

## Section I

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**  
**Hospital and Nursing Home Reporting Systems and Other**  
**Provisions Relating to Hospitals**

RULE NOS.: RULE TITLES:

- 59E-5.101: Definitions
- 59E-5.102: Florida Hospital Uniform Reporting System
- 59E-5.201: Prior Year Report Requirements
- 59E-5.202: Ownership Change and Fiscal Year End (FYE)  
Change
- 59E-5.205: Notice of Violation or Deemed Not Filed and  
Response

PURPOSE AND EFFECT: The Agency is proposing to amend rules within Chapter 59E-5, F.A.C., to update and clarify requirements related to the Florida Hospital Uniform Reporting System and other hospital related reporting requirements. Please note -- THIS IS A DUPLICATE RULE DEVELOPMENT POSTING TO CORRECT THE EMAIL ADDRESS OF THE CONTACT PERSON BELOW.

SUBJECT AREA TO BE ADDRESSED: The Florida Hospital Uniform Reporting System and other hospital related reporting requirements.

RULEMAKING AUTHORITY: 408.061, 408.15, FS.

LAW IMPLEMENTED: 395.701, 408.032, 408.061, 408.062, 408.07, 408.072, 408.08, 408.15, 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: July 10, 2017; 2:00 p.m. - 3:00 p.m.

PLACE: Agency for Health Care Administration, Conference Room B, 2727 Mahan Drive, Building #3, Tallahassee, FL 32308. IF NOT REQUESTED, THIS WORKSHOP WILL NOT BE HELD.

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: Robert Smith, Bureau of Central Services, Financial Analysis Unit, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4353. 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: Robert Smith, (850)412-4353, email: Robert.Smith@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**

RULE NO.: 61-40.003      RULE TITLE: Building Permit Surcharge Collection and Remittance

PURPOSE AND EFFECT: To amend Rule 61-40.003(2), F.A.C, to clarify remittance of the assessed surcharge fees pursuant to Section 553.721, F.S., are to be submitted electronically through the Building Code Information System website.

SUBJECT AREA TO BE ADDRESSED: The proposed rulemaking amends Rule 61-40.003(2), F.A.C.

RULEMAKING AUTHORITY: 553.721, FS.

LAW IMPLEMENTED: 553.721, 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: Thomas J. Izzo, Assistant General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)488-0062.

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

## Section II

### Proposed Rules

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: 6D-7.007      RULE TITLE: Code of Student Conduct

PURPOSE AND EFFECT: The purpose of this rule is to clarify the requirements for disciplinary procedures and disposition for the Florida School for the Deaf and the Blind.

SUMMARY: Amends the requirements for disciplinary procedures and disposition for the Florida School for the Deaf and the Blind.

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: 1002.36(4)(c), F.S.

LAW IMPLEMENTED: 1002.36(4)(e), F.S.

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: Cindy Day, (904) 827-2221.

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-7.007 Code of Student Conduct.

(1)(a) A Code of Student Conduct is designed to cover the rights, responsibilities and conduct of students in the Florida School for the Deaf and the Blind.

(b) The code requires adherence to all applicable law and specifically prohibits disrespectful and/or disruptive conduct.

1. Specific grounds for disciplinary action. The Administration of the Florida School for the Deaf and the Blind opposes the use of any form of aversive discipline.

2. Procedures to be followed for acts requiring discipline and a review of an Individual Educational Plan: (IEP) under the Individuals with Disabilities in Education Act (IDEA), and Section 504 Plan, if any, as incorporated at Rule 6A-6.0331, F.A.C., effective as of December 23, 2014, incorporated by reference, available on the internet at [https://www.flrules.org/Gateway/View\\_notice.asp?id=15358609](https://www.flrules.org/Gateway/View_notice.asp?id=15358609), and Rule 6A-6.03312, F.A.C., effective as of April 21, 2011, incorporated by reference, available on the internet at <https://www.flrules.org/gateway/RuleNo.asp?ID=6A-6.03312>.

3. An explanation of the responsibilities and rights of students with regard to attendance, respect for persons and property, knowledge and observation of rules of conduct, expression of opinions and publications, participation in School programs and activities and student records.

(2) Definitions.

(a) Disciplinary review committee – A team of professionals which reviews reported violations of the Code of Student Conduct and recommends disciplinary action to the Principal. The President, Principal, Assistant Principal or Director of Student Life will determine the number and selection of staff members to serve on the committee.

(b) Adult student – A student who is 18 years of age or older.

(c) Suspension – The temporary removal of a student, for a period not to exceed ten school days, (without review of an IEP;

and Section 504 Plan, if any, Individual Educational Plan, to review student behavior), (1) from classes and assignment to a designated staff member for supervision; or (2) temporary removal of a student from the classroom and dormitory and temporary withdrawal from extra curricular activities. A minor ~~The~~ student will be remanded to the custody of the minor student's parent(s)/legal guardian, and an adult student will be temporarily removed. The suspended student will be given with specific homework assignments for the student to complete.

(d) Under the jurisdiction of the School – All student activities during the academic year which occur during classroom or dormitory hours or which are subject to be approved, directed or supervised by School personnel, including transportation to and from the School on chartered buses or other School sponsored transportation.

(e) Excused absences – Absences granted for personal illness, illness or death of a member of the immediate family, or for emergencies when approved by the School and the parent or guardian.

(f) Absences without excuse – Shopping trips, pleasure trips, vacations or other avoidable absences, suspension, truancy, and appointments without prior approval, except in case of emergency.

(g) Detention – Detaining a student after the instructional day by a member of the School staff.

(h) Dormitory restriction – Limiting the activities of a student within the dormitory environment (e.g., restriction to an assigned room or temporary withdrawal from extra curricular activities.).

(i) Work detail – Completion of tasks to be performed by students for the purpose of altering unacceptable behaviors.

(j) Discipline – The act of punishing or correcting a student's violations of the Code of Student Conduct.

(k) Code of Student Conduct – Those regulations of this School, found in Rules 6D-7.007, ~~6D-7.0072~~ and 6D-7.0073, F.A.C., which regulate the conduct of students at the School.

(l) Reprimand – The formal oral or written censure of a student for a violation of the Code of Student Conduct.

(3) Pupil detention, search and seizure. Attendance at the School and living in a dormitory constitutes "group participation" and "group living" without the expectation of privacy in a private dwelling. This rule sets forth procedures for search and seizure of a student or the student's property.

(a) The Principal, Director of Student Life, other members of the instructional staff or other members of the dormitory staff are authorized to detain temporarily and question a student when circumstances indicate that the student has committed, is committing or is about to commit a violation of ~~law or~~ School rule-, and to detain temporarily a student when circumstances indicate the student has committed, is committing, or is about to commit a violation of law.

(b) If at any time reasonable suspicion arises that the student is concealing stolen or illegal property, an alcoholic beverage, illegal drugs, or any weapon prohibited by law ~~or School rule~~, the staff members may, for the purpose of seizing these items, search the student, the student's room, locker, vehicle, or other possessions solely for determination of compliance with regulations of the School, or notify the School Police Department, which is authorized, consistent with determination of probable cause, to search the student, the student's his/her room, locker, vehicle or other possessions consistent with Florida law concerning search warrants and exceptions to search warrants. The School Police Department shall conduct any investigation of suspected violation of law, including any related search and seizure, and will control the means and method of any investigation of suspected violation of law.

(c) If a search of the student, the student's his/her room, locker, vehicle, or other possessions conducted in accordance with law reveals stolen or illegal items as prohibited by law or School rule, the item or items may be seized and such action taken as appropriate.

(d) In no event shall a student be subjected to a strip search.

(4) Suggestions for Revision. Suggestions for possible revision of the Code of Student Conduct are welcomed from students, parents, guardians, staff members and other interested individuals. Suggestions should be sent in writing to the President's Office.

Rulemaking Authority 1002.36(4)(c) FS. Law Implemented 1002.36(4)(d) FS. History--New 9-4-84, Formerly 6D-7.07, Amended 8-26-86, 5-5-87, 1-12-95, 2-24-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Cindy Day, (904) 827-2221.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Trustees of Florida School for the Deaf and the Blind.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 22, 2016

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: 6D-7.0073  
RULE TITLE: Disciplinary Procedures and Disposition

PURPOSE AND EFFECT: The purpose of this rule is to clarify the requirements for disciplinary procedures and disposition for the Florida School for the Deaf and the Blind.

SUMMARY: Amends the requirements for disciplinary procedures and disposition for the Florida School for the Deaf and the Blind.

**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 Agency conducted an economic analysis of the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 1002.36(4)(c), FS.

LAW IMPLEMENTED: 1002.36(4)(e), 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: Cindy Day, (904) 827-2221.

THE FULL TEXT OF THE PROPOSED RULE IS:

6D-7.0073 Disciplinary Procedures and Disposition.

(+) Disposition procedure. The procedures listed below are to be followed for acts by students which require discipline.

(1)(+) General discipline procedures require include that the Principal or designee shall:

(a)1- Provide the student oral or written notice of the violation of which the student is accused;

(b)2- Provide the student an opportunity to respond to the accusation; and,

(c)3- If the student denies the accusation, provide the student an explanation of the evidence against him/her and provide an opportunity for the student to present his/her version of the incident.

(d)4- Not be required to permit attendance of counsel nor give the student the right to cross-examination, for acts potentially requiring suspension or reprimand.

(e)5- A The Principal or designee may request a review of the student's Individual Educational Plan (IEP) and Section 504 plan, if any, as incorporated at Rule 6A-6.0331, F.A.C., effective as of December 23, 2014, incorporated by reference, available on the internet at

[https://www.flrules.org/Gateway/View\\_notice.asp?id=15358609](https://www.flrules.org/Gateway/View_notice.asp?id=15358609), and Rule 6A-6.03312, F.A.C., effective as of April 21, 2011, incorporated by reference, available on the internet at <https://www.flrules.org/gateway/RuleNo.asp?ID=6A-6.03312>, to determine if the behavior bears any relationship to the student's exceptionality.

(2)(b) Suspension.

(a)1. Prior to suspending a student, the School shall will follow the general procedures set out in paragraph (1)(a) above.

(b)2. The Principal or designee will make the decision whether or not a suspension will be imposed.

(c)3. If a suspension is imposed, the President, parents, guardians and the adult student will be forwarded written notice of the suspension within twenty-four hours of the action. The written notice of suspension shall state:

- 1.a. The violation;
- 2.b. The date of the violation;
- 3.e. The beginning date of the suspension;
- 4.d. The date on which the suspension will end; and,
- 5.e. Any circumstances pertinent to the suspension.

(d)4. The student may request the President or designee to review the suspension decision of the Principal or designee. The President can affirm or reverse the suspension provision or direct that further proceedings be held in accordance with these rules. The decision of the President is final. The student must request review within three days of the suspension decision.

(2)Disposition of violations.

(a) ~~The following disciplinary actions are examples of appropriate responses for Class A violations:~~

- 1. ~~Suspension.~~
- 2. ~~Temporary withdrawal from extra-curricular activities.~~
- 3. ~~Detention.~~
- 4. ~~Dormitory restriction.~~
- 5. ~~Work detail.~~
- 6. ~~Change of classroom, dormitory, or dormitory room assignment.~~
- 7. ~~Referral for counseling.~~
- 8. ~~Oral or written reprimand.~~
- 9. ~~Assignment in alternative behavior center.~~

(b) ~~The following disciplinary actions are examples of appropriate responses for Class B violations:~~

- 1. ~~Suspension.~~
- 2. ~~Temporary withdrawal from extra-curricular activities.~~
- 3. ~~Detention.~~
- 4. ~~Dormitory restriction.~~
- 5. ~~Work detail.~~
- 6. ~~Change of classroom, dormitory, or dormitory room assignment.~~
- 7. ~~Referral for counseling.~~
- 8. ~~Oral or written reprimand.~~
- 9. ~~Assignment in alternative behavior center.~~

~~(e) The following disciplinary actions are examples of appropriate responses for Class C violations:~~

- 1. ~~Oral or written reprimand.~~
- 2. ~~Detention.~~
- 3. ~~Dormitory restriction.~~
- 4. ~~Work detail.~~
- 5. ~~Withdrawal from extra-curricular activities.~~
- 6. ~~Change of classroom, dormitory, or dormitory room assignment.~~
- 7. ~~Referral for counseling.~~

Rulemaking Authority 120.53(1)(b), 242.331(3) FS. Law Implemented 120.53(1)(b), 242.331(4) FS. History—New 5-5-87, Amended 10-26-94, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Cindy Day, (904) 827-2221.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Trustees of Florida School for the Deaf and the Blind.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 26, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 5, 2017

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: 59A-1.005      RULE TITLE: Standards for OPOs, Tissue Banks and Eye Banks

PURPOSE AND EFFECT: The Agency is proposing to amend the rules governing organ, eye and tissue procurement organizations to include the current industry standards, to remove outdated requirements and to incorporate recommendations of the Organ and Tissue Procurement and Transplantation Advisory Board established by Section 765.543, F.S.

SUMMARY: The rule details the regulatory standards for organ procurement organizations, tissue banks and eye banks. The proposed rule seeks to update the regulation to align with current industry practices.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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: 408.819, 765.541(2), FS.

LAW IMPLEMENTED: 381.0041, 382.009, 406.11, 408.805, 765.512, 765.541, 765.542, 765.543, 765.545, 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: July 25, 2017, 3:00 p.m. to 5:00 p.m. ET.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, FL 32308. Interested parties that would like to participate by phone can do so by using a call-in number and passcode: Call-in Number: 1(888)670-3525, Participant Passcode: 6396795315#  
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zachary Masters at (850)412-4374 or email at: zach.masters@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 59A-1.005 follows. See Florida Administrative Code for present text.)

59A-1.005 Standards for OPOs, Tissue Banks and Eye Banks.

(1) Organizational Requirements.

(a) Institutional Identity.

1. The purpose of the OPO, eye bank, or tissue bank shall be clearly established and documented.

2. Documentation of institutional identity shall include whether the OPO, eye bank, or tissue bank is independent or part of another institution.

3. The OPO, eye bank, or tissue bank shall have a functional identity with a professional staff and a commitment to maintain and preserve records and operating procedures for future reference and historical continuity.

4. Policies and procedures shall be maintained for personnel and other activities.

(b) Each OPO, eye bank, or tissue bank shall have a board of directors, an advisory board, or a designated individual to provide consultation and direction on all policy-making decisions.

(c) OPO, Eye Bank, or Tissue Bank Director. Each OPO, eye bank, or tissue bank shall have a director qualified by training and experience for the scope of activities being pursued.

1. The director shall be responsible for:

a. Development, implementation and maintenance of all procedures and policies;

b. All administrative operations including compliance with these standards;

c. The daily operation of the OPO, eye bank, or tissue bank;

d. Specifying technically acceptable means for retrieving, processing, quality control, storage, and distribution, as applies to the scope of activities being pursued;:-

e. Providing all staff members with adequate information to perform their duties safely and competently;:-

f. Appointing technical staff with capabilities and training appropriate to their function and ensuring that competency is maintained by participation in training courses and technical meetings or other educational programs. Such training shall be recorded in the employees personnel file

g. Establishing quality control and quality assurance programs. These programs shall include ongoing monitoring and evaluation of activities, identification of problems, and development of plans for corrective action. These procedures and records shall be reviewed at least annually; and

h. Maintaining a working relationship with medical examiner offices in the OPO, eye bank, or tissue bank's service area.

2. If the director appointed does not have medical licensure, the OPO, eye bank, or tissue bank shall have at least one physician under contract to ensure compliance with all medical-legal aspects and with all requirements for specialist knowledge of the particular organs and tissues processed.

3. The director is authorized to delegate his or her responsibilities to trained and competent staff. If responsibilities are delegated, the director remains responsible for ensuring that all duties are properly performed.

(d). Personnel Policies and Procedures. Job descriptions, including scope of activities, specific responsibilities, and reporting relationships, for all personnel shall be established by written personnel policies and procedures.

(e). Policies and Procedures. Each OPO, eye bank or tissue bank shall maintain detailed and unambiguous policies and procedures which detail all aspects of retrieval, processing, testing, storage, and distribution practices; as applicable.

1. Each of these procedures shall be reviewed and affirmed in writing annually by the director or designee.

2. Modifications of standard procedures and development of new procedures shall be approved by the director or designee prior to implementation.

3. Obsolete revised procedures shall be retained separately to maintain a historical sequence.

4. Copies of policies and procedures shall be available to the staff at all times. Technical staff shall be required to state in writing that they have read and understand the policies and procedures applicable to his or her specific responsibilities.

5. Copies of policies and procedures shall be available to surveyors for inspection upon request.

(f) Clinical Laboratory Testing. Any clinical laboratory tests performed within an OPO, tissue bank or eye bank must comply with Chapter 483, F.S., and the Clinical Laboratories Improvement Act of 1988 (CLIA-88), as applicable.

(g) Records.

1. Donor and recipient records shall be accurate, complete, and confidential as required by Section 456.057, F.S. Donor record confidentiality shall not preclude access by surveyors for the Agency when conducting an inspection or investigation pursuant to paragraphs 59A-1.009(1)(a), (b), (c), F.A.C., and the medical examiner for cases which fall within the medical examiner's jurisdiction, as established under Section 406.05, F.S. Donor medical records and final results of all laboratory tests shall be reviewed and affirmed by the medical director, designees, or medical contractee to ensure suitability of the donated organ(s) or tissue(s) for the intended application.

2. Documentation shall be concurrent with the performance of each activity in the retrieval, preparation, testing, storage, and distribution of organs and tissues in such a manner that all activities can be clearly traced. All records shall be legible and indelible and shall identify the person performing the procedures/tasks. The record shall include dates of entries and test results. The expiration period assigned to specific categories of processed tissues is to be recorded in the policies and procedures.

3. Records shall be as detailed as necessary for a clear understanding of each activity and shall be available for inspection by surveyors when conducting an inspection or investigation pursuant to paragraphs 59A-1.009(1)(a), (b), (c), F.A.C., upon request and within the bounds of medical-legal confidentiality, pursuant to Section 456.057, F.S.

4. Each organ donor, tissue and any components derived from tissue shall be assigned, in addition to generic designation, a unique identification number to identify the material from retrieval through distribution and utilization.

5. Records shall identify the donor, document the pathological and microbiological evaluation of the donor, verify the conditions under which the organ or tissue is retrieved, processed and stored, if applicable, and indicate disposition of the transplanted organ or tissue. Maintenance of

these records shall be the responsibility of the director or designee. All records concerning donor history and processing information shall be made available to the transplant surgeon upon request, except those infringing upon donor confidentiality.

6. All records and communication between the OPO, eye bank or tissue bank and its donors, persons identified by Section 765.512(3), F.S., and patient recipients shall be regarded as confidential and privileged. Surveyors shall have access to records and communication at the time of the inspection as specified in Rule 59A-1.009, F.A.C.

7. Maintenance and certification records, if applicable, on facilities, instruments, and equipment, including their monitors, shall be maintained. These records shall indicate dates of inspection, name of facility, and performance evaluations. Each OPO, eye bank or tissue bank shall include in its procedures manual, the monitoring, inspection and cleaning procedures and schedules for each piece of equipment. Documented cleaning schedules for laboratory equipment shall be maintained. Records of function checks requiring interpretation of findings must include the interpretation. Records must include:

a. Temperature of incubators when in use;

b. Spore lot number and expiration date used for autoclave function check; and

c. Control and test results.

8. Each OPO, eye bank, or tissue bank shall document all aspects of its quality assurance program.

9. An adverse reactions file shall be maintained pursuant to Rule 59A-1.011, F.A.C.

10. All of these records shall be retained for seven years for OPOs and ten years for tissue banks and eye banks and be available for Agency inspection.

(2) Safety and environmental control. Written procedures for the operation shall be established and approved by the director. Instructions for action in case of emergency or exposure to communicable disease, chemical and biological hazard precautions shall be included.

(a) Human waste items shall be disposed so as to minimize any hazard to personnel or the environment as required by Section 381.0098, F.S., Chapter 403, Part IV, F.S., and Chapter 64E-16, F.A.C..

(b) Dignified and proper disposal procedures shall be used to obviate recognizable human remains.

(c) All organs or tissues found positive for human immunodeficiency virus shall be rendered noncommunicable or shall be destroyed, unless specifically labeled to identify the human immunodeficiency virus and:

1. Is used for research purposes; or

2. Is used to save the life of another and is transferred with the recipient's informed consent.

(d) Each OPO, eye bank or tissue bank shall comply with Occupational Safety and Health Administration (OSHA) rules 29 Code of Federal Regulations (CFR) Part 1910.1030, effective April 3, 2012, which are incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. These rules establish requirements for minimizing exposure to hepatitis, HIV, and other blood-borne pathogens.

(3) Facilities and equipment.

(a) Each OPO, eye bank or tissue bank shall have established procedures regarding maintenance and acceptability guidelines.

(b) Facilities shall be designated for the specialized purposes for which they are to be used and shall be maintained in a clean and orderly manner. All instruments and equipment shall be subject to regularly scheduled maintenance and calibration. All temperature measuring devices must be calibrated against National Institute of Standards and Technology (NIST) certified thermometers. Refrigerators and freezers used for the storage of tissues shall have monitors. Each OPO, eye bank or tissue bank shall have established procedures to follow in the event of electrical failure.

(c) Facility access shall be limited to employees of the OPO, eye bank or tissue bank, contractual employees of the OPO, eye bank or tissue bank, surveyors for an approved accreditation organization, and governmental surveyors as permitted by applicable laws. A security system or physical configuration shall be established to prevent entry of unauthorized persons. There shall be policies and procedures to define limited facility access. Such policies and procedures shall be made available for review by surveyors as specified in Rule 59A-1.009, F.A.C.

(4) Ethical Standards.

(a) Each OPO, tissue bank, and eye bank shall have policies to avoid conflicts of interest. The policy shall ensure that no employee of the OPO, tissue bank or eye bank shall incur any obligation of any nature which is in substantial conflict with the full and competent performance of duties.

(b) In the event that services other than obtaining referral or consent are provided to the procuring OPO, eye bank or tissue bank arrangements may be made to pay expenses incurred for services rendered. Reimbursement to the individual shall not be in conflict with the personnel policies of the primary employer.

(5) Each OPO, eye bank or tissue bank shall provide to the Agency, upon request, a copy of any audit, review, or study performed by any federal or accreditation organization.

(6) Acquisition of Organs and Tissues.

(a) General.

1. OPO, eye bank, or tissue bank personnel shall have written procedures to ensure that consent for donation is obtained in compliance with Chapter 765, F.S.

2. OPO, eye bank, or tissue bank personnel shall be trained regarding obtaining and documenting consent for donation.

3. Consent shall be obtained from the donor, next of kin, or other designated legal entity in order of priority and availability according to Section 765.512, F.S.

4. A copy of the signed consent form shall remain a part of the patient's hospital medical record if signed at the hospital.

5. The original signed consent form or record of telephone consent shall be retained in the OPO, eye bank, or tissue bank's donor record.

(b) Informed Consent.

1. Permission to procure organs and tissues from donors which is obtained by informed consent shall be as defined in Rule 59A-1.003, F.A.C., and shall be documented in writing. The consent form shall include the organs and tissues for which permission is granted (e.g., bone from the upper or lower extremities or bone from below the waist). Information provided shall be written or spoken in language understandable to the donor or the donor's next of kin.

2. Permission to retrieve organs and tissues from non-living donors shall be sought from next of kin in order of legal precedence as required by Section 765.512, F.S.

3. In any cases falling under the provisions of Chapters 406 and 765, F.S., the permission of the medical examiner or appropriate designee shall be obtained prior to the procurement of any organ(s) and tissue(s). The donor records shall indicate the name of the contact person in the medical examiner's office, date and time of contact, and limitations, if any, imposed by those giving permission (e.g., DO NOT TOUCH CHEST).

(7) Premortem donations under the Anatomical Gift Statute. Consent expressed by a living person to donate organs and tissues under provisions of the Anatomical Gift Statute, Chapter 765, Part X, F.S., are legally valid and permits organ procurement organizations, tissue banks, and eye banks to procure organs and tissues without further authorization from next of kin.

(8) Compensation for Donors. Monetary compensation other than reimbursement of donation-related expenses is prohibited.

(9) Autopsy. A gross external and internal examination of any area of the donor altered by the excision of organs or tissues shall be performed and dictated or otherwise recorded by the procuring person(s) at the time of the of the surgical removal. A written report of these findings shall be immediately prepared and delivered to the person(s) responsible for the autopsy of the donor. The report shall contain itemized notation of normal conditions as well as an itemization of all abnormal findings identified during the gross examination of the donor. Whenever

a full medical autopsy will not be subsequently performed by a medical examiner, the medical director or designees may elect to obtain one by other means when deemed necessary. If performed, the medical director or designees shall justify and document the need for the full autopsy in the donor's medical record and shall affix a copy of the report to the donor's record.

(10) Donor Selection. Each OPO, tissue bank or eye bank engaged in the retrieval or recovery of organs or tissues, shall have written procedures regarding donor selection.

(a) The medical director or designee shall be responsible for the donor selection.

(b) Suitability of an individual for donation shall be based upon the medical history and clinical status of the donor and the need for particular organs and tissues.

(c) Criteria for evaluating a potential donor shall include presence of infectious disease, malignant disease (with specific exceptions), neurological degenerative disease, and diseases of unknown etiology or any other diseases or conditions which may be transferred to the recipient.

(d) Evaluation of the donor record shall be performed by a licensed physician or a professional familiar with the conditions for which the procured organs or tissues will be used so that organs or tissues procured shall not be the source of any toxic or harmful effects per se when transplanted to another individual.

(e) Age of the donor shall be a consideration in the effective transplantation of certain organs or tissues but does not preclude an individual from donation.

(f) The medical director, designee, or medical contractee shall have the responsibility to document that the donor is acceptable according to the criteria established in this rule and by the procedure established by the OPO, eye bank or tissue bank.

(11) Reconstruction. Each OPO, eye bank or tissue bank who is engaged in the retrieval or recovery of organs or tissues shall have a policy for the reconstruction of the body which is integral to maintaining the dignity of the donor.

(12) Quality Assurance. The quality assurance program shall include a method for the transplanting surgeon to report adverse reactions from the transplantation of organ(s) and tissue(s) to the source OPO, tissue bank or eye bank, which in turn shall forward the adverse reaction information to the Agency as described in Rule 59A-1.011, F.A.C.

(13) Recall Procedures. A written procedure shall exist for recall of organs or tissues or notification of recipient agencies of the possibility of contamination, defects in processing, preparation or distribution, or other factors affecting suitability of the organs or tissues for their intended application. Procedures for documenting the steps in recall shall be included in the policies and procedures.

(14) Look Back Procedures. Each OPO, tissue bank, and eye bank shall have procedures for notifying the transplanting facility or physician that they may have received infected organs or tissues. Documentation of look back procedures shall be included in the policies and procedures.

(15) HIV Notification Requirements. Notification of HIV test results shall be given as required by Section 381.0041, F.S. and Rule 64D-2.005, F.A.C.

(16) Data Collection. Each OPO, tissue bank, and eye bank shall collect, maintain, and report the following data annually to the Agency:

(a) Number of donors by age and race;

(b) Type of donation;

(c) Cause of death for all donors;

(d) Donor source (hospital, medical examiner, or funeral home);

(e) Number of organs retrieved and number of tissue allografts and eyes processed;

(f) Disposition of processed organs, tissues, and eyes with respect to in-state, national, or international distribution; and

(g) Revenues derived from retrieving, processing, or distributing organs and eye tissue, and revenues derived from retrieving, processing, storing or distributing tissues;

(h) Expenses associated with retrieving, processing, or distributing organs and eye tissue, and expenses associated with retrieving, processing, storing or distributing tissues.

(17) Fair and Equitable System. Each OPO, eye bank, or tissue bank shall establish and document a system of distribution that is just, equitable, and fair to all patients served. Documentation of distribution (date of requests for, offer of, and delivery of organs and tissues) shall be available for examination by authorized individuals, including surveyors for the Agency. Access to organs and tissues shall be provided without regard to recipient sex, age, religion, race, creed, color or national origin.

(18) Each OPO shall comply with 42 CFR Parts 413, 441, 486, and 498, effective May 31, 2006, incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. Records relating to the federal standards must be made available upon request.

(19) Each OPO shall be a member in good standing of the Organ Procurement Transplantation Network (OPTN) created by 42 CFR Part 121.

(20) Each OPO shall employ or have under contract a physician medical director who:

(a) Is licensed to practice medicine in the state of Florida;

(b) Is board certified in a specialty recognized by the American Board of Medical Specialties (ABMS); and



(c) Has a minimum of two (2) years affiliation with an OPO, transplant program or tertiary care hospital associated with a transplant program.

(21) The Medical Director of an OPO shall provide direction and supervision to coordinators and all other staff who assist in the procurement of organs for transplantation. With the exception of organ recovery surgery, this may be indirect supervision.

(22) Financial Policies and Procedures. Each OPO shall comply with existing federal laws and guidelines in its fiscal and accounting procedures.

(a) The OPO shall have accounting and other fiscal procedures necessary to ensure the fiscal stability of the organization, including procedures to obtain payment for kidneys and non-renal organs provided to transplant centers.

1. There shall be an annual budget approved by the board of directors or advisory board.

2. Unless otherwise provided by law, there shall be an annual audit conducted by an independent public accountant. In the case of hospital OPOs, the hospital must undergo an annual financial audit.

3. There shall be adequately trained staff or qualified contractors to ensure the establishment and maintenance of internal controls and general accounting functions. The general accounting functions shall include management of accounts receivable, management of accounts payable and other disbursements, and the handling of cash. An OPO shall maintain the ability to generate periodic statements of the status of the assets, liabilities and fund balance, and statements of its periodic revenues and expenses. Hospital OPOs shall be exempt from this requirement to the extent that these functions are performed by hospital staff.

(b) The OPO shall have policies and procedures established for the documentation of all direct and indirect costs. These costs shall be used as the basis for the establishment of organ and tissue procurement charges.

(c) An OPO shall establish accounting policies and procedures to permit allocation of all its direct and indirect costs to the organ and tissue cost centers maintained. Hospital OPOs shall adhere to an appropriate hospital authority for established accounting policies and procedures.

(d) The accounting records of the OPO shall include documentation of allocations made to organ and tissue cost centers, as applicable, for each direct expense incurred by the OPO. Allocations shall be made insofar as they are related to the procurement of the particular organ. For example, records documenting the payment of a donor hospital bill shall identify the procured organs of the particular case and shall document the equal allocation of the costs to each organ type. The same procedure shall apply to other direct expenses related to the procurement, such as tissue typing or transportation. When

these expenses are for the purpose of procurement of a particular organ(s), the cost shall be allocated only to that organ(s).

(e) The accounting records of the OPO shall permit the expensing of indirect costs, (e.g., office rent, utilities, administrative salaries and salary related costs) so that they may be allocated in compliance with Medicare rules and guidelines.

1. The OPO's costs shall be charged as expenses and allocated in accordance with the appropriate guidance provided by the Medicare program or by the appropriate hospital authority for hospital OPOs and by established agreements with other agencies, companies, providers or vendors.

2. The costs paid by the OPO for services used in the procurement of organs (for example, surgeon's fees, donor evaluation fees, laboratory, transportation, etc.) shall be based on reasonable and customary fees within the service area as determined by the OPO. The OPO may refer to limitations on the reimbursement of such costs as specified by the Medicare program.

(f) The OPO shall maintain the ability to develop and utilize average procurement costs as a basis for establishment of its organ and tissue acquisition charges. The acquisition charges are to be established in accordance with the OPO's board of directors or advisory board and with reference to prevailing Medicare program rules and regulations. These charges shall be reviewed at least semi-annually and appropriate adjustments made unless otherwise proscribed.

(23) Verification of Death. The OPO shall ensure that death has been determined in accordance with traditional cardiopulmonary criteria or as required by Section 382.009, F.S., and documented in the organ donor's medical record.

(24) An OPO's policies and procedures for the evaluation and management of a potential organ donor shall be in writing. Evaluation and management of donors is mandatory for organs which may be allocated to and received by the Organ Procurement and Transplantation Network (OPTN)-approved transplant programs to ensure that all organ donors meet the minimum standards and the requirements established by the OPTN policies, effective April 6, 2017, incorporated herein by reference \_\_\_\_\_ and \_\_\_\_\_ available \_\_\_\_\_ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(a) The OPO's organ donor evaluation and management procedures shall be approved by the OPO's medical director.

(b) Once the patient has been declared dead or death is imminent and consent for donation has been obtained from the next of kin and from the medical examiner, if the death meets the requirements for referral to the medical examiner as specified in Chapter 406, F.S., the OPO shall implement the guidelines for the evaluation and management of the potential organ donor.

(c) The evaluation of the donor shall include:

1. An attempt to acquire a social history which may be obtained from individuals not limited to the person giving consent;

2. A physical examination of the donor;

3. Documentation of the donor's ABO group, donor's weight and height;

4. A review of the donor's current inpatient medical record; and

5. Documentation of significant events in the donor's clinical course.

(d) In the brain dead donor, the OPO shall ensure that adequate respiratory, hemodynamic and electrolyte management of the donor is provided.

(e) The OPO shall ensure that the donor receives appropriate antibiotic coverage, if a need is indicated.

(f) The OPO shall evaluate the infectious disease status of the potential donor. All serological testing shall be noted to be either pre- or post-transfusion. Such evaluation shall include:

1. Hepatitis testing according to OPTN policies and procedures;

2. Appropriate FDA-licensed HIV-1/HIV-2 screens;

3. Serologic test for syphilis (STS);

4. Blood and urine cultures;

5. Cytomegalovirus (CMV); and

6. Complete blood count (CBC).

(25) Allocation of Donated Organs.

(a) Each OPO shall have a policy to ensure that donated organs are allocated according to OPTN policies, effective April 6, 2017.

(b) The OPO shall document that the OPTN computer was accessed and reason for selection of a donor/recipient match and the placement allocation of the donor organ.

(c) Organs shall be allocated by the OPO utilizing the sequence of patients as determined by OPTN computer or by an approved OPTN variance.

(d) Documentation of actual allocation of each organ procured shall be filed in accordance with OPTN policies, effective April 6, 2017.

(26) Procurement Procedures. The OPO shall have written policies and procedures to facilitate and coordinate the recovery of donated organs by trained and qualified personnel.

(a) A certified HHS OPO shall ensure that any surgeons (i.e., surgeons whose fees are paid by the OPO) working as consultants to the OPO for the surgical recovery of donated organs meet qualifications and standards as set by the OPO's medical director.

(b) The medical director of the OPO shall be responsible for the surgical standards.

(c) The OPO is responsible for coordinating anesthesia support for the organ procurement process. The OPO shall

provide protocols to the anesthesia support service for the intra-operative procedure which address:

1. Maintaining an adequate blood pressure, fluid volume, organ perfusion and function;

2. Adequate oxygenation and oxygen transport to the organs being procured;

3. Replacement of excessive volume loss; and

4. Administration of required and desirable medications to facilitate organ procurement and function.

(d) If the anesthesia records are not included in the donor's chart, records reflecting documentation of anesthesia protocol used by the OPO shall be available for inspection.

(e) In all organ donors, the OPO is responsible for packaging and labeling organs, tissue typing material and blood, according to OPTN policies, effective April 6, 2017.

