of Preference Claim.

(1) through (5) No change.

(6) Intentional misrepresentation of any ~~the~~ claim for preference shall disqualify the applicant from claiming Veterans' Preference on future applications, and if employed, shall be subject to disciplinary action by the ~~covered~~ employer, including dismissal.

(7) Documentation for all applicants shall include a Veterans' Preference Certification, FDVA form VP-1, incorporated by reference and found at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06923> <http://www.flrules.org/Gateway/reference.asp?No=Ref-06654>, and the following:

(a) through (d) No change.

(e) The mother, father, legal guardian, or unremarried widow or widower of a deceased veteran shall furnish a document from the Department of Defense showing the death of the service member while on duty status under combat-

related conditions or the DVA certifying the service-connected death of the veteran; ~~and~~ The mother, father, or legal guardian shall provide evidence of familial relationship, such as a birth certificate, and the unremarried widow or widower shall ~~provide further furnish~~ evidence of marriage, such as a marriage certificate, and certification confirmation that the spouse has not remarried ~~certified~~ by providing a completed Certification of Unremarried Widow or Widower, FDVA form VP-3, incorporated by reference and found at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06925> <http://www.flrules.org/Gateway/reference.asp?No=Ref-06656>, in addition, to the FDVA form VP-1, first appearing in subsection (7) of this rule, confirming that the spouse has not remarried.

(f) The current member of any reserve component of the United States Armed Forces shall provide a completed Certification of Current Member of Reserve Component of the United States Armed Forces or The Florida National Guard, FDVA form VP-2, incorporated by reference and found at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06924> <http://www.flrules.org/Gateway/reference.asp?No=Ref-06655>, signed by an immediate military supervisor, in addition to the FDVA form VP-1, first appearing in subsection (7) of this rule. The current servicemember of any active component of the United States Armed Forces who is expected to be discharged or released from active duty service under honorable conditions no later than 120 days after the date that a Statement of Service certification or letter is prepared by the armed forces, shall be treated as a preference-eligible applicant. These documents may be provided in lieu of a DD-214 or other documentation which may not be available until active service has ended.

(g) The employer has an affirmative duty to notify the applicant if a timely submitted Veterans' Preference claim is later found to be missing information; the employer shall advise the applicant of what is missing and provide a reasonable amount of time for the applicant to cure the deficiency.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.065, 295.07, 295.11 FS. History—New 3-30-88, Formerly 22VP-1.013, Amended 2-12-90, 7-12-93, 12-27-98, 6-11-08, _____.

55A-7.015 Preference in Retention.

(1) through (3) No change.

(4) If a numerically-based process is not used, the covered employer shall give preference and priority to the retention of preference-eligible employees in the following manner:

(a) through (b) No change.

(c) In the event that two equally-qualified preference-eligible employees are considered for layoff, retention shall be

awarded first to disabled veterans under s. 295.07(1)(a), F.S., or spouses under s. 295.07(1)(b), F.S.

(5) Preference-eligible employees who have previously provided proof of eligibility to the ~~covered~~ employer, and have this documentation as part of their personnel file, are not required to resubmit proof of eligibility for retention.

(6) Each employer shall ensure that records are maintained which document the ~~manner of the retention and the propriety of the~~ retention process and justification for its final decision in accordance with federal and state laws.

(7) In the event that a preference-eligible employee is not selected for retention, the employer shall notify the applicant within 7 ~~seven~~ days of the retention decision.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.07, 295.08, 295.08 FS. History—New 3-30-88, Formerly 22VP-1.015, Amended 7-12-93, 6-11-08,_____.

55A-7.016 Enforcement of Preference.

(1) Employers are required to document the basis for hiring decisions and justify the decision to hire a nonpreferred applicant over a preferred applicant by maintaining a file that includes documentation of advertised positions, dates advertised, applications received, candidates interviewed, evaluation criteria and methods used such as numerical scoring or other means of evaluating applicants, documentation of manager, team or committee process and interview notes, employment offer and acceptance letters, employment pre-screening results, agreed upon start date for person hired, and any other relevant information for the appropriate records retention period.

