

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:
60FF1-5.003 E911 State Grant Programs
PURPOSE AND EFFECT: The proposed rule development is to consider clarifying and expanding the state grant program.
SUBJECT AREA TO BE ADDRESSED: Clarifying and expanding state grant program.
RULEMAKING AUTHORITY: 365.172(6)(a)11. FS.
LAW IMPLEMENTED: 365.172(6)(a)3.b., 365.173(2)(i), 365.172(9)(a), (b), (c) 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: Heath Beach, Chairman, E911 Board, 4030 Esplanade Way, Suite 135F, Tallahassee, Florida 32399-0950.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-44.0055 Notice of Non-Compliance - Minor Violations
PURPOSE AND EFFECT: The proposed new rule designates minor violations for the first-time offense, in compliance with recent statutory changes to Section 120.69, F.S.
SUBJECT AREA TO BE ADDRESSED: Non-compliance action for minor violations.
RULEMAKING AUTHORITY: 120.695, 456.073(3), 468.507 FS.
LAW IMPLEMENTED: 120.695, 456.073(3) 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: Allen Hall, Executive Director, Dietetics and Nutrition Practice

Council, Board of Medicine, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-51.001 Manner of Application
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address manner of application.
SUBJECT AREA TO BE ADDRESSED: Update rule language regarding manner of application.
RULEMAKING AUTHORITY: 456.013, 478.43(1), (4) FS.
LAW IMPLEMENTED: 456.013, 456.0635, 478.45, 478.46, 478.47, 478.55 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: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-51.002 Licensure by Examination
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address licensure by examination.
SUBJECT AREA TO BE ADDRESSED: Update rule language regarding licensure by examination.
RULEMAKING AUTHORITY: 478.43(1), (4) FS.
LAW IMPLEMENTED: 456.017, 456.0635, 478.45 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: Allen

Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address licensure and inspection of electrology facilities.

SUBJECT AREA TO BE ADDRESSED: Update rule language regarding licensure and inspection of electrology facilities.

RULEMAKING AUTHORITY: 456.037, 478.43(1), (4), 478.51(3), (11) FS.

LAW IMPLEMENTED: 456.037, 456.0635, 478.43, 478.49, 478.51, 478.55 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: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address equipment and devices; protocols for laser and light-based devices.

SUBJECT AREA TO BE ADDRESSED: Update rule language regarding equipment and devices; protocols for laser and light-based devices.

RULEMAKING AUTHORITY: 458.331(1)(v), 478.43(1), (4) FS.

LAW IMPLEMENTED: 458.331(1)(v), 458.348(3), 478.42(5), 478.43(1), (3), (4) 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: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-8.005 Unprofessional Conduct

PURPOSE AND EFFECT: The purpose of the amendment is to add actions that constitute unprofessional conduct.

SUBJECT AREA TO BE ADDRESSED: Actions that constitute unprofessional conduct.

RULEMAKING AUTHORITY: 464.006, 464.018(1)(h) FS.

LAW IMPLEMENTED: 464.018(1)(h) 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: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-15.001 Continuing Education for Licensure Renewal

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address continuing education for licensure renewal.

SUBJECT AREA TO BE ADDRESSED: Update rule language regarding continuing education for licensure renewal.

RULEMAKING AUTHORITY: 456.013(6), (7), 468.1685(1), 468.1715(3) FS.

LAW IMPLEMENTED: 456.013, 468.1715(3) 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: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Anthony.Spivey@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-11.012 Application Forms

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to clarify the application.

SUBJECT AREA TO BE ADDRESSED: To clarify the application.

RULEMAKING AUTHORITY: 456.013, 456.025, 490.004(4), 490.005 FS.

LAW IMPLEMENTED: 456.013, 456.025, 456.0635, 490.005, 490.006, 490.007(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3055.

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.:	RULE TITLE:
5J-6.005	Licensing Requirement, Commercial Telephone Seller, Salesperson

5J-6.013	Exemption
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5J-6.014	Denials
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5J-6.015	Security Requirements
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PURPOSE AND EFFECT: The proposed rulemaking incorporates new department forms, updates current incorporated forms and establishes a procedure for the registration of substance abuse marketing service providers.

SUMMARY: The proposed rules update department forms incorporated by reference, incorporate new forms and provide guidance to applicants seeking licensure as a substance abuse marketing service provider. These amendments will ensure statutory compliance with ch. 2017-173, Laws of Florida and the Florida Telemarketing Act.

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 proposed revisions update department forms incorporated by reference, incorporate new forms and provide guidance to applicants seeking licensure as a substance abuse marketing service provider. Additionally, no interested party

submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 501.611(3), (5), 501.626, 570.07(23) FS.

LAW IMPLEMENTED: 501.604, 501.605, 501.607, 501.608, 501.609, 501.611, 501.612 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: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at "Richard.Kimsey@FreshFromFlorida.com" or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson, Substance Abuse Marketing Service Provider.

(1) No person may act as a commercial telephone seller or salesperson unless licensed by the Department of Agriculture and Consumer Services. All applicants for a license shall submit to the department FDACS-10001, Commercial Telephone Seller Business License Application, Rev. 07/17 04/17, hereby incorporated by reference, along with the required non-refundable fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08405>.