(f) In all organ donors, the OPO is responsible for distributing the following documentation to each transplant center receiving an organ from an individual donor:

1. Verification of donor ABO type;

2. Copy of death determination from the donor's medical record;

3. Copy of consent for organ procurement from the donor's medical record; and

4. Copy of the following OPO donor information:

a. The OPO shall be responsible for documentation of demographic information relative to the donor so that pertinent information is available for centers considering organs for transplant. The OPO shall document information that will enable follow-up with the next of kin and donor hospital personnel.

b. The OPO shall have a standardized method of recording the following information on each donor:

(I) Name;

(II) Age, sex, race;

(III) Cause of death;

(IV) Time and date of hospital admission;

(V) Time and date of pronouncement of death;

(VI) United Network for Organ Sharing (UNOS) identification number; and

(VII) OPO identification number.

c. The OPO shall document the following information for purposes of follow-up:

(I) Name and address of the legal next of kin;

(II) Record of the organs donated;

(III) Name of attending and consulting doctor;

(IV) Medical examiner or coroner, as applicable;

(V) Copy of signed consent form; and

(VI) Copy of declaration of death note.

d. Documentation of donor history. The OPO shall obtain a medical and social history of each potential donor in an attempt to determine whether the potential donor is at increased

risk as described in “PHS Guideline for Reducing Human Immunodeficiency Virus, Hepatitis B Virus, and Hepatitis C Virus Transmission Through Organ Transplantation”, as published in Public Health Reports/July-August 2013/Volume 128, incorporated herein by reference and available online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. That history shall be communicated to the physician responsible for the care of the recipient.

e. The documented past medical history shall, when available, include significant episodes of the following:

(I) Any previous hospitalization;

(II) Any prior surgery;

(III) History of a chronic illness, e.g., diabetes, hypertension, cardiovascular disease, etc.;

(IV) History of communicable disease, e.g., hepatitis; and

(V) History of disease specific to transplantable organs and treatment of same.

f. The current hospital history is the most vital and shall include:

(I) Description of injuries and treatments (e.g., surgeries);

(II) Account of significant febrile episodes – duration, treatment, and response;

(III) Account of cardiac and pulmonary arrests – type, duration, and all treatment required to restore function (particularly closed chest massage); and

(IV) Record of blood transfusions – type and amount.

g. Documentation of donor hemodynamics.

h. Documentation of blood pressures shall include:

(I) Average pressure;

(II) Any hypotensive periods – noting lowest pressure and duration;

(III) Use of vasopressors – type, amount, duration, and response;

(IV) Any periods of prolonged hypertension – highest pressure, duration, and treatment instituted;

(V) Any abnormal heart rhythm and treatment; and

(VI) Swan Ganz and central venous pressure readings and which shall be correlated with blood pressure, when available.

i. Transfused donor. All potential donors are to be tested for HIV-1/HIV-2 antibodies, pursuant to Rule 64D-2.005, F.A.C. If the donor’s pre-transfusion test is antibody negative and subsequent transfusions are pre-tested, retesting for HIV-1/HIV-2 antibodies is not necessary. If no pre-transfusion blood sample is available, the donor institution must provide, along with the screening test results, a complete history of all transfusions received by the donor during the ten (10) day period immediately prior to removal of the organs. Except as provided in Section 59A-1.005(2)(c), F.A.C., organs from donors with repeatedly reactive screening tests for HIV-1/HIV-2 antibodies are not suitable for transplantation unless subsequent confirmation testing unequivocally indicates that

the original test result was unconfirmed. If additional tests related to HIV-1/HIV-2 antibodies are performed, the results of all tests must be communicated immediately to the recipient’s institution.

(27) Documentation of Organ-Specific Test Results. Requirements for organ specific testing shall be in writing. The OPO shall provide the transplanting physician with certain test results for the evaluation of organ function. These results shall be documented in a standardized manner.

(a) The OPO shall, at minimum, document the following available lab results for ALL donors:

1. CBC;

2. Electrolytes;

3. ABO typing;

4. Blood and urine cultures;

5. Serological testing in accordance with OPTN policies, effective April 6, 2017;

6. Appropriate FDA-licensed HIV-1/HIV-2 screens. If blood products have been given, a pre-transfused sample shall be obtained. If unavailable, explanation shall be documented in the donor’s medical record;

7. Cultures, including blood, and urine, which allow for interpretation of laboratory results. Each OPO must define procedures for the type, source and indication for obtaining these cultures;

8. CMV antibody.

(b) Kidney evaluation:

1. Urinalysis;

2. Creatinine; and

3. Blood urea nitrogen (BUN).

(c) Liver evaluation:

1. Liver enzymes;

2. Total bilirubin;

3. Direct bilirubin; and

4. Prothrombin time/partial thromboplastin time (PT/PTT).

(d) Heart evaluation:

1. 12 lead EKG;

2. Cardiology consult;

3. Chest X-ray;

4. Blood gases;

5. Echocardiogram or cardiac cath (optional); and

6. Creatine phosphokinase including MB fraction.

(e) Pancreas evaluation:

1. Serum amylase;

2. Serum lipase; and

3. Glucose.

(f) Lung evaluation:

1. Blood gases;

2. Chest X-ray; and

3. Sputum gram stain and culture.

(g) The OPO shall utilize an internal standard format or form to document all of the above-mentioned information.

(28) The OPO shall document detailed information on volume intake and urine output in order to assess and maintain donor stability.

(a) The OPO shall document volume intake type (crystalloid vs. colloid) and amount for a minimum of 8 hours prior to organ procurement and for the duration of the operative procedure. The use of any blood or blood products shall be noted.

(b) The OPO shall document urine output for a minimum of 8 hours prior, if possible, to organ retrieval and for the duration of the operative procedure. Any periods of oliguria, anuria, or the occurrence of diabetes insipidus and its treatment shall be documented.

(29) Documentation of Organ Retrieval Procedure.

(a) The OPO is responsible for proper documentation of intraoperative information and all information related to the surgical recovery of all organs for transplantation.

(b) Documentation shall include:

1. Blood pressures, urine output, and fluids administered;

2. Medications administered;

3. Blood products administered;

4. Type and amount of perfusion solution and flush characteristics;

5. Type of storage solution;

6. Type of procurement procedure (i.e., enbloc, in-situ perfusion);

7. Aortic cross-clamp time and date;

8. Description of typing material available;

9. Warm ischemia time;

10. Anatomical description:

a. Kidneys – include number of vessels and approximate length and diameter of each;

b. Extra renal – include description and any injuries or abnormalities; and

11. Organs recovered and not utilized. If the organs are not used for transplantation or research, a written note regarding disposition shall be documented in the OPO's donor records.

(30) Documentation of Organ Recipient Information.

(a) The OPO shall document specific information on the recipients of recovered organs.

(b) The following information shall be documented on each recipient:

1. Name;

2. A recipient identification number;

3. Recipient center; and

4. Age, sex, and race.

(31) Each tissue bank shall comply with 21 CFR Part 1270, 2010 Edition, which is incorporated herein by reference and available at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> and 21 CFR Part 1271, 2012 Edition which is incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> and make the records demonstrating compliance with the federal standards available to surveyors for the Agency.

(32) Each tissue bank shall be registered as a tissue establishment with the U.S. Food and Drug Administration (FDA) as required by 21 CFR Part 1271.21.

(33) Tissue Bank Organizational Staff Requirements.

(a) Each tissue bank shall employ or have under contract a physician medical director who maintains a valid state license from any state within the United States.

(b) Medical directors for tissue banks are limited to performing their responsibilities for multiple banks under the following criteria:

1. Medical directors for tissue banks where at least one of the tissue banks is performing Recovery, Processing and Distribution are not permitted to act as Medical Director for more than five (5) tissue banks at one time;

2. Medical directors for tissue banks which perform any one of the following (but no single tissue bank performing all three activities): Recovery, Processing or Distribution are not permitted to act as Medical Director for more than ten (10) tissue banks at one time;

(c) Medical directors are required to assure that no actual or potential conflict of interest occurs when acting as Medical Director for multiple tissue banks.

(d) Qualifications of technical personnel vary by nature of responsibility. Qualifications may be demonstrated by certification by examination administered by the American Association of Tissue Banks.

(e) All supervisory or senior technical personnel responsible for performing retrieval or processing activities shall be certified in tissue banking by the American Association of Tissue Banks within 18 months of employment with a licensed tissue bank.

(34) Tissue Donor Selection.

(a) The eligibility of each donor must be determined by a licensed Medical Director using all available relevant information. Such determination shall be documented.

(b) A medical history shall be examined, if available. If scant medical history is available, as in the case of a sudden death, a documented attempt shall be made to acquire information beyond what is available before these tissues can be released. In the event that additional information or records cannot be found, the medical director shall determine if these tissues are suitable for release for transplantation and document the release in the donor's medical record.

(c) HIV infections. HIV testing is required under Rule 64D-2.005, F.A.C.

(d) Tissues with evidence of infectious diseases are conditions which shall preclude distribution for transplantation. The following is a list of examples of commonly encountered conditions which preclude donation of tissues:

1. Infectious diseases such as:

a. Septicemia (demonstrable) at time of death;

b. Systemic mycoses;

c. Meningitis or encephalitis;

d. Active systemic viral disease or past history of chronic viral disease;

e. Active tuberculosis;

f. Active hepatitis; and

g. Active syphilis or anatomically demonstrable syphilitic lesions.

2. Bacterial infections such as:

a. Pyelonephritis;

b. Peritonitis;

c. Pneumonia (other than non-confluent bronchopneumonia);

d. Bacterial endocarditis;

e. Osteomyelitis; and

f. Other potentially transmittable bacterial diseases.

3. Malignancies. Individuals with malignancies arising anywhere in the body shall be excluded from the donor pool. Any exceptions shall be approved by the medical director.

4. Collagen and immune complex diseases such as:

a. Rheumatoid arthritis;

b. Systemic lupus erythematosus;

c. Polyarteritis nodosa;

d. Sarcoidosis;

e. Myasthenia gravis; and

f. Acute rheumatic fever.

5. Transfused Donor. Tissues from a donor who has been transfused shall comply with the FDA Guidance for Industry “Eligibility Determination for Donors of Human Cells, Tissues and Cellular and Tissue-based Products (HCT/Ps)”, August 2007, incorporated herein by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

6. Recipients of organ transplants. Recipients or organ transplants shall not be automatically eliminated because of the transplant.

7. Other. Toxic exposure sufficient to affect tissue procured and an unknown but suspicious medical history shall constitute a reason for rejecting a donor.

(35) Required studies of the tissue donor in addition to FDA requirements specified in Rule 59A-1.005, F.A.C.

(a) Serologies:

1. HBcAb;

2. FDA-licensed HTLV test for viable, leukocyte rich cells or tissues only;

3. Serologic test for syphilis (STS) – confirmed. Tissues from donors with positive (confirmed) tests shall not be used for transplantation; and

4. Rh determination shall be provided cautioning about the possibility of sensitization.

(b) Evaluation of the donor. Prior to transplantation, the medical director, designees, or medical contractee shall state in writing that the current medical history, postmortem examination and laboratory test results, together with the available previous medical history, are sufficient to indicate that the donor is acceptable for tissue donation.

(36) Microbiological Examination. Each tissue bank shall have written microbiological laboratory policies and procedures which, at minimum, ensure allograft safety. Documentation of adherence to these policies and procedures is required.

(37) Tissue Bank Records.

(a) Responses from transplant centers which identify adverse reactions attributable to allografts shall be maintained. The records of the tissue bank shall be open to inspection by the Agency at a mutually convenient time.

(b) Records shall show the expiration date assigned to specific processed tissues as defined in the policies and procedures.

(c) To ensure suitability of donated tissues for transplantation, records shall be made concurrently with the performance of each step of processing of tissue allografts. Distribution records shall be available but these may be collected and stored separately. All records shall be legible and indelible, shall identify the person or persons performing the procedures, and shall include the dates of written entry. All records shall be made available to that surgeon on request. The only exception is information infringing upon donor confidentiality. All records shall be maintained for a minimum of ten years.

(d) A tissue bank, when sending tissue to a hospital or surgeon, must request in writing that the transplanting surgeon report allograft-related complications to the tissue bank’s medical director. Records of adverse reactions and all related follow-up documentation shall be maintained for a period of ten years.

(e) Inventory. A record of all unprocessed, processed, and distributed tissues shall be maintained.

(38) Documentation of Tissue Donor Information. The records shall include all information on the donor including laboratory reports, autopsy reports, a clinical history, a tissue procurement record, donor eligibility and related material. The records of the consent to procure the tissue are kept at least ten (10) years after the date of its administration, or if the date of its administration is not known, at least ten (10) years after the

date of distribution, disposition, or expiration, whichever is later.

(39) Timely Procurement. The tissue bank shall have written procedures that specify the time limits for the recovery of tissue consistent with tissue-specific standards, where applicable.

(40) Tissue Bank Facilities and Equipment. Environmental monitoring procedures shall be established in writing as part of the quality assurance program, when applicable. Monitoring procedures, at minimum, shall include equipment and personnel monitoring where tissue contact occurs, work-surface cultures, and, where appropriate, static and dynamic air particulate air sampling.

(41) Tissue Retrieval and Processing Procedures.

(a) Tissues shall be retrieved using either aseptic or clean, nonsterile techniques. If tissues are retrieved using aseptic techniques, methods shall be consistent with standard operating room practice. Aseptic technique does not necessarily preclude the need for subsequent tissue sterilization. Allografts procured using aseptic or clean, nonsterile techniques are suitable for transplantation if adequate precautions are taken to identify and eliminate microorganisms.

(b) Tissue banks employing ethylene oxide (ETO) for sterilization of tissues, chambers of freeze-dryers, instruments or equipment must monitor occupational exposure to ethylene oxide. Semi-annual reports of ETO monitoring must be kept for 30 years. Specifically the following requirements must be met and documented:

1. Air change rate – minimum rate for rooms where ethylene oxide is used is 10 air changes per hour.

2. Review of gas circuits. The following must be checked for leaks:

- a. Gas tank valves;
- b. Gas tank manifolds including filter cartridges;
- c. Sterilizer and other equipment door seals;
- d. Pressure relief valves;
- e. Gas-steam mixing chambers;
- f. All elbows, compression fittings, gauges, valves, etc.

along the gas circuit:

- g. Gas inlet into chamber; and
- h. Chamber air intake filter.

3. ETO alarm must be installed near equipment where ETO spill may be possible.

4. Automatic aeration after sterilization without having to open sterilizer door must be provided.

5. Periodic personnel exposure monitoring must be conducted.

6. A canister type respirator (NIOSH approved and rated for 5,000 ppm ETO) and gloves must be kept in the gas sterilization area in case of an emergency.

7. Safety data sheets must be kept in the tissue bank and the location of these sheets and content must be known to the employee.

8. An emergency evacuation plan must be posted for all employees to see.

9. Personnel must be trained regarding the safe use of ETO and records retained in the file.

10. All exhaust systems must be non-circulating.

(c) Tissues shall be processed into specimens appropriate for clinical use. The specific methods employed may vary with each type of tissue and with the manner in which it has been procured. Each type of tissue shall be processed according to written tissue bank procedures.

(d) Bone and tissue allografts shall be packaged in an environment specified in written procedures.

(42) Tissue Labeling.

(a) Container label. Containers shall be labeled so as to identify the following:

1. Name of the product;
2. Name and address of the tissue bank;
3. Tissue identification number; and
4. Expiration date, if applicable.

(b) Shipping label. Packages shall be labeled so as to identify the following:

1. Identification of human tissue;
2. Name and address of tissue bank;
3. Name of facility to which tissue is being shipped;
4. Recommended storage temperature; and
5. Special instructions indicated by the particular product, e.g., DO NOT FREEZE.

(43) Tissue Shipping.

(a) Each tissue bank shall have written procedures for shipping.

(b) Packaging shall be designed to ensure tissue quality and prevent contamination of the contents of the final container(s).

(c) All tissues shall be accompanied by a package insert which contains instructions for proper storage and reconstituting when appropriate. Specific instructions shall be enclosed with tissues requiring special handling. Such instructions shall include:

1. Presence of known sensitizing substances;
2. Type of antibiotics present, if applicable;
3. A statement that it has undergone infectious disease testing;
4. Sterilization procedure, if utilized; and
5. Concentration of preservative(s) and/or cryoprotectant(s) in final package solution, if applicable

(44) Tissue Tracking.

(a) Each tissue bank shall have written procedures for tissue tracking.

(b) Each tissue and any components derived therefrom shall be assigned, in addition to generic designation, one unique tissue identification number which shall identify the material during all steps from retrieval through distribution and utilization.

(45) Each eye bank shall comply with 21 CFR Part 1270, 2010 Edition, and 21 CFR Part 1271, 2012 Edition.

(46) Each eye bank shall be registered as a tissue establishment with the U.S. Food and Drug Administration (FDA) as required by 21 CFR Part 1271.21.

(47) Eye Bank Organization Staff Requirements.

(a) The medical director shall have served a corneal fellowship, and shall be certified by the American Board of Ophthalmology.

(b) Eye Bank technical personnel.

1. A supervisory eye bank technician shall be the individual responsible for the daily operation of the eye bank laboratory. The supervisory eye bank technician shall ensure compliance with these standards for the eye bank laboratory. Each eye bank processing laboratory must have at least one certified technician in a supervisory role.

2. An eye bank technician shall be trained in acquisition, evaluation, processing, storage and distribution of eye tissue for transplantation.

3. A procurement technician shall be proficient in screening and retrieval of the eye tissue.

(48) Training, Certification, and Continuing Education.

(a) An eye bank shall provide an orientation program for each new technician and the employee's participation shall be documented.

(b) An eye bank shall provide educational opportunities such as in-service training programs, attendance at meetings, seminars, and workshops for all technical personnel, including laboratory supervisors, at a frequency that is defined and reasonable for the size and needs of the technical staff.

(c) To function as the supervisory technician in the eye bank processing laboratory, the technician must pass the Eye Bank Association of America's (EBAA) Technician Certification examination or an approved examination administered by a medical school's Department of Ophthalmology approved for residency training in ophthalmology.

(49) Performance Standards.

(a) Each eye bank shall demonstrate proficiency in all aspects of eye banking by annually retrieving, processing, or distributing at least 100 corneas for penetrating keratoplasty and provide the Agency with documentation of its performance upon request.

(b) Each eye bank shall have a consistent policy for the physical inspection of the donor and examination and

documentation of the prospective donor's available medical record or death investigation.

(c) Review of all available records on each eye donor shall be performed by an individual who is qualified by profession, education and training to do so, and who is familiar with the intended use of the tissue.

(50) Eye Donor Selection.

(a) Eye tissue from donors with the following shall not be used for penetrating keratoplasty, lamellar keratoplasty, patch grafts, epikeratoplasty or any other type of surgery:

1. Death of unknown cause;

2. Death from central nervous system diseases of unknown etiology;

3. Creutzfeldt-Jakob disease;

4. Subacute sclerosing panencephalitis;

5. Progressive multifocal leukoencephalopathy;

6. Congenital rubella;

7. Reye's syndrome;

8. Active viral encephalitis of unknown origin;

9. Active septicemia (bacteremia, fungemia, viremia);

10. Active bacterial or fungal endocarditis;

11. Active viral hepatitis;

12. Rabies;

13. Intrinsic eye disease:

a. Retinoblastoma;

b. Malignant tumors of the anterior ocular segment;

c. Active ocular or intraocular inflammation: conjunctivitis, scleritis, iritis, uveitis, vitreitis, choroiditis, retinitis;

d. Congenital or acquired disorders of the eye which would preclude a successful outcome for the intended use, e.g., a central donor corneal scar for an intended penetrating keratoplasty, keratoconus, and keratoglobus; and

e. Pterygia or other superficial disorders of the conjunctiva or corneal surface involving the central optical area of the corneal button.

f. Exceptions are that tissue with local eye disease affecting the corneal endothelium may be used for epikeratoplasty, patch grafts, and scleral transplant surgery, and tissue with local eye disease affecting the corneal endothelium or previous ocular surgery that does not compromise the corneal stroma may be used for lamellar keratoplasty or patch grafts.

14. Prior intraocular or anterior segment surgery:

a. Refractive corneal procedures, e.g., radial keratotomy, lamellar inserts, etc.;

b. Laser photoablation surgery;

c. If corneas are used from donors who have had prior anterior segment surgery (e.g., cataract, intraocular lens, glaucoma filtration), the corneas shall be screened by specular microscopy and meet the eye bank's endothelial standards as determined by the medical director; and

d. Laser surgical procedures such as argon laser trabeculoplasty, retinal and panretinal photocoagulation do not necessarily preclude use for penetrating keratoplasty but shall be cleared by the medical director.

15. Active leukemia;

16. Active disseminated lymphomas;

17. Hepatitis B surface antigen positive donors;

18. Recipients of human pituitary-derived growth hormone (pit-hGH) during the years from 1963-1985;

19. HIV seropositive donors;

20. Acquired immunodeficiency syndrome (AIDS);

21. Children (under 13 years old) and infants of mothers with AIDS or at high risk of HIV infection;

22. High risk for HIV infection based on the FDA Guidance Concerning Application of Testing and High Risk Criteria for HIV and Hepatitis for Banked Human Tissue, incorporated herein by reference.

23. HTLV infection except in the case of viable, leukocyte cell or tissue donors;

24. Active syphilis; and

25. Hepatitis C seropositive donors.

(b) Tissue from donors meeting the criteria in paragraph 59A-1.005(50)(a), F.A.C., above shall not be used for epikeratoplasty or other surgery with the exception that tissue with local eye disease affecting the corneal endothelium (e.g., aphakia, iritis) is acceptable for use. Interval of time from donor's death to preservation of eye tissue may be extended.

(51) Eye Donor Testing.

(a) Microbiologic Culturing. Culturing of eye bank donor eyes is recommended. However, the responsibility for determining the need for culturing shall reside with the transplanting surgeon.

1. Presurgical Cultures. Eye banks may elect to perform corneal-scleral rim cultures at the time of corneal preservation in tissue culture medium. Positive culture reports shall be reported to the receiving surgeon or recipient eye bank.

2. Surgical Culturing. Each eye bank shall recommend culturing of the corneal-scleral rim for corneal transplantation, or a piece of sclera for scleral implantation at the time of surgery. Positive culture results in cases of postoperative infection shall be reported to the eye bank that processed the tissue.

(b) HIV Screening.

1. Each eye bank shall have an HIV screening program using FDA-approved tests, pursuant to Rule 64D-2.005, F.A.C., for all donors of surgically designated tissue. A negative screening test shall be documented prior to release of tissue for transplantation.

2. Eye tissue from a donor who has been transfused shall comply with the FDA Guidance for Industry "Eligibility

Determination for Donors of Human Cells, Tissues and Cellular and Tissue-based Products (HCT/Ps)", August 2007.

(c) Hepatitis B Screening. Each eye bank shall have a hepatitis B screening program using an FDA-approved test for hepatitis B surface antigen for all donors of surgically designated tissue. A negative screening test or neutralization or confirmatory test must be documented prior to release of tissue for transplantation.

(d) Hepatitis C Screening. Each eye bank shall have a hepatitis C screening program using an FDA-approved test for hepatitis C surface antigen for all donors of surgically designated tissue. A negative screening test or neutralization or confirmatory test must be documented prior to release of tissue for transplantation.

(e) HTLV Screening. HTLV screening is required of viable, leukocyte rich cells or tissues only. If donor screening for HTLV has been performed, a negative screening test shall be obtained and documented prior to release of tissue for transplantation.

(f) Syphilis Screening. If the screening test is performed and is positive, a negative confirmatory test shall be obtained and documented prior to release of tissue for transplantation.

(52) Documentation of Eye Donor Information.

(a) Donor screening forms and copies of medical charts, medical examiner, or coroner review forms and gross autopsy results, if performed, shall be completed and retained on all donated eye tissue as part of the donor record. Until the final written autopsy report becomes available, documentation of verbal reports of autopsy findings are acceptable.

(b) Donor information forms shall contain information regarding the circumstances surrounding the death of the donor and medical history so that the suitability of the tissue for transplantation may be evaluated.

(c) Minimum information to be retained. A report form for retaining donor and recipient information shall be established for permanent record and shall be readily accessible for inspection by authorized individuals, including surveyors for the Agency. The record shall include the following minimum information:

1. Eye bank identification number unique to each tissue graft;

2. Name of eye bank;

3. Location of eye bank;

4. Phone number;

5. Type of preservation;

6. Age of donor;

7. Cause of death;

8. Death date and time;

9. Enucleation or in-situ retrieval date and time;

10. Preservation date and time;

11. Slit lamp report;



- 12. Specular microscopy, if performed;
- 13. Name of enucleator/evaluator/technician;
- 14. Name of surgeon receiving tissue;
- 15. Recipient identification;
- 16. Utilization of non-transplantable tissue;
- 17. All serological or microbiological tests performed; and,
- 18. Adverse reactions, when reported.

(d) Length of storage. All records shall be maintained for a minimum of ten years from the date of transplantation/implantation.

(53) Eye Bank Facilities and Equipment.

(a) Each eye bank shall have sufficient space, equipment and supplies to perform the volume of laboratory services with optimal accuracy, efficiency, sterility, timeliness and safety.

(b) Each eye bank shall have an adequate stable electrical source and a sufficient number of grounded electrical outlets for operating laboratory equipment. Laminar flow hoods or similar piece of equipment shall be available for sterile processing.

(c) Each eye bank shall have a refrigerator with a device for recording temperature variations. Temperature variations shall be recorded daily and remain within the range of 2 degrees to 6 degrees C. These records shall be kept for a minimum of ten years. The refrigerator shall be maintained for the exclusive use of donor related material and shall contain clearly defined and labeled areas for all tissue stored, i.e., quarantined tissue, surgical tissue awaiting distribution, and research tissue.

(d) In the event of a power failure, there shall be established policies and procedures for action to be taken, which may include an emergency power supply to maintain essential refrigeration.

(e) No sterilized instruments, supplies, and reagents, such as corneal preservation medium for surgical tissues, shall be used beyond the expiration date for surgical tissues.

(54) Satellite Eye Banks. Satellite eye banks that retrieve, process, and distribute tissue shall have a technician and be supervised by and have access to a qualified medical director or designee. Such satellite eye bank shall be inspected by surveyors for the Agency as part of the certification process for the parent eye bank.

(55) Eye Bank Retrieval and Processing Procedures.

(a) Enucleation procedure. Ultimate responsibility for personnel who perform enucleation rests with the director and the medical director.

(b) In-situ and facility-based removal of the corneal-scleral rim. Removal of the corneal-scleral rim shall be performed using sterile technique by individuals specifically trained in in-situ retrieval and facility-based removal of the corneal-scleral segment.

(c) Use of preservation medium. Eye banks shall use a corneal storage medium which has been used and stored according to the manufacturer's recommendations. The

manufacturer's recommendations must be retained and made available for inspection by surveyors for the Agency.

(d) Long-term preservation. Eye banks employing long-term preservation of corneal tissue, such as organ culturing, shall carefully document the procedure in their procedures manual, and adhere to strict aseptic technique.

(e) Whole globe preservation. Eye banks that store whole eyes for lamellar or refractive keratoplasty shall employ aseptic practices using one of the preservation methods given in the eye bank's procedures manual. The selected preservation method shall be documented in the eye bank's own procedure manual.

(f) Scleral Preservation.

1. If the eye bank preserves scleral tissue, the selected preservation method shall be documented in the eye bank's own procedures manual.

2. An expiration date for use of tissue shall be indicated based on the container capability and factors documented or recommended by the eye bank.

(g) Interval between death, enucleation, procurement, and preservation. Acceptable time intervals from death, enucleation, or procurement to preservation of eye tissue may vary according to the circumstances of death and interim means of storage of the body. Corneal preservation shall occur as soon as possible after death and within the time frame determined by the medical director as defined by the policies and procedures. All time intervals (i.e., time of death to the time of enucleation and preservation) shall be recorded for each donor.

(h) Eye maintenance prior to enucleation. The prospective donor's corneal integrity shall be maintained. Procedures for eye maintenance shall be described in the eye bank's policies and procedures. Each individual eye bank's procedure is left to the discretion of the medical director and shall be clearly documented and adhered to.

(i) Review of donor medical history. Prior to distribution of tissue for transplantation, the medical director or designee shall review and document the medical and laboratory information in accordance with criteria established in this rule.

(j) Non-surgical donor tissue. If donor tissue is provided for purposes other than surgery, e.g., research, practice surgery, etc., and if that donor tissue is not screened for HIV, hepatitis, or syphilis, a label stating that screening for HIV-antibody, hepatitis B, hepatitis C, or syphilis has not been carried out or stating "Potentially Hazardous Biological Material" shall be attached to the container used for the donor tissue storage and transport.

(56) Eye Tissue Evaluation. The transplanting surgeon has ultimate responsibility for determining the suitability of the tissue for transplantation.

(a) Gross examination. The corneal-scleral segment shall be initially examined grossly for clarity, epithelial defects,

foreign objects, contamination, and scleral color (e.g., jaundice).

(b) Slit lamp examination. The cornea shall be examined for epithelial and stromal pathology and in particular endothelial disease. Eucleated whole globes shall be examined in the laboratory prior to distribution and corneal retrieval. After corneal retrieval, the corneal-scleral rim shall be evaluated by slit lamp biomicroscopy, even if the donor eye has been examined with the slit lamp prior to retrieval of the corneal-scleral rim, to ensure that damage to the corneal endothelium or surgical detachment of Descemet's membrane did not occur.

(57) Eye Tissue Storage.

(a) All surgical tissue shall be stored in quarantine until negative serology results have been documented, pursuant to Rule 64D-2.005, F.A.C.

(b) All tissue shall be stored at a temperature appropriate to the method of preservation used.

(c) Each eye bank shall precisely document its procedures for storage.

(58) Corneal or Scleral Tissue Labeling.

(a) Visual inspection. A sufficient area of the container shall remain unobstructed to permit inspection of the contents.

(b) Each corneal or scleral tissue shall be clearly and indelibly labeled to include, at least, the following:

1. Name of source eye bank;
2. Tissue identification number;
3. Type of tissue;
4. Date and time of donor's death;
5. Date and time of corneal-scleral preservation;
6. Expiration date for scleral tissue; and
7. A statement shall accompany the tissue stating that:

a. The tissue is intended for single patient application only and that it is not to be considered sterile and that the FDA therefore recommends culturing or reculturing; and,

b. The tissue has undergone infectious disease testing.

(59) Eye Tissue Packaging.

(a) Each tissue shall be individually packaged and sealed with a shrink wrap.

(b) The tissue shall be packed in a water proof container with wet ice, so as to maintain the temperature of the tissue at an acceptable level. Packing shall be done so that the package insert and tissue label do not become wet. Special instructions shall be included on the package insert.

(c) Package insert. A package insert form shall accompany the tissue for transplantation. This form shall include the following:

1. Recommended storage temperature with specific emphasis on Do Not Freeze;

2. That the surgeon shall check for integrity of the seal and immediately report to the eye bank any evidence of possible tampering;

3. That color change per the manufacturer's guidelines may indicate a change in pH, in which case the tissue shall not be used and a report made immediately to the eye bank;

4. Whether pre-surgical microbiological cultures were performed by the eye bank, including the advisement that culture of the donor rim and sclera shall be performed at the time of surgery; and,

5. The form shall also advise the receiving surgeon that the tissues are delivered with no warranty as to merchantability or fitness for a particular purpose, and that the receiving surgeon is ultimately responsible for judging if the tissue is suitable for use.

Rulemaking Authority 408.819, 765.541(2) FS. Law Implemented, 765.541, 765.542, 765.543, 765.545 FS. History--New 11-26-92, Amended 8-20-96.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Zachary Masters

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 06/16/2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 06/01/2016

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Florida Condominiums, Timeshares and Mobile Homes**

RULE NO.: 61B-41.003      RULE TITLE: Penalty Guidelines

PURPOSE AND EFFECT: To repeal reference to Rule 61B-38.001 in Rule 61B-41.003, F.A.C.

SUMMARY: The proposed rulemaking repeals reference to Rule 61B-38.001 in Rule 61B-41.003 F.A.C. as such rule is unnecessary or is duplicative of existing Florida law.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency

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

RULEMAKING AUTHORITY: 721.26(6), FS.

LAW IMPLEMENTED: 721.26(6), 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: Rikki Anderson, Government Analyst I, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)488-1631.

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-41.003 Penalty Guidelines.

The following penalty guidelines are established for each violation:

STATUTE/RULE	GENERAL DESCRIPTION	PENALTY
PART I VACATION PLANS AND TIMESHARING		
§721.056; Rule chs. 61B-37; 61B-39; 61B-40	Developer's supervisory duties	2,500(0), 3,500(1) 5,000(1+)
§721.06; Rules 61B-39.002; 61B-39.003; 61B-39.007	Purchase contracts	\$2,500(0) \$3,500(1) \$5,000(1+)
§721.06(4); §721.065; Rule 61B-39.002	One to one ratio Resale purchase contract	\$5,000 \$1,000(0) \$2,000(1) \$3,500(1+)
§721.07	Public offering statement	\$5,000/POS-rejection/ revocation
	Use of unapproved Public Offering Statement	\$5,000(0) \$10,000(1+)
§721.07(6) §721.07(5)	Failure to deliver contents, maintenance	\$10,000 \$2,500/ POS-rejection/ revocation
Rules 61B-39.002; 61B-39.003; 61B-39.004; 61B-39.007; 61B-39.008; 61B-40.003; 61B-40.004; 61B-40.006; 61B-40.0061; 61B-40.0062		
§721.075; Rule 61B-39.007(6)(e)	Incidental benefits	\$1,000(0) \$2,000(1) \$3,000(1+)
§721.08; Rules 61B-39.003(4)(c); 61B-39.005(5)(c); 61B-39.007(6)(e)	Escrow accounts; nondisturbance instruments; alternate security arrangements	\$5,000(0) \$7,500(1) \$10,000(1+)
§721.09	Reservation agreements; escrows	\$1,000(0) \$2,000(1) \$5,000(1+)
§721.10	Cancellation; termination	\$5,000

		\$7,500 \$10,000
§721.11(1), (5); Rule 61B-37.004(3)	Advertising materials and disclosures	\$3,500(0) \$5,000(1) \$10,000(1+)
§721.11(4); Rule 61B-37.002	Misrepresentations; inducements; referrals	\$2,500(0) \$5,000(1) \$10,000(1+)
§721.111; Rule 61B-37.004	Promotional offers	\$3,500(0) \$5,000(1) \$10,000(1+)
§721.12	Sellers' record keeping	\$1,000(0) \$2,000(1) \$5,000(1+)
§721.13; Rules 61B-40.003; 61B-40.004 61B-40.005; 61B-40.006; Rule 61B-40.0061	Management; CAM license; books & records; lockout; quorum Reserve funding	\$1,000(0) \$2,000(1) \$5,000(1+) \$2,000(0) \$3,500(1) \$5,000(1+)
§721.13(2)(a); & Rule 61B-40.004 §721.13(3)(e); & Rule 61B-40.007	Fiduciary Duty as separate and distinct from other violations Annual audit failure to arrange	\$10,000 \$2,500(0) \$3,500(1) \$5,000(1+)
	failure to file	\$2,500(0) \$3,500(1) \$5,000(1+)
§721.13(3)(f) §§721.13(3)(i) and 192.037(6)(e)	Inspection of books Receipts and disbursements	\$2,500 \$1,000(0) \$1,500(1) \$2,000(1+)
§721.15; Rules 61B-40.004; 61B-40.005; 61B-40.006; 61B-40.0061; 61B-40.0062	Assessments; guarantees, common expenses; billing	\$1,000 (0) \$2,000 (1) \$5,000 (1+)
	Failure to pay Assessments on Developer owned units	\$10,000
§721.15(8) §721.165; Rule 61B-39.007(6)(f)	Commingling Insurance disclosure	\$5,000 \$10,000 \$1,000
§721.17 §721.18(1)	Transfer of interest Exchange programs	\$5,000 \$5,000(0)
	Failure to provide written documents	\$10,000(1+)
§721.18(5)	Unfair deceptive act or practice	\$5,000(0) \$10,000(1+)
§721.20(1) §721.20(2); Rule 61B-38.001	Broker licensing Solicitor licensing incomplete application	\$5,000 notice (0) rejection (1)
	unlicensed activity	suspension/ denial/ \$250 (minor/1st offense)
	violation of law, rule, order	denial/suspension/ revocation/\$500 (more than one minor or serious offense)
§721.20(4)	Advance fees	\$10,000

§721.26(7)(a)	Exchange Company	\$5,000(0)
	Deceptive act or practice	\$10,000(1+)
§721.27	Managing entity fees	\$1,000 in addition to statutory late fee
<b>PART II VACATION CLUBS</b>		
§721.53; Rule 61B-39.003	Subordination instruments;	\$10,000
61B-39.005(7)	Security arrangements	\$3,000(0) \$5,000(1) \$10,000(1+)
§721.54	Multisite term	\$5,000
§721.55	Public Offering Statement	\$5,000/POS rejection/revocation \$5,000(0) \$10,000(1+)
	Use of unapproved Public offering statement	
§721.55; Rules 61B-39.002; 61B-39.005; 61B-39.007; 61B-39.008	contents, maintenance	\$5,000
§721.551; Rules 61B-39.002; 61B-39.006; offering statement 61B-39.007; 61B-39.008	Failure to deliver public	\$10,000
§721.552; Rule 61B-39.007(9)	Change in component site accommodations & facilities	\$5,000
§721.552(1)(b), (2)(g)	Fiduciary duty	\$10,000
§721.553;	Portrayal of component sites	\$1,000(0) \$2,000(1) \$5,000(1+) \$2,500(0) \$3,500(1) \$5,000(1+)
Rule 61B-37.002	misrepresentations	
§721.56(1), (2); Rule 61B-39.005(5)(e)	Management	\$5,000/POS-rejection/revocation
§721.56(3);	Escrow accounts	\$3,000(0) \$5,000(1) \$10,000(1+)
Rule 61B-39.007(6)(e)	amendment disclosures	\$1,000
§721.56(5);	Reservation system	\$5,000
Rule 61B-39.005(7)	filing	\$2,500
§721.56(6);	Developer duties	\$10,000
Rule 61B-39.005(7)	filing	\$2,500
§721.57	Multisite disclosures	\$5,000
§721.58(1)	Filing fee	rejection
§721.58(2)	Managing entity fees	\$1,000 in addition to statutory late fees

NOTE: The designation of (0) means no prior violations; (1) means one prior violation; and (1+) means more than one prior violation.