(2) through (3) No change.

(4) Such complaint shall be filed within 60 calendar days from the date that the notice is received by the preference-eligible applicant pursuant to ss. 120.569 and 120.57, F.S. The time periods specified in this rule may extend the time periods set forth in chapter 120, F.S., in order to benefit preference-eligible persons and to accommodate the challenges of obtaining federal government records. The day of receipt will be presumed to be the date on the employer's letter plus 5 calendar days for mail unless the applicant provides proof that the applicant received the notice earlier.

(5) Prior to filing a complaint, it is the responsibility of the preference-eligible applicant to contact the designated Human Resources or other contact person at least one time after 45 ~~30~~ days have passed from after the final closing date for submitting an application of the position advertisement or the interview date, whichever is later in time, if the applicant has not received notice of a hiring decision. Such designated person shall provide notice regarding the status on the hiring decision, and shall document the applicant's contact with that office in writing. If a hiring decision has been made without

~~the required notification by the employer, the time for an appeal is tolled and the preference-eligible applicant may file a complaint with the Department, as stated above, at any time within 6 calendar months from the date that the status is confirmed by the employer.~~

(6) Within 10 ~~ten~~ calendar days of receipt of receiving the complaint, the Department shall send a written acknowledgment of receipt to the complainant and the employer, advising that the complaint will be investigated; and a copy of the findings shall be furnished to the complainant thereafter.

(7) Within 20 calendar days of receipt of the complaint, the Department shall designate a Department representative who will be responsible for conducting the investigation and requesting information from the employer within 10 ~~ten~~ days of assignment.

(8) Within 30 calendar days of the Department initiating a request for documentation, the employer or hiring authority shall furnish the following information:

(a) The documentation regarding the position and any materials concerning the hiring decision including advertisement of the position, applications of all qualified top applicants who were considered for the position, interview notes, offers of employment and acceptance letters, acceptance of offer letters, any other relevant documentation; ~~and~~

(b) A plain statement justifying the hiring decision; ~~and~~

(c) No change.

(9) After investigation and review of the complaint and documentation provided by the complainant and employer, the Department may issue its opinion by certified mail, return receipt requested, and shall provide copies to the complainant and to the employer. The opinion shall include the following:

(a) The name of the individual supplying the information from the employer.

(b) through (d) No change.

(e) The nature of the preference claimed for which the applicant is claiming.

(f) through (g) No change.

(h) An opinion, based on information considered during the investigation, as to whether the complaint has merit or lacks merit.

(10) No change.

(11) If the complaint is found to have merit at the time of issuing its opinion to the complainant and employer, the Department shall solicit from the employer a statement as to the action the employer proposes to take to resolve the complaint. The employer shall send a written statement of the proposed action to the complainant by certified mail, return receipt requested, within 30 calendar days of the date the Department's findings are issued, and the employer shall furnish a copy to the Department. The complainant, if not

satisfied with the proposed action, shall notify the Department in writing within 15 calendar days. The Department shall notify the complainant within 10 ~~ten~~ calendar days of receipt of the complainant's notice, by certified mail, return receipt requested, of the right to petition the Public Employees Relations Commission for a hearing within 45 calendar days from the receipt of such letter, and the address to which the petition shall be sent.

(12) If the complaint is found to have merit and the employer fails to send a written statement of the proposed action to the complainant within 30 calendar days of the date the Department's findings are issued to the complainant and employer, the complainant shall, within 15 calendar days, advise the Department of the employer's failure to effect a resolution satisfactory to the complainant. The Department shall notify the complainant within 10 ~~ten~~ calendar days of receipt of the complainant's notice, by certified mail, return receipt requested, of the right to petition the Public Employees Relations Commission for a hearing within 45 calendar days from receipt of such letter, and the address to which the petition should be sent.