(2)(a) In the event a licensed commercial telephone seller hires an employee to function as a salesperson, but the employee does not possess a current commercial telephone salesperson license, the licensed commercial telephone seller may obtain interim operating authority for the unlicensed salesperson from the department by submitting FDACS-10005, Commercial Telephone Salesperson Individual License Application, Rev. 07/17 03/17, including the Statement of Verification, hereby incorporated by reference, along with a written request that the applicant be granted interim operating authority. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee

Parkway, Tallahassee, Florida 32399-6500, or accessed online at <https://www.flrules.org/gateway/reference.asp?No=Ref-08406>. Salespersons may also apply or renew their license online at: www.FreshFromFlorida.com.

(b) through (c) No change.

(3) No person may provide substance abuse marketing services unless licensed by the Department of Agriculture and Consumer Services. All applicants for a license shall submit to the department FDACS-10008, Substance Abuse Marketing Service Provider License Application, 07/17, hereby incorporated by reference, along with the required non-refundable fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at <http://www.flrules.org/Gateway/reference>.

(4)(~~3~~) An honorably discharged veteran, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse requesting a waiver of the initial registration fee pursuant to Section 501.605(5)(b), F.S., shall complete FDACS-10991, Military Veteran Fee Waiver Request, 07/17 10/16, incorporated by reference in Rule 5J-26.001, F.A.C. An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and all required supporting documentation at the time the applicant submits the Commercial Telephone Seller Business License Application referenced in subsection (1), ~~or the Commercial Telephone Salesperson Individual License Application referenced in subsection (2), or the Substance Abuse Marketing Service Provider License Application referenced in subsection (3).~~

(5)(4) The licensee shall notify the department of all material changes in the information submitted in either the original application for licensure, or any application for renewal of the license within 10 days of the material change. The licensee shall utilize FDACS-10006, Florida Telemarketing Act Material Change Form, Rev. 07/17 03/17, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at: <https://www.flrules.org/gateway/reference.asp?No=Ref-08407>. FDACS-10006 may also be completed and submitted online at: www.800helpfla.com/registeronline.

(6)(~~5~~) In the event that a salesperson licensee changes his/her company affiliation, the salesperson shall utilize FDACS-10006, Florida Telemarketing Act Material Change Form, Rev. 07/17 03/17 incorporated in subsection (5) (4), above, and pay the prescribed \$10 fee. Such change in status

shall be submitted to the department within 10 days of the change.

~~(7)(5)~~ In the event that a salesperson intends to affiliate with more than one company, the salesperson shall execute a separate Statement of Verification, as found in FDACS-10005, Commercial Telephone Salesperson Individual License Application, Rev. 07/17 03/17, incorporated in subsection (2), above, for each commercial telephone seller with which the salesperson intends to affiliate.

Rulemaking Authority 501.626, 570.07(23) FS. Law Implemented 501.605, 501.607, 501.608, 501.609 FS. History—New 4-12-92, Amended 2-15-93, 6-26-94, 5-15-95, 2-11-98, 1-20-03, 3-29-12, 1-19-14, 4-16-15, 7-11-17,_____.

5J-6.013 Exemption.

(1) Any business entity claiming an exemption from the commercial telephone seller laws pursuant to Section 501.608(1)(b), F.S., shall, prior to offering its services, file with the department FDACS-10002, Commercial Telephone Seller Affidavit of Exemption, 07/17, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at: [\(2\) No change.](https://www.flrules.org/gateway/reference.asp?No=Ref-the-executed-Affidavit-of-Exemption-included-in-FDACS-10001,Rev.-04/17,incorporated-by-reference-in-Rule-5J-6.005,F.A.C.</u></p>
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Rulemaking Authority 501.626, 570.07(23) FS. Law Implemented 501.604, 501.608 FS. History—New 6-26-94, Amended 2-11-98, 1-20-03, 3-29-12, 1-19-14, 7-11-17,_____.

5J-6.014 Denials.

The purpose of this rule ~~part~~ is to implement Section 501.612(1), F.S. The department shall not issue an initial or renewal license to any person applying for a commercial telephone seller or salesperson or an entity providing substance abuse marketing services license if the department finds that the applicant, or any of its owners, operators, officers, directors, partners, or other individuals engaged in the management activities of the applicant, has:

(1) through (7) No change.

Rulemaking Authority 501.626 FS. Law Implemented 501.612 FS. History—New 1-20-03, Amended 1-19-14,_____.

5J-6.015 Security Requirements.

(1) If filing a bond, letter of credit, or assignment of certificate of deposit pursuant to Section 501.611, F.S., the applicant shall use the applicable forms included in FDACS-10001, Commercial Telephone Seller Business License

Application, Rev. 07/17 04/17, incorporated by reference in Rule 5J-6.005, F.A.C.

(2) No change.