Specific Authority 721.26(6) FS. Law Implemented 721.26(5)(e) FS. History--New 2-4-98, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kevin Stanfield, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Rd., Tallahassee, Florida 32399-1030.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Matilde Miller, Interim Secretary, Department of Business and Professional Regulation.  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 6/21/2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 05/09/2017

**DEPARTMENT OF HEALTH**

**Division of Emergency Preparedness and Community Support**

RULE NOS.:	RULE TITLES:
64J-1.001	Definitions
64J-1.004	Medical Direction
64J-1.008	Emergency Medical Technician
64J-1.009	Paramedic
64J-1.010	Voluntary Inactive Certification
64J-1.011	Involuntary Inactive Certification
64J-1.020	Training Programs
64J-1.0202	EMS Recertification Training Programs

PURPOSE AND EFFECT: The purpose and effect is to amend rule language as part of the agency's rule line reduction initiative, including the initiative to remove outdated obsolete and unnecessary rule language and update rule forms. Additionally, for some of the rule sections, amendment is required to implement Fla. Session Law 2013-128, and 2016-941 related to training standards, certification requirements and inactive licensure status.

SUMMARY: The proposed rule will update department forms and requirements for: EMT and Paramedic certification, recertification, certification renewal and inactive status certification; EMT and Paramedic training programs and courses related to certification and recertification; EMS medical direction requirements. The department intends to update definitions of terms used in Chapter 64J-1, Florida Administrative Code, (F.A.C.). Some of the definition terms to be updated may be incorporated in Rule 64J-2.001, F.A.C. The rulemaking makes amendments as necessary to implement Fla. Session Laws 2013-128 and 2016-230.

**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: Based on the SERC checklist and the information

analyzed in preparing that checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s. 120.541(2)(a), Florida Statutes.

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: 381.0011, (13), 381.0034, 381.0035, 395.401, 395.4025(13), 395.405, 401.121, 401.265, 401.23, 401.27, 401.2715, 401.272, 401.35, 499.05 FS.

LAW IMPLEMENTED: 381.001, 381.0011, 395.4001, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.2715, 401.281, 401.2915, 401.30, 401.34, 401.35, 401.435, 401.41, 401.411, 401.414, 499.005 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: Melia Jenkins, 4052 Bald Cypress Way, Bin A-22, Tallahassee, Florida 32399, (850)245-4440, ext. 2773, Melia.Jenkins@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64J-1.001 Definitions.

In addition to the definitions provided in Sections 395.401, 395.4001, 401.107, and 401.23, F.S., the following definitions apply to these rules:

~~(1) Abbreviated Injury Score (AIS 90) — as defined in Rule 64J-2.001, F.A.C.~~

~~(1)(2) “Application” — means a completed application form, as specified by the department, together with all documentation required by these rules and the required fee.~~

~~(3) Burn — means a tissue injury resulting from excessive exposure to thermal, chemical, electrical or radioactive agents.~~

~~(2)(4) “Certificate of Public Convenience and Necessity” (COPCN)<sup>22</sup> means a written statement or document, issued by the governing board of a county, granting permission for an applicant or licensee to provide services authorized by a license issued under Chapter 401, Part III, F.S., for the benefit of the population of that county or the benefit of the population of some geographic area of that county. No COPCN from one county may interfere with the prerogatives asserted by another county regarding COPCN.~~

~~(3)(5) “Certification Examination” — means an examination developed or adopted by the department to be used for the purpose of testing the ability to practice as a Florida licensed emergency medical technician or paramedic.~~

~~(6) Chief — means the chief of the department’s Bureau of EMS.~~

~~(4)(7) “Controlled substances” — means those drugs listed in Chapter 893, F.S., and the “designer drugs” referred to in Section 893.035, F.S.~~

~~(5)(8) “Convicted or conviction” — means a determination of guilt of a felony in any court of competent jurisdiction which is the result of trial of the entry of a plea of guilty or a plea of nolo contendere, regardless of whether adjudication is withheld.~~

~~(6)(9) “Department” — means the Florida Department of Health (DOH DH), Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin A22 C18, Tallahassee, Florida 32399-1738.~~

~~(7) “Electronic Patient Care Record” means an incident level electronic record in accordance with the format specified in the Emergency Medical Services Tracking and Reporting System (EMSTARS) Data Dictionary Version 1.4 or in Version 3.~~

~~(8)(10) “Emergency Medical Services Provider” or “EMS provider” — means any entity licensed in the state of Florida to provide air, or ground ambulance, whether basic life support (BLS) provider or an advanced life support (ALS) provider, and whether a non-transportation or a transportation service.~~

~~(9)(11) “Glasgow Coma Scale Score” — as defined in Rule 64J-2.001, F.A.C.~~

~~(12) ICD 9 CM — as defined in Rule 64J-2.001, F.A.C.~~

~~(13) Injury Severity Score (ISS) — as defined in Rule 64J-2.001, F.A.C.~~

~~(10)(14) “Neonatal Ambulance” — means an ALS vehicle permitted solely for Neonatal Transport.~~

~~(11)(15) “Neonatal Transport” — means critical ~~erital~~ care interfacility transport of any neonate from a hospital licensed under Chapter 395, F.S., to a hospital licensed under Chapter 395, F.S., to deliver Level II or Level III neonatal intensive care services as defined in Rule 59C-1.042, F.A.C.~~

~~(12)(16) “Neonate” — means an infant less than 28 days of life or 5 kg in weight.~~

~~(13)(17) “Out-of-state or military trained emergency medical technician or paramedic” means an applicant for certification as an EMT or paramedic in Florida who received his or her initial training either in the military or in a program located in another state a person with a current certification or registration as an emergency medical technician or paramedic from any state or territory of the United States, other than Florida, that was conditioned upon that person being a trained emergency medical technician or paramedic.~~

~~(14)(18) “Patient Care Record” — means an electronic or written the record used by each EMS provider to document patient care, treatment and transport activities that at a minimum includes the information required under Rules~~

~~paragraphs 64J-1.003(5)(a), (b), and Rule 64J-1.014, subsections 64J-2.002(5), 64J-2.004(5), (6) and (7), 64J-2.005(4), F.A.C.~~

~~(19) Pediatric Trauma Patient — as defined in Rule 64J-2.001, F.A.C.~~

~~(15)(20) No change.~~

~~(16) “Subject matter expert” means someone with specialized knowledge, education or experience in a particular area or topic, for example, a labor and delivery nurse teaching the childbirth section of a program or an attorney teaching the medical legal portion of a program.~~

~~(17)(21) “Trained emergency medical technician or paramedic” means an emergency medical technician or paramedic who has successfully completed either of the United States Department of Transportation emergency medical technician or paramedic training curricula curriculum described at Rule 64J-1.008(1)(a)2., F.A.C. (for EMT’s) or 64J-1.009(1)(a)2., F.A.C. (for paramedics) (which training may have occurred in any state or territory of the United States, including Florida), which is incorporated by reference and is available for purchase from the Government Printing Office by telephoning (202) 512-1800.~~

~~(18)(22) “Training Program” —means an educational institution having one designated program director, one designated medical director, and single budget entity; for the purposes of providing EMT or paramedic education programs, as approved by the department.~~

~~(19)(23) “Training Program Medical Records”\_ —means the medical records of the student.~~

~~(20)(24) No change.~~

~~(21)(25) “Transfer or transport” —means aAir, land or water vehicle transportation, by vehicles not exempted under Section 401.33, F.S., of sick or injured persons requiring or likely to require medical attention during such transportation.~~

~~(22)(26) “Trauma” – as defined in Rule 64J-2.001, F.A.C.~~

~~(27) Trauma Alert — as defined in Rule 64J-2.001, F.A.C.~~

~~(23)(28) “Trauma Alert Patient” – as defined in Rule 64J-2.001, F.A.C.~~

~~(24)(29) “Trauma Patient” – as defined in Rule 64J-2.001, F.A.C.~~

~~(30) Trauma Registry — as defined in Rule 64J-2.001, F.A.C.~~

~~(25)(31) “Trauma Transport Protocols” (TTPs) – as defined in Rule 64J-2.001, F.A.C.~~

~~Rulemaking Authority 381.0011(13), 395.401, 395.4025(13), 395.405, 401.121, 401.35 FS. Law Implemented 381.0011, 395.4001, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.121, 401.211, 401.23, 401.25, 401.35, 401.435 FS. History—New 4-26-84, Amended 3-11-85, Formerly 10D-66.485, Amended 11-2-86, 4-12-88, 8-3-88, 8-7-89, 6-6-90, 12-10-92, 11-30-93, 10-2-94, 1-26-97, Formerly 10D-66.0485, Amended 8-4-98, 7-14-~~

~~99, 2-20-00, 11-3-02, 6-9-05, 10-24-05, 4-22-07, Formerly 64E-2.001, Amended 1-12-09, 11-5-09, 2-16-10, 5-27-10,\_\_\_\_\_.~~

64J-1.004 Medical Direction.

(1) Each ALS, BLS or air ambulance provider shall maintain on file for inspection and copying by the department its current contract for a medical director by which it procures the services of ~~employs or independently contracts with~~ a physician qualified pursuant to this section to be its medical director.

~~(2) There is no standard format for a medical director’s contract, however, in drafting such an instrument, the following provisions may be addressed:~~

~~(a) Name and relationship of the contracting parties.~~

~~(b) A list of contracted services inclusive of medical direction, — administrative — responsibilities, — professional membership, basic and advanced life support review responsibilities, and reporting requirements.~~

~~(c) Monetary consideration inclusive of fees, expenses, reimbursement, fringe benefits, clerical assistance and office space.~~

~~(d) Termination clause.~~

~~(e) Renewal clause.~~

~~(f) Provision for liability coverage.~~

~~(g) Effective dates of the contract.~~

~~(2)(3) Qualifications:~~

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

~~(c) A medical director shall be board certified and active in a broad based clinical medical specialty with demonstrated experience in prehospital care and hold an ACLS certificate or equivalent as determined in Chapter 64J-1.022, F.A.C. Prehospital care experience shall be documented by the provider.~~

~~(d) A medical director shall demonstrate and have available for review by the department documentation of active participation in a regional or statewide physician group involved in prehospital care.~~

~~(3)(4) The dDuties and rResponsibilities of the licensed EMS provider mMedical dDirector include:-~~

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

(c) With the exception of BLS medical directors, each ALS or air ambulance service medical director shall possess proof of current registration as a medical director, either individually or through a hospital, with the U.S. Department of Justice, Drug Enforcement Administration (DEA), to provide controlled substances to an EMS provider. DEA registration shall include each address at which controlled substances are stored. Proof of such registration shall be maintained on file with each ALS or air ambulance provider and shall be readily available for inspection.

(d) Ensure and certify that security procedures of the EMS provider for medications, fluids and controlled substances are in compliance with Chapters 499 and 894, F.S., and Chapter 61N-1 64F-12, F.A.C.

(e) through (g) No change.

(h) An EMT employed by a licensed ALS provider is authorized to start a non-medicated IV under the following conditions:

1. No change.

2. If the licensed ALS provider elects to utilize EMTs in this capacity, the licensed EMS provider shall ensure that the medical director provides IV Therapy training deemed sufficient by the medical director at least equivalent to that required by the 1999 U.S. D.O.T. EMT Intermediate National Standard Curriculum relating to IV therapy which is incorporated by reference and available from the Superintendent of Documents, Post Office Box 371954, Pittsburgh, PA 15250-7954. The licensed EMS provider shall document successful completion of such training in each EMTs training file and make documentation available to the department upon request.

(i) through (k) No change.

~~(4)(4)~~ Medical directors of a training program shall:

~~(a)1.~~ Be responsible for the instruction of the Department of Transportation (DOT) approved training programs program for EMTs and paramedics that are adopted by Rules 64J-1.008(1)(a)1. and 64J-1.009(1)(a)1., F.A.C., respectively.

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

~~(f)6.~~ ~~The EMS training center shall by contract, require such medical director to~~ Be available 4 hours per month for classroom teaching or review of student performance, and participate in direct contact time with EMS field level providers for a minimum of 10 hours per year. Notwithstanding the number of training centers or EMS providers served by the medical director, direct contact time shall be a minimum of 10 hours per year per medical director, not per training center.

~~(g)7.~~ ~~The training program shall~~ Provide written documentation to the dDepartment that confirms the mMedical dDirector has reviewed and approved all policies, procedures, and methods used for the orientation of instructors and preceptors.

~~(h)8.~~ ~~The training program shall~~ Provide written documentation to the dDepartment that confirms the mMedical dDirector has reviewed and approved all student testing procedures, evaluators and assessment tools used for each comprehensive final written (cognitive) and practical examination (psychomotor skills) for EMT and paramedic students. The mMedical dDirector shall review each student's performance on the comprehensive final written (cognitive) and practical examination (psychomotor skills) before certifying a student has successfully completed all phases ~~phase~~ of the

educational program and EMTs are proficient in BLS basic life support techniques and paramedics are proficient in ALS advanced life support techniques.

(5) The medical director of a licensed EMS provider may authorize paramedics under his or her supervision to perform immunizations pursuant to a written agreement with a County Health Department in the county in which the immunizations are to be performed. Should the medical director elect to utilize paramedics in this capacity, he or she shall verify on DH Form 1256, Certification of Training, ~~December 12/2008, which is~~ incorporated by reference and available from the department at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>, that each paramedic authorized to administer immunizations has received sufficient completed training and experience to administer immunizations, as determined by the medical director consistent with that of other staff giving immunizations in the County Health Department as required by the Director of that County Health Department.

Rulemaking Authority ~~381-0011~~, 395.405, 401.265, 401.272, 401.35; ~~499-05~~ FS. Law Implemented 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.272, 401.281, 401.2915, 401.30, 401.34, 401.35, ~~401.41~~, 401.411, ~~499-005~~ FS. History—New 8-7-89, Amended 6-6-90, 12-10-92, 1-26-97, Formerly 10D-66.0505, Amended 8-4-98, 1-3-99, 2-20-00, 4-15-01, 11-19-01, 10-24-05, 12-18-06, Formerly 64E-2.004, Amended 5-27-10, \_\_\_\_\_.

64J-1.008 Emergency Medical Technician.

(1) Qualifications and Procedures for Certification pursuant to Section 401.27, F.S. To be qualified for EMT certification, an individual must:

(a)1. Successfully complete an initial Florida EMT training program conducted in accordance with the January 2009 U.S. DOT EMT National EMS Education Standards ~~1994 U.S. DOT EMT Basic National Standard Curriculum, which are~~ is incorporated by reference and is available at [www.ems.gov/educationstandards.htm](http://www.ems.gov/educationstandards.htm) and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####> ~~for purchase from the Government Printing Office by telephoning (202) 512-1800, or writing to the Government Printing Office, Superintendent of Documents, Post Office Box 371954, Pittsburgh, PA 15250-7954, or~~

2. If out of state or military trained in accordance with either the 1994 U.S. DOT EMT-Basic National Standard Curriculum or the January 2009 U.S. DOT EMT National EMS Education Standards, currently hold a valid EMT certification from the National Registry of Emergency Medical Technicians (NREMT). The 1994 U.S. DOT EMT-Basic National Standard Curriculum is incorporated herein by reference and available at [www.ems.gov/educationstandards.htm](http://www.ems.gov/educationstandards.htm) and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>.

~~(b) Each applicant must or another U.S. state or territory which has the certifying authority to submit to the department~~

DH Form 1583, 04/2017 12/08, Application for EMT/Examination for Emergency Medical Technician (EMT) & Paramedic Certification, which is incorporated by reference and available from the department, as defined by Rule subsection 64J-1.001(6)(9), F.A.C., or at <http://www.flhealthsource.com> and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>.

(c) Applicants who are subject to subparagraph (1)(a)1. must pass or otherwise have passed the department required EMT Certification Examination within 2 years of completing the initial Florida training program.

~~(b) Apply for and pass Florida EMT certification examination on DH Form 1583, 12/08, Application for Examination for Emergency Medical Technician (EMT) & Paramedic Certification; and~~

~~(c) Possess a high school diploma or a General Education Development (GED) diploma.~~

(2) Renewal Certification – To maintain an active certificate, the EMT shall pay the recertification fee and affirm continued compliance with all applicable requirements contained in paragraph 64J-1.008(2)(a), (b) or (c), F.A.C., complete and submit the applicable certification renewal notice, Certificate Renewal Notice DH-MQA 1212, 06/17 7/09, which is incorporated by reference and mailed by the department, or apply for renewal online at [www.flhealthsource.gov](http://www.flhealthsource.gov) ~~www.flhealthsource.com~~, where the form may also be obtained as well as at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>; and within 2 years prior to the expiration date of his or her EMT certification complete one of the following:

(a) Complete 30 hours of EMT refresher training based on criteria in the January 2009 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum EMS Education Standards; to include adult and pediatric education with a minimum of 2 two hours in pediatric emergencies, an additional 2 hours of HIV/AIDS refresher training, in accordance with Section 381.0034, F.S.; and maintain a current CPR card as described provided in Section 401.27(4)(e)2., F.S., and Rule 64J-1.022, F.A.C., CPR training may shall be included in the 30 hours of refresher training, provided that the CPR training is taken with a continuing education provider recognized by the department pursuant to Section 401.2715, F.S. ~~The 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum shall be the criteria for department approval of refresher training courses.~~ The department shall accept either the affirmation of a licensed EMS provider's medical director; or a certificate of completion of refresher training from a department approved Florida training program or a department approved continuing education provider as proof of compliance with the above requirements; ~~The 1996 U.S. DOT EMT-Basic National Standard Refresher Curriculum is incorporated by~~

~~reference and available for purchase from the Government Printing Office by telephoning (202) 512-1800 or writing to the Government Printing Office, Superintendent of Documents, Post Office Box 371954, Pittsburgh, PA 15250-7954.~~

(b) Successfully pass the EMT certification examination required by the department during the current certification cycle; and complete 2 hours of HIV/AIDS refresher training, in accordance with Section 381.0034, F.S.; and maintain a current CPR BLS card for the professional rescuer; ~~Prior to taking the examination, a candidate must request approval to sit for the examination. Such approval is requested by submitting DH Form 1583, 12/08, Application for Examination for Emergency Medical Technician (EMT) & Paramedic Certification to the department.~~

(c) Satisfactorily complete the first semester of the paramedic training course at a department approved Florida training center pursuant to Section 401.2701, F.S., within the current 2-year certification cycle. ~~Complete 2 hours of HIV/AIDS refresher training in accordance with Section 381.0034, F.S., and also~~ maintain a current CPR card for the professional rescuer; or

(d) No change.

(3) No change.

~~(4) Individuals who document their possession of the following in their application shall be deemed to satisfy subsection 64J-1.012(3), F.A.C., for certification as an EMT only while these criteria are applicable:~~

~~(a) Status as a member of the United States military;~~

~~(b) Valid EMT certification from the National Registry of Emergency Medical Technicians; and~~

~~(c) Assignment to Florida as part of a training program to operate as an EMT.~~

Rulemaking Authority ~~381.0011, 381.0034, 381.0035, 401.23, 401.27, 401.35, 456.013~~ FS. Law Implemented ~~381.001, 401.23, 401.2715, 401.27, 401.34, 401.35, 401.41, 401.411, 401.414 456.013(1)~~ FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.56, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.056, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, 6-3-02, 11-3-02, 10-24-05, 1-11-06, 1-23-07, 10-16-07, Formerly 64E-2.008, Amended 11-22-09, 5-27-10, \_\_\_\_\_.

64J-1.009 Paramedic.

(1) Qualifications and Procedures for Certification pursuant to Section 401.27, F.S. To be qualified for paramedic certification, an individual must:

(a)1. Successfully complete an initial Florida paramedic training program that was conducted in accordance with the January 2009 1998 U.S. DOT EMT-Paramedic (EMT-P) National EMS Education Standards Standard Curriculum, (NSC), which is incorporated by reference and is available at [www.ems.gov/educationstandards.htm](http://www.ems.gov/educationstandards.htm) and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>



~~for purchase from the Government Printing Office by telephoning (202) 512-1800, or~~

2. If out of state or military trained in accordance with the 1998 U.S. DOT EMT-Paramedic (EMT-P) NSC ~~or the January 2009 U.S. DOT Paramedic National EMS Education Standards~~, currently hold a valid paramedic certification from the National Registry of Emergency Medical Technicians (NREMT). The 1998 U.S. DOT EMT-Paramedic (EMT-P) NSC is incorporated herein by reference and available at [www.ems.gov/educationstandards.htm](http://www.ems.gov/educationstandards.htm) and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>.

~~(b) Each applicant must or be currently certified in another U.S. state or territory which has the certifying authority to submit to the department DH Form 1583, 6/16 12/08, Application for EMT/Examination for Emergency Medical Technician (EMT) & Paramedic Certification (see Rule 64J-1.008 F.A.C.).~~

~~(c) For those applicants subject to subparagraph (1)(a)1., file the completed application form described in paragraph (1)(b) to apply for certification and pass or otherwise have passed the Florida required paramedic certification examination within two years of completing the Florida initial training program.~~

~~(b) Apply for and pass Florida paramedic certification examination on DH form 1583, 12/08, Application for Examination for Emergency Medical Technician (EMT) & Paramedic Certification; and~~

~~(c) Possess a high school diploma or a General Education Development (GED) diploma.~~

(2) Renewal Certification – To maintain an active certificate the paramedic shall pay the recertification fee and affirm continued compliance with all applicable requirements contained in ~~Rules paragraph~~ 64J-1.009(2)(a) or (b), F.A.C., complete and submit the applicable certification renewal notice, Certificate Renewal Notice DH- MQA 1212, ~~06/17 7/09~~, which is incorporated by reference in Rule 64J-1.008, F.A.C., and mailed by the department, or apply for renewal online at [www.flhealthsource.gov](http://www.flhealthsource.gov) ~~www.flhealthsource.com~~, where the form may also be obtained or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>, and within 2 years prior to the expiration date of his or her paramedic certification complete one of the following:

(a) Complete 30 hours of paramedic refresher training based on criteria in the ~~January 2009 1998~~ U.S. DOT Paramedic National EMS Education Standards ~~D.O.T. EMT Paramedic NSC~~, to include adult and pediatric education with a minimum of ~~2 two~~ hours in pediatric emergencies, ~~an additional 2 hours of HIV/AIDS refresher training in accordance with Section 381.0034, F.S., and also maintain a current Advanced Cardiac Life Support (ACLS) card as provided in Section 401.27(4)(e)2., F.S., and Rule 64J-1.022, F.A.C. ACLS training~~

may shall be included in the 30 hours of refresher training, provided that the ACLS training includes the continuing education criteria recognized by the department pursuant to Section 401.2715, F.S. The department shall accept either the affirmation of a licensed EMS provider's medical director, ~~or~~ a certificate of completion of refresher training from a department approved Florida training program, or a department approved continuing education provider as proof of compliance with the above requirements; ~~or-~~

~~(b) Successfully pass a the paramedic certification examination required by the department during the current certification cycle; complete 2 hours of HIV/AIDS refresher training in accordance with Section 381.0034, F.S.; and also maintain a current ACLS card. Prior to taking the examination, a candidate must request approval to sit for the examination. Such approval is requested by submitting DH Form 1583, 12/08, Application for Examination for Emergency Medical Technician (EMT) & Paramedic Certification to the department.~~

(3) through (4) No change.

Rulemaking Authority ~~381.0011, 381.0034, 381.0035, 401.27, 401.35, 456.013~~ FS. Law Implemented 381.001, 401.23, 401.27, ~~401.2715, 401.34, 401.35, 401.41, 401.411, 401.414, 456.013~~-FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.57, Amended 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.057, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, 6-3-02, 11-3-02, 10-24-05, 1-23-07, 10-16-07, Formerly 64E-2.009, Amended 11-22-09, 5-27-10, \_\_\_\_\_.

64J-1.010 Voluntary Inactive Certification.

An EMT or paramedic who is currently certified can place their certificate on inactive status by sending a written request to the department and paying a fee of \$50. Any EMT or paramedic whose certificate has been placed on inactive status shall not function as an EMT or paramedic until such time as he or she has completed the following requirements for reactivating the certificate:

(1) A certificate holder whose certificate has been on inactive status for 12 months or less can activate his or her certificate by submitting a written request to the department for activation and receiving written approval. The certificate holder must pay a late renewal fee of \$50.

(a) through (b) No change.

(2) An EMT whose certificate has been on inactive status for more than 1 year can activate his or her certificate by completing the following:

(a) 30 hours of EMT refresher training which shall meet the requirements of Rule 64J-1.008(2)(a) ~~be based on the 1996 U.S. DOT EMT Basic National Standard Refresher Curriculum and 2 hours of human immunodeficiency virus and acquired immune deficiency syndrome (HIV/AIDS) training. The 1996 U.S. DOT EMT Basic National Standard Refresher Curriculum~~

is incorporated by reference in Rule 64J-1.008, F.A.C. The training:

1. through 2. No change.

(b) Hold a current CPR card pursuant to Section 401.27(4)(e)1., F.S., and Rule 64J-1.022, F.A.C., ~~or equivalent pursuant to Rule 64E-2.038, F.A.C.~~

(c) No change.

(d) Pass the EMT certification examination required by the department. Should the applicant fail the examination, he or she must meet requirements for initial certification.

(e) After completion of the above requirements, submit ~~to the department~~:

~~1. The~~ required fee and affirmation of all applicable requirements contained in subsection 64J-1.010(2), F.A.C., to the department.

~~2. DH Form 1583, 12/08, Application for Examination for Emergency Medical Technician (EMT) & Paramedic Certification.~~

(3) A paramedic whose certificate has been on inactive status for more than 1 year can activate his or her certificate by completing the following:

(a) 30 hours of paramedic refresher training which shall ~~meet the requirements of Rule 64J-1.009(2)(a), F.A.C. be based on the 1998 U.S. DOT EMT Paramedic NSC, which is incorporated by reference in Rule 64J-1.009, F.A.C., and 2 hours of human immunodeficiency virus and acquired immune deficiency syndrome (HIV/AIDS) training.~~ The training:

1. through 2. No change.

(b) Hold a current ACLS card ~~pursuant to Section 401.27(4)(e)2., F.S., and Rule 64J-1.022, F.A.C., or equivalent pursuant to Rule 64J-1.022, F.A.C.~~

(c) No change.

(d) Pass the paramedic certification examination required by the department. Should the applicant fail the examination, he or she must meet the requirements for initial certification.

(e) After completion of the above requirements, submit ~~to the department~~:

~~1. The~~ required fee and affirmation of all applicable requirements contained in subsection 64J-1.010(3), F.A.C. to the department.

~~2. DH Form 1583, 12/08, Application for Examination for Emergency Medical Technician (EMT) & Paramedic Certification.~~

Rulemaking Authority 401.27, 401.35, 456.036 FS. Law Implemented 401.27, 401.34, 401.35, 456.036 FS. History—New 8-4-98, Amended 1-3-99, 9-3-00, 4-21-02, 6-3-02, 11-3-02, 10-24-05, 1-23-07, 10-16-07, Formerly 64E-2.0094, Amended 11-22-09, \_\_\_\_\_.

64J-1.011 Involuntary Inactive Certification.

(1) An EMT or paramedic certificate that is not renewed at the end of the 2-year certification period shall automatically

revert to an inactive status for a period of no more than two additional 2-year renewal cycles ~~180 days~~.

(2) ~~EMT~~ Such certificates may be reactivated if the applicant submits the renewal certification fee required by Section 401.34, F.S., ~~and~~ a late renewal fee of \$25 and ~~the following items to the department~~:

(a) if applying for reactivation of the certificate within the first additional 2-year renewal cycle, The required fees and affirmation of all applicable requirements, contained in subsection 64J-1.008(2) or 64J-1.009(2), F.A.C.

~~(b) v~~Verification of having met ~~one of the~~ recertification requirements contained in Rule subsection 64J-1.008(2)(a) or 64J-1.009(2), F.A.C., or The requirements for recertification shall be completed before the end of the 180-day inactive certification period.

(b) if applying for reactivation of the certificate within the second additional 2-year renewal cycle, the applicant must verify having met the recertification requirements contained in Rule 64J-1.008(2)(a), F.A.C., including an additional 30 hours of the refresher course training described in that rule paragraph, and must pass the department approved certification examination before the end of the second additional 2-year renewal cycle.

(3) Paramedic certificates may be reactivated if the applicant submits the renewal certification fee required by Section 401.34 F.S., a late renewal fee of \$25, and:

(a) if applying for reactivation of the certificate within the first additional 2-year renewal cycle, verification of having met the recertification requirements contained in Rule 64J-1.009(2)(a), F.A.C., or

(b) if applying for reactivation of the certificate within the second additional 2-year renewal cycle, the applicant must verify having met the recertification requirements contained in Rule 64J-1.009(2)(a), F.A.C., including an additional 30 hours of the refresher course training described in that rule paragraph, and must pass the department approved certification examination before the end of the second additional 2-year renewal cycle.

(4) All recertification training requirements required for reactivation of a certificate under this rule section must be completed before the application is filed.

(5) Application for reactivation of a certificate under this rule must be made on Form DH 5023-MQA, 06/2017, Request for EMT/Paramedic Reactivation of Expired Certification, which is incorporated by reference and available at [www.flhealthsource.gov](http://www.flhealthsource.gov) and <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>.

~~(6)(3)~~ An application for reactivation ~~recertification~~ received by the department more than four years ~~180 days~~ after the expiration date of the certificate shall be denied. Such applicant certificate holder is ineligible for recertification or

reactivation and must meet the requirements for initial certification.

Rulemaking Authority 401.27, 401.35 FS. Law Implemented 401.27, 401.34, 401.35 FS. History—New 8-4-98, Amended 1-3-99, 9-3-00, 4-15-01, 10-24-05, Formerly 64E-2.0095, Amended 11-22-09, \_\_\_\_\_.

64J-1.020 Training Programs.

(1) No change.

(2) To be approved as an EMT Training Program, an entity shall submit a completed DH Form 1698, ~~04/2017 December 2008~~, Application for Approval of an Emergency Medical Services (EMS) Training Program, ~~which is incorporated by reference and available from the department, at [www.floridahealth.gov](http://www.floridahealth.gov) and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-####>~~ as defined by subsection 64J 1.001(9), F.A.C., or at ~~<http://www.fl-ems.com>~~.

(3) To be approved as a Paramedic Training Program, an entity shall submit a completed DH Form 1698, ~~04/2017 December 2008~~, Application for Approval of an Emergency Medical Services (EMS) Training Program, ~~which is incorporated by reference and available from the department, as defined by subsection 64J 1.001(9), F.A.C., or at <http://www.fl-ems.com>~~.

(4) No change.

(5) Approved training programs that wish to offer EMT or Paramedic training programs after their approval expiration date must apply to the department. An entity shall submit a completed DH Form 1698, ~~04/2017, December 2008~~, Application for Approval of an Emergency Medical Services (EMS) Training Program, ~~which is available from the department, as defined by subsection 64J 1.001(9), F.A.C., or at <http://www.fl-ems.com>~~. The application must be received by the department not less than 90 days before the training program approval expiration date and no earlier than 180 days prior to the approval expiration date.

(6) ~~Emergency Medical Technician (EMT) training program course length shall be a minimum of 300 250 hours. EMT students shall not have less than five (5) patient contacts resulting in the student accompanying the patient to the hospital. Student-to-Instructor ratios shall not exceed 6:1 during the skills laboratory phase of the program.~~

(7) Paramedic training program course length shall be a minimum of 1100 hours ~~that includes the recommended hours listed in the United States Department of Transportation, National Highway Traffic Safety Administration's, 1998 EMT-Paramedic National Standard Curriculum for classroom, skills laboratory, hospital-clinical, and field internship.~~

(8) Florida approved EMT and paramedic Emergency Medical Technician Training Programs must have, at a minimum, the equipment and supplies listed in DH Form 1698,

04/2017, Application for Approval of an Emergency Medical Services (EMS) Training Program Table I.

~~(9) Florida approved paramedic Training Programs must have at a minimum the equipment and supplies listed in Table I and Table II.~~

~~(9)(10) No change.~~

~~TABLE I  
EMERGENCY MEDICAL TECHNICIAN BASIC  
TRAINING PROGRAM  
REQUIRED EQUIPMENT AND SUPPLIES~~

~~AIRWAY  
Oral pharyngeal airways \_\_\_\_\_ (Adult,  
Child, & Infant)  
Nasal pharyngeal airways \_\_\_\_\_ (Adult,  
Child, & Infant)  
Bag valve mask \_\_\_\_\_ (Adult, Child, &  
Infant)  
Pocket mask with one way valve \_\_\_\_\_ (Adult)~~

~~SUCTION  
Portable suction unit Connecting tubing \_\_\_\_\_  
(Battery Powered & Manual)  
Soft tip suction catheters \_\_\_\_\_ (Sizes 6 – 18  
French)  
Rigid suction tip  
Meconium Aspirator  
Bulb syringe~~

~~Oxygen (O2) and Supplies  
O2 tank with wrench  
Regulator with high flow port  
Demand valve \*\*  
Bite sticks  
High concentration mask \_\_\_\_\_ (Adult,  
Child, & Infant)  
Simple face mask \_\_\_\_\_ (Adult, Child, &  
Infant)  
Nasal cannulas \_\_\_\_\_ (Adult, Child, &  
Infant)  
Venturi mask \_\_\_\_\_ (Adult)  
O2 tubing  
Nebulizer~~

~~DIAGNOSTIC EQUIPMENT  
Blood pressure cuffs \_\_\_\_\_ (Thigh,  
Large Adult, Adult, Child, and Infant)  
Stethoscopes \_\_\_\_\_ (Adult &  
Pediatric)  
Teaching stethoscopes~~

Thermometer

Penlights

**INFECTION CONTROL**

Gloves (latex, non latex, & powder free) (All Sizes)

Disinfectant

Biohazard trash bags

Sharps container\*\*

Personal protective equipment (Gown, Eye & Face Shields)

**PHARMACEUTICALS**

Insta-glucose

Epi Pen trainer

Activated charcoal

Placebo inhalers

Nitroglycerin (May be simulated)

**MEDICAL TRAINING EQUIPMENT**

AED trainer with pads\*\* (Adult & Child)

CPR manikins (Adult, Child & Infant)

Airway manikins \*\* (Adult, Child & Infant)

Childbirth manikins\*\*

Full body basic life support manikins (Adult & Child)

Moulage kit \*\*

**IMMOBILIZATION AND EXTRICATION**

Non wood long spine board with straps (Adult & Pediatric)

Short board (Adult & Pediatric)

Vest style immobilization device with straps (Adults)

C collars (Adult Child & Pediatric)

Head immobilizers (Adult & Pediatric)

Basket stretcher\*\*

Scoop stretcher\*\*

Car seat\*\* (Child & Infant)

Flexible stretcher \*\*

Patient restraints

**SPLINTS**

Traction splints (two out of the three)

(Adult & Pediatric)

Vacuum (Assorted sizes)

Air (Assorted sizes)

Padded board splints (Assorted sizes)

**PATIENT TRANSPORT EQUIPMENT**

Stretcher with straps (Must be capable of multi-level positioning)

Stair chair with straps

**BANDAGES AND DRESSINGS**

Elastic bandage

Roller gauze

Non-sterile or sterile sponges

Abdominal pads

Multi-trauma dressing

Non-adherent dressing

Petroleum gauze

Triangular bandages

Eye pads

Band-aids

Tape (Assorted sizes)

Cold packs

Burn sheets (May be simulated)

OB kits

Tongue depressors

**MISCELLANEOUS**

Trauma shears

Ring cutter with extra blades

Emergency/Survival blanket

Jump bag

Helmets (Open & Full face)

Football Helmet and Shoulder Pads \*\*

Items marked with a double asterisk are not required to be present at all sites during active classes. The program must demonstrate that these items are available from other sites within the program or by written contract with another agency.