(13) The administrative determination by ~~After such review, a preference eligible applicant may appeal to the Public Employees Relations Commission shall be conducted~~ in accordance with ss. 447.201-447.609, F.S. Upon obtaining jurisdiction, the Public Employees Relations Commission may ~~will~~ hear and determine penalties for violation of preference statutes and rules, and may ~~may~~ order remedies pursuant to s. 295.14, F.S., including but not limited to compensation for lost wages, reasonable attorney fees and costs, ~~which determination is conclusive on the agency, employee, and officer concerned.~~

(14) Under s. 447.207(10), F.S., the decision concerning a Veterans' Preference complaint made by the Public Employees Relations Commission is final agency action and pursuant to s. 447.207(11), F.S., may be reviewed by the district courts of appeal under s. 447.504, F.S., in accordance with the requirements of s. 120.68, F.S.

Rulemaking Authority 295.07(2) FS. Law Implemented 295.11, 295.14 FS. History—New 3-30-88, Formerly 22VP-1.016, Amended 2-12-90, 7-12-93, 12-27-98, 6-11-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Charles Faircloth, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Prendergast, Executive Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 1, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 2, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.002 RULE TITLE: Licensing and Inspection Requirements
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 94, May 13, 2016 issue of the Florida Administrative Register. Form numbers HR-7005, HR-7007, and HR-7030 had the effective date inadvertently changed. The only changes to these 3 forms were technical changes recognizing the division's new address, and the effective dates have been returned to their previous state.

DEPARTMENT OF HEALTH

Dietetics and Nutrition Practices Council

RULE NOS.: 64B8-44.002 RULE TITLES: Fraudulent, False, Deceptive, or Misleading Advertising
64B8-44.003 Disciplinary Guidelines
64B8-44.006 HIV/AIDS: Knowledge of Antibody Status; Action to be Taken
64B8-44.007 Standards of Practice
64B8-44.008 Performance of Delegated Tasks by Non-Licensed Personnel
64B8-44.009 Unauthorized Treatments

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, FS, published in Vol. 41, No. 214, of the November 3, 2015, and the Notice of Change published in Vol. 42, No. 45, of the March 7, 2016 issue of the Florida Administrative Register. The changes are in response to concerns stated in a letter from the Joint Administrative Procedures Committee dated April 4, 2016. The changes are as follows:

64B8-44.007 Standards of Practice

(1) through (3) No change.

(4) The licensee shall accurately present professional qualifications and credentials: the licensee shall use "LD", "LN", "LNC," "RD" ~~"RN"~~ or "Registered Dietitian," or "RDN" only when licensure is current and authorized by the Council, Board, and Department.

(5) through (9) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Allen Hall, Executive Director, Council of Dietetics and Nutrition Practice, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-2.002
 RULE TITLE: Biennial Renewal Fee

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 77, April 20, 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 May 2, 2016. The correction is as follows:

“Name of Person Originating the Proposed Rule” and “Name of Agency Head Who Approved the Proposed Rule” will read correctly as: “Board of Orthotists and Prosthetists.”

“Law Implemented” shall read as: ~~436.025,~~ 456, 025, 456.036, 468.806 FS.

The person to be contacted regarding the above change is: Anthony Spivey, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-2.0015
 RULE TITLE: Retired Status Fee.

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 77, April 20, 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 May 2, 2016. The correction is as follows:

“Name of Person Originating the Proposed Rule” and “Name of Agency Head Who Approved the Proposed Rule” will read correctly as “Board of Orthotists and Prosthetists.”

“Rulemaking Authority” shall read as: 456.013, (2), 468.803(2)(a), (4), (5) FS.

“Law Implemented” shall read correctly as: 456.013(2), 468.803(2)(a), (4), (5)(a), (b), (c), (d), (e) FS.