Rulemaking Authority 501.611(3), (5), 501.626, 570.07(23) FS. Law Implemented 501.611 FS. History—New 4-16-15, 7-11-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 4, 2017

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: 5J-26.001
RULE TITLE: Military Fee Waiver

PURPOSE AND EFFECT: The purpose of the proposed rule is to update the incorporated department form for honorably discharged veterans or their spouses to complete when requesting a registration fee waiver.

SUMMARY: The proposed rule updates FDACS-10991, Military Veteran Fee Waiver Request, to include providers of substance abuse marketing services in compliance with s. 18, ch. 2017-173, Laws of Florida.

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 proposed rule updates a department form to waive the initial registration fee for qualified veterans resulting in a decreased regulatory cost. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 472.008, 501.014(2), 501.626, 507.09(3), 527.06, 539.001(21), 559.92201, 559.9355(3), 570.07(23) FS.

LAW IMPLEMENTED: 472.015(3)(b), 501.015(2), 501.605(5)(b), 501.607(2)(b), 507.03(3)(b), 527.02(3)(b), 539.001(3)(c), 559.904(3)(b), 559.928(2)(c) 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: Richard Kimsey, Assistant Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at "Richard.Kimsey@FreshFromFlorida.com" or by phone (850)921-1556.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-26.001 Military Fee Waiver.

Within 60 months after the date of the veteran's discharge from any branch of the United States Armed Forces, an honorably discharged veteran of the United States Armed Forces, the spouse of such a veteran, or a business entity that has a majority ownership held by such a veteran or spouse, may apply for an initial fee waiver pursuant to Sections 472.015(3)(b), 501.015(2), 501.605(5)(b), 501.607(2)(b), 507.03(3)(b), 527.02(3)(b), 539.001(3)(c), 559.904(3)(b), 559.928(2)(c), F.S.

(1) Applicants seeking a waiver must submit FDACS-10991, Military Veteran Fee Waiver Request, 07/17 ~~10/16~~, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500 or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07781>.

(2) No change.

Rulemaking Authority 472.008, 501.014(2), 501.626, 507.09(3), 527.06, 539.001(21), 559.92201, 559.9355(3), 570.07(23) FS. Law Implemented 472.015(3)(b), 501.015(2), 501.605(5)(b), 501.607(2)(b), 507.03(3)(b), 527.02(3)(b), 539.001(3)(c), 559.904(3)(b), 559.928(2)(c) FS. History—New 2-12-17, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Kimsey, Assistant Director, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 4, 2017

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-12.009 Fees

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the delinquency fees for certification, registration and qualified business organizations.

SUMMARY: Update delinquency fees for certification, registration and qualified business organizations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.213(2), 455.217(2), 455.219(1), 455.271(6), (8), 489.108, 489.118 FS.

LAW IMPLEMENTED: 119.07(1)(a), 455.213(2), 455.217(2), 455.219(1), 455.271(6), (7), (8), 489.109 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: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-12.009 Fees.

The following fees are prescribed by the Board:

(1) through (10) No change.

(11)(a) Pursuant to Section 455.271(7), F.S., the delinquency fee for certification or registration shall be twenty-five ~~one hundred~~ dollars (\$25.00) ~~(\$100.00)~~.

(b) Pursuant to Section 455.271(7), F.S., the delinquency fee for qualified business organizations shall be twenty-five ~~fifty~~ dollars (\$25.00) ~~(\$50.00)~~.

(12) through (14) No change.

~~Rulemaking Specific~~ Authority 455.213(2), 455.217(2), 455.219(1), 455.271(6), (8), 489.108, 489.118 FS. Law Implemented 119.07(1)(a), 455.213(2), 455.217(2), 455.219(1), 455.271(6), (7), (8), 489.109 FS. History—New 10-1-79, Formerly 21E-12.01, Amended 1-6-80, 12-16-80, 3-15-81, 5-31-81, 11-14-82, 4-3-84, Formerly 21E-12.09, Amended 2-4-87, 1-26-88, 6-21-88, 9-19-88, 4-18-89, 5-23-89, 8-23-89, 5-29-90, 3-20-91, 12-21-92, 1-28-93, 7-14-93, Formerly 21E-12.009, Amended 7-18-94, 6-27-95, 8-29-95, 9-18-96, 2-4-98, 2-10-00, 2-6-03, 2-27-05, 11-8-06, 12-8-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

June 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

July 25, 2017

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-27.700 Definition of Compounding

PURPOSE AND EFFECT: The Board proposes the rule amendment so that the rule does not conflict with state or federal law and to make clear that office use compounding of products intended for human use (sterile and nonsterile) shall require being registered as an Outsourcing Facility as defined by §465.003(19), Fla. Stat. (2016).

SUMMARY: Office use compounding of sterile and nonsterile products for human use shall comply with federal law to include being a registered Outsourcing Facility.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. Specifically, the Board determined that any and all positive or negative economic impacts are a direct result of state and federal law to include, but not limited to, §465.016(1)(e), Fla. Stat. (2016); §465.023(1)(c), Fla. Stat. (2016); 21 U.S.C. §351(a)(2)(b) (2016); 21 U.S.C. §352(f)(1) (2016); 21 U.S.C. §353a (2016); 21 U.S.C. § 353b (Nov. 27, 2013); and 21 U.S.C. §355(a) (2016). The rule amendment does not change the economic status quo. Rather, the amendment adds clarity to what is already required when sterile and nonsterile products for human use are compounded for office or stock use. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003, 465.0155, 465.0265 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: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.700 Definition of Compounding.