**PARAMEDIC TRAINING PROGRAM EQUIPMENT AND SUPPLIES**

In addition to equipment and supplies required for EMT Training Programs

**AIRWAY**

Esophageal intubation detector (Two out of three)

Colorimetric CO<sub>2</sub> detector (Adult & Pediatric)  
 Bulb type intubation detector (Adult)  
 Syringe type intubation Detector (Adult)  
 Endotracheal tubes (Sizes 2.5-8)  
 Naso-gastric tubes (Assorted sizes)  
 Commercial manufactured tube holder (Adult & Pediatric)  
 Laryngoscope handles with batteries (Adult & Pediatric)  
 Laryngoscope with Macintosh and miller blades (Complete set of each)  
 Replacement laryngoscope light bulbs  
 Stylettes (Assorted sizes)  
 Lighted stylettes (Adult)  
 Cricothyrotomy kit\*\*  
 Pneumothorax kit\*\*  
 Supraglottic airways

OXYGEN AND SUPPLIES

Continuous Positive Airway Pressure (CPAP) with Circuits and Mask \*\* (Adult)  
 Automatic Ventilator with Circuits Mask and Peep Valve\*\* (Adult & Pediatric)

DIAGNOSTIC EQUIPMENT

Glucometer with lancets and test strips

CARDIOLOGY SUPPLIES

Cardiac monitor capable of defibrillation with cables  
 Cardiac monitor capable of defibrillation, 12-lead EKG, and pacing, with cables, and wave form end title carbon dioxide detector capable of printing.  
 Battery support system with spare batteries  
 EKG paper  
 Rhythm generator capable of generating 3 or 4 lead displays  
 Rhythm generator capable of generating 12-lead rhythms

IV AND PHARMACEUTICALS SUPPLIES

IV catheters (Sizes 22-14 gauges)  
 Butterfly needles (Assorted Sizes)  
 Blood collection tubes  
 Vacutainer device with luer adapter  
 Syringes (Sizes 3-20cc)  
 Hypodermic needles (Sizes 25-18 gauge)  
 Intraosseous Needles

Practice medication ampoules, vials, and premeasured syringes  
 Macro drips IV sets  
 Micro drips IV sets  
 IV extension sets  
 3-way stop cocks  
 Buretrol solution set  
 IV fluids  
 IV start kits

ADVANCED LIFE SUPPORT PHARMACOLOGICAL DRUGS

(May be commercially packaged or simulated)

Atropine  
 Dextrose  
 Furosemide  
 Magnesium  
 Nalaxone  
 Sodium Bicarbonate  
 Epinephrine 1:10000  
 Epinephrine 1:1000  
 Lidocaine  
 Amiodarone  
 Dopamine  
 Vasopressin  
 Procinamide  
 Adenosine  
 Digoxin  
 Verapamil  
 Cardizem  
 Morphine Sulfate  
 Nitroglycerin  
 Aspirin  
 Lidocaine drip  
 Dopamine drip

MEDICAL TRAINING EQUIPMENT

IV trainer (Adult)  
 Cricothyrotomy manikins\*\* (Adult)  
 Intraosseous trainer\*\* (Pediatric)  
 IM and Sub-Q injection trainer\*\* (Adult & Pediatric)  
 Pneumothorax trainer\*\* (Adult)  
 Full body advanced life support manikins\*\* (Adult, Child, & Infant)  
 Consumable parts for all trainers \*\* (Adult, Child, & Infant)

MISCELLANEOUS ITEMS

Triage tags  
 Two-way communication radios or walkie-talkie

~~Length Base resuscitation device~~

~~\*\*Items marked with a double asterisk are not required to be present at all sites during active classes. The program must demonstrate that these items are available from other sites within the program or by written contract with another agency.~~  
 Rulemaking Authority 401.27, 401.2715 FS. Law Implemented 401.27, 401.2715 FS. History—New 9-3-00, Amended 4-15-01, 4-21-02, 11-3-02, 12-18-06, 10-16-07, Formerly 64E-2.036, Amended 8-12-10,\_\_\_\_\_.

64J-1.0202 EMS Recertification Training Programs.

(1) Commencing with the effective date of this rule and expiring December 1 of even numbered years thereafter, entities not licensed as an emergency medical services provider or a department approved Florida training program shall be approved to conduct EMT or paramedic recertification training providing they meet the requirements contained in Section 401.2715, F.S., and this section. To be approved as an EMS Recertification Training Program, each applicant shall:

- (a) through (b) No change.
- (c) Submit the following for each course offering:
  - 1. Behavioral objectives:
    - a. Describe expected learner outcomes in terms that can be evaluated, are obtainable and are relevant to the January 2009 ~~1996~~ U.S. DOT EMT-~~Basic~~ National EMS Education Standards Standard Refresher Curriculum referenced in Rule 64J-1.008, F.A.C., and to the January 2009 ~~1998~~ U.S. DOT EMT-Paramedic (~~EMT-P~~) National EMS Education Standards Standard Curriculum referenced in Rule 64J-1.009, F.A.C.
    - b. No. change.
    - 2. through 7. No change.
  - (2) through (5) No change.

Rulemaking Authority 401.27, 401.2715 FS. Law Implemented 401.27, 401.2715 FS. History—New 5-27-10,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Melia Jenkins  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, State Surgeon General  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2017  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 5, 2016

**DEPARTMENT OF FINANCIAL SERVICES**  
**Division of Funeral, Cemetery, and Consumer Services**  
 RULE NO.: 69K-1.001  
 RULE TITLE: List of Approved Forms; Incorporation by Reference.  
 PURPOSE AND EFFECT: The proposed amendments will update Rule 69K-1.001, F.A.C.

SUMMARY: The proposed rule amendments will update several existing forms, delete forms that are no longer used, and incorporate several new forms by reference.

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 conducted an economic analysis of the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 497.103(2)(c), (5)(b), 497.141(2), (12)(g), 497.142(10)(g), 497.146, 497.147(4), (5), 497.263(2), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.281, 497.283(2)(c), 497.287(2), 497.368(1), 497.369(1), 497.370(1), 497.373(1), 497.374(1), 497.375(1), 497.376, 497.380(4), (12), 497.382, 497.385, 497.453, 497.454(1), 497.456(13)(f), 497.462(9), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6), 497.554(2), 497.602(2), 497.603(2), 497.604, 497.606, 497.608(2), F.S.

LAW IMPLEMENTED: 497.103(2)(c), 497.140, 497.141, 497.142, 497.143, 497.146, 497.147, 497.263, 497.264, 497.266, 497.269, 497.270, 497.272, 497.281, 497.283, 497.287, 497.365, 497.368, 497.369, 497.370, 497.373, 497.374, 497.375, 497.376, 497.378, 497.379, 497.380, 497.382, 497.385, 497.453, 497.454, 497.456, 497.462, 497.464, 497.466, 497.550, 497.551, 497.553, 497.554, 497.602, 497.603, 497.604, 497.606, 497.608, F.S.

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: July 24, 2017, 2:30 p.m.  
 PLACE: Room 320, Pepper Building, 111 W. Madison Street, Tallahassee, FL

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: Ellen Simon at (850)413-4985 or Ellen.Simon@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 IS: Ellen Simon, Assistant Director, 200 East Gaines Street, Tallahassee, Florida 32399-0361

THE FULL TEXT OF THE PROPOSED RULE IS:

69K-1.001 List of Approved Forms; Incorporation by Reference.

The following forms are hereby adopted and incorporated by reference, and can be obtained from the Department by writing to the Department of Financial Services, Division of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, by logging on to the Department's website at <http://www.myfloridacfo.com/Division/funeralcemetery/>, or by telephoning (850)413-3039:

(1) DFS-PNL-1, "Application for Preneed License," Rev. 08/16 10-06.

(2) DFS-HistS, "Historical Sketch," Rev. 08/16 10-06.

(3) DFS-PNLB, "Application for Preneed Branch Office License," Rev. 08/16 10-06.

(4) DFS-PNLT1, "Application for Transfer of a Preneed License," Rev. 08/16 10-06.

(5) through (9) No change.

~~(10) DFS-BYLAW1, "Pamphlet for Cemetery By Law Approval," Rev. 10-06.~~

~~(11) DFS-EW-1, "Examination Workpapers," Rev. 10-06.~~

(12) through (17) renumbered as (10) through (15) No change.

~~(18) DFS-N1-1698, "Pre Need Funeral & Cemetery Arrangements" Brochure, Eff. 10-06.~~

(19) through (24) renumbered as (16) through (21) No change.

~~(22)(25) DFS-N1-1708, "Application for Embalmer Intern License," Rev. 08/16 10-06.~~

(26) through (37) Renumbered as (23) through (34) No change.

~~(35)(38) DFS-N1-1722, "Application for Funeral Director Intern License," Rev. 08/16 1/12.~~

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01334>.~~

(39) through (48) renumbered as (36) through (45) No change.

~~(49) DFS-N1-1733, "Application to Extend Embalmer Apprenticeship," Eff. 10-06.~~

(50) through (62) renumbered as (46) through (58) No change.

~~(59)(63) DFS-N1-1747, "Supervisor's Quarterly Report of Apprentice or Intern Training," Rev. 8/16 10-06.~~

(64) renumbered as (60) No change.

~~(61)(65) DFS-N1-1749, "Registration as Training Agency," Rev. 08/12 10-06.~~

(66) through (70) renumbered as (62) through (66) No change.

~~(71) DFS-N1-1755, "Application for Embalmer Apprentice License," Rev. 10-06.~~

(72) through (90) renumbered as (67) through (85) No change.

~~(91) FD-258, "U.S. Department of Justice, Federal Bureau of Investigation, Fingerprint Cards," Rev. 5-11-99.~~

(92) renumbered as (86) No change.

~~(87)(93) DFS-EC-1, "Report of Identification for an Exempt Cemetery," Rev. 8/16 10-06.~~

(88) DFS-PNL-R, "Cover Sheet and General Instructions for Preneed License and Branch Annual Renewal Packet," Eff. 8/16.

~~(89)(94) DFS-PNL-R1, "Invoice - Renewal of Preneed License Renewal Application," Rev. 08/16 10-06.~~

~~(90)(95) DFS-PNL-R2, "Preneed License Annual Financial Statement Instructions," Rev. 08/16 10-06.~~

(91) DFS-PNL-R2A, "Balance Sheet of Preneed Licensee," Eff. 8/16.

(92) DFS-PNL-R2B, "Income Statement," Eff. 8/16.

~~(93)(96) DFS-PNL-R3A, "Statement of Preneed Sales Under Each Individual Trust, Surety Bond, or Insurer License Annual Renewal Statement," Rev. 08/16 10-06.~~

(94) DFS-PNL-R3B, "Summary of Preneed Activity," Eff. 8/16.

(95) DFS-PNL-R4, "Annual PNL Financial Statement and Renewal Statement Certification and Application for Renewal," Eff. 8/16.

(96) DFS-PNL-R5, "Notice of Non-Renewal of Preneed License," Eff. 8/16.

(97) DFS-PNL-R6, "Net Worth Alternatives Form," Eff. 8/16.

(97) through (101) renumbered as (98) through (102) No change.

~~(103)(402) DFS-N1-2036, "Application to Renew Funeral Director Internship to Continue Course of Study," Rev. 08/16 Eff. 1/12.~~

~~(104)(403) DFS-N1-2037, "Application to Renew Internship Due to Illness, Hardship, or Awaiting Results," Rev. 08/16 Eff. 1/12.~~

(105)(404) DFS-N1-2038, "Application to Take the Florida Law & Rules Exam," Rev. 08/16 Eff. 1/12.

~~(106)(405)~~ DFS-N1-2039, "Certification for General Supervision of Intern," Rev. 08/16 Eff. 1/12.

~~(107)(406)~~ DFS-N1-2040, "Report of Suspension of Intern's Conditions of Internship," Rev. 08/16 Eff. 1/12.

(107) renumbered as (108) No change.

Rulemaking Authority ~~497.101(8), 497.103(2)(c), (5)(b), 497.141(2), (12)(g) (f), 497.142(10)(g), (12), 497.146, 497.147(4)(a), (d), (5), 497.263(2)(a), 497.264(2)(a), 497.266(2), 497.269, 497.270(2), 497.272(7), 497.281, 497.283(2)(c), 497.287(2), ~~497.367(2), 497.368(1), 497.369(1), 497.370(1), 497.373(1), 497.374(1), 497.375(1), 497.376, 497.380(4), (12), 497.382(4), (2), 497.385(1)(a), (g)1., (2)(f), (g), 497.453(1)(a), (4)(b), (5)(a), (b), (7)(a), (8), 497.454(1), 497.456(13)(f), 497.461(4), (8), (12), (16), 497.462(2), (9) (10), 497.464(3), 497.466(5)(c), (8)(a), 497.550(2), 497.551(3), 497.553(2), (6)(a), 497.554(2), 497.602(2)(a), 497.603(2), 497.604(2)(a), (6), 497.606(2)(a), (6), (9)(a), 497.608(2) FS. Law Implemented ~~497.101(8), 497.103(2)(c), 497.140 497.149, 497.141, 497.142, 497.143, 497.146, 497.147, 497.263, 497.264, 497.266, 497.269, 497.270, 497.272, 497.281, 497.283, 497.287, 497.365, 497.367, 497.368, 497.369, 497.370, 497.373, 497.374, 497.375, 497.376, 497.378, 497.379, 497.380, 497.382, 497.385, 497.453, 497.454, 497.456, 497.461, 497.462, 497.464, 497.466, 497.550, 497.551, 497.553, 497.554, 497.602, 497.603, 497.604, 497.606, 497.608~~ FS. History—New 9-28-03, Formerly 3F-5.010, 69K-5.010, Amended 1-24-08, 4-18-10, 6-17-10, 7-22-12,\_\_\_\_\_.~~~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ellen Simon, Assistant Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 31, 2017

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR – Insurance Regulation**

RULE NOS.:	RULE TITLES:
69O-136.004	Surplus Lines
69O-136.005	Captive Insurers
69O-136.011	Domestic Insurers Filing for a Certificate of Authority
69O-136.012	Forms Adopted
69O-136.015	Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business
69O-136.018	Determination of Eligibility to Operate as an Alien Insurer in Florida pursuant to Subsection
69O-136.031	Registration as a Purchasing Group
69O-136.032	Registration as a Risk Retention Group
69O-136.034	Uniform Certificate of Authority Expansion Application

PURPOSE AND EFFECT: The purpose of this rule chapter revision is to streamline the application process, update forms to reflect current practice and to reflect that applications are made by the electronic filing process on the Office web site.

SUMMARY: The rule chapter is reorganized to eliminate redundant or obsolete forms and adopt forms currently in use.

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: 624.308, 627.954, FS.

LAW IMPLEMENTED: 624.09, 624.307(1), 624.34, 624.401, 624.402(8),(9), 624.407, 624.408, 624.411, 624.413, 624.414(1), 624.416(4), 624.422, 624.462, 624.466, 624.501, 624.610(11), 625.306, 626.913, 626.918, 628.041, 628.6011, 628.051, 628.061, 628.71, 628.081, 628.091, 628.121, 628.151, 628.161, 628.221, 628.231, 628.251, 628.261, 628.451, 628.461, 628.4615, 628.471, 628.905, 629.071, 629.081, 620.091, 629.101, 629.121, 620.131, 629.181, 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: July 26, 2017 at 10:00 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, 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: Mary Mostoller, Office of Insurance Regulation, e-mail [Mary.Mostoller@flor.com](mailto:Mary.Mostoller@flor.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Mostoller, Office of Insurance Regulation, E-mail [Mary.Mostoller@flor.com](mailto:Mary.Mostoller@flor.com).

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-136.004 Surplus Lines.

All insurers seeking eligibility as a Surplus Lines Insurer Applications submitted as an Insurer under Florida's Surplus Lines Law, pursuant to Section 626.913, Florida Statutes, shall submit contain all of the following forms and requirements therein:



~~(1) Form OIR-C1-915, "Application as an Insurer Under Florida's Surplus Lines Law," rev. 12/97;~~

~~(1)(2) Form OIR-C1-916, "Applications for Eligibility as a Surplus lines Insurer", rev.5/17 "Instructions, Sections I-IV," rev. 5/99;~~

~~(3) Form OIR-C1-917, "Required Filings Check List, Sections I-IV," rev. 5/98;~~

~~(2)(4) Form OIR-C1-1524 OIR-C1-144, "Uniform Consent to Service of Process Consent & Agreement," rev. 4/97, as adopted in Rule 690-143.056, F.A.C.;~~

~~(5) Form OIR-C1-903, "Invoice, Request for Payment of Fingerprint Charges," rev. 4/97;~~

~~(3)(6) Form OIR-C1-1416 OIR-C1-877, "Uniform Certificate of Authority Application (UCAA) "Property and Casualty Insurers, Lines of Insurance Business by Company Code," as adopted in Rule 690-143.056, F.A.C. rev. 11/05/99;~~

~~(4)(7) Form OIR-C1-1423 OIR-C1-422, "Biographical Statement and Affidavit" as adopted in Rule 690-143.056, F.A.C., rev. 10/26/98;~~

~~(8) Form OIR-C1-450, "Authority for Release of Information," rev. 5/00;~~

~~(5)(9) An investigative report in accordance with the instructions on Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," ased in Rule 690-143.056, F.A.C. rev. 2/04;~~

~~(6)(10) Form OIR-C1-938, "Fingerprint Payment and Submission Procedure Card Instructions," as adopted in Rule 690-143.056 F.A.C. rev. 7/99; and,~~

~~(7)(11) Form OIR-C1-1298, "Uniform Certificate of Authority Application (UCAA)-Management Information Form," as adopted in Rule 690-143.056 F.A.C. rev. 4/97.~~

~~Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.422, 624.501, 626.913, 626.918 FS. History-New 2-26-92, Amended 9-19-00, 11-18-02, Formerly 4-136.004, Amended \_\_\_\_\_.~~

#### 690-136.005 Captive Insurers.

All domestic captive insurers filing an a application for licensure, pursuant to Part V of Chapter 628, F.S., shall submit the following forms and requirments therein:

(1) Form OIR-C1-2114, "Captive Insurer Application Form and Instructions", rev. 6/13;

(2) Form OIR-C1-1416, "Uniform Certificate of Authority (UCAA) Lines of Insurance", as adopted in Rule 690-143.056, F.A.C.;

(3) Form OIR-C1-1423, "Biographical Affidavit", as adopted in Rule 690-143.056, F.A.C.;

(4) Form OIR-DO-896, "UCAA Proforma Financial Statements, Property and Casualty Insurance Company", as adopted in Rule 690-143.056, F.A.C.;

(5) Form OIR-C1-1524, "Uniform Consent to Service of Process", as adopted in Rule 690-143.056, F.A.C.;

(6) An investigative report in accordance with the instructions on Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," as adopted in Rule 690-143.056, F.A.C.; and,

(7) Form OIR-C1-938, "Fingerprint Card Instructions," as adopted in Rule 690-143.056, F.A.C.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 628.905, 628.906, FS. History-New \_\_\_\_\_

690-136.011 Domestic Insurers Filing for a Permit or Preliminary Certificate of Authority, as applicable, and Certificate of Authority.

(1) All domestic Property and Casualty, Title, and Life and Health insurers applying for a permit, pursuant to Chapter 628, Part I, F.S., and certificate of authority pursuant to Chapter 624, F.S. and Chapter 628, Parts I and II, F.S., shall comply with the instructions for a Primary Application as contained in the UCAA Instructions and any other requirements specifically listed or referenced including submitting the following forms and requirements therein. Such filings shall not exempt a domestic insurer from any requirements under F.S.

(a) Form OIR-C1-2196, "UCAA Instructions", rev. 12/16;

(b) Form OIR-C1-2197, "Uniform Certificate of Authority Application (UCAA) - Primary Application Checklist", which includes Form OIR-C1-1298, "Uniform Certificate of Authority Application (UCAA) - Management Information Form," as adopted in Rule 690-143.056, F.A.C. ;

(c) Form OIR-C1-2198, "Uniform Certificate of Authority Application (UCAA) - Primary Application" rev. 8/14;

(d) Form OIR-C1-1416, "Uniform Certificate of Authority (UCAA) Lines of Insurance", as adopted in Rule 690-143.056, F.A.C.;

(e) Form OIR-C1-1422, "Uniform Certificate of Authority Application Questionnaire", as adopted in Rule 690-136.034, F.A.C.;

(f) Form OIR-DO-896, "UCAA Proforma Financial Statements, Property and Casualty Insurance Company", as adopted in Rule 690-143.056, F.A.C.;

(g) Form OIR-DO-904, "UCAA Proforma Financial Statements, Life & Health Insurer", as adopted in Rule 690-143.056, F.A.C.;

(h) Form OIR-DO-2119, "UCAA Proforma Financial Statements, Title Insurance Company", as adopted in Rule 690-143.056, F.A.C.;

(i) Form OIR-DO-2165, "UCAA Proforma Financial Statements, Health", as adopted in Rule 690-143.056, F.A.C.;

(j) Form OIR-C1-1423, "Biographical Affidavit", as adopted in Rule 690-143.056, F.A.C.;

(k) An investigative report in accordance with the instructions on Form OIR-C1-905, "Instructions for Furnishing

Background Investigative Reports,” as adopted in Rule 690-143.056, F.A.C.:

(l) Form OIR-D0-516, “Insurance Company System Registration Statement,” as adopted in Rule 690-143.056, F.A.C.:

(m) Form OIR-C1-1524, “Uniform Consent to Service of Process,” as adopted in Rule 690-143.056, F.A.C.:

(n) Form OIR-C1-1389, NAIC Company Code Application,” rev. 2/16 5/00 and

(o) Form OIR-C1-1522, “Primary Application, Florida Specific Information,” rev. 5/17, which includes Form OIR-C1-938, “Fingerprint Payment and Submission Procedure,” as adopted in Rule 690-143.056, F.A.C.

All domestic entities seeking a certificate of authority, pursuant to Sections 624.466, 628.6011, or 628.051, or to Chapters 628, Part I, 629, F.S., shall submit the following forms:

(a) Form OIR-C1-903, “Invoice, Request for Payment of Fingerprint Charges,” rev. 4/97;

(b) Form OIR-C1-883, “Certificate of Designation, Registered Agent/Registered Office,” rev. 4/00;

(c) Form OIR-C1-144, “Services of Process Consent & Agreement,” rev. 1/97;

(d) Form OIR-C1-516, “Insurance Holding Company System Registration Statement,” rev. 4/97;

(e) Form OIR-C1-422, “Biographical Statement and Affidavit,” rev. 10/26/98;

(f) Form OIR-C1-450, “Authority For Release of Information,” rev. 5/00;

(g) An investigative report in accordance with the instructions on Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” rev. 2/01;

(h) Form OIR-C1-938, “Fingerprint Card Instructions,” rev. 7/99;

(i) Form OIR-C1-844, “Management Information Form,” rev. 4/97;

(j) Form OIR-C1-878, “Application For Certificate of Authority Domestic Insurer,” rev. 2/00;

(k) Form OIR-C1-1299, “Invoice Domestic Insurer Application for Certificate of Authority,” rev. 4/97;

(l) Form OIR-C1-882, “Application For Domestic Certificate of Authority to Conduct Business in the State of Florida,” rev. 4/97;

(m) Form OIR-C1-901, “Life, Accident and Health Insurers Lines of Business by Company Code,” rev. 2/01;

(n) Form OIR-C1-877, “Property and Casualty Insurers Lines of Business by Company Code,” rev. 11/05/99;

(o) Form OIR-C1-896, “Life, Accident, and Health Insurance Company Pro Formas (Pages 1-4),” rev. 11/98;

(p) Form OIR-C1-896, “Property & Casualty Insurance Company Pro Formas (Pages 5-22),” rev. 11/98;

(q) Form OIR-C1-1301, “Subscription Agreement Form,” rev. 5/99; and,

(r) Form OIR-C1-1389, “NAIC Company Code Application Form,” rev. 2/01.

(2) Applications submitted for Certificate of Authority as a Commercial Self-Insurance Fund applying for a certificate of authority shall contain all of the following forms pursuant to Section 624.466 624.462, F.S. shall submit the following forms and requirements therein:

(a) Form OIR-C1-845, “Application for Certificate of Authority, Commercial Self-Insurance Fund,” rev. 5/17 4/95;

(b) Form OIR-C1-1524, “Uniform Consent to Service of Process,” as adopted in Rule 690-143.056, F.A.C.;

(c) Form OIR-C1-1298, “Uniform Certificate of Authority Application (UCAA) - Management Information Form,” as adopted in Rule 690-143.056, F.A.C.;

(d) Form OIR-C1-1416, “Uniform Certificate of Authority (UCAA) Lines of Insurance,” as adopted in Rule 690-143.056, F.A.C.;

(e) Form OIR-DO-896, “UCAA Proforma Financial Statements, Property and Casualty Insurance Company,” as adopted in Rule 690-143.056, F.A.C.;

(f) Form OIR-C1-1423, “Biographical Affidavit,” as adopted in Rule 690-143.056, F.A.C.;

(g) An investigative report in accordance with the instructions on Form OIR-C1-905, “Instructions for Furnishing Background Investigative Reports,” as adopted in Rule 690-143.056, F.A.C.; and

(h) Form OIR-C1-938, “Fingerprint Payment and Submission Procedure,” as adopted in Rule 690-143.056, F.A.C.

(b) Form OIR-C1-848, “Invoice, Commercial Self-Insurance Fund,” rev. 7/92;

(c) Form OIR-C1-849, “Application for License to Conduct Business in the State of Florida,” rev. 5/91;

(d) Form OIR-C1-869, “Consent and Agreement in Re Service of Process for Commercial Self-Insurance Fund,” rev. 5/91;

(e) Form OIR-C1-870, “Resolution Form for Commercial Self-Insurance Fund,” rev. 5/91;

(f) Form OIR-C1-871, “Bond Form,” rev. 5/91;

(g) Form OIR-C1-936, “Management Information, Complete Listing of Administrators, Trustees of Funds and Trustees of Sponsors,” rev. 5/91;

(h) Form OIR-C1-903, “Invoice, Request for Payment of Fingerprint Charges,” rev. 4/97;

(i) Form OIR-C1-877, “Property and Casualty Insurers, Lines of Business by Company Code,” rev. 11/05/99;

(j) Form OIR-C1-896, “Property & Casualty Insurance Company Pro Formas (Pages 5-22),” rev. 11/98;

~~(k) Form OIR-C1-422, "Biographical Statement and Affidavit," rev. 10/26/98;~~

~~(l) Form OIR-C1-450, "Authority for Release of Information," rev. 5/00;~~

~~(m) An investigative report in accordance with the instructions on Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," rev. 2/01; and,~~

~~(n) Form OIR-C1-938, "Fingerprint Card Instructions," rev. 7/99;~~

~~(3) Applications submitted for a Certificate of Authority of Domestic Reciprocal Insurers, applying for a certificate of authority pursuant to Chapter 629, F.S., shall submit the following forms and requirements therein:~~

~~(a) Form OIR-C1-908, "Application for Certificate of Authority Domestic Reciprocal Insurer," rev. 5/17;~~

~~(b) Form OIR-C1-1524, "Uniform Consent to Service of Process", as adopted in Rule 690-143.056, F.A.C.~~

~~(c) Form OIR-C1-1298, "Uniform Certificate of Authority Application (UCAA) - Management Information Form," as adopted in Rule 690-143.056, F.A.C., which lists all Attorney In Fact Officers, Directors and Shareholders;~~

~~(d) Form OIR-C1-1416, "Uniform Certificate of Authority (UCAA) Lines of Insurance", as adopted in Rule 690-143.056, F.A.C.;~~

~~(e) Form OIR-DO-896, "UCAA Proforma Financial Statements, Property and Casualty Insurance Company", as adopted in Rule 690-143.056, F.A.C.;~~

~~(f) Form OIR-C1-1423, "Biographical Affidavit", as adopted in Rule 690-143.056, F.A.C.;~~

~~(g) Form OIR-C1-938, "Fingerprint Payment and Submission Procedure", as adopted in Rule 690-143.056, F.A.C.~~

~~(h) An investigative report in accordance with the instructions on Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," as adopted in Rule 690-143.056, F.A.C.~~

~~(i)-(h) Form OIR-C1-914, "Management Information Complete Listing of All Advisory Committee Members and Subscribers," rev. 5/91; and~~

~~(j)(h) OIR-C1-1389, NAIC Company Code Application," rev 2/16; 5/00 and~~

~~(a) Form OIR-C1-907, "Application for Certificate of Authority Domestic Reciprocal Insurer," rev. 4/95;~~

~~(b) Form OIR-C1-908, "Instructions, Sections I-IV," rev. 4/95;~~

~~(c) Form OIR-C1-909, "Required Filings Check List, Sections I-IV," rev. 4/95;~~

~~(d) Form OIR-C1-910, "Invoice, Domestic Reciprocal Insurer," rev. 7/92;~~

~~(e) Form OIR-C1-911, "Application for License to Conduct Business in the State of Florida," rev. 5/91;~~

~~(f) Form OIR-C1-912, "Consent and Agreement in re Service of Process, Reciprocal Insurers," rev. 5/91;~~

~~(g) Form OIR-C1-843, "Florida Comprehensive Health Association Subscription Agreement," rev. 5/91;~~

~~(k)(i) Form OIR-C1-937, "Complete Listing of All Attorney-In-Fact Officers, Directors and Shareholders," rev. 5/175/91.~~

~~(j) Form OIR-C1-903, "Invoice, Request for Payment of Fingerprint Charges," rev. 4/97;~~

~~(k) Form OIR-C1-877, "Property And Casualty Insurers Lines of Business by Company Code," rev. 11/05/99;~~

~~(l) Form OIR-C1-913, "Resolution Form, Reciprocal Insurer," rev. 5/91;~~

~~(m) Form OIR-C1-896, Pages 5-22 for "Property & Casualty Insurers," rev. 11/98;~~

~~(o) Form OIR-C1-422, "Biographical Statement and Affidavit," rev. 10/26/98;~~

~~(p) Form OIR-C1-450, "Authority for Release of Information," rev. 5/00;~~

~~(q) Form OIR-C1-938, "Fingerprint Card Instructions," rev. 7/99; and,~~

~~(r) Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," rev. 0201.~~

~~(4) A Domestic Fraternal Benefit Society applying for a preliminary certificate of authority and subsequent certificate of authority pursuant to Chapter 632, F.S. shall comply with the instructions for a Primary Application as contained in the UCAA Instructions and any other requirements specifically listed or referenced including submitting the following forms and requirements therein:~~

~~(a) Form OIR-C1-2196, "UCAA Instructions" rev.12/16;~~

~~(b) Form OIR-C1-2197, "Uniform Certificate of Authority Application (UCAA) – Primary Application Checklist" rev 3/15, which includes Form OIR-C1-1298, "Uniform Certificate of Authority Application (UCAA) – Management Information Form," as adopted in Rule 690-143.056, F.A.C.;~~

~~(c) Form OIR-C1-2198, "Uniform Certificate of Authority Application (UCAA) - Primary Application" rev 8/14;~~

~~(d) Form OIR-C1-1416, "Uniform Certificate of Authority (UCAA) Lines of Insurance", as adopted in Rule 690-143.056, F.A.C.;~~

~~(e) Form OIR-C1-1422, "Uniform Certificate of Authority Application Questionnaire", as adopted in Rule 690-136.034, F.A.C.;~~

~~(f) Form OIR-DO-904, "UCAA Proforma Financial Statements, Life & Health Insurer", as adopted in Rule 690-143.056, F.A.C.;~~

~~(g) Form OIR-C1-1423, "Biographical Affidavit", as adopted in Rule 690-143.056, F.A.C.;~~

~~(h) An investigative report in accordance with the instructions on Form OIR-C1-905, "Instructions for Furnishing~~

Background Investigative Reports,” as adopted in Rule 69O-143.056, F.A.C.:

(i) Form OIR-C1-1524, “Uniform Consent to Service of Process,” as adopted in Rule 69O-143.056, F.A.C.;

(j) Form OIR-C1-1389, “NAIC Company Code Application Form,” rev. 2/16; and

(k) Form OIR-C1-1522, “Primary Application, Florida Specific Information” rev. 5/17, which includes Form OIR-C1-938, “Fingerprint Payment and Submission Procedures,” as adopted in Rule 69O-143.056, F.A.C.

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.407, 624.411, 624.413, 624.414(1), 624.422, 624.466, 624.501, 625.306, 628.041, 628.6011, 628.051, 628.061, 628.071, 628.081, 628.091, 628.121, 628.151, 628.161, 628.171, 628.221, 628.231, 628.251, 628.261, 628.451, 628.461, 628.4615, 628.471, 629.071, 629.081, 629.091, 629.101, 629.121, 629.131, 629.181 FS. History—New 2-26-92, Amended 9-19-00, 11-18-02, Formerly 4-136.011 Amended.

69O-136.012 Forms Adopted.

(1) All the forms listed in Rules 69O-136.002 through 69O-136.011-136.034, F.A.C., are hereby adopted and incorporated by reference. Forms are available at <http://www.floir.com/iportal>. All the forms may be obtained from and shall be submitted to the Office of Insurance Regulation, Division of Insurer Services, Applications Coordination Section, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0327.

(2) All filings pursuant to Chapter 69O-136, F.A.C. shall be submitted electronically to <http://www.floir.com/iportal>. An original and one copy shall be filed for all applications referenced in Rules 69O-136.002 through 69O-136.011, F.A.C. Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.34, 624.401, 624.404, 624.413, 624.422, 624.462, 624.466, 624.501, 626.913, 628.6011, 628.051, 628.061 FS. History—New 2-26-92 Amended 9-19-00, Formerly 4-136.012 Amended.

69O-136.015 Procedure to Amend an Existing Certificate of Authority to Add a New Line of Business.

(1) The purpose of this rule is to establish a procedure for insurers to amend their certificates of authority by adding a new line of business. Since the addition of any new line of business to a company’s certificate of authority may impact the company’s surplus and/or writing ratios, any such request to amend an existing certificate will be carefully evaluated by applying current standards required of an insurer seeking a certificate of authority from this state.

(2) This rule applies to all authorized insurers, as defined in Section 624.09, F.S.