The person to be contacted regarding the above change is: Anthony Spivey, Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

**Section IV
 Emergency Rules**

NONE

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Board of Accountancy

RULE NO.: 61H1-28.0052
 RULE TITLE: Number of Sittings, and Granting of Credit,

Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on May 9, 2016, the Board of Accountancy received a petition for variance or waiver filed by Jonathan Morera, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Acupuncture

NOTICE IS HEREBY GIVEN that on May 9, 2016, the Board of Acupuncture received a petition for variance and waiver from Rule 64B1-3.004, F.A.C., and 457.105(2)(c), F.S., filed by Julie Kwiatkowski – Dipl.Ac.,Rn, BSN. Petitioner requests a variance and waiver from the requirement of the rule that require the Chinese Herbology Module examination and that she be allowed to use years of experience for the licensure requirement. Comments on this petition should be filed with the Board of Acupuncture, Claudia Kemp, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3257.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NOS.:RULE TITLES:

64B2-13.001 Renewal of Active License

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on May 16, 2016, the Board of Chiropractic Medicine received a petition for variance or waiver filed by Jeffrey C. Weinstein, Esq., on behalf of Jade S. Bessette. The petitioner is seeking a waiver or variance of subsection 64B2-13.001(1), Florida Administrative Code, which states that the department shall renew an active license to practice chiropractic upon timely receipt of the complete application for active status, the biennial renewal fee, and certification that the licensee has demonstrated participation in the continuing chiropractic education required by Rule 64B2-13.004, Florida Administrative Code. Petitioner is also seeking a variance or waiver from subsection 64B2-13.004(1), Florida Administrative Code, which requires that for the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education during the past two years, of which at least three hours shall be in the area of risk management.

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 May 16, 2016, the Board of Clinical Laboratory Personnel received a petition for variance or waiver filed by Steve Charles. Petitioner is seeking a variance or waiver of paragraph 64B3-5.003(3)(a), Option 1, Florida Administrative Code, which sets forth the education, training/experience and examination requirements for a specialty licensure as a medical technologist.

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 Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on May 12, 2016, the Board of Medicine received a petition for waiver or variance filed by Bernard Schayes, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on May 10, 2016, the Board of Medicine received a petition for waiver or variance filed by Khalid Hassan, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-27.797 The Standards of Practice for Compounding Sterile Products

NOTICE IS HEREBY GIVEN that on May 16, 2016, the Board of Pharmacy received a petition for variance or waiver filed by Dorinda Segovia, PharmD, on behalf of Memorial Healthcare System, seeking a variance or waiver of the requirement of Rule 64B16-27.797, Florida Administrative Code, and the rule's incorporated documents that require for the standards for sterile compounding, for the IV room to have ceiling tiles which are caulked around each perimeter to seal them to the support frame.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or at info@Floridaspharmacy.gov. Comments on this petition should be filed with the Board of Pharmacy/MQA, within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following workshop for Tuesday, May 24, 2016, which is open to the public. The workshop will be held at the College's Administrative Offices, 501 West State Street, Jacksonville, FL 32202.

DATE AND TIME: May 24, 2016, 12:00 Noon – 2:00 p.m., Board budget workshop

PLACE: College Administrative Offices, 501 West State Street, Board Room 405, Jacksonville, FL 32202

GENERAL SUBJECT MATTER(S) TO BE CONSIDERED: 2016/17 Budget Overview.

Copies of the agenda for the workshop will be available for inspection beginning Tuesday, May 17, 2016 and copies will be provided upon written request and the payment of approved duplicating charges.

If special accommodations are required, please advise the Office of the College President twenty-four (24) hours in advance of the workshop by contacting: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, marital status, veteran status, sexual orientation/expression or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President

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: May 23, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., 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-15-16-099) for Satellite Voice Data Services for VSAT Systems.

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.

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

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

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: May 23, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., 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 (RFP-DEM-15-16-103) for FDEM Radio Advertising Media Buy.

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.

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, (850)410-1391, 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, (850)410-1391, 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).

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: June 2, 2016, 9:30 a.m.