“Compounding” is the professional act by a pharmacist or other practitioner authorized by law, employing the science or art of any branch of the profession of pharmacy, incorporating ingredients to create a finished product for dispensing to a patient or for administration by a practitioner or the practitioner’s agent; and shall specifically include the professional act of preparing a unique finished product containing any ingredient or device defined by Sections 465.003(7) and (8), F.S. The term also includes the preparation of nuclear pharmaceuticals and diagnostic kits incident to use of such nuclear pharmaceuticals. The term “commercially available products,” as used in this section, means any medicinal product as defined by Sections 465.003(7) and (8),

F.S., that are legally distributed in the State of Florida by a drug manufacturer or wholesaler.

(1) through (2) No change.

(3) Office use compounding, “Office use” means the provision and administration of a compounded drug to a patient by a practitioner in the practitioner’s office or by the practitioner in a health care facility or treatment setting, including a hospital, ambulatory surgical center, or pharmacy. A pharmacist may dispense and deliver a quantity of a compounded drug to a practitioner for office use by the practitioner in accordance with this section provided:

(a) through (f) No change.

(g) In the case of compounded ~~sterile~~ products intended for human use, the pharmacy must be in full compliance with 21 U.S.C. § 353b, including being registered as an Outsourcing Facility. 21 U.S.C. § 353b (eff. Nov. 27, 2013) is hereby adopted and incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-04180>. Rulemaking Authority 465.005 FS. Law Implemented 465.003, 465.0155, 465.0265 FS. History—New 10-1-92, Formerly 21S-27.700, 61F10-27.700, 59X-27.700, Amended 11-2-03, 10-7-08, 3-21-13, 6-22-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 6, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 21, 2017

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers’ Compensation

RULE NO: RULE TITLE:
69L-8.071 Materials for use with the Florida Workers’ Compensation Health Care Provider Reimbursement Manual
69L-8.074 Materials for Use throughout Rule Chapter 69L-7, F.A.C.

PURPOSE AND EFFECT: The proposed rules incorporate updated versions of currently adopted resource materials utilized in the determination and reimbursement of the costs of medical care provided to Florida’s injured employees. The proposed rules promote the efficient delivery of appropriate medical care to Florida’s injured employees by reducing the potential for errors and delays resulting from the use of dated materials.

SUMMARY: The proposed rules update resource materials utilized in the determination and efficient delivery of appropriate medical care to injured employees and the

provision of timely reimbursement to health care providers under Florida’s workers’ compensation system.

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 exceeding \$200,000 in the aggregate within one year after the implementation of the rule. SERCs for the proposed rules have not been prepared by the Agency.

The Department has determined that neither rule is 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 a preliminary analysis on each of the proposed rules and, based on economic criteria set forth under section 120.541, F.S., has determined that SERCs are not required.

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

RULEMAKING AUTHORITY: 440.13(4), 440.15(3)(b), (d), (f), 440.185(5), 440.20(6)(b), 440.525(2), 440.591, 440.593(5), F.S.

LAW IMPLEMENTED: 440.09, 440.13(2)(a), (3), (4), (6), (11), (12), (14), (16), 440.15(3)(b), (d), (f), (5), 440.185(5), (9), 440.20(6), 440.525(2), 440.593, 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: Friday, September 8, 2017, 2:00 p.m. to 3:00 p.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, 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: Theresa Pugh, telephone: (850)413-1721, email: Theresa.Pugh@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: Theresa Pugh, Program Administrator, Medical Services Section, Bureau of Monitoring and Audit, Division of Workers’ Compensation, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida

32399-4228, telephone: (850)413-1721, email: Theresa.Pugh@MyFloridaCFO.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-8.071, F.A.C., Materials for use with the Florida Workers' Compensation Health Care Provider Reimbursement Manual.

(1) The following materials are incorporated by reference:

(a) through (i) No change.

~~(j) The 2015 ICD-10 PCS: The Complete Official Draft Codebook, American Medical Association, Copyright 2014, OptumInsight, Inc.; and,~~

~~(k) The 2015 CPT® Assistant, Copyright American Medical Association.~~

(2) No change.

Rulemaking Authority 440.13(13)(b), 440.591 FS. Law Implemented 440.13(12), (13)(b) FS. History--New 2-18-16, Amended.

69L-8.074, F.A.C., Materials for use throughout Rule Chapter 69L-7, F.A.C.

(1) The following materials are incorporated by reference:

(a) through (c) No change.

(d) The ICD-9-CM Professional Edition for Physicians, Volumes 1 & 2, as adopted in Rules ~~69L-8.071~~, 69L-8.072 and 69L-8.073, F.A.C.

(e) through (i) No change.