(3) Any insurer seeking to add a new line of insurance to an existing certificate of authority shall comply with the instructions for Corporate Amendments contained in the UCAA Instructions, in particular Sections I, II and XIII and any other

requirements specifically listed or referenced including submitting the following forms and requirements therein submit all of the following applicable forms:

(a) Form OIR-C1-2196, “UCAA Instructions,” rev 12/16;

~~(a) Form OIR-C1-1339, “Application For Adding A New Line of Business,”~~ rev. 9/99;

b) Form OIR-C1-2194, “Uniform Certificate of Authority Application (UCAA) – Corporate Amendments Application Checklist” rev.11/14;

~~(b) Form OIR-C1-1340, “Application For Adding A New Line of Business,”~~ rev. 9-96;

(c) Form OIR-C1-2195, “Uniform Certificate of Authority Application (UCAA) - Corporate Amendments Application” rev. 2/17;

~~(c) Form OIR-C1-1341, “Invoice, Request for Certificate of Compliance for Amended Certificate of Authority,”~~ rev. 9/96;

(d) Form OIR-C1-1416, “Uniform Certificate of Authority (UCAA) Lines of Insurance,” as adopted in Rule 69O-143.056, F.A.C.;

~~(d) Form OIR-C1-877, “Property and Casualty Insurers Lines of Business by Company Code,”~~ rev. 11/05/99;

(e) Form OIR-C1-1419, “Uniform Certificate of Authority Application (UCAA) – Certificate of Compliance”;

~~(e) Form OIR-C1-901, “Life, Accident and Health Insurers Classifications and Code Numbers,”~~ rev. 5/91;

(f) Form OIR-C1-2193, “Uniform Certificate of Authority Application – Certificate of Deposit” rev.8/15;

~~(f) Form OIR-C1-843, “Florida Comprehensive Health Association (FCHA) Subscription Agreement,”~~ rev. 5/91;

(g) Form OIR-C1-2199, “Uniform Certificate of Authority Application Questionnaire for Adding or Deleting Lines of Business to an Existing Certificate of Authority” rev.8/14;

~~(g) Form OIR-C1-1093, “State of Florida Form for Small Employer Carrier’s Application to Become a Risk Assuming Carrier or a Reinsuring Carrier,”~~ rev. 05/02.

(h) Form OIR-DO-896, “UCAA Proforma Financial Statements, Property and Casualty Insurance Company,” as adopted in Rule 69O-143.056, F.A.C.;

(i) Form OIR-DO-904, “UCAA Proforma Financial Statements, Life & Health Insurer,” as adopted in Rule 69O-143.056, F.A.C.;

(j) Form OIR-DO-2165, “UCAA Proforma Financial Statements, Health,” as adopted in Rule 69O-143.056, F.A.C.; and

(k) Form OIR-C1-2201, “Corporate Amendments Application, Florida Specific Information” rev.5/17.

(4) The Office shall not authorize the addition of any lines of insurance to an insurer’s existing certificate of authority unless evidence is presented satisfactory to the Office that authorization of the additional lines of insurance would be in

the best interests of the financial solvency of the insurer and in the best interests of the policyholders.

~~(5) The forms in subsection (3) above are hereby adopted and incorporated by reference. All forms may be obtained from and shall be submitted to the Applications Coordination Section, Division of Insurer Services, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0326.~~

Rulemaking Authority 624.308(1) FS. Law Implemented 624.09, 624.307(1), 624.404, 624.408, 624.413, 624.414, 624.416(4), 624.501(20), 624.610(11), 627.6488(1) FS. History—New 3-30-92, Amended 9-2-96, Amended 9-19-00, 11-18-02, Formerly 4-136.015 Amended \_\_\_\_\_.

690-136.018 Determination of Eligibility to Operate as an Alien Insurer in Florida Pursuant to ~~Sections~~ Section 624.402(8) and (9), F.S.

All insurers domiciled outside the United States and registering pursuant to Section 624.402(8), F.S. or seeking eligibility pursuant to Section 624.402(9), F.S. shall submit the following applicable form and requirements therein:

~~(1) The form adopted in subsection (2) below, is to be used in Determination of Eligibility to Operate as an Alien Insurer Pursuant to Section 624.402(8), F.S. All forms may be obtained from the Office's website: www.flair.com. All forms may be reproduced at will.~~

~~(1)(2) Form OIR-C1-A2-1654, rev/517(REV 02/2006), "Determination of Eligibility to Operate as an Alien Insurer in Florida Pursuant to Section 624.402(8), F.S.," is hereby incorporated by reference and is to be used in determination of eligibility to operate as an alien insurer pursuant to Section 624.402(8), F.S.; or~~

(2) Form OIR-C1-2176, "Letter of Notification/Registration to Operate As a Non-US Based (Alien) Insurer (also Referred to as "Offshore Insurer") in Florida Pursuant to section 624.402(8), Florida Statutes", rev. 5/17.  
Rulemaking Authority 624.308 FS. Law Implemented 624.402(8),(9) FS. History—New 5-25-06, Amended \_\_\_\_\_.

690-136.031 Registration as a Purchasing Group.

(1) All entities seeking registration as a purchasing group shall comply with the requirements of Section 627.948, F.S., and shall submit:

(a) Form OIR-C1-515, "Application for Registration as a Risk Purchasing Group – Notice and Registration," rev. 5/17 10/07/99;

(b) Form OIR-C1-144, "Service of Process Consent & Agreement," rev. 6/04 1/97; and,

(c) All purchasing groups shall comply with the information contained in Form OIR-C1-515, "Application for Registration as a Risk Purchasing Group – Notice and

Registration," rev. 5/17 10/07/99 and submit the following forms where applicable:

~~1. Form OIR-C1-903, "Invoice, Request for Payment of Fingerprint Charges," rev. 4/97;~~

~~1.2. Form OIR-C1-1423, "Biographical Affidavit", as adopted in Rule 690-143.056, F.A.C. Form OIR-C1-422, "Biographical Statement and Affidavit," rev. 10/26/98;~~

~~3. Form OIR-C1-450, "Authority for Release of Information," rev. 5/00;~~

~~2.4. Form OIR-C1-905, "Instructions for Furnishing Background Investigative Reports," as adopted in Rule 690-143.056, F.A.C. rev. 2/01; and,~~

~~3.5. OIR-C1-938, "Fingerprint Payment and Submission Procedure," as adopted in Rule 690-143.056, F.A.C. rev. 7/99.~~

(2) In addition to the information required on the forms in subsection (1) above, the entity shall:

(a) Identify all other states in which the group is currently registered;

(b) Specify the method by which, and the person or persons, if any, through whom insurance will be offered to its members whose risks are resident or located in this state; and,

(c) Provide such other information as is necessary for the Office to determine whether the persons through whom insurance will be offered meet the standard set forth in Section 626.611(14), F.S.

(3) During the pendency of the application, if any of the information submitted in response to the requirements of this rule changes, the entity shall notify the Office Department of the change within ten days of the change.

~~(4) The forms in subsection (1) above are hereby adopted and incorporated by reference. All forms may be obtained from and shall be submitted to the Applications Coordination Section, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0326.~~

Rulemaking Authority 624.308, 627.954 FS. Law Implemented 624.307(1), (3), 624.318, 624.321, 626.611(14), 627.948 FS. History—New 1-30-91, Formerly 4-107.002, Amended 9-19-94, Amended 9-19-00, 11-18-02, Formerly 4-136.031 Amended \_\_\_\_\_.

690-136.032 Registration as a Risk Retention Group.

(1) All entities seeking licensure as a risk retention group shall comply with the requirements of Sections 627.943 or 627.944, F.S., as applicable, and shall submit all of the following:

(a) Form OIR-C1-513, "Application for Registration as a Risk Retention Group ~~with Addendum~~," rev. 5/17 11-90;

(b) Form OIR-C1-144A, "Appointment of Attorney To Accept Service," rev. 5/17 11-90; and,

(c) Form OIR-C1-514, "Resolution Form," rev. 11/90 11-90.

(2) In addition to the information required on the forms in subsection (1) above, the entity shall utilize Form OIR-A1-

1615, “ Transmittal of Premium Taxes for Risk Retention Groups (RRG’s)” , rev 5/17 All of the forms in subsection (1), above, are hereby adopted and incorporated by reference. All forms may be obtained from and shall be submitted to the Applications Coordination Section, Division of Insurer Services, Office of Insurance Regulation, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399 0300.

Rulemaking Authority 624.308, 627.954 FS. Law Implemented 624.307(1), (3), 624.318, 624.321, 624.404(3)(a), 624.413, 627.943, 627.944, 628.051, 628.061 FS. History—New 1-30-91, Formerly 4-107.003, 4-136.032 Amended .

690-136.034 Uniform Certificate of Authority Expansion Application (Foreign and Alien Insurers Filing for Certificate of Authority).

(1) ~~All Effective December 1, 2000, any foreign and alien insurers seeking a certificate of authority pursuant to sections 624.404 and 624.413, and related F.S., may file a Uniform Certificate of Authority Expansion Application which is substantially similar to that form as revised by the National Association of Insurance Commissioners as of August 1, 2000 in lieu of the filings required by Rule 690-136.002, F.A.C. Each applicant shall comply with the instructions for an Expansion Application as contained in the UCAA Instructions Uniform Certificate of Authority Expansion Application and any other requirements specifically listed or referenced in the Uniform Certificate of Authority Expansion Application package, Form OIR-C1-1413., including submitting the following forms and requirements therein. Such filings shall not exempt a foreign or alien insurer from any requirements under Florida Statutes.~~

~~(a) Form OIR-C1-1296, “UCAA Instructions” rev.12/16~~

~~(2) The following forms are incorporated by reference:~~

~~(a) Form OIR-C1-1413, Uniform Certificate of Authority Expansion Application, as revised by the National Association of Insurance Commissioners on 8/1/00;~~

~~(b) Form OIR-C1-938, Fingerprint Card Instructions, rev. 7/99;~~

~~(3) Each applicant shall submit the following forms:~~

~~(b)(a) Form OIR-C1-1414, “Uniform Certificate of Authority Application (UCAA)- Expansion Application Checklist, rev. 3/15 8/00;~~

~~(c)(b) Form OIR-C1-1415, “Uniform Certificate of Authority Application (UCAA)- Expansion Application, rev.8/14 as revised 8/1/00;~~

~~(d)(e) Form OIR-C1-1416, “Uniform Certificate of Authority Application (UCAA) Lines of Insurance” as adopted in Rule 690-143.056, F.A.C. Expansion Application Lines of Business, rev. 8/00;~~

~~(d) Form OIR-C1-1417, Expansion Application Authorization for Disclosure of Financial Records, rev. 8/00;~~

~~(e) Form OIR-C1-1418, Expansion Application Power of Attorney to Appoint and Certify Agents, rev. 8/00;~~

~~(e)(f) Form OIR-C1-1419, Expansion Application Uniform Certificate of Authority Application (UCAA) - Certificate of Compliance, rev.8/04 8/00;~~

~~(f) Form OIR-C1-2193, “Uniform Certificate of Authority Application-Certificate of Deposit”. Rev 8/15;~~

~~(g) Form OIR-C1-1420, Expansion Application Reinsurance Arrangements Checklist for Proportional Treaty Contract Clauses, rev. 8/00;~~

~~(h) Form OIR-C1-1421, Expansion Application Reinsurance Arrangements Checklist for Non Proportional Treaty Contract Clauses, rev. 8/00;~~

~~(g) Form OIR-C1-1422, “Uniform Certificate of Authority Application Questionnaire”, rev. 11/14 8/00~~

~~(h) Form OIR-C1-1524, “Uniform Consent to Service of Process”, as adopted in Rule 690-143.056, F.A.C.;~~

~~(i) Form OIR-C1-881, Invoice, Application for Certificate of Authority, rev. 10/97;~~

~~(j) Form OIR-C1-1301, Subscription Agreement Form, rev. 5/99;~~

~~(k) Form OIR-C1-144, Service of Process Consent & Agreement, rev. 1/97;~~

~~(i)(4) Form OIR-C1-1423, NAIC “Biographical Statement and Affidavit”, as adopted in Rule 690-143.056, F.A.C. rev. 8/00~~

~~(j) An investigative report in accordance with the instructions on Form OIR-C1-905, “instructions for Furnishing Background Investigative Reports”, as adopted in Rule 690-143.056, F.A.C.~~

~~(k) Form OIR-C1-1298, “Uniform Certificate of Authority Application (UCAA)- Management Information Form.: as adopted in Rule 690-143.056, F.A.C.;~~

~~(l) Form OIR-DO-896, “UCAA Proforma Financial Statements, Property and Casualty Insurance Company”, as adopted in Rule 690-143.056, F.A.C.;~~

~~(m) Form OIR-DO-904, “UCAA Proforma Financial Statements, Life and Health Insurer”, as adopted in Rule 690-143.056, F.A.C.;~~

~~(n) Form OIR-DO-2119, “UCAA Proforma Financial Statements, Title Insurance Company”, as adopted in Rule 690-143.056, F.A.C.;~~

~~(n) Form OIR-C1-450, Authority For Release of Information, rev. 5/00;~~

~~(o) Form OIR-DO-2165, “UCAA Proforma Financial Statements, Health”, as adopted in Rule 690-143.056, F.A.C.~~

~~(e) Form OIR-C1-903, Invoice, Request for Payment of Fingerprint Charges, rev. 4/97; and,~~

~~(p) Form OIR-C1-1424, Expansion Application, Florida Specific Information, rev.4/13 8/00., which includes Form OIR-~~

C1-938, “Fingerprint Payment and Submission Procedure”, as adopted in Rule 69O-143.056, F.A.C.

~~(4) The Office shall accept a Uniform Certificate of Authority Expansion Application filing in an electronic format after July 1, 2001.~~

Rulemaking Authority 624.308 FS. Law Implemented 624.307(1), 624.316(2)(b), 624.321(1)(a), 624.34, 624.401, 624.404, 624.407, 624.413, 624.422, 624.501, 626.9891, 628.161, 628.907 FS. History–New 12-3-00, Formerly 4-136.034 Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Mary Mostoller, Office of Insurance Regulation, E-mail Mary.Mostoller@flor.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: THE FINANCIAL SERVICES COMMISSION

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 23, 2017

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:           RULE TITLE:  
59G-4.085           Early Intervention Services  
                          NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 43 No. 72, April 13, 2017 issue of the Florida Administrative Register.

Florida Medicaid Early Intervention Services Coverage Policy Page 1, Section 1.0 Introduction

- 1.1 No change.
- 1.2 No change.
- 1.3 Definitions.
- 1.3.1 through 1.3.7 No change.
- 1.3.8 Established Condition: has been removed.
- 1.3.9 through 1.3.14 No change.

Section 2.0 through 8.0, No change

There has been no change to the rule text.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.:           RULE TITLE:  
61-5.005           License Renewal Fee Waivers  
                          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. 43 No. 105, May 31, 2017 issue of the Florida Administrative Register.

61-5.005 License Renewal Fee Waivers.  
Rulemaking Authority 455.219(1) FS. Law Implemented 455.219(1) FS. History–New 10-1-00, Amended 8-17-06, 1-24-08, 2-20-12, Repealed.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

Rule No.:           Rule Title:  
61G20-1.001       Florida Building Code Adopted  
                          NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with Section 120.54(3)(d)(1), F.S., published in Vol. 43 No. 98, May 19, 2017, issue of the Florida Administrative Register. Summary of changes: i) deletion of Section 2703, Lightning Protection, in its entirety; ii) add reference to Roofing Application Standard 111 to Sections 1507.3.3.1, Building, and Section R905.3.8, Residential; and iii) correct reference to Section R403.10.5, Energy Conservation, in Section R403.10, Energy Conservation.

61G20-1.001 Florida Building Code Adopted

(1) The 6th Edition Florida Building Code, (2017), as updated by the Florida Building Commission on April 4, 2017, ~~and~~ May 12, 2017, and June 13, 2017, incorporated herein by reference is hereby adopted as the building code for the State of Florida.

(2) and (3) No change.

Rulemaking Authority 553.73(1), (7) FS. Law Implemented 399.031, 553.37(1), 553.72, 553.73 FS., Sections 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida, Sections 10, 11, 14, 17, 19, 23, 24, 25, 26, 32, 33, 34, 35, 36, 37, 39, Chapter 2016-129, Laws of Florida, Chapter 2016-211, Laws of Florida. History–New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03, 4-3-05, 12-11-05, 12-8-06, 5-21-07, 10-1-08, 2-17-09, 10-1-09, Formerly 9B-3.047, Amended 11-10-11, Formerly 9N-1.001, Amended 4-25-13, 6-30-15, 12-21-16,\_\_\_\_\_.

PROPOSED EFFECTIVE DATE: DECEMBER 31, 2017.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Agency for Persons with Disabilities**

RULE NO.:           RULE TITLE:  
65G-9.002           Right to Vote in Public Elections  
                          NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 45, March 7, 2017 issue of the Florida Administrative Register has been withdrawn.

## Section IV Emergency Rules

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

**RULE NO.:** 12AER17-01  
**RULE TITLE:** Sales of Clothing and School Supplies  
During the Period August 4

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Section 52, Chapter 2017-36, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of the law specifying a period during which the sale of certain clothing and school supplies are exempt from sales and use tax. The law provides that conditions necessary for an emergency rule have been met. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the exemption during the period from 12:01 a.m., August 4, 2017, through 11:59 p.m., August 6, 2017, for sales of eligible items of clothing, wallet, or bag having a selling price of \$60 or less per item, for sales of eligible school supplies having a selling price of \$15 or less per item, and for sales of eligible personal computers and certain computer-related accessories having a sales price of \$750 or less per item. The exemption does not apply to sales within a theme park or entertainment complex, as defined in Section 509.013(9), F.S., or within a public lodging establishment, as defined in Section 509.013(4), F.S., or within an airport, as defined in Section 330.27(2), F.S. The rule defines “clothing,” “school supplies,” “personal computers,” “personal computer related accessories,” “theme park or entertainment complex,” “public lodging establishment,” “airport” and “mail order sale.” The rule describes the items that are included in the exemption and explains how various transactions are to be handled for purposes of the exemption, including sales of sets of both exempt and taxable items, items normally sold as a unit, mail order sales, shipping and handling charges, layaway sales, rain checks, exchanges, coupons, rebates, and discounts, repairs and alterations, gift certificates, rentals of clothing, and merchant’s license fees. The rule provides procedures for qualified businesses to opt out of participation in the holiday, as allowed by the law creating the holiday. The rule provides a list of items and their taxable status during the exemption period for clothing, school supplies, personal computers and personal computer related accessories.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Legislature expressly authorized the promulgation of an emergency rule to administer the provisions of Section 52, Chapter 2017-36, Laws

of Florida, which specify a period during which the sales of certain clothing, school supplies, personal computers and personal computer related accessories are exempt from sales and use tax. Additionally, an emergency rule is the most expedient and appropriate means of notifying dealers and taxpayers of the provisions of Section 52, Chapter 2017-36, Laws of Florida.

**SUMMARY:** Emergency Rule 12AER17-01 notifies the general public and retailers of the exemption during the period from 12:01 a.m., August 4, 2017 through 11:59 p.m., August 6, 2017, for sales of eligible items of clothing, wallets, or bags having a selling price of \$60 or less per item, for sales of eligible school supplies having a selling price of \$15 or less per item, and for sales of eligible personal computers and personal computer related accessories having a selling price of \$750 or less.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Brinton Hevey, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082.

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

STATE OF FLORIDA  
DEPARTMENT OF REVENUE  
SALES AND USE TAX  
EMERGENCY RULE 12AER17-01

12AER17-01 Sales of Clothing, School Supplies, and Personal Computers During the Period August 4 through August 6, 2017.

(1) Definitions. For purposes of this rule, the following definitions apply:

(a) “Holiday Period” means the period from 12:01 a.m. on August 4, 2017, through 11:59 p.m. on August 6, 2017.

(b) “Clothing” means any article of wearing apparel, including all footwear, except skis, swim fins, roller blades, and skates, intended to be worn on or about the human body. “Clothing” does not include watches, watchbands, jewelry, umbrellas, or handkerchiefs.

(c) “School supplies” means pens, pencils, erasers, crayons, notebooks, notebook filler paper, legal pads, binders, lunch boxes, construction paper, markers, folders, poster board, composition books, poster paper, scissors, cellophane tape, glue, paste, rulers, computer disks, protractors, compasses, and calculators.

(d) “Personal computers” includes electronic book readers, laptops, desktops, handhelds, tablets, and tower computers. The term does not include cellular telephones, video game



consoles, digital media receivers, or devices that are not primarily designed to process data.

(e) “Personal Computer Related Accessories” includes keyboards, mice, personal digital assistants, monitors, other peripheral devices, modems, routers, and nonrecreational software, regardless of whether the accessories are used in association with a personal computer base unit. The term does not include furniture or systems, devices, software, or other peripheral devices that are designed or intended primarily for recreational use. The term “monitor” does not include a device that includes a television tuner. The term “nonrecreational software” includes software such as antivirus, word processing, financial, database, and educational software. It does not include gaming software.

(f) “Theme park or entertainment complex” means a facility as defined in Section 509.013(9), F.S.

(g)1. “Public lodging establishment” means a facility as defined in Section 509.013(4), F.S.

(h) “Airport” means a facility as defined in Section 330.27(2), F.S.

(i) “Mail order sale” means a sale as defined in Section 212.0596(1), F.S. (2) Clothing Sales.

(a) During the Holiday Period, no tax is due on the sale or purchase of any article of clothing, wallet, or bag, including handbags, backpacks, fanny packs, and diaper bags, but excluding briefcases, suitcases, and other garment bags, with a selling price of \$60 or less per item. This exemption does not apply to sales of clothing, wallets, or bags within a theme park, entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible item of clothing, wallet, or bag, selling for \$60 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases two shirts for \$50 each. Both items are eligible for the exemption, even though the customer’s total purchase price (\$100) exceeds \$60.

(c)1. The exemption does not apply to the first \$60 of price of an eligible item of clothing, wallet, or bag selling for more than \$60.

2. Example: A customer purchases a pair of pants costing \$80. Tax is due on the entire \$80.

### (3) School Supplies.

(a)1. During the Holiday Period, no tax is due on the sale or purchase of any item of school supplies with a selling price of \$15 or less per item. This exemption does not apply to sales of school supplies within a theme park, entertainment complex, public lodging establishment, or airport.

2. Example: A customer purchases a set of markers for \$12. The purchase qualifies for the exemption.

3. Example: A customer purchases a calculator costing \$18. Tax is due on the entire \$18.

(b)1. The sales tax exemption applies to each eligible item of school supplies selling for \$15 or less per item. The exemption applies regardless of how many items are sold on the same invoice to a customer.

2. Example: A customer purchases ten composition books for \$2.50 each. All ten items will qualify for the exemption, even though the customer’s total purchase price (\$25) exceeds \$15.

### (4) Personal Computers and Certain Personal Computer Related Accessories.

(a) During the Holiday Period, no tax is due on the sale or purchase of any Personal Computer or Personal Computer Related Accessories for noncommercial home or personal use with a selling price of \$750 or less per item. This exemption does not apply to sales of Personal Computers or Personal Computer Related Accessories within a theme park, entertainment complex, public lodging establishment, or airport.

(b)1. The sales tax exemption applies to each eligible Personal Computer or eligible Personal Computer Related Accessory selling for \$750 or less per item.

2. Example: A customer purchases a \$600 personal computer, a \$100 printer, and a \$200 personal computer in a single transaction. Each item will qualify for the exemption.

(c)1. The exemption does not apply to the first \$750 of the price of an eligible personal computer or eligible related accessory selling for more than \$750.

2. Example: A customer purchases a personal computer costing \$900. Tax is due on the entire \$900.

### (5) Sales of Sets Containing Both Exempt and Taxable Items.

(a) When exempt items are normally sold together with taxable merchandise as a set or single unit, the sales price of the set or single unit is subject to sales tax.

(b) Example: A gift set consisting of a wallet (which is defined as an eligible “clothing item” under Section 52 of Chapter 2017-36, Laws of Florida) and key chain (which is not defined as an eligible “clothing item” under Section 52 of Chapter 2017-36, Laws of Florida) is sold for a single price of \$35. Although the wallet would otherwise be exempt during the Holiday Period, the sales price of the gift set is subject to tax.

(c) Example: A desk set consisting of a stapler (which is not defined as an eligible “school supply” under Section 52 of Chapter 2017-36, Laws of Florida) and a pair of scissors (which is defined as an eligible “school supply” under Section 52 of Chapter 2017-36, Laws of Florida) is sold for a single price of \$10. Although the scissors would otherwise be exempt during the Holiday Period, the sales price of the desk set is subject to tax.

(6) Articles Normally Sold as a Unit.

(a) Articles that are normally sold as a unit must continue to be sold in that manner; they cannot be separately stated and sold as individual items in order to obtain the exemption.

(b) Example: A pair of shoes normally sells for \$120. The pair of shoes cannot be split in order to sell each shoe for \$60 to qualify for the exemption.

(c) Example: A suit is normally priced at \$100 on a single price tag. The suit cannot be split into separate articles so that any of the components may be sold for \$60 or less in order to qualify for the exemption. However, components that are normally priced as separate articles may continue to be sold as separate articles and qualify for the exemption if the price of an article is \$60 or less.

(d) Example: A pen and pencil set is normally priced at \$18 on a single price tag. The set cannot be split into separate articles so that either of the components may be sold for \$15 or less in order to qualify for the exemption.

(6) Buy One, Get One Free or for a Reduced Price.

(a) The total price of items advertised as “buy one, get one free,” or “buy one, get one for a reduced price,” cannot be averaged in order for both items to qualify for the exemption.

(b) Example: A retailer advertises pants as “buy one, get one free.” The first pair of pants is priced at \$110; the second pair of pants is free. Tax is due on \$110. The store cannot sell each pair of pants for \$55 in order for the items to qualify for the exemption. However, the retailer may advertise and sell the items for 50 percent off, selling each pair of \$110 pants for \$55, making each pair eligible for the exemption.

(c) Example: A retailer advertises shoes as “buy one pair at the regular price, get a second pair for half price.” The first pair of shoes is sold for \$80; the second pair is sold for \$40 (half price). Tax is due on the \$80 shoes, but not on the \$40 shoes. The store cannot sell each pair of shoes for \$60 in order for the items to qualify for the exemption. However, a retailer may advertise the pairs for 25 percent off, thereby selling each pair of \$80 shoes for \$60, making each pair eligible for the exemption.

(8) Mail Order Sales.

(a) During the Holiday Period, eligible items purchased by mail order, including sales transactions over the Internet, are exempt if the order is accepted during the Holiday Period for immediate shipment, even if delivery is made after the Holiday Period.

(b) An order is accepted by the company when action has been taken to fill the order for immediate shipment. Actions to fill an order include assigning an “order number” to a telephone order, confirming an Internet order by an email to the customer, or placing a date received on an order received by mail.

(c) An order is considered to be for immediate shipment when delayed shipment is not requested by the customer. An

order is for immediate shipment even if the shipment may be delayed because of a backlog of orders or stock is currently unavailable or on back order.

(9) Shipping and Handling Charges.

(a) When separately stated shipping charges are part of the sales price of the items listed on a sales invoice or receipt, the shipping charges must be proportionately allocated to each item sold to determine the total sales price of the item. The cost of each item is divided by the total cost of all the items ordered to obtain the percentage of cost that each item bears to the total order. The amount of the shipping charge applicable to each item is calculated by multiplying the total shipping charge by the percentage of cost for each item.

(b) Example 1: A customer orders a \$60 dress and a \$20 shirt, for a total of \$80 during the Holiday Period. The shipping charge is \$10. The percentage of cost for the shirt is 25 percent (the ratio of shirt cost to total cost is \$20 to \$80. \$20 divided by \$80 is 25 percent.) The portion of the \$10 shipping charge which is allocated to the shirt is therefore \$2.50, or 25 percent of \$10. The percentage of cost for the dress is 75 percent (the ratio of dress cost to total cost is \$60 to \$80. \$60 divided by \$80 is 75 percent.) The portion of the \$10 shipping charge which is allocated to the dress is therefore \$7.50, or 75 percent of \$10. Once the shipping charge has been allocated, the total sales price for the shirt is \$22.50 and the total sales price for the dress is \$67.50. The shirt qualifies for the exemption. The dress is more than \$60 and does not qualify for the exemption.

(10) Layaway sales. A layaway sale is a transaction in which merchandise is set aside for future delivery to a customer who makes a deposit, agrees to pay the balance of the purchase price over a period of time, and receives the merchandise at the end of the payment period. Eligible items placed on layaway during the Holiday Period are tax exempt, even if final payment of the layaway is made after the Holiday Period. If a customer makes a final payment and takes delivery of the item during the Holiday Period, the eligible items are tax exempt.

(11) Rain checks. Eligible items purchased during the Holiday Period using a rain check will qualify for the exemption regardless of when the rain check was issued. However, issuance of a rain check during the Holiday Period will not qualify eligible items for the exemption if the item is actually purchased after the Holiday Period.

(12) Exchanges.

(a) If a customer purchases an eligible item during the Holiday Period, then later exchanges the item for the same item (different size or different color), no additional tax will be due even if the exchange is made after the Holiday Period.

(b) If a customer purchases an eligible item during the Holiday Period, then later returns the item and receives credit on the purchase of a different item, the new item purchased is subject to tax.

(13) Coupons, Rebates, and Discounts.

(a)1. Manufacturer's coupons. The sales price of an item includes all consideration received by the retailer for that item. The price of an item is not limited to the amount paid by a customer. Manufacturer's coupons do not reduce the sales price of an item, because the retailer is reimbursed for the amount of any discount provided to a customer. Therefore, the amount of the reimbursement is included in the taxable sales price of an item.

2. Example: A jacket sells for \$65. The customer has a \$10 manufacturer's coupon good for the purchase of the jacket. The manufacturer's coupon does not reduce the sales price of the jacket. Tax is due on \$65, even though the customer only pays the retailer \$55 for the jacket.

(b)1. Store coupons and discounts. A coupon, discount, or rebate offered by the retail seller reduces the sales price of an item because it reduces the total amount received by the retail seller for the item. Therefore, a store coupon or discount can be used to reduce the sales price of a clothing item to \$60 or less, a school supply item to \$15 or less, or a personal computer or a personal computer accessory to \$750 or less, to determine if an item qualifies for the exemption.

2. Example: A customer buys a \$400 suit and a \$65 shirt. The retailer is offering a 10 percent discount. After applying the 10 percent discount, the final sales price of the suit is \$360, and the sales price of the shirt is \$58.50. The suit is taxable (its price is over \$60), and the shirt is exempt (its price is less than \$60).

(c)1. Rebates. Rebates occur after the sale and do not affect the sales price of an item purchased.

2. Example: A jacket sells for \$65. The customer receives a \$10 rebate from the manufacturer. The rebate occurs after the sale, so it does not reduce the sales price of the jacket. Tax is due on \$65.

(14) Repairs or Alterations to Eligible Items.

(a) Repairs to eligible items do not qualify for the exemption.

(b)1. Alterations to clothing or footwear do not qualify for the exemption, even though alterations may be sold, invoiced, and paid for at the same time as the item to be altered.

2. Example: A customer purchases a pair of pants for \$55 and pays \$5 to the retailer to have the pants cuffed. The \$55 charge for the pants is exempt; however, tax is due on the \$5 alterations charge.

(15) Gift Cards.

(a) Eligible items purchased during the Holiday Period using a gift card will qualify for the exemption, regardless of when the gift card was purchased. Eligible items purchased after the Holiday Period using a gift card are taxable, even if the gift card was purchased during the Holiday Period. A gift card does not reduce the selling price of an item.

(b) Example: A customer purchases a dress priced at \$110 and uses a \$50 gift card. Tax is due on \$110. The gift certificate does not reduce the selling price to \$60 for purposes of the exemption.

(16) Rentals. Rentals of eligible items do not qualify for the exemption.

(17) License Fees or Other Fees imposed by Panama City and Panama City Beach.

(a) Panama City and Panama City Beach impose a 1 percent merchant's license fee or tax on retailers. The merchant's license fee is included in the sales price of each item. If the fee is separately stated, it must be assigned to the sales price of each item on the invoice to determine if an item is exempt during the holiday.

(b) Example: A jacket sells for \$59.95. The separately stated 1 percent gross receipts fee for this item is \$0.60. Since the gross receipts fee is part of the sales price of the item (\$60.55), the jacket will not qualify for the exemption.

(18) Option to not participate. Qualified businesses may choose not to participate in the tax holiday.

(a) Qualification. Businesses may choose to opt out of the tax holiday when less than five percent (5%) of their gross sales of tangible personal property during calendar year 2016 are sales of items that would be exempt during the tax holiday period. Businesses with multiple locations must include the gross sales of all of their Florida locations into this calculation. For businesses that were not in operation during the 2016 calendar year, this option is available when less than five percent (5%) of the inventory of items for sale by the business are items that would be tax exempt during the tax holiday.

(b) Election. Qualifying businesses choosing not to participate in the tax holiday must send a written notice to the Department by August 1, 2017. The notice must be on business letterhead and state that the business meets the qualifications stated in paragraph (a) and has chosen not to participate in the tax holiday. The notice must be signed by an individual authorized to sign on behalf of the business. Businesses with multiple locations may send a single notice stating that all of their Florida locations will not participate in the tax holiday. The notice may be delivered in one of three ways:

1. A letter can be mailed to the following mailing address:

Sales Tax Holiday  
Account Management MS 1-5730  
Florida Department of Revenue  
5050 W Tennessee St  
Tallahassee, FL 32399-0160

2. A scanned letter can be emailed to: [registration@floridarevenue.com](mailto:registration@floridarevenue.com)

3. A letter can be faxed to 850-922-0859.

(c) Sample Notice. The notice may take any form as long as it clearly states that the business is electing not to participate

in the holiday. An example of notice language is as follows: “In accordance with Chapter 2017-36, Laws of Florida, (Name of Business) has chosen not to participate in the Back-to-School Sales Tax Holiday, August 4 -6, 2017. For questions, please contact (name of contact person at business) at (contact telephone number or email address).” The notice must be signed by an authorized individual.

(d) Posting of Notice. Businesses that do not participate in the tax holiday must post the notice at each business location stating their choice not to participate in the Back-to-School Sales Tax Holiday. The notice must be posted in a conspicuous location where it is easily visible to customers.