PLACE: A.C.T., 1875 West Main Street, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee (LEPC) and/or its subcommittees, to discuss the provision of the Emergency Planning Committee Right-to-Know Program. Items pertaining to the State Emergency Response Commission (SERC) may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Manager, at (863)534-7130 or at ccarter@cfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Chuck Carter, Program Manager, at (863)534-7130 or at ccarter@cfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

SPACE FLORIDA

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

DATE AND TIME: Thursday, May 26, 2016, 9:00 a.m. – 2:30 p.m., ET

PLACE: Space Life Sciences Laboratory, 505 Odyssey Way, Exploration Park, FL 32953

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Space Florida Evaluation Committee Members will be conducting Stage 3 of the Evaluation Process and considering the qualification packages submitted by vendors in response to the Continuing Services Contract.

For Spaceport Infrastructure General Consulting for Space Florida's Request for Qualifications for RFQ-SF-04-0-2016/SS.

A copy of the agenda may be obtained by contacting: Art Robbins, arobbins@spaceflorida.gov or on Space Florida's website: www.SpaceFlorida.gov.

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

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

For more information, you may contact: Art Robbins, arobbins@spaceflorida.gov.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 24, 2016, 10:00 a.m., ET

PLACE: Conference Room 380K, 4050 Esplanade Way, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a public bid opening is hereby noticed for the following Invitation To Bid (ITB) Number: 07-78131804-U for Document Management Services. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department 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 Register (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu. A copy of the agenda may be obtained by contacting: Frank Dichio at (850)487-4196.

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: Frank Dichio. 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: Frank Dichio at (850)487-4196, frank.dichio@dms.myflorida.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-22.008 School Age Child Care

The Department of Children and Families announces workshops to which all persons are invited.

DATES AND TIMES: Workshop A: June 6, 2016, 9:00 a.m. – 11:00 a.m. ET or until business is concluded, whichever is earlier

Workshop B: June 9, 2016, 2:00 p.m. – 4:00 p.m. ET or until business is concluded, whichever is earlier

PLACES: Workshop A: Department of Children and Families 1317 Winewood Boulevard, Building 4, Tallahassee, Florida 32399-0700

Workshop B: Hiwassee Branch of the Orange County Library 7391 W. Colonial Drive Orlando, FL 32818

GENERAL SUBJECT MATTER TO BE CONSIDERED: In an effort to ensure the health and safety of children in all levels of child care, the Department is in the process of establishing a tiered licensing system for school-age programs. The rule will also clarify license exemptions and provide minimum standards for school-age child care facilities. The Department continues to solicit input from the public regarding the school-age child care rule.

A copy of the agenda may be obtained by contacting: Dinah Davis, Office of Child Care Regulation, 1317 Winewood Boulevard, Building 6, Tallahassee, Florida 32399-0700, (850)488-4900.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

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

DATE AND TIME: May 26, 2015, 1:00 p.m.

PLACE: 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399-0700, telephone conference: 1(888)670-3525, participant code: 286-825-0655

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN# 04H15GS1 – Treasure Coast Forensic Treatment Center (TCFTC) – Mandatory Solicitation Conference – All interested vendors are required to participate. The conference is held to review the ITN with vendors so that areas of misunderstanding or ambiguity and be clarified.

A copy of the agenda may be obtained by contacting: Michele.staffieri@myflfamilies.com.

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

DISABILITY RIGHTS FLORIDA

Disability Rights Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 3, 2016, 9:00 a.m.

PLACE: Hampton Inn Gainesville Downtown, 101 SE 1st Ave., Gainesville, FL 32601, (352)240-9300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disability Rights Florida, Inc., Florida's Protection & Advocacy System for Persons with Disabilities Quarterly Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Paige Morgan, (850)488-9071, Ext. 9721.

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: Disability Rights Florida, Inc. 2473 Care Drive, Suite 200 Tallahassee, FL 32308, (850)488-9071, toll-free: 1(800)342-0823, TDD 1(800)346-4127. 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: Paige Morgan, Executive Assistant, 1(800)342-0823, Ext. 9721.