(j) The National Uniform Billing Committee, Official UB-04 Data Specifications Manual 2017 2016, version 11.00 40.00, July 2016 2015, as adopted by the National Uniform Billing Committee. (A copy of this manual can be obtained from the National Uniform Billing Committee website at <http://www.nubc.org/subscriber/>.)

(k) and (l) No change.

(m) The ICD-10-PCS: The Complete Official Codebook, American Medical Association, as adopted in Rules 69L-8.072, and 69L-8.073, F.A.C.

(n) The CPT® Assistant, Copyright American Medical Association, as adopted in Rules 69L-8.071, 69L-8.072, and 69L-8.073.

(2) No change.

Rulemaking Authority 440.13(4), 440.15(3)(b), (d), (f), 440.185(5), 440.20(6)(b), 440.525(2), 440.591, 440.593(5) FS. Law Implemented 440.09, 440.13(2)(a), (3), (4), (6), (11), (12), (13), (16), 440.15(3)(b), (d), (f), (5), 440.185(5), (9), 440.20(6), 440.525(2), 440.593 FS. History--New 2-18-16, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Theresa Pugh, Program Administrator, Medical Services Section, Bureau of Monitoring and Audit, Division of Workers' Compensation, Department of Financial Services.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Jimmy Patronis, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 14, 2017.

DEPARTMENT OF FINANCIAL SERVICES

Indexing Agency Orders

RULE NO.: RULE TITLE:

69T-1.001 Organizational Structure

PURPOSE AND EFFECT: The Office of Financial Regulation (OFR) proposes to amend this rule to change the organizational structure of the OFR, Division of Financial Institutions, to consolidate the Bureau of Bank Regulation District I and Bureau of Bank Regulation District II into one bureau to be called the Bureau of Bank Regulation.

SUMMARY: The proposed amendment changes the organizational structure of the OFR.

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 expressly relies on an analysis of potential economic impact conducted by persons with subject matter knowledge of this rule.

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: 20.121(3)(b) FS.

LAW IMPLEMENTED: 20.055(2), 20.121(3)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi-Ann V. Livingstone, Chief Counsel, Division of Financial Institutions, (850)410-9652, Jodi.Livingstone@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69T-1.001 Organizational Structure.

(1) The following organizational units are established in the Office of Financial Regulation:

(a) through (b) No change.

(c) Division of Financial Institutions, which shall include the following bureaus:

1. Bureau of Bank Regulation ~~District I,~~

~~2. Bureau of Bank Regulation District II,~~

2.3. Bureau of Credit Union Regulation.

(d) through (g) No change.

(2) through (7) No change.

Rulemaking Authority 20.121(3)(b) FS. Law Implemented 20.055(2), 20.121(3)(b) FS. History—New 1-3-07, Amended 5-29-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jeremy W. Smith, Director, Division of Financial Institutions

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: August 16, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: July 11, 2017

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

RULE NOS.: RULE TITLES:

69U-105.102 Application

69U-105.703 Application

PURPOSE AND EFFECT: The Office of Financial Regulation proposes to amend Rules 69U-105.102, and 69U-105.703, F.A.C., to revise the Application and Plan of Conversion, Form OFR-U-4, which is incorporated in these rules by reference; and update cites in the rules’ rulemaking authority and law implemented sections.

SUMMARY: The Office of Financial Regulation proposes to update the Form OFR-U-4, Application and Plan of Conversion.

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 expressly relies on an analysis of potential economic impact conducted by persons with subject matter knowledge of this rule.

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: 655.012(2) FS.

LAW IMPLEMENTED: 120.60(1), 655.057, 658.19, 658.26, 658.42, 667.003, 655.411(1), 655.412(1), 655.414(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi-Ann V. Livingstone, Chief Counsel, Division of Financial Institutions, (850)410-9652, Jodi.Livingstone@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69U-105.102 Application.

(1) The following application forms are hereby incorporated by reference.

(a) through (j) No change.

(k) Form OFR-U-4, Application and Plan of Conversion, effective 01/2018 Revised 3/2003.

(l) No change.

(2) through (9) No change.

Rulemaking Authority 655.012(2) ~~655.012(3)~~ FS. Law Implemented ~~119.07,~~ 120.60(1), 655.057, 658.19, 658.26, 658.42, 667.003 FS. History—New 11-1-77, Amended 3-12-79, 5-27-81, 3-28-83, Formerly 3C-9.02, 3C-9.002, Amended 8-14-94, 4-15-98, Formerly 3C-105.102, Amended _____.

69U-105.703 Application.

(1) Applications for approval to convert a federal or state financial entity into a state charter to do business as another type of financial entity or without a change in business form shall be filed on an Application and Plan of Conversion, Form OFR-U-4, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. Applications for approval to merge or consolidate one or more financial entities shall be filed on Form OFR-U-19. Applicants may modify the form to the extent necessary to accommodate different types of financial entities. Applications to acquire all or substantially all of the assets and/or liabilities of any financial entity shall be submitted on Form OFR-U-17.

(2) No change.