(19) List of Items of Clothing and Their Taxable Status During the Holiday Period. The following is a list of items of clothing and their taxable status during the Holiday Period, if they are sold for \$60 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

- A
- T     Accessories (generally)
- E     Barrettes and bobby pins
- E     Belt buckles
- E     Bow ties
- E     Hair nets, bows, clips, and hairbands
- E     Handbags
- T     Handkerchiefs
- T     Jewelry
- T     Key cases
- E     Neckwear
- E     Ponytail holders
- E     Scarves
- E     Ties
- E     Wallets
- T     Watchbands
- T     Watches
- E     Aerobic and Fitness clothing
- E     Aprons and Clothing shields
- T     Athletic gloves
- T     Athletic pads
- E     Athletic supporters
- B
- E     Baby clothes
- E     Backpacks and book bags
- E     Bandanas
- E     Baseball cleats
- E     Bathing suits, caps, and cover-ups
- E     Belts
- E     Bibs
- E     Bicycle helmets (youth)\*\*
- E     Blouses
- E     Boots (except ski or fishing boots)

- E     Bowling shoes (purchased)
- T     Bowling shoes (rented)
- E     \*Braces and supports worn to correct or alleviate a physical incapacity or injury
- E     Bras
- T     Briefcases
- C
- T     Checkbook covers (separate from wallets)
- T     Chest protectors
- E     \*Choir and altar clothing
- E     Cleated and spiked shoes
- E     \*Clerical vestments
- T     Cloth and lace, knitting yarns, and other fabrics
- T     Clothing repair items, such as thread, buttons, tapes, iron-on patches, or zippers
- E     Coats
- E     Coin purses
- T     Corsages and boutonnieres
- T     Cosmetic bags
- E     Costumes
- E     Coveralls
- T     Crib blankets
- D
- E     Diaper bags
- E     Diapers, diaper inserts (adult and baby, cloth or disposable)
- T     Diving suits (wet and dry)
- E     Dresses
- T     Duffel bags
- E
- T     Elbow pads
- F
- E     Fanny packs
- T     Fins
- T     Fishing boots (waders)
- E     Fishing vests (nonflotation)
- T     Football pads
- E     Formal clothing (purchased)
- T     Formal clothing (rented)
- G
- T     Garment bags
- E     Gloves (generally)
- T     Baseball
- T     Batting
- T     Bicycle
- E     Dress

<u>E</u>	<u>Garden</u>		
<u>T</u>	<u>Golf</u>	<u>R</u>	
<u>T</u>	<u>Hockey</u>	<u>E</u>	<u>Raincoats, rain hats, and ponchos</u>
<u>E</u>	<u>Leather</u>	<u>E</u>	<u>Receiving blankets</u>
<u>T</u>	<u>Rubber</u>	<u>E</u>	<u>*Religious clothing</u>
<u>T</u>	<u>Surgical</u>	<u>T</u>	<u>Rented clothing (including uniforms, formal wear, and costumes)</u>
<u>T</u>	<u>Tennis</u>	<u>T</u>	<u>Repair of wearing apparel</u>
<u>E</u>	<u>Work</u>	<u>E</u>	<u>Robes</u>
<u>T</u>	<u>Goggles (except *prescription)</u>	<u>T</u>	<u>Roller blades</u>
<u>E</u>	<u>Graduation caps and gowns</u>	<u>T</u>	<u>Roller skates</u>
<u>E</u>	<u>Gym suits and uniforms</u>		
		<u>S</u>	
<u>H</u>		<u>E</u>	<u>Safety clothing</u>
<u>T</u>	<u>Hard hats</u>	<u>T</u>	<u>Safety glasses (except *prescription)</u>
<u>E</u>	<u>Hats and caps</u>	<u>E</u>	<u>Safety shoes</u>
<u>T</u>	<u>Helmets (bicycle**, baseball, football, hockey, motorcycle, sports)</u>	<u>E</u>	<u>Scout uniforms</u>
<u>E</u>	<u>Hosiery and pantyhose, including support hosiery</u>	<u>T</u>	<u>Shaving kits/bags</u>
<u>E</u>	<u>Hunting vests</u>	<u>E</u>	<u>Shawls and wraps</u>
		<u>T</u>	<u>Shin guards and padding</u>
<u>I - J</u>		<u>E</u>	<u>Shirts</u>
<u>T</u>	<u>Ice skates</u>	<u>E</u>	<u>Shoe inserts and insoles</u>
<u>T</u>	<u>In-line skates</u>	<u>E</u>	<u>Shoes (including athletic)</u>
<u>E</u>	<u>Jackets</u>	<u>E</u>	<u>Shoulder pads (e.g., dresses or jackets)</u>
<u>E</u>	<u>Jeans</u>	<u>T</u>	<u>Shoulder pads (football, hockey, sports)</u>
		<u>E</u>	<u>Shorts</u>
<u>K</u>		<u>T</u>	<u>Ski boots (snow)</u>
<u>T</u>	<u>Key chains</u>	<u>T</u>	<u>Ski vests (water)</u>
<u>T</u>	<u>Knee pads</u>	<u>E</u>	<u>Ski suits (snow)</u>
		<u>T</u>	<u>Skin diving suits</u>
<u>L</u>		<u>E</u>	<u>Skirts</u>
<u>E</u>	<u>Lab coats</u>	<u>E</u>	<u>Sleepwear (nightgowns and pajamas)</u>
<u>E</u>	<u>Leggings, tights, and leg warmers</u>	<u>E</u>	<u>Slippers</u>
<u>E</u>	<u>Leotards</u>	<u>E</u>	<u>Slips</u>
<u>T</u>	<u>Life jackets and vests</u>	<u>E</u>	<u>Socks</u>
<u>E</u>	<u>Lingerie</u>	<u>T</u>	<u>Suitcases</u>
<u>T</u>	<u>Luggage</u>	<u>E</u>	<u>Suits, slacks, and jackets</u>
		<u>T</u>	<u>Sunglasses (except *prescription)</u>
<u>M - N</u>		<u>E</u>	<u>Suspenders</u>
<u>T</u>	<u>Make-up bags</u>	<u>E</u>	<u>Sweatbands</u>
<u>E</u>	<u>Martial arts attire</u>	<u>E</u>	<u>Sweaters</u>
		<u>T</u>	<u>Swimming masks</u>
<u>O - P</u>		<u>E</u>	<u>Swim suits and trunks</u>
<u>E</u>	<u>Overshoes and rubber shoes</u>		
<u>T</u>	<u>Pads (football, hockey, soccer, elbow, knee, shoulder)</u>	<u>T</u>	
<u>T</u>	<u>Paint or dust masks</u>	<u>E</u>	<u>Ties (neckties – bow ties)</u>
<u>E</u>	<u>Pants</u>	<u>E</u>	<u>Tuxedos (excluding rentals)</u>
<u>T</u>	<u>Patterns</u>	<u>U</u>	
<u>T</u>	<u>Protective masks (athletic)</u>	<u>T</u>	<u>Umbrellas</u>
<u>E</u>	<u>Purses</u>	<u>E</u>	<u>Underclothes</u>

E Uniforms (work, school, and athletic - excluding pads)

V - W

- E Vests
- T Weight-lifting belts
- T Wigs

\* These items are always exempt as religious, prescription, prosthetic, or orthopedic items.

\*\* Bicycle helmets marketed for use by youth are always exempt from sales tax.

(20) List of School Supplies and Their Taxable Status During the Holiday Period. The following is a list of school supplies and their taxable status during the Holiday Period if they are sold for \$15 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

- E Binders
- T Books not otherwise exempt
- E Calculators
- E Cellophane (transparent) tape
- E Colored pencils
- E Compasses
- E Composition books
- E Computer disks (blank CDs only)
- T Computer paper
- E Construction paper
- T Correction tape, fluid, or pens
- E Crayons
- E Erasers
- E Folders
- E Glue (stick and liquid)
- E Highlighters
- E Legal pads
- E Lunch boxes
- E Markers
- T Masking tape
- E Notebook filler paper
- E Notebooks
- E Paste
- E Pencils, including mechanical and refills
- E Pens, including felt, ballpoint, fountain, highlighters, and refills
- E Poster board
- E Poster paper
- T Printer paper
- E Protractors
- E Rulers
- E Scissors
- T Staplers
- T Staples

(21) List of Personal Computers and Related Accessories and Their Taxable Status During the Holiday Period. The following is a list of personal computers and related accessories, and their taxable status during the Holiday Period if they are sold for \$750 or less per item. This is not an inclusive list. T = Taxable, E = Exempt.

- T Batteries (regular)\*\*
- E Cables for computers
- E Car adaptors for laptop computers
- T Cases for electronic devices (including electronic reader covers)
- T CDs/DVDs (music, voice, pre-recorded items)
- T Cellular telephones (including smart telephones)
- E Central processing units (CPU)
- E Compact disk drives
- E Computer for noncommercial or personal use
- E Desktop
- E Laptop
- E Tablet
- T Computer bags
- E Computer batteries
- T Computer paper
- E Computer towers consisting of a central processing unit, random-access memory and a storage drive
- T Computers designed/intended for recreation (games and toys)
- T Copy machines and copier ink/toner
- E Data storage devices (excludes those devices designed for use in digital cameras or other taxable items)
- E Blank CDs
- E Diskettes
- E Flash drives
- E Jump drives
- E Memory cards
- E Portable hard drives
- E Storage drives
- E Thumb drives
- E Zip drives
- T Digital cameras
- T Digital media receivers
- E Docking stations (designed for a computer)
- E Electronic book readers
- T Fax machines - stand alone
- T Furniture
- T Game controllers (e.g., joy sticks, nunchucks)
- T Game systems and consoles
- T Games and gaming software
- E Hard Drives
- E Headphones (including "ear buds")
- E Ink cartridges (for computers)
- E Keyboards (for computers)

- E Mice (mouse devices)
- E Microphones (built-in computers)
- E Modems
- E Monitors (except devices that include a television tuner)
- E Motherboards
- T MP3 players or accessories
- E Personal digital assistant devices (except cellular telephones)
- E Port replicators
- E Printer cartridges
- E Printers (including "all-in-one" models)
- T Projectors
- E RAM - random access memory
- T Rented computers or computer accessories
- E Routers
- E Scanners
- T Smart telephones
- E Software (nonrecreational)
- E Antivirus
- E Database
- E Educational
- E Financial
- E Word processing
- E Speakers (for computers)
- E Storage drives (for computers)
- T Surge protectors
- E Tablets
- T Tablet cases or covers
- T Televisions (including digital media receivers)
- T Video game consoles
- E Web cameras

\*\* Batteries for use in prosthetic or orthopedic appliances are always exempt from tax.

This rule shall take effect on July 1, 2017.

Rulemaking Authority 212.17(6), 212.18(2), 213.06(1), (2) FS, Section 52 of Chapter 2017-36, L.O.F. Law Implemented 95.091, 212.02(16), 212.05, 212.0596, 212.06, 212.13, 213.35, 215.26(1), 330.27(2), 509.013(4), (9) FS, Chapter 2017-36, L.O.F. History-New.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE ARE SPECIFIED IN THIS RULE.

EFFECTIVE DATE: July 1, 2017

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2017

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.:      RULE TITLE:

40DER17-01 Minimum Flows for Rainbow River System  
 SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The District is required by section 373.042(2)(a), F.S., to adopt a minimum flow or minimum water level (MFL) for the Rainbow River System (an Outstanding Florida Spring) by July 1, 2017. To ensure that the District meets its statutory requirement to adopt MFLs for the Rainbow River System by July 1, 2017, to set limits on further withdrawals that would be significantly harmful to the water resource values (water resources or ecology of the area) of the system, the District is adopting this emergency rule. The basis for this finding of an immediate danger to the public health, safety, or welfare also includes section 373.042(2)(c), F.S., which provides as follows: The Legislature finds as provided in section 373.801(3)(b), F.S. that the adoption of minimum flows and minimum water levels or recovery or prevention strategies for Outstanding Florida Springs requires immediate action. The department and the districts are authorized, and all conditions are deemed to be met, to use emergency rulemaking provisions pursuant to section 120.54(4), F.S. to adopt minimum flows and minimum water levels pursuant to this subsection and to adopt recovery or prevention strategies concurrently with a minimum flow or minimum water level pursuant to section 373.805(2). The emergency rules shall remain in effect during the pendency of procedures to adopt rules addressing the subject of the emergency rules.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The procedure used by the District to adopt the emergency rule is fair under the circumstances. Affected persons have had a minimum of one week prior notice of the emergency rule. The District included the proposed emergency rule in the Governing Board’s monthly meeting packet which is available to the public at a minimum of seven days prior to the day that the Board and Executive Director approved and filed the emergency rule for adoption. The public is given an opportunity to comment on all matters before the Board during its meetings. The Board’s meeting packet information is posted on the District’s website. Additionally, on June 19, 2017, the District posted on its website a copy of the Draft Final Report for the Rainbow River System MFL proposed in rule 40D-8.041, F.A.C., which contains the proposed emergency rule language. The emergency rule will be posted on the District’s website.

SUMMARY: Until the MFL proposed in rule 40D-8.041(19), F.A.C., becomes effective, this emergency rule will temporarily establish minimum water flow for the Rainbow River System, an Outstanding Florida Spring, pursuant to the mandate of

section 373.042, F.S. The minimum flow for the Rainbow River System was developed utilizing the percent-of-flow approach and is expressed in cubic feet per second as a long-term average flow adjusted for groundwater withdrawals from 1965 to 2015 at the USGS Rainbow River at Dunnellon, FL Gage. As with all minimum flows and levels established by the District, if adopted, the minimum flow in this rule would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the water use permitting regulatory process and for reviewing proposed surface water management systems in the environmental resource permitting regulatory process.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Melissa Gulvin, Government Affairs Program Manager, 2379 Broad Street, Brooksville, FL 34604, melissa.gulvin@watermatters.org, (352)796-7211 or 1(800)423-1476 (FL Only) ext. 4419.

THE FULL TEXT OF THE EMERGENCY RULE IS:

40DER 17-01 Minimum Flows for the Rainbow River System

(1) Minimum Flow for the Rainbow River System.

(a) For purposes of this rule, the Rainbow River System includes the watercourse from the Rainbow Springs Group headsprings to the Withlacoochee River, including contributing tributaries, and all named and unnamed springs that discharge to the river.

(b) The Minimum Flow for the Rainbow River System is a long-term average flow of 649 cubic feet per second (“cfs”) at the United States Geological Survey Rainbow River at Dunnellon, FL Gage (“United States Geological Survey Gage No. 02313100”). The Minimum Flow is based on a 5% reduction from the long-term average flow of 683 cfs adjusted for groundwater withdrawals for the period of record from 1965–2015 at the United States Geological Survey Gage No. 02313100.

(c) Status assessments of the Minimum Flow for the Rainbow River System will be completed to determine whether the long-term average flow is below or projected to fall below the criteria adopted in this section. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this subsection. As part of each status assessment, the District will use the following approach:

1. The District will evaluate the Minimum Flow annually to determine the extent to which the long-term average flow of the Rainbow River System has been reduced due to withdrawals for the period of record from 1965 to the date of each status assessment at the United States Geological Survey Gage No. 02313100.

2. The District will also evaluate the Minimum Flow every five years as part of the regional water supply planning process.

3. If the Minimum Flow is being met based on long-term average flows adjusted for withdrawals, then no further actions are required beyond continued monitoring.

4. If the long-term average flow is below the Minimum Flow, or if the long-term average flow is projected to fall below the Minimum Flow within 20 years based on the evaluation performed as part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts on the Rainbow River System.

5. Based on the causation analysis, the District will re-evaluate the Minimum Flow for the Rainbow River System, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

(d) The District will re-evaluate the Minimum Flow within ten years of adoption of this rule.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421 FS. History–New .

Editor’s note: This emergency rule is being adopted pursuant to 373.042(2)(c), F.S. (2016), and will remain in effect until the related Rainbow River System Minimum Flow proposed in rule 40D-8.041, F.A.C., becomes effective.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: RULE TITLE:

40DER17-02 Minimum Flows for Crystal River/Kings Bay System

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The District is required by section 373.042(2)(a), F.S., to adopt a minimum flow or minimum water level (MFL) for the Crystal River/Kings Bay System (an Outstanding Florida Spring) by July 1, 2017. To ensure that the District meets its statutory requirement to adopt MFLs for the Crystal River/Kings Bay System by July 1, 2017, to set limits on further withdrawals that would be significantly harmful to the water resource values (water resources or ecology of the area) of the system, the District is adopting this emergency rule. The basis for this finding of an immediate danger to the public health, safety, or welfare also includes section 373.042(2)(c), F.S., which provides as follows:

The Legislature finds as provided in section 373.801(3)(b), F.S. that the adoption of minimum flows and minimum water levels or recovery or prevention strategies for Outstanding Florida Springs requires immediate action. The department and the



districts are authorized, and all conditions are deemed to be met, to use emergency rulemaking provisions pursuant to section 120.54(4), F.S. to adopt minimum flows and minimum water levels pursuant to this subsection and to adopt recovery or prevention strategies concurrently with a minimum flow or minimum water level pursuant to section 373.805(2), F.S. The emergency rules shall remain in effect during the pendency of procedures to adopt rules addressing the subject of the emergency rules.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The procedure used by the District to adopt the emergency rule is fair under the circumstances. Affected persons have had a minimum of one week prior notice of the emergency rule. The District included the proposed emergency rule in the Governing Board's monthly meeting packet which is available to the public at a minimum of seven days prior to the day that the Board and Executive Director approved and filed the emergency rule for adoption. The public is given an opportunity to comment on all matters before the Board during its meetings. The Board's meeting packet information is posted on the District's website. Additionally, on June 19, 2017, the District posted on its website a copy of the Draft Final Report for the Crystal River/Kings Bay System MFL proposed in rule 40D-8.041, F.A.C., which contains the proposed emergency rule language. The emergency rule will be posted on the District's website.

SUMMARY: Until the MFL proposed in rule 40D-8.041(20), F.A.C., becomes effective, this emergency rule will temporarily establish minimum water flow for the Crystal River/Kings Bay System, an Outstanding Florida Spring, pursuant to the mandate of section 373.042, F.S. The minimum flow for the Crystal River/Kings Bay System was developed utilizing the percent-of-flow approach and is expressed in cubic feet per second as a long-term tidally-filtered average flow adjusted for groundwater withdrawals from 2002 through 2015 at the Crystal River at Bagley Cove near Crystal River, FL Gage. As with all minimum flows and levels established by the District, if adopted, the minimum flow in this rule would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the water use permitting regulatory process and for reviewing proposed surface water management systems in the environmental resource permitting regulatory process.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Melissa Gulvin, Government Affairs Program Manager, 2379 Broad Street, Brooksville, FL 34604, melissa.gulvin@watermatters.org, (352)796-7211 or 1(800)423-1476 (FL Only) ext. 4419.

THE FULL TEXT OF THE EMERGENCY RULE IS:

40DER17-02 Minimum Flows for the Crystal River/Kings Bay System

(a) For purposes of this rule, the Crystal River/Kings Bay System includes the watercourse from Kings Bay to the Gulf of Mexico, including contributing tributaries, Kings Bay, and all named and unnamed springs that discharge to the river or bay.

(b) The Minimum Flow for the Crystal River/Kings Bay System is a long-term tidally-filtered average flow of 406 cubic feet per second ("cfs") at the United States Geological Survey Crystal River at Bagley Cove near Crystal River, FL Gage ("United States Geological Survey Gage No. 02310747"). The Minimum Flow is based on an 11% reduction from the long-term tidally-filtered average flow of 456 cfs adjusted for groundwater withdrawals for the period of record from 2002 through 2015 at the United States Geological Survey Gage No. 02310747.

(c) Status assessments of the Minimum Flow for the Crystal River/Kings Bay System will be completed to determine whether the long-term tidally-filtered average flow is below or projected to fall below the criteria adopted in this section. Each status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this subsection. As part of each status assessment, the District will use the following approach:

1. The District will evaluate the Minimum Flow annually to determine the extent to which the long-term tidally-filtered average flow of the Crystal River/Kings Bay System has been reduced due to withdrawals for the period of record from 2002 to the date of each status assessment at the United States Geological Survey Gage No. 02310747.

2. The District will also evaluate the Minimum Flow every five years as part of the regional water supply planning process.

3. If the Minimum Flow is being met based on long-term tidally-filtered average flows adjusted for withdrawals, then no further actions are required beyond continued monitoring.

4. If the long-term tidally-filtered average flow is below the Minimum Flow, or if the long-term tidally-filtered average flow is projected to fall below the Minimum Flow within 20 years based on the evaluation performed as part of the regional water supply planning process, the District will conduct a causation analysis to evaluate the potential causes of impacts on the Crystal River/Kings Bay System.

5. Based on the causation analysis, the District will re-evaluate the Minimum Flow for the Crystal River/Kings Bay System, or adopt a recovery or prevention strategy consistent with the provisions of Section 373.0421(2), F.S.

(d) The District will re-evaluate the Minimum Flow within ten years of adoption of this rule.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421 FS. History—New

Editor’s note: This emergency rule is being adopted pursuant to 373.042(2)(c), F.S. (2016), and will remain in effect until the related Crystal River/Kings Bay Minimum Flow proposed in rule 40D-8.041, F.A.C., becomes effective.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER17-33  
 RULE TITLE: Game Number 1350, \$500 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Game Number 1350, “\$500 A WEEK FOR LIFE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game. THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-33 Game Number 1350, \$500 A WEEK FOR LIFE.

(1) Name of Game. Game Number 1350, “\$500 A WEEK FOR LIFE.”

(2) Game Number 1350, \$500 A WEEK FOR LIFE is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$500 A WEEK FOR LIFE lottery tickets sell for \$1.00 per ticket.

(4) \$500 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$500 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE		
<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	<b>2X</b> DOUBLE

(6) The “WINNING NUMBER” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	
<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN

(7) The prize symbols and prize symbol captions are as follows:

<b>\$1.00</b> ONE	<b>\$2.00</b> TWO	<b>\$4.00</b> FOUR	<b>\$5.00</b> FIVE	<b>\$10.00</b> TEN
<b>\$20.00</b> TWENTY	<b>\$40.00</b> FORTY	<b>\$100</b> ONE HUN	<b>\$1,000</b> ONE THOU	<b>LIFE</b> \$500/WK

(8) The legends are as follows:

<b>YOUR NUMBERS</b>	<b>WINNING NUMBER</b>
---------------------	-----------------------

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches the play symbol and corresponding play symbol caption in the “WINNING NUMBER” play area shall entitle the claimant to the corresponding prize shown for that symbol.

A ticket having a “**2X**” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to double the prize shown for that symbol.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00,

\$20.00, \$40.00, \$100, \$1,000 and **LIFE** \$500/WK.

(10) \$500 A WEEK FOR LIFE Top Prize Payment Options.

(a) A winner of a \$500 A WEEK FOR LIFE top prize may choose one of two payment options for receiving his or her prize. Payment options are “cash option” or “annual payment.” At the time the \$500 A WEEK FOR LIFE top prize is claimed, the terminal will produce a top prize player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the cash option. Once the winner files a claim and exercises the winner’s chosen option, the election of that option shall be final. If a winner does not choose the Cash Option within the sixty (60) day timeframe, the Annual Payment option will be applied.

(b) Cash option prizes will be paid in a single cash payment of \$410,000, less applicable federal withholding taxes.

(c) Annual payment prizes claimed by an individual will be paid in annual installments of \$26,000, less applicable tax withholding taxes, for the life of the winner, with a minimum of twenty years. If the top prize is claimed by a trust,

corporation or other legal entity, the life prize shall be fixed at twenty years.

(d) At the end of the guaranteed twenty year payment period, winners receiving annual payments will be required to provide evidence satisfactory to the Lottery that they are still living. Thereafter, winners will be required to provide such evidence on an annual basis prior to receipt of their next scheduled payment.

(e) Any interest or earnings accruing on a \$500 A WEEK FOR LIFE top prize prior to the prize payment shall accrue to the State of Florida and not to the winner.

(11) The estimated odds of winning, value, and number of prizes in Instant Game Number 1350 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 134 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	10.71	3,001,600
\$1 (2X)	\$2	37.50	857,600
\$1 x 2	\$2	60.00	536,000
\$2	\$2	37.50	857,600
\$1 x 4	\$4	300.00	107,200
\$1 (2X) + \$2	\$4	300.00	107,200
\$2 (2X)	\$4	300.00	107,200
\$2 x 2	\$4	300.00	107,200
\$4	\$4	300.00	107,200
\$1 x 5	\$5	500.00	64,320
\$1 + \$2 (2X)	\$5	500.00	64,320
\$1 + (\$2 x 2)	\$5	500.00	64,320
\$1 + \$4	\$5	500.00	64,320
\$5	\$5	500.00	64,320
\$2 + \$4 (2X)	\$10	750.00	42,880
\$2 x 5	\$10	750.00	42,880
\$5 (2X)	\$10	750.00	42,880
\$5 x 2	\$10	750.00	42,880
\$10	\$10	750.00	42,880
\$5 (2X) + \$10	\$20	1,500.00	21,440
\$4 x 5	\$20	1,500.00	21,440
\$10 (2X)	\$20	1,500.00	21,440
(\$5 x 2) + \$10	\$20	1,500.00	21,440
\$20	\$20	1,500.00	21,440
\$10 (2X) + \$20	\$40	4,800.00	6,700
(\$5 x 2) + (\$10 x 3)	\$40	5,333.33	6,030
\$20 (2X)	\$40	4,800.00	6,700
(\$10 x 2) + \$20	\$40	5,000.00	6,432
\$40	\$40	5,333.33	6,030

(\$20 x 3) + \$20 (2X)	\$100	24,000.00	1,340
(\$5 x 2) + \$10 + (\$40 x 2)	\$100	24,000.00	1,340
\$20 + (\$40 x 2)	\$100	24,000.00	1,340
\$20 x 5	\$100	24,000.00	1,340
\$100	\$100	24,000.00	1,340
\$1,000	\$1,000	240,000.00	134
\$500/WK/LIFE	Top Prize	5,360,000.00	6

(12) The estimated overall odds of winning some prize in Game Number 1350 are 1 in 4.97. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Instant Game Number 1350, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for \$500 A WEEK FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-27-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER17-34  
RULE TITLE: Game Number 1351, \$1,000 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Game Number 1351, “\$1,000 A WEEK FOR LIFE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-34 Game Number 1351, \$1,000 A WEEK FOR LIFE.

(1) Name of Game. Game Number 1351, “\$1,000 A WEEK FOR LIFE.”

(2) Game Number 1351, \$1,000 A WEEK FOR LIFE is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$1,000 A WEEK FOR LIFE lottery tickets sell for \$2.00 per ticket.

(4) \$1,000 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$1,000 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	
<b>11</b> ELEVN	<b>12</b> THELV	<b>13</b> THRTN	<b>14</b> FORTN	<b>15</b> FIFTN	<b>16</b> SIXTN	<b>17</b> SVNTN	<b>18</b> EGHTN	<b>19</b> NINTN	<b>20</b> TENNTY
<b>21</b> THYONE	<b>23</b> THYTHR	<b>24</b> THYFOR	<b>25</b> THYFIV	<b>26</b> THYSIX	<b>27</b> THYSVN	<b>28</b> THYEGT	<b>29</b> THYNIN	<b>30</b> THIRTY	
<b>21</b> DOUBLE	<b>3</b> WINALL								

(6) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN	
<b>11</b> ELEVN	<b>12</b> THELV	<b>13</b> THRTN	<b>14</b> FORTN	<b>15</b> FIFTN	<b>16</b> SIXTN	<b>17</b> SVNTN	<b>18</b> EGHTN	<b>19</b> NINTN	<b>20</b> TENNTY
<b>21</b> THYONE	<b>23</b> THYTHR	<b>24</b> THYFOR	<b>25</b> THYFIV	<b>26</b> THYSIX	<b>27</b> THYSVN	<b>28</b> THYEGT	<b>29</b> THYNIN	<b>30</b> THIRTY	

(7) The prize symbols and prize symbol captions are as follows:

<b>\$1.00</b> ONE	<b>\$2.00</b> TWO	<b>\$4.00</b> FOUR	<b>\$5.00</b> FIVE	<b>\$10.00</b> TEN	<b>\$20.00</b> TWENTY	<b>\$30.00</b> THIRTY
<b>\$40.00</b> FORTY	<b>\$100</b> ONE HUN	<b>\$200</b> TWO HUN	<b>\$1,000</b> ONE THOU	<b>\$10,000</b> TEN THOU	<b>LIFE</b> \$1000/HK	

(8) The legends are as follows:

YOUR NUMBERS	WINNING NUMBERS
--------------	-----------------

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches either play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol.

A ticket having a “**21** DOUBLE” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to double the prize shown for

that symbol. A ticket having a “**3** WINALL” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$30.00, \$40.00, \$100, \$200, \$1,000, \$10,000 and

**LIFE**  
\$1000/HK

(10) \$1,000 A WEEK FOR LIFE Top Prize Payment Options.

(a) A winner of a \$1,000 A WEEK FOR LIFE top prize may choose one of two payment options for receiving his or her prize. Payment options are “cash option” or “annual payment.” At the time the \$1,000 A WEEK FOR LIFE top prize is claimed, the terminal will produce a top prize player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the cash option. Once the winner files a claim and exercises the winner’s chosen option, the election of that option shall be final. If a winner does not choose the Cash Option within the sixty (60) day timeframe, the Annual Payment option will be applied.

(b) Cash option prizes will be paid in a single cash payment of \$815,000, less applicable federal withholding taxes.

(c) Annual payment prizes claimed by an individual will be paid in annual installments of \$52,000, less applicable tax withholding taxes, for the life of the winner, with a minimum of twenty years. If the top prize is claimed by a trust, corporation or other legal entity, the life prize shall be fixed at twenty years.

(d) At the end of the guaranteed twenty year payment period, winners receiving annual payments will be required to provide evidence satisfactory to the Lottery that they are still living. Thereafter, winners will be required to provide such evidence on an annual basis prior to receipt of their next scheduled payment.

(e) Any interest or earnings accruing on a \$1,000 A WEEK FOR LIFE top prize prior to the prize payment shall accrue to the State of Florida and not to the winner.

(11) The estimated odds of winning, value, and number of prizes in Instant Game Number 1351 are as follows:

GAME PLAY	WIN	ESTIMATE D ODDS OF 1 IN	NUMBER OF WINNERS IN 246 POOLS OF 180,000 TICKETS PER POOL
\$2	\$2	10.00	4,428,000
\$1 x 4	\$4	50.00	885,600
\$1 (2X) + \$2	\$4	50.00	885,600
\$2 x 2	\$4	50.00	885,600
\$4	\$4	50.00	885,600
\$1 x 5	\$5	375.00	118,080
(\$1 x 3) + \$2	\$5	375.00	118,080
\$1 + \$2 (2X)	\$5	375.00	118,080

\$1 + \$4	\$5	375.00	118,080
\$5	\$5	375.00	118,080
\$1 x 10 (MONEYBAG)	\$10	250.00	177,120
\$1 x 10	\$10	250.00	177,120
\$2 x 5	\$10	250.00	177,120
\$5 (2X)	\$10	250.00	177,120
\$10	\$10	250.00	177,120
\$2 x 10 (MONEYBAG)	\$20	750.00	59,040
\$2 x 10	\$20	750.00	59,040
\$5 x 4	\$20	750.00	59,040
\$10 (2X)	\$20	750.00	59,040
\$20	\$20	750.00	59,040
(\$2 x 5) + (\$4 x 5) (MONEYBAG)	\$30	2,250.00	19,680
(\$2 x 5) + (\$4 x 5)	\$30	2,195.12	20,172
(\$5 x 2) + \$10 (2X)	\$30	2,000.00	22,140
\$5 (2X) + \$10 (2X)	\$30	2,000.00	22,140
\$10 x 3	\$30	2,250.00	19,680
\$10 + \$20	\$30	2,250.00	19,680
\$30	\$30	2,250.00	19,680
\$4 x 10 (MONEYBAG)	\$40	4,500.00	9,840
(\$2 x 5) + (\$5 x 4) + \$10	\$40	4,500.00	9,840
\$10 (2X) + \$20	\$40	4,500.00	9,840
\$20 (2X)	\$40	4,500.00	9,840
\$10 x 4	\$40	5,142.86	8,610
\$20 x 2	\$40	5,142.86	8,610
\$40	\$40	5,142.86	8,610
\$10 x 10 (MONEYBAG)	\$100	6,000.00	7,380
(\$5 x 4) + (\$10 x 5) + \$30	\$100	6,000.00	7,380
\$20 (2X) + \$30 (2X)	\$100	6,000.00	7,380
(\$5 x 4) + \$40 (2X)	\$100	6,000.00	7,380
\$10 + \$20 + \$30 + \$40	\$100	6,000.00	7,380
\$20 x 5	\$100	6,000.00	7,380
\$100	\$100	9,000.00	4,920
\$20 x 10 (MONEYBAG)	\$200	90,000.00	492
(\$10 x 6) + \$20 + (\$40 x 3)	\$200	90,000.00	492
\$10 (2X) + \$40 (2X) + \$100	\$200	90,000.00	492
\$100 (2X)	\$200	90,000.00	492
\$10 + (\$30 x 5) + \$40	\$200	90,000.00	492
\$100 x 2	\$200	90,000.00	492
\$200	\$200	90,000.00	492
\$100 x 10 (MONEYBAG)	\$1,000	180,000.00	246
\$200 x 5	\$1,000	180,000.00	246
\$1,000	\$1,000	180,000.00	246
\$10,000	\$10,000	442,800.00	100
\$1,000/WK/LIFE	Top Prize	5,535,000.00	8

(11) The estimated overall odds of winning some prize in Game Number 1351 are 1 in 4.43. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1351, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for \$1,000 A WEEK FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-27-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

#### DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER17-35      RULE TITLE: Game Number 1352, \$2,500 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Game Number 1352, “\$2,500 A WEEK FOR LIFE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game. THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-35 Game Number 1352, \$2,500 A WEEK FOR LIFE.

(1) Name of Game. Game Number 1352, “\$2,500 A WEEK FOR LIFE.”


(2) Game Number 1352, \$2,500 A WEEK FOR LIFE is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$2,500 A WEEK FOR LIFE lottery tickets sell for \$5.00 per ticket.

(4) \$2,500 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the

back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$2,500 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>3</b> THREE	<b>4</b> FOUR	<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN
<b>11</b> ELEVN	<b>13</b> THRTN	<b>14</b> FORTN	<b>16</b> SIXTN	<b>17</b> SVNTN	<b>18</b> EGHTN	<b>19</b> NINTN	<b>20</b> TWENTY
<b>21</b> THYONE	<b>23</b> THYTHR	<b>24</b> THYFOR	<b>26</b> THYSIX	<b>27</b> THYSVN	<b>28</b> THYEGT	<b>29</b> THYNIN	<b>30</b> THIRTY
<b>2X</b> 2TIMES	<b>5X</b> 5TIMES	 HINALL					

(6) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>3</b> THREE	<b>4</b> FOUR	<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN
<b>11</b> ELEVN	<b>13</b> THRTN	<b>14</b> FORTN	<b>16</b> SIXTN	<b>17</b> SVNTN	<b>18</b> EGHTN	<b>19</b> NINTN	<b>20</b> TWENTY
<b>21</b> THYONE	<b>23</b> THYTHR	<b>24</b> THYFOR	<b>26</b> THYSIX	<b>27</b> THYSVN	<b>28</b> THYEGT	<b>29</b> THYNIN	<b>30</b> THIRTY

(7) The prize symbols and prize symbol captions are as follows:


<b>\$2.00</b> THO	<b>\$5.00</b> FIVE	<b>\$10.00</b> TEN	<b>\$20.00</b> TWENTY	<b>\$25.00</b> THY FIVE	<b>\$30.00</b> THIRTY	
<b>\$50.00</b> FIFTY	<b>\$100</b> ONE HUN	<b>\$500</b> FIVE HUN	<b>\$1,000</b> ONE THOU	<b>\$2,000</b> TWO THOU	<b>\$10,000</b> TEN THOU	<b>LIFE</b> \$2500/WK


(8) The legends are as follows:


WINNING NUMBERS      YOUR NUMBERS

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to double the prize shown for that

symbol. A ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to five times

the prize shown for that symbol. A ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$500, \$1,000, \$2,000, \$10,000 and

**LIFE**  
\$2500/WK

(10) \$2,500 A WEEK FOR LIFE Top Prize Payment Options.

(a) A winner of a \$2,500 A WEEK FOR LIFE top prize may choose one of two payment options for receiving his or her prize. Payment options are “cash option” or “annual payment.” At the time the \$2,500 A WEEK FOR LIFE top prize is claimed, the terminal will produce a top prize player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the cash option. Once the winner files a claim and exercises the winner’s chosen option, the election of that option shall be final. If a winner does not choose the Cash Option within the sixty (60) day timeframe, the Annual Payment option will be applied.

(b) Cash option prizes will be paid in a single cash payment of \$2,040,000, less applicable federal withholding taxes.

(c) Annual payment prizes claimed by an individual will be paid in annual installments of \$130,000, less applicable tax withholding taxes, for the life of the winner, with a minimum of twenty years. If the top prize is claimed by a trust, corporation or other legal entity, the life prize shall be fixed at twenty years.

(d) At the end of the guaranteed twenty year payment period, winners receiving annual payments will be required to provide evidence satisfactory to the Lottery that they are still living. Thereafter, winners will be required to provide such evidence on an annual basis prior to receipt of their next scheduled payment.

(e) Any interest or earnings accruing on a \$2,500 A WEEK FOR LIFE top prize prior to the prize payment shall accrue to the State of Florida and not to the winner.