GHYABI & ASSOCIATES

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

DATE AND TIME: Tuesday, May 24, 2016, 2:00 p.m. – 4:00 p.m.; presentation: 2:30 p.m.

PLACE: Career Source Flagler Volusia, Market Place Plaza, 846 Saxon Blvd., Orange City, FL 32763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Project ID Number: 432193-1-52-01.

Interstate 4 (I-4) is undergoing major reconstruction in Central Florida, and with that comes opportunity. This project will completely transform 21 miles of I-4, from Kirkman Road to State Road 434.

The purpose of this open house is to inform the community about the project and explain how to apply for potential job opportunities that will become available. No applications will be taken and no interviews will be conducted at this meeting. Anyone, including disadvantaged workers, women and minorities, is encouraged to apply for the opportunity to gain hands-on experience and training for a career in the construction industry.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting: Jennifer Smith, FDOT District Five Title VI Coordinator by phone at (386)943-5367 or via email at Jennifer.Smith2@dot.state.fl.us. A copy of the agenda may be obtained by contacting: Katie Widdison, Outreach Coordinator, (386)212-5499, Katie.widdison@dot.state.fl.us.

Persons with disabilities who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Katie Widdison, Outreach Coordinator, (386)212-0449, Katie.widdison@dot.state.fl.us at least seven (7) days prior to the meeting. If you are hearing or speech impaired, please contact us by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jennifer Vreeland, FDOT Deputy Project Manager, at jennifer.vreeland@dot.state.fl.us or by telephone at (407)670-2342. You may also contact: Katie Widdison, Public Involvement Coordinator at Katie.widdison@dot.state.fl.us or by telephone at (386)212-0449. For more information about the I-4 Ultimate project, visit www.i4ultimate.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

BRASFIELD & GORRIE, LLC
UF O'CONNELL CENTER - CONCRETE PAVING SCOPE
BID ADVERTISEMENT

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 June 1, 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
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**SARASOTA COUNTY PUBLIC HOSPITAL BOARD
 REQUEST FOR QUALIFICATIONS
 FOR
 DESIGN-BUILD CONSTRUCTION SERVICES FOR THE
 INSTALLATION OF A NEW PATIENT AND STAFF
 LOGISTICS MONITORING SYSTEM FOR SARASOTA
 MEMORIAL HOSPITAL, SARASOTA, FLORIDA.**

I. INTRODUCTION

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”), pursuant to Florida Statute 287.055, is requesting written proposals from qualified Design-Build Construction Teams to provide professional design-build construction services for the installation of a Patient and Staff Logistics Monitoring System within existing, specific procedural and patient care areas of Sarasota Memorial Hospital’s Main Campus.

II. It is the intention of the Hospital to employ the services of a qualified General Contractor leading a Design-Build Construction Team at Risk to provide overall Project Design, and overall Construction Management on a negotiated cost plus a fee basis, with a Guaranteed Maximum Price (GMP).

III. PROPOSAL INSTRUCTIONS AND GENERAL INFORMATION

The scope of work may include the coordinated design for the installation of Owner-provided patient and staff logistics monitoring devices and components, including all associated electrical, structural, and architectural work. Work may also include code and regulatory agency (AHCA) compliant installation of all devices, including all associated utility services, mounting, and required construction. Authorized Work will include all documents, materials, and labor for a complete installation.

Submittals must be responsive to the requirements and questions of the Request for Qualifications. After review of the responses to the RFQ by the Hospital’s Review Committee, the Committee will recommend selection of a qualified General Contractor led Design-Build Team to the Hospital Board.

Reservations: Sarasota Memorial Hospital Board reserves the right to reject any and all submittals, to negotiate changes in the new scope of work or services to be provided, and to otherwise waive any technicalities or informalities.

Method of Selection: Submittals will be reviewed by The Hospital Committee which will recommend a ranking of firms. Upon acceptance of the recommendation by Sarasota

Memorial Hospital Board, negotiations will or may be entertained pursuant to Florida Statute 287.055.