Rulemaking Authority 655.012(2) ~~655.012(3)~~ FS. Law Implemented 655.411(1), 655.412(1), 655.414(1) FS. History—New 11-23-83, Formerly 3C-18.03, 3C-18.003, Amended 8-14-94, 4-15-98, Formerly 3C-105.703, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jeremy W. Smith, Director, Division of Financial Institutions
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: August 16, 2017
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: July 11, 2017

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

RULE NOS.:	RULE TITLES:
69U-130.001	Scope
69U-130.101	Definitions
69U-130.102	Applications
69U-130.103	Application for Establishment of Separate International Trust Company Representative Offices
69U-130.104	Reciprocity
69U-130.105	Principles of Adequate Supervision of an International Trust Entity’s Foreign Establishments
69U-130.106	Capital Accounts
69U-130.107	Surrender of License
69U-130.108	Service of Process
69U-130.109	Interim Operational Plan
69U-130.110	Examination Fees

PURPOSE AND EFFECT: The Office of Financial Regulation proposes to create new rules under Chapter 69U-130, F.A.C., to implement Ch. 2017-83, Laws of Florida (International Financial Institutions), signed into law on June 9, 2017. The legislation requires the Financial Services Commission to implement some of its provisions by rule.

SUMMARY: Chapter 69U-130, F.A.C., will govern the regulation of International Trust Company Representative Offices.

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: Pursuant to Section 663.414, F.S., no statement of estimated regulatory costs is required for the proposed rule.

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: 655.012(2), 663.406(4), 663.406(5), 663.406(6), 663.406(9), 663.407(4), 663.408(2), 663.408(4), 663.4081(2), 663.411, 663.413, 663.414 FS.

LAW IMPLEMENTED: 663.406, 663.407, 663.408(2), 663.408(4), 663.4081, 663.411, 663.413, 663.414 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi-Ann V. Livingstone, Chief Counsel, Division of Financial Institutions, (850)410-9652, Jodi.Livingstone@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69U-130.001 Scope.

These rules pertain to the establishment and operation of international trust company representative offices as contemplated by Part III of Chapter 663, Florida Statutes. Rulemaking Authority 655.012(2), 663.414 FS. Law Implemented 663.414 FS. History-New _____.

69U-130.101 Definitions.

(1) Terms used but not defined within these rules, but which are defined in Title XXXVIII, Banks and Banking, Florida Statutes, have the meanings ascribed to them within Title XXXVIII.

(2) “Home Country” means the home jurisdiction of the international trust entity where it has been authorized by charter, license, or similarly authorized by operation of law to carry on a trust business.

Rulemaking Authority 655.012(2), 663.414 FS. Law Implemented 663.414 FS. History-New _____.

69U-130.102 Applications.

(1) Application to Establish an International Trust Company Representative Office. The application for authority to establish an international trust company representative office shall be filed on Form OFR-U-20D, Application for the Establishment of an International Trust Company Representative Office in the State of Florida, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. The application shall be submitted with a nonrefundable filing fee in the amount prescribed by Section 663.413(1), F.S., which is made payable to the Office of Financial Regulation (OFR).

(2) Abbreviated Application to Establish an International Trust Company Representative Office. Pursuant to Section 663.406(4), F.S., an international trust entity that has operated an international trust company representative office in this state

for at least three years in a safe and sound manner, as defined by commission rule, and that is otherwise eligible to establish an additional office may establish one or more additional international trust company representative offices by providing an abbreviated application.

(a) For the purposes of subsection (2) of this rule, "safe and sound manner" means operating without violating any prior agreement or order of a state or federal regulatory agency, or engaging in any practice, conduct, or violation found by the OFR to be contrary to generally accepted standards applicable to a financial institution, or that otherwise creates the likelihood of loss, insolvency, or dissipation of assets or otherwise prejudices the interest of the international trust entity or its customers.

(b) The abbreviated application for authority to establish an additional trust company representative office shall be filed on Form OFR-U20D ABR, Abbreviated Application for the Establishment of an Additional International Trust Company Representative Office in the State of Florida, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. This abbreviated application shall be submitted with a nonrefundable filing fee in the amount prescribed by Section 663.413(1), F.S.

(3) After the Fact Licensure In the Event of Acquisition, Merger, or Consolidation. Pursuant to Section 663.4081, F.S., if an international trust entity proposes to acquire, merge, or consolidate with an international trust entity that presently operates an international trust company representative office licensed in the State of Florida, the OFR may allow the currently licensed international trust company representative office to remain open and in operation after the consummation of a proposed acquisition, merger, or consolidation subject to certain conditions. An after-the-fact application for authority to establish an international trust company representative office shall be filed on Form OFR-U-20D, Application for the Establishment of an International Trust Company Representative Office in the State of Florida, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. The application shall be submitted with a nonrefundable filing fee in the amount prescribed by Section 663.413(1), F.S., which is made payable to the Office of Financial Regulation (OFR).