(11) The estimated odds of winning, value, and number of prizes in Instant Game Number 1352 are as follows:

GAME PLAY	WIN	ESTIMATE D ODDS OF 1 IN	NUMBER OF WINNERS IN 250 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	3,000,000
\$2 (5X)	\$10	30.00	1,000,000
\$2 x 5	\$10	30.00	1,000,000
\$5 (2X)	\$10	30.00	1,000,000
\$10	\$10	60.00	500,000
\$2 x 10	\$20	300.00	100,000
\$2 (5X) + \$10	\$20	300.00	100,000
\$5 x 4	\$20	300.00	100,000
\$10 (2X)	\$20	300.00	100,000
\$20	\$20	300.00	100,000
\$5 x 5	\$25	800.00	37,500
\$5 (5X)	\$25	800.00	37,500

\$5 + \$10 (2X)	\$25	800.00	37.500
\$5 + \$20	\$25	800.00	37.500
\$25	\$25	800.00	37.500
(\$2 x 10) + (\$5 x 2) (MONEYBAG)	\$30	800.00	37.500
(\$2 x 10) + \$5 (2X)	\$30	800.00	37.500
\$5 + \$5 (5X)	\$30	800.00	37.500
\$10 x 3	\$30	800.00	37.500
\$30	\$30	827.59	36.250
(\$2 x 5) + (\$5 x 6) + \$10 (MONEYBAG)	\$50	2,000.00	15.000
(\$2 x 5) + (\$5 x 6) + \$10	\$50	2,000.00	15.000
(\$5 x 5) + \$5 (5X)	\$50	2,000.00	15.000
\$25 (2X)	\$50	2,000.00	15.000
\$50	\$50	2,000.00	15.000
(\$5 x 10) + (\$25 x 2) (MONEYBAG)	\$100	1,200.00	25.000
(\$5 x 8) + (\$10 x 2) + (\$20 x 2)	\$100	1,200.00	25.000
\$20 (5X)	\$100	1,200.00	25.000
\$50 (2X)	\$100	1,200.00	25.000
\$100	\$100	1,200.00	25.000
(\$30 x 10) + (\$100 x 2) (MONEYBAG)	\$500	15,000.00	2.000
(\$30 x 5) + (\$50 x 7)	\$500	15,000.00	2.000
(\$50 x 6) + \$100 (2X)	\$500	15,000.00	2.000
\$100 (5X)	\$500	15,000.00	2.000
\$500	\$500	15,000.00	2.000
(\$50 x 4) + (\$100 x 8) (MONEYBAG)	\$1,000	60,000.00	500
\$100 (5X) + (\$100 x 5)	\$1,000	60,000.00	500
\$100 x 10	\$1,000	60,000.00	500
\$500 (2X)	\$1,000	60,000.00	500
\$1,000	\$1,000	60,000.00	500
(\$100 x 10) + (\$500 x 2) (MONEYBAG)	\$2,000	120,000.00	250
\$2,000	\$2,000	120,000.00	250
\$10,000	\$10,000	120,000.00	250
\$2,500/WK/LIFE	Top Prize	7,500,000.00	4

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-27-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER17-36  
RULE TITLE: Game Number 1353, \$5,000 A WEEK FOR LIFE

SUMMARY: This emergency rule describes Game Number 1353, “\$5,000 A WEEK FOR LIFE,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game. THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-36 Game Number 1353, \$5,000 A WEEK FOR LIFE.

(1) Name of Game. Game Number 1353, “\$5,000 A WEEK FOR LIFE.”

(2) Game Number 1353, \$5,000 A WEEK FOR LIFE is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$5,000 A WEEK FOR LIFE lottery tickets sell for \$10.00 per ticket.

(4) \$5,000 A WEEK FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$5,000 A WEEK FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

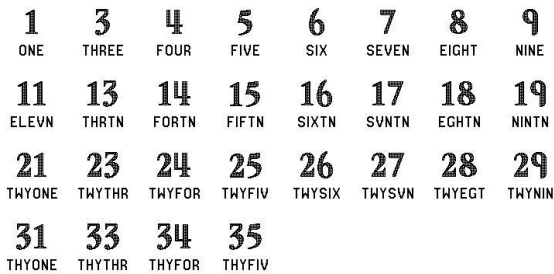
(12) The estimated overall odds of winning some prize in Game Number 1352 are 1 in 3.95. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Instant Game Number 1352, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for \$2,500 A WEEK FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.



(6) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(7) The prize symbols and prize symbol captions are as follows:





(8) The legends are as follows:


YOUR NUMBERS      WINNING NUMBERS


(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A


ticket having a " " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to the prize shown for that

symbol. A ticket having a " " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the

prize shown for that symbol. A ticket having a " " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to ten times the prize shown for that symbol. A ticket having a

" " symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all fifteen prizes shown.

(b) The prizes are: \$1.00, \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000,

\$10,000 and  \$5000/HK.

(10) \$5,000 A WEEK FOR LIFE Top Prize Payment Options.

(a) A winner of a \$5,000 A WEEK FOR LIFE top prize may choose one of two payment options for receiving his or her prize. Payment options are "cash option" or "annual payment." At the time the \$5,000 A WEEK FOR LIFE top prize is claimed, the terminal will produce a top prize player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the cash option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final. If a winner does not choose the Cash Option within the sixty (60) day timeframe, the Annual Payment option will be applied.

(b) Cash option prizes will be paid in a single cash payment of \$4,080,000, less applicable federal withholding taxes.

(c) Annual payment prizes claimed by an individual will be paid in annual installments of \$260,000, less applicable tax withholding taxes, for the life of the winner, with a minimum of twenty years. If the top prize is claimed by a trust, corporation or other legal entity, the life prize shall be fixed at twenty years.

(d) At the end of the guaranteed twenty year payment period, winners receiving annual payments will be required to provide evidence satisfactory to the Lottery that they are still living. Thereafter, winners will be required to provide such evidence on an annual basis prior to receipt of their next scheduled payment.

(e) Any interest or earnings accruing on a \$5,000 A WEEK FOR LIFE top prize prior to the prize payment shall accrue to the State of Florida and not to the winner.

(11) The estimated odds of winning, value, and number of prizes in Instant Game Number 1353 are as follows:

GAME PLAY	WIN	ESTIMATE ODDS OF 1 IN	NUMBER OF WINNERS IN 168 POOLS OF 120,000 TICKETS PER POOL
\$1 (10X)	\$10	30.00	672,000
\$5 (2X)	\$10	20.00	1,008,000
\$10	\$10	30.00	672,000
\$5 x 3	\$15	60.00	336,000
\$5 + \$5 (2X)	\$15	60.00	336,000
\$15	\$15	30.00	672,000
\$5 x 4	\$20	60.00	336,000
\$5 (2X) + \$10	\$20	100.00	201,600
\$10 x 2	\$20	150.00	134,400



\$5 + \$15	\$20	60.00	336,000
\$20	\$20	60.00	336,000
\$5 x 5	\$25	300.00	67,200
(\$5 x 3) + \$10	\$25	300.00	67,200
\$5 + \$10 (2X)	\$25	300.00	67,200
\$10 + \$15	\$25	300.00	67,200
\$25	\$25	300.00	67,200
\$5 x 6	\$30	600.00	33,600
\$10 + \$20	\$30	600.00	33,600
\$10 x 3	\$30	600.00	33,600
\$15 (2X)	\$30	600.00	33,600
\$30	\$30	600.00	33,600
\$5 (10X)	\$50	480.00	42,000
\$5 x 10	\$50	480.00	42,000
\$10 x 5	\$50	480.00	42,000
\$25 (2X)	\$50	480.00	42,000
\$50	\$50	480.00	42,000
(\$5 x 10) + (\$10 x 5) (MONEYBAG)	\$100	400.00	50,400
\$10 (10X)	\$100	480.00	42,000
(\$5 x 10) + (\$10 x 5)	\$100	600.00	33,600
\$25 x 4	\$100	600.00	33,600
\$10 + \$15 (2X) + (\$30 x 2)	\$100	600.00	33,600
\$100	\$100	600.00	33,600
(\$10 x 10) + (\$20 x 5) (MONEYBAG)	\$200	6,000.00	3,360
\$20 (10X)	\$200	6,000.00	3,360
(\$10 x 10) + (\$20 x 5)	\$200	6,000.00	3,360
\$10 (10X) + \$25 (2X) + \$50	\$200	6,000.00	3,360
\$200	\$200	6,000.00	3,360
(\$25 x 10) + (\$50 x 5) (MONEYBAG)	\$500	10,000.00	2,016
\$50 (10X)	\$500	10,000.00	2,016
(\$25 x 10) + (\$50 x 5)	\$500	10,000.00	2,016
\$100 + \$200 (2X)	\$500	10,000.00	2,016
\$500	\$500	10,000.00	2,016
(\$50 x 10) + (\$100 x 5) (MONEYBAG)	\$1,000	24,000.00	840
\$100 (10X)	\$1,000	24,000.00	840
(\$50 x 10) + (\$100 x 5)	\$1,000	24,000.00	840
\$500 (2X)	\$1,000	24,000.00	840
\$1,000	\$1,000	24,000.00	840
\$500 (10X)	\$5,000	120,000.00	168
\$500 x 10	\$5,000	120,000.00	168
(\$1,000 x 3) + \$1,000 (2X)	\$5,000	120,000.00	168
\$5,000	\$5,000	120,000.00	168
\$10,000	\$10,000	120,000.00	168
\$5,000/WK/LIFE	Top Prize	5,040,000.0 0	4

(12) The estimated overall odds of winning some prize in Game Number 1353 are 1 in 3.35. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Instant Game Number 1353, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for \$5,000 A WEEK FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-27-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER17-37  
RULE TITLE: WEEK FOR LIFE Retailer Book Activation Promotion

SUMMARY: The rule sets forth the provisions for the WEEK FOR LIFE Retailer Book Activation Promotion.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott, Tallahassee, Florida 32301.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-37 WEEK FOR LIFE Retailer Book Activation Promotion.

(1) Beginning Monday, July 3, 2017, through Tuesday, July 4, 2017, the Florida Lottery will conduct the WEEK FOR LIFE Retailer Book Activation Promotion (“Promotion”) in which Florida Lottery retailers will have a chance to win \$2,000.

(2) Florida Lottery retailers who activate at least one book of each of the four WEEK FOR LIFE Scratch-Off games (also known as instant games) by midnight ET on Tuesday, July 4, 2017, will be entered into one of eighteen drawings to be held on Wednesday, July 19, 2017 . The four WEEK FOR LIFE games are:

- (a) \$5,000 A WEEK FOR LIFE Game Number 1353;
- (b) \$2,500 A WEEK FOR LIFE Game Number 1352;
- (c) \$1,000 A WEEK FOR LIFE Game Number 1351; and
- (d) \$500 A WEEK FOR LIFE Game Number 1350.

(3) Drawings and Prizes. The eighteen retailer drawings, determined by district and retailer category (corporate or independent), will be conducted by the Florida Lottery using a certified random number generation process. The number of

entries drawn and prizes awarded will be in accordance with the following table:

Lottery Sales District	Prize Per Retailer	Number of Corporate Retailer Prizes	Number of Independent Retailer Prizes
District 1- Tallahassee	\$2,000	2	2
District 3- Pensacola	\$2,000	2	2
District 4- Jacksonville	\$2,000	2	2
District 5- Gainesville	\$2,000	2	2
District 6-Orlando	\$2,000	4	4
District 9- Tampa	\$2,000	4	4
District 10- Ft. Myers	\$2,000	2	2
District 11- West Palm Beach	\$2,000	2	2
District 13- Miami	\$2,000	4	8

A total of 52 \$2,000 prizes will be awarded in the Promotion.

An individual retailer location may only win one prize per drawing. Alternate entries will be drawn in each drawing. The number of alternate entries drawn will be twice the number of prizes to be awarded in that drawing. Alternate entries will be used as needed in the order in which they are drawn to award a prize in the event a retailer’s entry is disqualified. Retailers will be subject to disqualification if the Florida Lottery determines that the return of one or more of the qualifying books of tickets invalidates the entry or if the retailer is not in good financial standing with the Florida Lottery or is not in an “active” retailer status at the time of prize payment.

(4) Winning retailers will receive their Promotion prize check within approximately thirty days of the drawing.

(5) If a retailer is unable to timely activate the required book(s) due to untimely delivery of inventory, the Florida Lottery, in its sole discretion, may allow a retailer to be entered into the applicable retailer drawing provided:

(a) the retailer submits a written request for inclusion in the drawing for receipt by the Florida Lottery by 5:00 p.m. ET on July 12, 2017; and

(b) the retailer’s request demonstrates to the Florida Lottery’s satisfaction that failure of the retailer to timely activate the required book(s) was due to untimely delivery of inventory, through no fault of the retailer.

The Florida Lottery’s determination regarding the retailer’s request shall be final.

(6) A promotional prize will be considered compensation to the retailer for Internal Revenue Service purposes.

(7) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the prize award shall be paid the prize provided the termination or inactivation was not due

to non-compliance with Florida Lottery laws, rules or terms of the retailer contract.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History- New 6-27-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: RULE TITLE:

53ER17-38 Cash Supply Second Chance Promotion

SUMMARY: The Department of the Lottery will conduct the Cash Supply Second Chance Promotion between July 3, 2017 and September 4, 2017 in which three second chance drawings will be held and cash prizes awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-38 Cash Supply Second Chance Promotion.

(1) Beginning July 3, 2017, through September 4, 2017, the Florida Lottery will conduct the Cash Supply Second Chance Promotion (“Promotion”) in which players can enter non-winning Florida Lottery Scratch-Off tickets from the following WEEK FOR LIFE games into a second chance drawing for a chance to win a cash prize:

- (a) \$5,000 A WEEK FOR LIFE Game Number 1353;
- (b) \$2,500 A WEEK FOR LIFE Game Number 1352;
- (c) \$1,000 A WEEK FOR LIFE Game Number 1351; and
- (d) \$500 A WEEK FOR LIFE Game Number 1350;

Winning Scratch-Off tickets from the above listed games cannot be used for entry into the Promotion.

(2) How to Enter.

(a) To enter a non-winning \$5,000 A WEEK FOR LIFE, \$2,500 A WEEK FOR LIFE, \$1,000 A WEEK FOR LIFE or \$500 A WEEK FOR LIFE Scratch-Off ticket into one of the second chance drawings, players must enter on the Florida Lottery’s website at flalottery.com. On the home page of the Florida Lottery’s website, players can click on the Cash Supply Second Chance Promotion banner and follow the directions. Players will be prompted to log-in or register. The 24-digit ticket serial number (4-digit game number and 20-digit ticket number) is located below the play area on the front of a \$5,000 A WEEK FOR LIFE, \$2,500 A WEEK FOR LIFE, \$1,000 A WEEK FOR LIFE and \$500 A WEEK FOR LIFE Scratch-Off ticket under the latex covering. Players are to scratch off the

latex covering to reveal the number and enter the entire 24-digit ticket serial number in the designated ticket entry area on the website.

(b) Entry Determination. Each non-winning \$5,000 A WEEK FOR LIFE, \$2,500 A WEEK FOR LIFE, \$1,000 A WEEK FOR LIFE and \$500 A WEEK FOR LIFE Scratch-Off ticket is assigned a predetermined number of entries that corresponds to the price of the non-winning ticket, as shown in the table below.

Ticket Price Point	WEEK FOR LIFE Game	Number of Entries
\$10	\$5,000 A WEEK FOR LIFE	10
\$5	\$2,500 A WEEK FOR LIFE	5
\$2	\$1,000 A WEEK FOR LIFE	2
\$1	\$500 A WEEK FOR LIFE	1

Players may enter as many times as they wish during the contest period; however, each valid ticket number may only be entered one time. Tickets should not be mailed to the Florida Lottery unless players are contacted by the Florida Lottery and requested to do so. Non-winning tickets received in the mail by the Florida Lottery will not be entered in the drawing and will not be returned. The odds of winning depend on the number of entries entered. All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(c) Facebook Promo Code. The Florida Lottery will post one promo code live on Facebook ([www.facebook.com/floridalottery](http://www.facebook.com/floridalottery)) each week during each of the three entry periods. Each week, the unique promo code will be fully revealed once the Florida Lottery’s live-stream post reaches a pre-determined engagement threshold. The post will be live on the Florida Lottery’s official Facebook page on Thursdays from noon to 1:30 p.m., ET. If the engagement threshold is not met for a specific week, the promo code will not be fully revealed. The live-stream post will continue to be available on the Florida Lottery’s official Facebook page ([www.facebook.com/floridalottery](http://www.facebook.com/floridalottery)) after the live event has concluded; however, each promo code is only valid for one week. A player may earn 15 additional entries by entering the promo code (designated for that week) at the time the player enters a non-winning \$5,000 A WEEK FOR LIFE, \$2,500 A WEEK FOR LIFE, \$1,000 A WEEK FOR LIFE, or \$500 A WEEK FOR LIFE ticket into a drawing. A player may only enter a promo code once during each week.

(3) Prizes. The following table sets forth the prizes available in the Cash Supply Second Chance Promotion.

Prizes per Drawing		
Prize Level	Prize Amount	Number of Winners per Drawing
Top Prize	\$25,000	1
Second Prize	\$10,000	3
Third Prize	\$5,000	3

Fourth Prize	\$1,000	30
A total of 111 prizes will be available in the Promotion.		

(4) Drawings. A total of three second chance drawings will be held and winners will be randomly selected from entries submitted and received before midnight ET on the last day of the entry period for each drawing. The entry periods and drawing dates are set forth in the table below.

Drawing	Entry Period	Drawing Date
1	July 3, 2017 – July 24, 2017	July 26, 2017
2	July 25, 2017- August 14, 2017	August 16, 2017
3	August 15, 2017 – September 4, 2017	September 6, 2017

In each of the drawings, a total of sixty valid entries will be drawn by the Florida Lottery using a certified random number generation process. The first valid entry drawn will win the top prize of \$25,000. The second through fourth valid entries drawn will each win a second prize of \$10,000. The fifth through seventh valid entries drawn will each win a third prize of \$5,000. The eighth through thirty-seventh valid entries drawn will each win a fourth prize of \$1,000. The thirty-eighth through sixtieth valid entries drawn will be used in the order in which they were drawn and in the order of need to select an alternate top, second, third or fourth prize winner in the event a top, second, third or fourth prize cannot be awarded.

(5) Notification.

(a) The prizewinners in each second chance drawing will be posted on [flalottery.com](http://flalottery.com) after the drawing.

(b) The Florida Lottery will attempt to notify each winner by telephone or email using the contact information provided in the winner’s registration data no later than twenty-four hours after the winners are posted on the Florida Lottery’s website. The Florida Lottery deems the winner’s registration data as the winner’s official contact information, including the physical mailing address, and will not attempt to further locate a winner if attempts to reach the winner using the winner’s registration data are unsuccessful. If the Florida Lottery is unable to have personal contact with the top, second, third or fourth prize winner within two weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the first alternate winner in accordance with subsection (4) above. If the Florida Lottery is unable to have personal contact with the first alternate winner within two weeks of the date of notification, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of

available alternates. If the Florida Lottery is unable to contact an alternate, the prize will not be awarded.

(6) How to Claim a Prize. To claim any prize in a Cash Supply second chance drawing, the winner must submit to the Florida Lottery the original valid non-winning \$5,000 A WEEK FOR LIFE, \$2,500 A WEEK FOR LIFE, \$1,000 A WEEK FOR LIFE or \$500 A WEEK FOR LIFE Scratch-Off ticket bearing the entry number selected in the drawing. Without such ticket, the winner will forfeit his or her right to claim a prize. The winner must submit the valid entry ticket along with a completed Winner Claim Form DOL 173-2, revised 9/13, or Spanish Winner Claim Form DOL 173-2S, revised 9/13 and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Forms DOL 173-2 and DOL 173-2S are hereby incorporated by reference and may be obtained at any Florida Lottery office, from the Florida Lottery's website at flalottery.com, or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The required documentation must be received by the Florida Lottery no later than two weeks after the Florida Lottery has made personal contact with the winner. If the Florida Lottery has not received the required documentation from a prizewinner by the fourteenth day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the first alternate winner in accordance with subsection (4) above. If the Florida Lottery is unable to have personal contact with the first alternate winner within two weeks of the date of notification, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Florida Lottery is unable to contact an alternate, the prize will not be awarded.

(7) Award of Top Prize. Upon the Florida Lottery's timely receipt of the top prize winner's required documentation, the Lottery will award a prize of \$25,000, less applicable federal tax withholding.

(8) Award of Second Prizes. Upon the Florida Lottery's timely receipt of a second prize winner's required documentation, the Lottery will award a prize of \$10,000, less applicable federal tax withholding.

(9) Award of Third Prizes. Upon the Florida Lottery's timely receipt of a third prize winner's required documentation, the Lottery will award a prize of \$5,000.

(10) Award of Fourth Prizes. Upon the Florida Lottery's timely receipt of a fourth prize winner's required documentation, the Lottery will award a prize of \$1,000.

(11) Taxes. All federal, state and/or local taxes or other fees on the prizes won in the Cash Supply Second Chance Promotion will be the responsibility of the winner. Thirty percent federal income tax withholding will be withheld from any prize won by a nonresident alien claimant in the Promotion, regardless of the amount of the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(12) Other Restrictions and Provisions.

(a) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes shall be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(b) If any prizewinner in the Cash Supply Second Chance Promotion is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with section 24.115, Florida Statutes.

(c) Players must be at least 18 years of age. Persons prohibited by section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(d) By entering the Cash Supply Second Chance Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(e) Cash Supply second chance drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's website at flalottery.com. Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1) FS. History – New 6-27-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER17-39  
RULE TITLE: FLORIDA LOTTO®

SUMMARY: This emergency rule sets forth the provisions for the conduct of FLORIDA LOTTO®. This emergency rule replaces Emergency Rule 53ER14-18.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-39 FLORIDA LOTTO®.

(1) How to Play FLORIDA LOTTO®.

(a) FLORIDA LOTTO is a Draw lottery game (also known as an online terminal lottery game) in which players select six (6) numbers from a field of one (1) to fifty-three (53).

(b) Players may make their FLORIDA LOTTO ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting six (6) numbers from each panel played, or may mark the "QP" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the six (6) numbers. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel.

(c) Players must use only blue or black ink or pencil for making selections. The use of mechanical, electronic, computer generated or any other non-manual method of marking play slips is prohibited. Play slips may be processed through a Florida Lottery vending machine or processed by a retailer to obtain a ticket. Retailers are authorized to manually enter numbers selected by a player.

(d) Players may play up to fifty-two (52) consecutive FLORIDA LOTTO drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel (A-J) played. Advance play is not available with Jackpot Combo. In the event that a planned change in the FLORIDA LOTTO game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website, flalottery.com.

(e) Players may elect to play "Jackpot Combo" to receive three (3) Quick Pick tickets for the next available drawing consisting of one (1) \$2.00 FLORIDA LOTTO® with XTRA ticket, one (1) \$2.00 POWERBALL® ticket and one (1) \$1.00 MEGA MILLIONS® ticket by marking the "Jackpot Combo \$5" box on the play slip or by telling the retailer. Tickets in Jackpot Combo play cannot be player selected and cannot be canceled.

(2) FLORIDA LOTTO Drawings.

(a) FLORIDA LOTTO drawings shall be conducted twice per week, on Wednesday and Saturday.

(b) The equipment shall be configured so that six (6) balls are drawn from one (1) set of balls numbered one (1) through fifty-three (53).

(c) Six (6) balls will be selected in the drawing. The numbers shown on the six (6) balls, after certification by the Draw Manager and the Accountant, are the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FLORIDA LOTTO Prize Divisions.

(a) FLORIDA LOTTO is a pari-mutuel game. For each drawing, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of FLORIDA LOTTO tickets in the corresponding FLORIDA LOTTO sales period shall be allocated as the winning pool for the payment of prizes as provided below. The value of the FLORIDA LOTTO portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from FLORIDA LOTTO gross sales in all reports, and the value of the XTRA portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from XTRA gross sales in all reports.

(b) The Jackpot prize pool shall consist of 63.5 percent (63.5%) of the Lotto pool for the drawing, plus any Jackpot money carried forward from the previous drawings. The Jackpot prize shall be divided equally among the players matching all six official winning numbers. If there is no Jackpot winner in a drawing, the Jackpot pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(c) The second prize pool shall consist of 12.3 percent (12.3%) of the Lotto pool for the drawing. The second prize pool shall be divided equally among the players matching five (5) of the six (6) official winning numbers. If there is no winner in the second prize category for a drawing, the second prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(d) The third prize pool shall consist of 10 percent (10%) of the Lotto pool for the drawing. The third prize pool shall be divided equally among the players matching four (4) of the six (6) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(e) The fourth prize pool shall consist of 14.2 percent (14.2%) of the Lotto pool for the drawing. The fourth prize pool shall be divided equally among the players matching three (3)

of the six (6) official winning numbers. If there is no winner in the fourth prize category for a drawing, the fourth prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(f) The Jackpot prize will pay the guaranteed dollar amount. The second, third and fourth prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the fourth prize shall be no less than \$5.00. All rounding differences in the second, third and fourth prizes shall be used to fund future prizes in Lottery games or for special Lottery prize promotions. If the funds available for the payment of fourth prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I, or J) must match the official winning FLORIDA LOTTO numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

- (a) Jackpot Prize(s): Six of six official winning numbers.
- (b) Second Prize: Five of six official winning numbers.
- (c) Third Prize: Four of six official winning numbers.
- (d) Fourth Prize: Three of six official winning numbers.
- (5) FLORIDA LOTTO Guaranteed Jackpot.

(a) For each drawing the Lottery will announce a guaranteed deferred payment value of the Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers, if any.

(b) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is insufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(c) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is more than sufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(d) The guaranteed cash option value of the Jackpot will be the amount required on the day of the drawing or, if the drawing is held on a Saturday or holiday, the business day prior to the drawing, to purchase securities to fund the announced guaranteed deferred payment value of the Jackpot. This day shall be referred to as the "prize determination day."

(e) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is less than the cash option value of the Jackpot determined on the prize determination day, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature sufficient to pay the cash option value of the Jackpot.

(f) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is more than the cash option value of the Jackpot determined on the prize determination day, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(6) FLORIDA LOTTO with XTRA Option.

(a) The FLORIDA LOTTO with XTRA option shall be available in association with the FLORIDA LOTTO game. FLORIDA LOTTO tickets that contain the XTRA option and one or more plays eligible for FLORIDA LOTTO prizes shall be entitled to a total prize calculated by multiplying each FLORIDA LOTTO prize other than the Jackpot prize and the 2-of-6 prize described in paragraph (6)(d) below by the XTRA number for the applicable drawing. The FLORIDA LOTTO Jackpot and the 2-of-6 prize will not be eligible for multiplication under the XTRA option.

(b) At the time of purchasing a FLORIDA LOTTO ticket, a player may choose the XTRA option for an additional \$1 per play for each play on the FLORIDA LOTTO ticket. The XTRA option will apply to all panels and selections marked on the play slip. The prize pool for XTRA prizes shall be funded by LOTTO with XTRA ticket sales. If the funds available from XTRA ticket sales are insufficient to pay all XTRA prizes, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(c) Prior to each FLORIDA LOTTO drawing, the Lottery shall conduct an XTRA drawing to select the XTRA number from among the following series of numbers: 2, 3, 4, and 5. The odds of a particular XTRA number being selected in an XTRA drawing are 1:4. During special promotions, the Lottery will announce XTRA numbers that are higher than the foregoing series of numbers.

(d) FLORIDA LOTTO with XTRA tickets that match 2 of 6 winning numbers shall entitle the holder to a prize of a free FLORIDA LOTTO with XTRA quick pick ticket for the next available FLORIDA LOTTO drawing. FLORIDA LOTTO with XTRA tickets generated as a prize cannot be canceled.

(e) All XTRA prizes shall be paid in single, lump-sum payments determined by multiplying the FLORIDA LOTTO prize by the number selected in the XTRA drawing as follows:

FLORIDA LOTTO		XTRA Estimated Prizes			
Match	Prize	X2 (Odds 1:4)	X3 (Odds 1:4)	X4 (Odds 1:4)	X5 (Odds 1:4)

6 of 6	Jackpot (Guaranteed)	—	—	—	—
5 of 6	\$5,000 (Estimated)	\$10,000	\$15,000	\$20,000	\$25,000
4 of 6	\$70 (Estimated)	\$140	\$210	\$280	\$350
3 of 6	\$5 (Guaranteed minimum)	\$25 (Guaranteed minimum)	\$25 (Guaranteed minimum)	\$25 (Guaranteed minimum)	\$25 (Guaranteed minimum)
2 of 6	N/A	Free Ticket	Free Ticket	Free Ticket	Free Ticket

(f) On occasion, the Florida Lottery will conduct promotions in which specified prize levels of FLORIDA LOTTO with XTRA tickets will be designated to have a higher multiplier number than the number drawn pursuant to paragraph (6)(c), above.

(7) FLORIDA LOTTO Odds of Winning.

The odds of winning the prizes described in subsection (4) and paragraph (6)(d) are as follows:

- (a) Jackpot Prize – 1:22,957,480.
- (b) Second Prize – 1:81,409.50.
- (c) Third Prize – 1:1,415.82.
- (d) Fourth Prize – 1:70.79.
- (e) Fifth Prize for LOTTO EXTRA plays only – 1:8.58

(f) The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO ticket without the XTRA feature are 1:67.36. The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO with XTRA ticket are 1:7.61.

(8) FLORIDA LOTTO Payment Options.

(a) Players have a choice of two payment options for receiving their portion of a FLORIDA LOTTO Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once a Jackpot winner files a claim and exercises the winner's chosen option, the election of that option shall be final. In order to select the Cash Option, the Jackpot winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot winner does not elect the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (8)(f) below.

(c) A Jackpot winner who chooses the Cash Option will receive one (1) lump sum cash payment of the amount required on the prize determination day to purchase securities to fund the Jackpot prize paid over thirty (30) years, less applicable withholding taxes. The amount of the Cash Option payment to multiple Jackpot winners will be the amount required on the prize determination day to purchase securities to fund their pro rata share of the Jackpot prize paid over thirty (30) years, less applicable withholding taxes.

(d) If a Jackpot prize winner elects the Annual Payment option, his or her portion of the Jackpot prize will be paid in thirty (30) annual installments, each less applicable withholding taxes.

(e) If the prize amount per winner in a FLORIDA LOTTO drawing cannot be paid in increments of \$1,000 in thirty (30) installments, the winner’s share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over thirty (30) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the announced guaranteed Jackpot, the present value of the difference between the amount the investment will yield and the winner’s guaranteed prize amount over thirty (30) years will be paid to the winner in the first payment.

(f) If the number of winners of a Jackpot prize would result in each person’s prize being less than \$1,000,000 if paid over thirty (30) years, the Lottery shall pay the Jackpot winner or winners in a single cash payment of the amount required on the prize determination day to purchase securities to fund the winner’s pro rata share of the Jackpot paid over thirty (30) years, less applicable withholding taxes.

(g) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made.

(h) Any interest or earnings accrued on a FLORIDA LOTTO Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment option, shall accrue to the State of Florida and not to the winner.

(9) FLORIDA LOTTO Rules and Prohibitions.

(a) By purchasing a FLORIDA LOTTO ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) FLORIDA LOTTO prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and online system availability, FLORIDA LOTTO tickets are available for purchase daily between the hours of 6:00 a.m. and midnight Eastern Time (ET).

(d) The scheduled time for the Wednesday and Saturday FLORIDA LOTTO drawings is approximately 11:15 p.m., ET. Ticket sales for a specific FLORIDA LOTTO drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next FLORIDA LOTTO draw date.

(e) Retailer cancellations of FLORIDA LOTTO tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two (2) hours after printing, except that no FLORIDA LOTTO ticket shall be

canceled after game close for the related drawing. The two (2) hour cancellation period may be reduced due to the selling retailer’s hours of business operation, the hours of online system availability, or the time of the related FLORIDA LOTTO close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers, wager amounts and draw date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105 (9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History— New 6-27-17, Replaces 53ER14-18.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER17-40  
RULE TITLE: End of Fiscal Year Retailer Bonus Sales Commission

SUMMARY: The rule sets for the provisions for the End of Fiscal Year Retailer Bonus Sales Commission retailer incentive.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-40 End of Fiscal Year Retailer Bonus Sales Commission.

(1) Subject to the funding provisions set forth in subsection (7) below, on June 29, 2017, the Florida Lottery will conduct the End of Fiscal Year Retailer Bonus Sales Commission retailer incentive (“Retailer Incentive”). The incentive period will begin at 6:00 a.m. E.T., and conclude at 12:00 midnight E.T., on June 29, 2017 (“Incentive Period”). During the Incentive Period, the Florida Lottery will pay Florida Lottery retailers an additional one percent bonus sales commission in addition to the standard five percent sales commission on the

total value of each full and partial book of Scratch-Off Florida Lottery tickets settled.

(2) The standard sales commission will be reflected on the retailer’s weekly Settlement Report.

(3) The bonus sales commission will be reflected on the retailer’s weekly Settlement Report as an adjustment at the conclusion of the Retailer Incentive.

(4) Retailers who settle one or more books of tickets during the Incentive Period and subsequently return such book or books of tickets will be subject to revocation of the bonus sales commission.

(5) Retailers whose Florida Lottery contracts are terminated or inactivated prior to payment of the bonus sales commissions shall be paid the commissions earned provided said termination or inactivation was not due to noncompliance with Chapter 24, Florida Statutes, Chapter 53, Florida Administrative Code, or terms of the retailer contract.

(6) Bonus sales commissions will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply a bonus sales commission earned against a retailer’s outstanding debt to the Florida Lottery.

(7) Bonus sales commissions are subject to the availability of funding for the Retailer Incentive. If funding is not available on June 29, 2017, the Retailer Incentive will not be conducted and bonus sales commissions will not be awarded.

Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History – New 6-27-17.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 6-27-17.

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER17-41  
RULE TITLE: CASH4LIFE®

SUMMARY: This emergency rule sets forth the provisions for the conduct of the draw lottery game, CASH4LIFE®. This emergency rule replaces Emergency Rule 53ER17-7.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER17-41 CASH4LIFE®.

(1) Definitions.



The following words and phrases, when used in this rule, have the following meanings, unless the context clearly indicates otherwise:

(a) Annuitant—The person or entity who receives the benefits of an annuity resulting from a CASH4LIFE® Winning Play on a Winning Ticket for the Top Prize or Second Prize paid under the Annuity Option.

(b) Annuity Option—The manner in which the CASH4LIFE Top Prize and Second Prize may be paid in annual installments for the Annuitant's Measuring Life.

(c) Cash Ball Number—The number selected from the field of numbers one through four, which is selected by the player or randomly generated using the Quick Pick option, which forms the last number of a Play. The Cash Ball Number may be the same number as one of the five numbers a player selects from the Player Number Sequence.

(d) Cash Option—The manner in which the CASH4LIFE Top Prize or Second Prize may be paid in a lump sum single payment.

(e) CASH4LIFE—CASH4LIFE is a multi-state lottery draw game (also known as an online lottery game) which is offered to players in Florida by the Florida Lottery via authorized Florida Lottery retailers.

(f) CASH4LIFE Drawing—The drawing conducted during which the CASH4LIFE Winning Numbers are selected.

(g) CASH4LIFE Regional Game Agreement—The agreement between the Party Lotteries which establishes the terms for selling the CASH4LIFE game in the Party Lotteries' jurisdictions.

(h) CASH4LIFE Winning Numbers—The six numbers, the first five of which are comprised of a Winning Number Sequence and the sixth of which is comprised of a Winning Cash Ball Number, that are randomly selected during each CASH4LIFE Drawing and certified by an Independent Certified Public Accounting Firm and that shall be used to determine Winning Plays contained on official CASH 4 LIFE tickets.

(i) Deferred Annuity Portion- The portion of the Annuity Option paid once the prizewinner exceeds the Guaranteed Portion of the annuity. The Deferred Annuity Portion installments will continue to be paid for the remainder of the prizewinner's Measuring Life.

(j) Directors- The chief executive of any Party Lottery or any other person to whom the Director's authority is lawfully delegated.

(k) Guaranteed Annuity Portion—The portion of the Annuity Option where the prizewinner is guaranteed annuity payments for the first twenty years of the prizewinner's Measuring Life.

(l) Liability Limit- A pre-established threshold, as determined and announced by the Party Lotteries before sales

commence for a drawing to which the threshold applies, equal to a fixed percentage of the gross ticket sales receipts for a particular drawing (or such fixed percentage plus an additional reserve amount), according to the established procedures agreed to by the Party Lotteries.

(m) Measuring Life or Life—The period over which a Top Prize or Second Prize is paid out under the Annuity Option. Except as provided below, for each Top Prize winning Play or Second Prize winning Play, the Measuring Life shall be the natural life of the individual who the Florida Lottery determines to be a valid prizewinner. However, for a claim made by or on behalf of a trust, corporation or other legal entity, the Measuring Life shall be fixed at twenty (20) years.