Please respond by including the following information. Responses are limited to 50 pages:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed Design-Build Team comprised of a Contractor Team and A&E.
5. Team Member’s experience with design-build projects.
6. Qualifications of staff to be utilized on this project with names, short resumes, length of time with firm and previous clients served.
7. Names of three (3) most current medical clients with phone numbers and contact person.
8. Design and permitting experience within the City of Sarasota, FL and all other applicable permitting agencies.
9. Location of the design/build firm’s main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm’s experience with local regulatory agency having jurisdiction, AHCA Florida experience, consideration of related project experience, qualifications of proposed team, design criteria experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Any person employed by a firm submitting a proposal is forbidden to contact directly or indirectly the Sarasota Memorial Hospital Board or its Members or staff of Sarasota Memorial Hospital. Violation of this prohibition may result in the firm’s proposal being rejected and the firm being disqualified from the review and selection process.

Submissions shall be titled:
 Statement of Qualifications
 for

**GENERAL CONTRACTOR LED DESIGN-BUILD TEAM
 SERVICES FOR THE INSTALLATION OF A NEW
 PATIENT AND STAFF LOGISTICS MONITORING
 SYSTEM FOR SARASOTA MEMORIAL HOSPITAL,
 SARASOTA, FLORIDA**

Submittals must be received by the Hospital no later than 1:30 p.m. on Friday June 10, 2016. Submit statements to: Sarasota

Memorial Hospital, Operation of Plant, Attn: Jim Bugyis, Director of Engineering and Campus Facilities, 1700 South Tamiami Trail, Sarasota, FL 34239.

Submittals received after this deadline will remain unopened and available for pick up.

Interested persons should contact Jim Bugyis, (941)917-1802 with any project-related questions.

The selection committee will meet in a public meeting in the Waldemere Auditorium, located on the first floor, 1700 S. Tamiami Trail, Sarasota, FL 34239, on Thursday June 23, 2016, from 1:00 p.m. to 3:30 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

**Section XII
Miscellaneous**

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-16-072

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-072 on May 13, 2016, in response to an application submitted by Hillcrest Manor Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-16-073

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-073 on May 13, 2016, in response to an application submitted by Country Club Vista Property Owners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-16-070

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-070 on May 11, 2016, in response to an application submitted by St. Christopher Beach Property Owner’s Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-16-071

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-071 on May 13, 2016, in response to an application submitted by Harbour Cottages Property Owners’ Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-16-067

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-067 on May 13, 2016, in response to an application submitted by Greens Cay Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No. DEO-16-068

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-068 on May 13, 2016, in response to an application submitted by Thousand Pines Homeowners Association, Inc. of Palm Beach County for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

Section XIII

Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN MAY 9, 2016 AND MAY 13, 2016

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF CORRECTIONS

33-601.602	5/9/2016	5/29/2016	42/35	42/62
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DEPARTMENT OF THE LOTTERY

53ER16-23	5/13/2016	5/13/2016	42/95	
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59G-5.110	5/13/2016	6/2/2016	42/10	42/71

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60FF1-5.003	5/11/2016	5/31/2016	42/52	

DEPARTMENT OF HEALTH

Board of Optometry

64B13-10.002	5/11/2016	5/31/2016	42/38	
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Board of Osteopathic Medicine

64B15-14.007	5/11/2016	5/31/2016	42/63	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Board of Pharmacy

64B16-26.1031	5/9/2016	5/29/2016	41/187	42/60
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DEPARTMENT OF FINANCIAL SERVICES

OIR Insurance Regulation

69O-143.046	5/11/2016	5/31/2016	41/249	42/44
69O-143.047	5/11/2016	5/31/2016	41/249	42/44
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LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO SECTION 120.541(3), FLORIDA STATUTES

DEPARTMENT OF HEALTH

Medical Records Retention, Disposition, Reproduction

64B8-10.003	12/9/2015	**/**/****	39/95	41/49
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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.