(a) At least 30 days prior to the consummation of the acquisition, merger, or consolidation, the international trust entity currently licensed to operate an international trust company representative office in Florida must provide the OFR a written notice. This written notice shall contain the following:

1. The name, home jurisdiction, and home country supervisor of each party to the transaction.

2. The date of the proposed transaction.

3. The type and terms of the transaction. The written notice must indicate whether the proposed transaction is an acquisition, merger, or consolidation, and give a brief description of the terms of the proposed transaction, including the names of the current and resulting entities, any reasons for engaging in the proposed transaction, and any proposed change to the board of directors.

4. If the proposed transaction will result in a change of home country supervisor, the written notice must include the name and home country jurisdiction of the new home country supervisor.

5. Certification that the international trust company representative office will not engage in any new lines of business or otherwise expand its activities until final disposition of the after-the-fact application.

6. Certification that the proposed transaction will not result in violation of subsection (1) of Section 663.4081, F.S.

(4) Timelines for Approval. For applications filed on or after January 1, 2018, the timelines contained in this subsection will apply to each application for authority to establish an international trust company representative office.

(a) The original and two copies of the application in the format required by the OFR, accompanied by the prescribed fee, shall be filed with the OFR Division of Financial Institutions at 200 East Gaines Street, Tallahassee, Florida 32399-0371. No application will be deemed filed or received for publication unless accompanied by the proper filing fee. All filing fees for any license action covered by these rules are nonrefundable. Upon receipt of the application and the accompanying fee, the applicant shall be so notified by the OFR.

(b) The OFR shall have published in the Florida Administrative Register notice of the application within 21 days after receipt.

(c) Within 21 days after publication of notice, any person may request a hearing. Failure to request a hearing within 21 days after notice constitutes a waiver of any right to a hearing. The OFR or an applicant may request a hearing at any time prior to the issuance of a final order. Hearings shall be conducted pursuant to Sections 120.569 and 120.57, F.S.

(d) Should a hearing be requested as provided by paragraph (4)(c), the applicant or licensee shall publish at its own cost a notice of the hearing in a newspaper of general circulation in the area affected by the application.

(e) All information the applicant wants to present to support the application should be submitted with the original filing. The required exhibits in the application forms are not intended to limit the applicant's presentation of any of the requirements, but merely represent the minimum information required to be filed. All additional information and/or complete

correction of all errors or omissions must be submitted within 60 days after requested by the OFR. Applicant's failure to respond to such request within 60 days after the date of the request shall be construed by the OFR as grounds for denial of an application in accordance with the provisions of Section 120.60(1), F.S., and the file shall be closed, unless good cause is shown that it remain open. Should the file be closed pursuant to these provisions, the applicant shall be duly notified.

(f) An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within 30 days from its receipt for filing. Otherwise, the application may only be amended with permission from the OFR. Requests to make material changes filed at any time after the application has been received shall be deemed by the OFR to be grounds for denial, and upon such denial a new application accompanied by the appropriate filing fee shall be required. If the OFR grants a request to make material changes in the application, the amended application will be treated as a new application with respect to the applicable rules of this chapter, except that no additional filing fee shall be required. When an application is denied on the grounds set forth above, the applicant shall be duly notified.

(g) Upon a request from an applicant, the OFR shall permit the filing of supplemental information external to the application which sets forth evidence of changing economic conditions and transactions, occurrences, or events having a bearing on the application and which have taken place since the application was filed. Such supplemental information must be filed within a reasonable time after the information is known by the applicants but in no event later than 10 days before the hearing, if one has been requested.

(h) An application for authority to establish an international trust company representative office must be approved or denied within 180 days after receipt of the original application, or receipt of the timely requested additional information or correction of errors or omissions. An application for such a license which is not approved or denied within the 180-day period or within 30 days after conclusion of a public hearing on the application, whichever is later, shall be deemed approved subject to the satisfactory completion of conditions required by statute as a prerequisite to license.

(i) The applicant may withdraw the application at any time by filing a written notice of withdrawal from the correspondent as designated on the application form with the OFR. The OFR shall publish notice of the withdrawal within 21 days of its receipt, if the original application required public notice.

(5) Notice Regarding Collection and Use of Social Security Numbers. The forms incorporated by reference in this rule request that the applicant provide his or her social security

number. In accordance with Sections 119.071(5)(a)2.a. and b., F.S., the OFR gives the following notice to applicants regarding the OFR's collection and use of social security numbers:

(a) The OFR's collection of social security numbers is not expressly authorized by or mandatory under federal or state law, but it is imperative for the performance of the OFR's duties and responsibilities as prescribed by Sections 663.406(6) and (9), F.S., to ensure the safe and sound management and operations of the international trust company representative office in this state.

(b) Social security numbers collected by the OFR may not be used by the OFR for any purpose other than the purpose provided in this notice.

(c) Social security numbers held by the OFR are confidential and exempt from Section 119.07(1), F.S., and Section 24(a), Article I of the State Constitution. This exemption does not supersede any federal law prohibiting the release of social security numbers or any other applicable public records exemption for social security numbers existing prior to May 13, 2002, or created thereafter.