(n) Party Lottery or Lotteries—The group of state lotteries that joined together to offer the CASH4LIFE game under the terms of the CASH4LIFE Regional Game Agreement.

(o) Play—The six numbers imprinted on a CASH4LIFE ticket, prefixed by letters A through E, to be played by a player in CASH4LIFE. The six numbers are comprised of a Player Number Sequence and a Cash Ball Number.

(p) Player Number Sequence—A sequence of five numbers ranging from one through sixty, which are selected by the player or randomly generated using the Quick Pick option, that form the first five numbers of a CASH4LIFE Play.

(q) Second Prize—The CASH4LIFE prize awarded for matching the Player Number Sequence with the Winning Number Sequence.

(r) Set Prizes -A set amount award in the CASH4LIFE game for third through ninth prizes.

(s) Top Prize- The Top Prize in the CASH4LIFE game awarded for matching the Player Number Sequence and the Cash Ball Number with the Winning Number Sequence and the Winning Cash Ball Number.

(t) Winning Cash Ball Number—The one number ranging from one through four that is randomly selected during a CASH4LIFE Drawing that comprises the last number of the CASH4LIFE Winning Numbers.

(u) Winning Number Sequence—The sequence of five numbers ranging from one through sixty that are randomly selected during a CASH4LIFE Drawing that comprise a portion of the CASH4LIFE Winning Numbers.

(v) Winning Play(s)- The Play(s) that matches the official CASH4LIFE Winning Numbers in any order for the drawing date for which the ticket was purchased, in one of the combinations set forth in subsection (4).

(w) Winning Ticket- An official Florida Lottery CASH4LIFE ticket that passes all validation and security requirements and that contains a Winning Play or Winning Plays.

(2) How to Play CASH4LIFE.

(a) In CASH4LIFE, players select five numbers from a field of one through sixty and one number from a separate field of one through four for each Play.

(b) Players may make their CASH4LIFE ticket selections by marking a play slip or by telling the retailer their desired selections. There are five panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$2.00 per Play, per drawing. Players may mark their desired numbers on the play slip by selecting six numbers (five in the upper play area and one in the lower play area) from each panel played. Players may also mark the “QP” (Quick Pick) box located at the bottom of each play area for the terminal to randomly select any or all of the six numbers from either or both play areas. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first five of the six numbers appearing in a single horizontal row on a CASH4LIFE ticket shall be the numbers selected from the upper play area of the play slip, and the last number shall be the Cash Ball Number selected from the lower play area of the play slip.

(c) Players may mark the \$10 “Quick Picks for next draw” box to receive one ticket with five sets of six randomly selected numbers for the next CASH4LIFE drawing, or may mark the \$20 “Quick Picks for next draw” box to receive one ticket with ten sets of six randomly selected numbers for the next CASH4LIFE drawing. Players may mark Quick Picks in addition to panel plays.

(d) Players must use only blue or black ink or pencil for making selections. The use of mechanical, electronic, computer generated or any other non-manual method of marking Play Slips is prohibited. Play slips may be processed through a Florida Lottery full service vending machine or processed by a Florida Lottery retailer to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(e) Advance Play. Players may play up to twenty-six consecutive CASH4LIFE Drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played. In the event that a planned change in the CASH4LIFE game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery’s website.

(3) CASH4LIFE Drawings.

(a) CASH4LIFE Drawings to determine the CASH4LIFE Winning Numbers shall be conducted at the studios of New

Jersey Lottery Headquarters (or elsewhere as determined by the Party Lotteries) on Monday and Thursday at approximately 9:00 p.m., ET; however, the day, time or location of Drawings may be modified as determined by the Directors and publicly announced by the Party Lotteries. Substitute Drawings may be held at the discretion of the state holding the Drawing. All drawings shall be public and witnessed by an independent certified public accounting firm.

(b) Manner of Conducting Drawings. The drawing officials will select, at random, with the aid of mechanical devices or any other selection methodology as authorized by the Party Lotteries, the CASH4LIFE Winning Numbers.

(c) Neither the Party Lotteries nor the Florida Lottery shall be responsible for incorrect circulation, publication or broadcast of official Winning Numbers.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row (the Player Number Sequence and the Cash Ball Number) on the ticket must match the official CASH4LIFE Winning Numbers in any order for the drawing date for which the ticket was purchased, in one of the following combinations:

(a) Top Prize: Five numbers selected from the first set of balls plus the Cash Ball Number selected from the second set of balls.

(b) Second Prize: Five numbers selected from the first set of balls and not the Cash Ball Number from the second set of balls.

(c) Third Prize: Four numbers selected from the first set of balls plus the Cash Ball number selected from the second set of balls.

(d) Fourth Prize: Four numbers selected from the first set of balls and not the Cash Ball Number from the second set of balls.

(e) Fifth Prize: Three numbers selected from the first set of balls plus the Cash Ball Number selected from the second set of balls.

(f) Sixth Prize: Three numbers selected from the first set of balls and not the Cash Ball Number from the second set of balls.

(g) Seventh Prize: Two numbers selected from the first set of balls plus the Cash Ball Number selected from the second set of balls.

(h) Eighth Prize: Two numbers selected from the first set of balls and not the Cash Ball Number selected from the second set of balls.

(i) Ninth Prize: One number selected from the first set of balls and the Cash Ball Number selected from the second set of balls.

(5) Limited to Highest Prize Won. The holder of a winning ticket may win only one prize per Play in connection with the CASH4LIFE Winning Numbers drawn and shall be

entitled only to the prize won by those numbers in the highest matching prize category.

**(6) CASH4LIFE Prize Fund.** The CASH4LIFE Prize Fund for all prize categories shall consist of fifty-five percent of each drawing period’s sales, but may be higher or lower based upon the number of winners at each prize level and funding required to contribute to the Top or Second Prize.

**(7) Prizes, Odds of Winning, Percent of Prize Fund to Be Paid in Prizes.** The following table sets forth the prizes, the odds of winning each prize per play, and the percent of each dollar in sales anticipated to be paid in prizes in each prize level:

<b>Prize Level</b>	<b>Prize</b>	<b>Odds of Winning per Play</b>	<b>Percent of Prize Fund Anticipated to Be Paid in Prizes</b>
Top	Annuity Option - \$1,000/Day for Life (Paid Annually)* Cash Option**	1:21,846,048	32.90%
Second	Annuity Option- \$1,000/Week for Life (Paid Annually)* Cash Option**	1:7,282,016	13.80%
Third	\$2,500	1:79,440	2.90%
Fourth	\$500	1:26,480	1.70%
Fifth	\$100	1:1,471	6.20%
Sixth	\$25	1:490	4.60%
Seventh	\$10	1:83	10.90%
Eighth	\$4	1:28	13.00%
Ninth	\$2	1:13	14.00%
Total			100.00%

The overall odds of winning a prize in a CASH4LIFE Drawing are 1 in 8.

\* Leap Day does not count for purposes of prize calculation.

\*\* The Cash Option amount will be determined as set forth herein.

**(8) Prize Liability Limitation.** In the event that a Liability Limit would be exceeded for a particular Draw, the prize amounts for Top and Second Prizes shall be adjusted in accordance with a formula established by the Party Lotteries so that the aggregate liability for prizes in such Draw shall not exceed the Liability Limit.

**(a) Top Prize –** For any drawing, if the total liability exceeds \$7,000,000 (there is more than one Top Prize Winning Play), the Top Prize amount for each Winning Play shall be \$7,000,000 divided by the number of Winning Plays on Winning Tickets sold.

**(b) Second Prize –** For any drawing, if the total liability exceeds \$5,000,000 (there are more than five Second Prize Winning Plays), the Second Prize amount for each Winning Play shall be \$5,000,000 divided by the number of Winning Plays on Winning Tickets sold.

**(c) In the event that any single drawing should produce more than seven Top Prize Winning Plays and at least one**

**Second Prize Winning Play, both the Top Prize and Second Prize will become pari-mutuel prizes.** The total prize pool to be allocated equally among the total number of Winning Plays in this scenario will total \$7,000,000 plus the lesser of \$5,000,000 or \$1,000,000 multiplied by the number of Second Prize Winning Plays. Each Top Prize and Second Prize Winning Play will share the defined prize pool equally for the cash value, and the Annuity Option will be calculated as set forth in paragraphs (9)(b) and (10)(b).

**(9) Top Prize Payment.** In any single drawing, a Top Prize shall be divided equally among the number of Top Prize Winning Plays. Except as provided herein, a Top Prize shall be paid either as an annuity (“Annuity Option”) or lump sum cash payment (“Cash Option”). Top Prize winners have sixty days after the winning draw date to choose between the two payment options. Once the Top Prize winner signs the Winner Claim Form, files a claim and exercises the winner's chosen option, the election of that option shall be final and cannot be revoked, withdrawn or otherwise changed. If the Top Prize winner does not elect the Cash Option within sixty days after the winning draw date, the Annuity Option will be applied, except as provided in subparagraph (9)(b) 2. , below. Shares of the Top Prize shall be determined as follows:

**(a) If there is one Top Prize Winning Play, the annuitized Prize value will be \$1,000 per day for life, paid in annual installments of \$365,000, or a one-time lump sum cash prize payment of \$7,000,000.**

**(b) If there is more than one Top Prize Winning Play and the liability limit is exceeded, the Top Prize will be paid on a pari-mutuel basis. The Top Prize Cash Option shall be a lump sum cash amount equal to \$7,000,000 divided by the number of Top Prize Winning Plays for the drawing, rounded down to a whole dollar value. The annual payment amount shall be the pari-mutuel cash value divided by \$7,000,000, multiplied by \$365,000.**

**1. If there is more than one and less than or equal to fourteen Top Prize Winning Plays, the minimum annuitized prize value will be \$500 a week for life, paid in annual installments.**

**2. In the event there are fifteen or more Top Prize Winning Plays among the Party Lotteries, no Annuity Option shall be available. Rather, the prize money for the Top Prize shall be \$7,000,000 divided equally among all Top Prize Winning Plays and paid in one lump sum payment to each winner. The minimum Top Prize shall not be less than any prize payout for the second through the ninth prizes for the same CASH4LIFE Drawing.**

**(10) Second Prize Payment.**

**(a) Except as provided herein, a Second Prize shall be paid either as an annuity (“Annuity Option”) or lump sum cash payment (“Cash Option”). Second Prize winners have sixty**

days after the winning draw date to choose between the two payment options. Once the Second Prize winner signs the Winner Claim Form, files a claim and exercises the winner's chosen option, the election of that option shall be final and cannot be revoked, withdrawn or otherwise changed. If the Second Prize winner does not elect the Cash Option within sixty days after the winning draw date, the Annuity Option will be applied, except as provided in paragraph (10)(b), below. For each Second Prize Winning Play, the annuitized prize value will be \$1,000 per week for life, paid in annual installments of \$52,000, or a one-time lump sum cash prize payment of \$1,000,000, unless a liability limit would be exceeded.

(b) If a liability limit is exceeded for the Second Prize, the Second Prize shall be paid on a pari-mutuel basis. The Second Prize Cash Option shall be an amount equal to \$5,000,000 divided by the number Second Prize Winning Plays. The Annuity Payment amount shall be the pari-mutuel cash value of the Winning Play divided by \$1,000,000 multiplied by \$52,000. If the liability limit is exceeded and the annuity prize value of a Second Prize falls below \$500 per week for life, then all Second Prize Winning Plays will be paid in a single lump sum cash payment and no annuitized payment option will be available. The minimum Second Prize value shall not be less than any prize payout for the Third through the Ninth Prize levels for the same CASH4LIFE Drawing.

(11) Annual Payment Schedule. The winner of a Top Prize or Second Prize who elects the Annuity Option will receive the first full annual installment as soon as reasonably possible after the prize claim is validated. All subsequent annual payments for prizes claimed by an individual will be paid in equal annual installments for the Measuring Life of the winner, with a minimum of twenty years of payments. All subsequent annual payments for prizes claimed by a trust, corporation or other legal entity shall be paid in equal installments, such that the total payments (including the initial installment) equal twenty years of payments.

(12) Third through Ninth Prize Payment. The Third through Ninth Prizes will be paid as Set Prizes and paid in one single cash payment.

(13) Prizes Rounded Down to Nearest Whole Dollar. All prize levels will be rounded down to the nearest whole dollar.

(14) Life Annuity Requirements and Restrictions. An Annuitant will be paid their appropriate Top Prize share or Second Prize share on an annual basis for their Measuring Life, or for the twenty year term of the Guaranteed Annuity Portion whichever is longer. At the end of the guaranteed twenty year payment period, Annuitants will be required to provide required evidence to the Lottery that they are still living in order to receive any Deferred Annuity Portion Installments. Annuitants will be required to provide such evidence on an annual basis prior to receipt of their next scheduled payment. In the event

that an Annuitant dies within the twenty year Guaranteed Annuity Portion, any remaining prize payments in the Guaranteed Annuity Portion will be paid as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(15) Interest or Earnings accruing on a CASH4LIFE prize. Any interest or earnings accruing on a CASH4LIFE prize prior to the prize payment shall accrue to the Florida Lottery and not to the winner.

(16) Taxes. Federal withholding taxes shall be deducted from prizes for which it is applicable in accordance with the Internal Revenue Code and Code of Federal Regulations.

(17) CASH4LIFE Rules and Prohibitions.

(a) By purchasing a CASH4LIFE ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) All liabilities for a CASH4LIFE prize are discharged upon payment of a prize claim. All claims arising out of the CASH4LIFE game must be pursued only against the State of ticket purchase, and litigation, if any, shall only be maintained against the Party Lottery of the State of ticket purchase and within the State of ticket purchase as the sole and exclusive remedy of the claimant.

(c) Florida CASH4LIFE prizes shall be claimed only through a Florida Lottery retailer (for prizes less than \$600) or Lottery office beginning on the first business day following the drawing. Top Prizes and Second Prizes must be claimed at Lottery headquarters. The Lottery is not authorized to accept claims or pay prizes for CASH4LIFE tickets purchased in other jurisdictions. CASH4LIFE prize payments shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(d) Subject to a retailer's hours of operation and on-line system availability, CASH4LIFE lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, ET. Ticket sales for a specific CASH4LIFE Drawing will close at 8:30 p.m., ET, on the night of the drawing. Any ticket sold after the close of game will be printed with the next CASH4LIFE Drawing date.

(e) CASH4LIFE tickets cannot be canceled.

(18) The effective date of this emergency rule is July 1, 2017.

Rulemaking Authority 24.105(9)(a), (b), (c), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c), (e), (f), (h), 24.115(1), FS. History—New 7-1-17, Replaces 53ER17-7.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE:7-1-17.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 26, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Regency Palms Condominiums at 5089 Royal Palms Way, New Port Richey, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Sections 2.2.2.5, 3.27.4, 5.2.1.2, and 5.2.2.14, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators, which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-101).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, [dhr.elevators@myfloridalicense.com](mailto:dhr.elevators@myfloridalicense.com).

### Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles, Office of Motorist Modernization announces a public meeting to which all persons are invited.

DATE AND TIME: July 11, 2017, 1:00 p.m. – 3:00 p.m., ET  
PLACE: Neil Kirkman Building, Conference Room B-202, 2900 Apalachee Parkway, Tallahassee, Florida 32399, GoToMeeting call-in information is also provided below.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization Program.

System functionality and requirements will also be presented to the group for consideration and input.

AGENDA

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- IV&V Update
- Stakeholder Outreach Update
- Policy and Decisions Review
- MM Phase I Program Update
  - o Status Update and Financial Review
  - o Change Request Review
  - o Program / Project Updates
  - o Communications Update
- Q&A
- Adjourn

Join the meeting from your computer, tablet or smartphone at <https://global.gotomeeting.com/join/630034677>.

Dial in by phone at: United States, +1 (646)749-3129; United States (toll-free), 1(877)309-2073; access code: 630-034-677; audio PIN: shown after joining the meeting.

A copy of the agenda may be obtained by contacting: the agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100, [terrencesamuel@flhsmv.gov](mailto:terrencesamuel@flhsmv.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).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled Commission Conference, to which all interested persons are invited.

DATE AND TIME: Thursday, July 13, 2017, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S. Persons who may be affected by Commission action on certain items on the Conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C. The Commission Conference Notice, Agenda, related documents, and FPSC contact information are available at [www.floridapsc.com](http://www.floridapsc.com).

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in 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, (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

**EMERGENCY CANCELLATION OF CONFERENCE:** If a named storm or other disaster requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website ([www.floridapsc.com](http://www.floridapsc.com)) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

---

#### PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting, to which all interested persons are invited.

**DATE AND TIME:** Thursday, July 13, 2017, immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

**PLACE:** Room 105, Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss and make decisions on matters affecting Commission operations. Internal Affairs Agendas and FPSC contact information is available at [www.floridapsc.com](http://www.floridapsc.com).

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 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

**EMERGENCY CANCELLATION OF MEETING:** If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website ([www.floridapsc.com](http://www.floridapsc.com)) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at (850)413-6770.

---

#### EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Local Emergency Planning Committee (LEPC), Chairpersons and Staff Contacts for the State Emergency Response Commission for Hazardous Materials announces a public meeting to which all persons are invited.

**DATE AND TIME:** July 20, 2017, 1:30 p.m.

**PLACE:** Hilton St. Petersburg Bayfront, Room: St. Petersburg 1 & 2, 333 1st Street South, St. Petersburg, FL 33701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss the activities and goals of the Local Emergency Planning Committee in implementing the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. 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 State Emergency Response Commission for Hazardous Materials (SERC) announces a public meeting to which all persons are invited.

**DATE AND TIME:** July 21, 2017 10:00 a.m.

**PLACE:** Hilton St. Petersburg Bayfront, Room: St. Petersburg 1 & 2, 333 1st Street South, St. Petersburg, FL 33701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss the requirements of the Emergency Planning and Community Right-To-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act of 1986.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities

Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. 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 State Emergency Response Commission for Hazardous Materials Training Task Force (TTF) announces a public meeting to which all persons are invited.

DATE AND TIME: July 20, 2017, 9:30 a.m.

PLACE: Hilton St. Petersburg Bayfront, Room: St Petersburg 1 & 2, 333 1st Street South, St. Petersburg, FL 33701

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss the activities and goals of the Training Task Force and other hazardous materials training issues.

A copy of the agenda may be obtained by contacting: Division of Emergency Management, State Emergency Response Commission for Hazardous Materials, Capital Circle Office Center, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)413-9970.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Emergency Management at (850)413-9970. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

The Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: July 12, 2017, 11:30 a.m.

PLACE: 2585 Merchants Row Blvd., Rm. 140J, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review Department of Health programs and grant aims and determine opportunities to enhance collaborative efforts.

A copy of the agenda may be obtained by contacting: Sam Mooneyhan at Sam.Mooneyhan@flhealth.gov.

**DEPARTMENT OF HEALTH**

Board of Nursing Home Administrators

The Board of Nursing Home Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 28, 2017, 9:00 a.m.

PLACE: Telephone conference number: 1(888)670-3525, participant code: 7342425515

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General board business, to include licensure.

**\*\*This meeting will replace July 7, 2017 meeting\*\***

Issue: 43/133 ID: 19068762

A copy of the agenda may be obtained by contacting: Anthony.Spivey@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Anthony.Spivey@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: <http://floridasnursinghomeadmin.gov/>.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Agency for Persons with Disabilities

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

DATE AND TIME: July 6, 2017, 10:00 a.m. – 12:30 p.m.

PLACE: Conference call; call-in number: 1(888)670-3525, participant code: 5106539718#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A meeting to fulfill the duties of the Task Force on Transportation Disadvantaged pursuant to CH. 2017-71, Laws of Florida.

A copy of the agenda may be obtained by contacting: Grendy Henry, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5855, [grendy.henry@apdcares.org](mailto:grendy.henry@apdcares.org) or online at [www.apdcares.org/publications/legal](http://www.apdcares.org/publications/legal).

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: Grendy Henry, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5855, [grendy.henry@apdcares.org](mailto:grendy.henry@apdcares.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Grendy Henry, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-5855, [grendy.henry@apdcares.org](mailto:grendy.henry@apdcares.org).

**SUNSHINE STATE ONE CALL OF FLORIDA**

The Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Thursday, July 13, 2017, 10:00 a.m. – 12:00 Noon

**PLACE:** Teleconference; call: 1(888)670-3525, enter participant code: 8567463178, then #

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Executive Committee Meeting.

**Purpose:** To develop the agenda for the August 2, 3 and 4, 2017 Strategic Planning, Committee, and Board of Directors meetings.

For more information, you may contact: Lori Budiani, Executive Assistant, (386)575-2002.

**KITTELSON & ASSOCIATES, INC**

The Florida Department of Transportation, District Five, announces public meetings to which all persons are invited.

**DATES AND TIMES:** July 11, 2017, 5:30 p.m. – 7:30 p.m.; July 13, 2017, 5:30 p.m. – 7:30 p.m.

**PLACES:** Mascotte Civic Center, 121 North Sunset Avenue, Mascotte, FL 34753 (July 11); Ridge Manor Community Center, 34240 Cortez Boulevard (SR 50), Dade City, FL 33523 (July 13)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The State Road (S.R.) 50 Project Development and Environment (PD&E) Study is evaluating transportation improvements to the approximately 20 mile section of S.R. 50 from U.S. 301 to County Road (C.R.) 33; the need for these improvements is based on roadway capacity, safety, and other factors. A PD&E study is a blending of engineering, environmental assessments, and public involvement activities and is the FDOT's process to adhere to the National Environmental Policy Act requirements. The workshops, which will contain the same information at each event, will be conducted in an open house format. A PowerPoint presentation will run continuously throughout the workshops to describe the transportation improvements under consideration. Additionally, members of the study team will be available to answer questions and obtain input from attendees.

A copy of the agenda may be obtained by contacting: Ms. Lorena Cucek, Project Manager, Florida Department of Transportation, (386)943-5392, lorena.cucek@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Lorena Cucek, Project Manager, Florida Department of Transportation, (386)943-5392, lorena.cucek@dot.state.fl.us. If you are hearing or speech

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

For more information, you may contact: Lorena Cucek, (386)943-5392, lorena.cucek@dot.state.fl.us. For more information, please visit the project website on CFLRoads.com and search by project number 435859-1.

**VHB**

The Florida Department of Transportation, District Five announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, July 13, 2017, 5:30 p.m. – 7:30 p.m.

**PLACE:** The Casements, 25 Riverside Drive, Ormond Beach, FL 32176

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No.: 439872-1-12-01.

**Project Description:** S.R. 40 (Ormond Beach Trail Gap) Concept Development and Evaluation from Cassen Park to S.R. A1A in Volusia County.

The purpose of this public alternatives meeting is to introduce the study, present the trail alignment alternatives, and give interested persons an opportunity to express their views about the project. The study is developing and evaluating alignment routes and typical section alternatives, and will ultimately select one recommended route and typical section to be carried through to design.

The meeting is being held as an open house from 5:30 p.m. to 7:30 p.m. An informational looping presentation will be given throughout the meeting. Notices are being sent to all property owners and tenants located within at least 300 feet on either side of the alignment alternatives and to other public officials, regulatory agencies, organizations, and individuals interested in the project.

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, (386)943-5367, Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Judy Pizzo, FDOT Project Manager, (386)943-5167, Judy.Pizzo@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Nikki Melendez, Public Involvement Coordinator, (407)982-4476, nmelendez@vhb.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).



For more information, you may contact: Judy Pizzo, FDOT Project Manager, (386)943-5167, judy.pizzo@dot.state.fl.us or visit the project website at www.cflroads.com.

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

DEPARTMENT OF FINANCIAL SERVICES  
NOTICE IS HEREBY GIVEN that Department of Financial Services, Division of Consumer Services, has received the petition for declaratory statement from David Avellar Neblett, Esq., Perry & Neblett, P.A. on May 8, 2017. The petition seeks the agency’s opinion as to the applicability of Section 627.7015, Florida Statutes as it applies to the petitioner.

The petition seeks the Department’s opinion regarding: (1) whether an insured’s participation in the mediation process prescribed in section 627.7015, Florida Statutes (“FDFS mediation”), if requested prior to the commencement of formal litigation, is a legal prerequisite to filing suit against the insurer; and (2) whether FDFS mediation supplants or replaces any pre-suit alternative dispute resolution procedures set forth in the insurance contract or is an optional process for pre-suit alternative dispute resolution.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Gina G. Smith, Assistant General Counsel, Office of the General Counsel, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4180, gina.smith@myfloridacfo.com.

Please refer all comments to: Gina G. Smith.

**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:

BASF Corporation vs. State of Florida, Department Of Environmental Protection; Case No.: 17-003684RP; Rule No.: 62-304.305, F.A.C.

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**

WATER MANAGEMENT DISTRICTS  
St. Johns River Water Management District  
THE GOVERNING BOARD OF THE ST. JOHNS RIVER  
WATER MANAGEMENT DISTRICT  
REQUEST FOR QUALIFICATIONS 30473

The District has issued Request for Qualification (RFQ) No. 30473 Nutrient Fluxes from groundwater in the Northern Indian River Lagoon. The District’s Evaluation Committee (“Committee”) for this RFQ will meet at District headquarters at 4049 Reid Street, Palatka, Florida 32177, at 11:00 a.m., on Monday July 10, 2017, for negotiations with the top-ranked respondent.

DEPARTMENT OF ELDER AFFAIRS  
Notice of Invitation to Negotiate 650.0072  
Invitation to Negotiate  
Invitation to Negotiate 650.0072 (Miami Lease), for Lease of Commercial Office Space

The Florida Department of Elder Affairs invites all qualified Respondents to submit proposals for consideration in accordance with the terms and conditions set forth in this Invitation to Negotiate (ITN) 650.0072, relating to the procurement of a lease for commercial office space in the Miami, Florida area. The Department expects to select one or more Respondents who propose to provide this lease and space as specified in this ITN.

Responses shall be accepted until 3:30 p.m. (Eastern Time), August 17, 2017, to the attention of Eve Hinton, Procurement Officer, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000.

For questions or additional information, please contact: Eve Hinton at (850)414-2134 or hintone@elderaffairs.org.

To obtain a copy of the ITN, which outlines selection criteria and applicant’s responsibilities, please submit your request to the attention of Eve Hinton, or you can download the Florida Vendor Bid System website at: [http://vbs.dms.state.fl.us/vbs/vbs\\_www.main\\_menu](http://vbs.dms.state.fl.us/vbs/vbs_www.main_menu).

Any modifications that occur to the ITN will be posted at the website and may result in an extension of the deadline.

Notice of the following dates is further provided. The ITN will be advertised from 06/28/2017 – 08/17/2017. The deadline for submitting questions will be 07/20/2017 at 3:30 p.m. (Eastern Time). The answers to questions will be posted 07/27/2017. The Deadline for Receipt of ITN Replies will be 08/17/2017 at 3:30 p.m. (Eastern Time).

The replies shall be opened in a public meeting on 8/17/2017 at 3:35 p.m. (Eastern Time), at the Florida Department of Elder Affairs, 4040 Esplanade Way, Room 215P, Tallahassee, FL 32399. The Department will conduct Agency Site Evaluations and site visits 8/21/2017 – 09/5/2017. The time period for Negotiation with preferred candidates is 9/5/2017 - 9/20/2017. The estimated date of the Notice of Intent to Award is 09/25/2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 BDC68-16/17, Caladesi Island – Bulkhead Repairs  
 NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC68-16/17, Caladesi Island – Bulkhead Repairs. More info @ <http://tinyurl.com/BDC68-16-17>.

## Section XII Miscellaneous

### DEPARTMENT OF STATE

#### Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Thursday, June 21, 2017 and 3:00 p.m., Wednesday, June 27, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
5J-6.005	6/21/2017	7/11/2017

5J-6.013	6/21/2017	7/11/2017
5J-6.015	6/21/2017	7/11/2017
ac23-21.002	6/26/2017	7/16/2017
23-21.0051	6/26/2017	7/16/2017
23-21.0052	6/26/2017	7/16/2017
23-21.007	6/26/2017	7/16/2017
23-21.010	6/26/2017	7/16/2017
23-21.011	6/26/2017	7/16/2017
23-21.0155	6/26/2017	7/16/2017
23-21.0165	6/26/2017	7/16/2017
23-21.022	6/26/2017	7/16/2017
23-22.013	6/26/2017	7/16/2017
23-22.014	6/26/2017	7/16/2017
23-23.006	6/26/2017	7/16/2017
23-23.010	6/26/2017	7/16/2017
23-23.011	6/26/2017	7/16/2017
23-24.030	6/26/2017	7/16/2017
23-24.050	6/26/2017	7/16/2017
23-25.004	6/26/2017	7/16/2017
23-25.005	6/26/2017	7/16/2017
59G-4.025	6/20/2017	7/10/2017
59G-6.020	6/20/2017	7/10/2017
59G-13.070	6/20/2017	7/10/2017
61C-1.002	6/26/2017	7/16/2017
61G7-7.003	6/21/2017	7/11/2017
61N-2.012	6/21/2017	7/11/2017
61N-2.016	6/21/2017	7/11/2017
62-243.300	6/23/2017	7/13/2017
62-243.500	6/23/2017	7/13/2017
64B10-14.004	6/21/2017	7/11/2017
73C-40.001	6/23/2017	7/13/2017
73C-40.010	6/23/2017	7/13/2017

73C-40.016	6/23/2017	7/13/2017
73C-40.0185	6/23/2017	7/13/2017
73C-40.021	6/23/2017	7/13/2017
73C-40.022	6/23/2017	7/13/2017
73C-40.024	6/23/2017	7/13/2017
73C-40.025	6/23/2017	7/13/2017
73C-40.0251	6/23/2017	7/13/2017
73C-40.0256	6/23/2017	7/13/2017
73C-40.0257	6/23/2017	7/13/2017
73C-40.028	6/23/2017	7/13/2017
73C-40.029	6/23/2017	7/13/2017
73C-41.019	6/23/2017	7/13/2017
73C-41.020	6/23/2017	7/13/2017
73C-41.021	6/23/2017	7/13/2017
74-3.007	6/23 2017	7/13/2017
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
58M-2.009	2/9/2017	6/23/2017
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF ECONOMIC OPPORTUNITY  
 Division of Community Development  
 Final Order No. DEO-17-133  
 In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY CITY OF MARATHON  
 ORDINANCE NO. 2017-02

**FINAL ORDER**

APPROVING CITY OF MARATHON ORDINANCE NO. 2017-02

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2017-02 (the “Ordinance”).

**FINDINGS OF FACT**

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. The City of Marathon is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the City of Marathon on February 28, 2017, and rendered to the Department on June 2, 2017.
3. The Ordinance amends the City of Marathon Code of Ordinances to consolidate and amend the articles related to plat and subdivision regulations, in part, by establishing requirements for lot splits, simple subdivision of duplex lots, and reconfiguration of up to three lots, updating regulations on minor and major subdivisions, completing improvements for subdivisions, and amending definitions in Section 4 of Chapter 110.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), and 380.0552(9), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City of Marathon Comprehensive Plan generally, and specifically Policies 1-3.1.2 and 1-3.1.3, as required by section 163.3177(1), Florida Statutes.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.
8. The Ordinance is consistent with the Principles for Guiding Development in section 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principle:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2017-02 is consistent with the City of Marathon Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

James D. Stansbury, Chief  
 Bureau of Community Planning and Growth  
 Department of Economic Opportunity  
 Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes. Mediation is not available.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the Florida Administrative Register. A petition is filed when it is received by:

Agency Clerk  
 Department of Economic Opportunity  
 Office of the General Counsel  
 107 East Madison St., MSC 110  
 Tallahassee, Florida 32399-4128  
 Fax (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the Florida Administrative Register.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 28th day of June, 2017.

/s/

Agency Clerk  
 Department of Economic Opportunity

107 East Madison Street, MSC 110  
 Tallahassee, FL 32399-4128

By Certified U.S. Mail:  
 The Honorable Dr. Dan Zieg, Mayor  
 City of Marathon, City Council  
 9805 Overseas Highway  
 Marathon, FL 33050

Diane Clavier, Clerk  
 City of Marathon  
 9805 Overseas Highway  
 Marathon, FL 33050

George Garrett, Director  
 City of Marathon, Planning Department  
 9805 Overseas Highway  
 Marathon, FL 33050

**GRAY ROBINSON**

City of Bowling Green  
 Notice of Proposed Ordinance  
 Pursuant to Section 337.401(3)(d), FS, the City of Bowling Green, Florida, gives notice of the first reading of a proposed ordinance governing a telecommunications company placing or maintaining telecommunications facilities in its roads or rights-of-way.

DATE AND TIME: Tuesday, July 11, 2017, 6:30 p.m.

PLACE: Bowling Green City Commission Chambers, City Hall, 104 East Main Street, Bowling Green, FL 33834-0608

SUBJECT: The proposed ordinance creates a new set of rules regulating certain communications facilities within public rights-of-way to modify general procedures for right-of-way authorization and to expressly address current industry practices with respect to the installation of wireless communication facilities, establish a registration system for communication service providers, and adopt other rules related thereto. A copy of the proposed ordinance can be obtained by calling the City Clerk's Office at (863)375-2255 or by visiting City Hall during regular business hours. The ordinance is set to take effect July 1, 2017.

**GRAY ROBINSON**

City of San Antonio  
 Notice of Proposed Ordinance  
 Pursuant to Section 337.401(3)(d), FS, the Commission of the City of San Antonio, Florida, gives notice of the first reading of a proposed ordinance governing a telecommunications company placing or maintaining telecommunications facilities in its roads or rights-of-way.

DATE AND TIME: Tuesday, July 18, 2017, 7:30 p.m.

PLACE: City Hall, 32819 Pennsylvania Avenue, San Antonio, FL

SUBJECT: The proposed ordinance creates a new set of rules regulating certain communications facilities within public rights-of-way to modify general procedures for right-of-way authorization and to expressly address current industry practices with respect to the installation of wireless communication facilities, establish a registration system for communication service providers, and adopt other rules related thereto. A copy of the proposed ordinance can be obtained by calling the City Clerk’s Office at (352)588-2127 or by visiting City Hall during regular business hours. The ordinance is set to take effect July 1, 2017.

procedures for right-of-way authorization and to expressly address current industry practices with respect to the installation of wireless communication facilities, establish a registration system for communication service providers, and adopt other rules related thereto. A copy of the proposed ordinance can be obtained by calling the Deputy City Clerk’s Office at (863)285-1100, extension 233 or by visiting City Hall during regular business hours. The ordinance is set to take effect July 1, 2017.

Section XIII  
Index to Rules Filed During Preceding  
Week

GRAY ROBINSON

Town of Zolfo Springs

Notice of Proposed Ordinance

The Town of Zolfo Springs, Florida, gives notice of the first reading of a proposed ordinance governing a telecommunications company placing or maintaining telecommunications facilities in its roads or rights-of-way.

DATE AND TIME: Monday, July 17, 2017, 6:00 p.m.

PLACE: Zolfo Springs Council Chambers, Town Hall, 104 West Fifth Street, Zolfo Springs, FL 33890

SUBJECT: The proposed ordinance creates a new set of rules regulating certain communications facilities within public rights-of-way to modify general procedures for right-of-way authorization and to expressly address current industry practices with respect to the installation of wireless communication facilities, establish a registration system for communication service providers, and adopt other rules related thereto. A copy of the proposed ordinance can be obtained by calling the Town Clerk’s Office at (863)735-0405 or by visiting Town Hall during regular business hours. The ordinance is set to take effect July 1, 2017.

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.

GRAY ROBINSON

City of Fort Meade

Notice of Proposed Ordinance

Notice is hereby given that the City Commission of the City of Fort Meade, Florida, will hold a public hearing for the first reading on Tuesday, July 11, 2017, at 7:00 p.m. in the Commission Chambers, City Hall, in said City, for the purpose of adopting a proposed ordinance governing a telecommunications company placing or maintaining telecommunications facilities in its roads or rights-of-way.

DATE AND TIME: Tuesday, July 11, 2017, 7:00 p.m.

PLACE: Commission Chambers, City Hall, 8 West Broadway Street, Fort Meade, Florida 33841

SUBJECT: The proposed ordinance (Ordinance No. 2017-06) creates a new set of rules regulating certain communications facilities within public rights-of-way to modify general