(d) Social security numbers held by the OFR may be disclosed if any of the following apply:

1. The disclosure of the social security number is expressly required by federal or state law or a court order,

2. The disclosure of the social security number is necessary for the receiving agency or governmental entity to perform its duties and responsibilities,

3. The individual expressly consents in writing to the disclosure of his or her social security number,

4. The disclosure of the social security number is made to comply with the USA Patriot Act of 2001, Pub. L. No. 107-56, or Presidential Executive Order 13224,

5. The disclosure of the social security number is made to a commercial entity for the permissible uses set forth in the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. sections 2721 et seq.; the Fair Credit Reporting Act, 15 U.S.C. sections 1681 et seq.; or the Financial Services Modernization Act of 1999, 15 U.S.C. sections 6801 et seq., provided that the authorized commercial entity complies with the requirements of this paragraph,

6. The disclosure of the social security number is for the purpose of the administration of health benefits for an agency employee or his or her dependents,

7. The disclosure of the social security number is for the purpose of the administration of a pension fund administered for the agency employee's retirement fund, deferred compensation plan, or defined contribution plan, or

8. The disclosure of the social security number is for the purpose of the administration of the Uniform Commercial Code by the office of the Secretary of State.

Rulemaking Authority 655.012(2), 663.414, 663.406(4),(5),(6) and (9), 663.4081(2) FS. Law Implemented 663.414, 663.406 FS. History-New _____.

69U-130.103 Application for Establishment of Separate International Trust Company Representative Offices.

In accordance with Chapter 663, F.S., a qualified international trust entity may establish separately licensed international trust company representative offices by application for authority to establish an international trust company representative office as provided in subsection 69U-130.102(2), F.A.C. Each such separately licensed international trust company representative office shall meet the criteria specified in Section 663.406, F.S., and rules promulgated thereunder, and shall be fully subject to all applicable restrictions and limitations imposed by Part III of Chapter 663, F.S., and the rules promulgated thereunder. Rulemaking Authority 655.012(2), 663.414 FS. Law Implemented 663.408, 663.414 FS. History-New _____.

69U-130.104 Reciprocity.

The applicant must establish to the satisfaction of the OFR that the applicant's home country permits any financial institution licensed or chartered by any state or any federal bank regulatory agency in the United States to establish similar facilities therein or exercise similar powers to those for which an application has been made. Similar facilities or the exercise of similar powers shall include the indirect maintenance of such facilities or exercise of such powers through the ownership of a subsidiary company. The information submitted may consist of data as to the existing activities of foreign trust companies in the applicant's home country, an opinion of a licensed member of the legal profession of the country in the applicant's home country, or a certificate of the appropriate supervisory authority thereof. In determining whether the requisite reciprocity exists, the criteria and terms and conditions of admission to the foreign country shall be considered sufficiently similar if, taken as a whole, with due regard to local practices, they are as favorable as the criteria and the terms and conditions existing in Florida. Rulemaking Authority 655.012(2), 663.414 FS. Law Implemented 663.414, 663.406(7) FS. History-New _____.

69U-130.105 Principles of Adequate Supervision of an International Trust Entity's Foreign Establishments.

(1) Section 663.406(8)(c), F.S., states a license shall not be issued to an international trust entity for the purpose of operating an international trust company representative office in this state unless the international trust entity is adequately supervised by the appropriate regulatory agency of its home country.

(2) Section 663.406(9), F.S., requires the commission to establish general principles to evaluate the adequacy of supervision of an international trust entity's foreign

establishments. These principles must be based upon the need for cooperative supervisory efforts and consistent regulatory guidelines and must address, at a minimum, the capital adequacy, asset quality, management, earnings, liquidity, internal controls, audits and foreign exchange operations and positions of the international trust entity.

(3) An international trust entity with foreign establishments is considered adequately supervised if it is subject to consolidated supervision. Consolidated supervision is supervision which enables the home country supervisor to evaluate:

(a) The safety and soundness of the international trust entity's operations located within the home country supervisor's primary jurisdiction; and

(b) The safety and soundness of the operations performed by the international trust entity's offices, or subsidiaries, or any affiliates that are directly involved in or facilitate the financial services functions, or fiduciary activities of the international trust entity, wherever located.

(4) An international trust entity with no foreign establishments is considered adequately supervised if the home country supervisor can evaluate the safety and soundness of the international banking corporation's operations through its offices or subsidiaries located in the home country.

(5) The home country supervisor is deemed to be able to evaluate the safety and soundness of the international trust entity, including its offices or subsidiaries, if the home country supervisor maintains information on the following regulatory components:

(a) The technical competence and administrative ability of the management of the international trust entity;

(b) The adequacy of the operational, accounting, and internal control systems of the international trust entity, particularly the international trust entity's ability to monitor and supervise the activities of its offices or subsidiaries wherever located;

(c) The adequacy of asset management and asset administration policies and procedures;

(d) The capital adequacy of the international trust entity, its offices or subsidiaries as specified by any capital adequacy guidelines in the home country;

(e) The earnings and liquidity of the international trust entity; and

(f) The external and internal auditors' reports as well as any management comment letters or any documented corrective action by management.

(6) Adequate supervision, as described in subsections (3) and (4), does not necessarily require supervision of companies which control the international trust entity or require supervision of companies under common control with the international trust entity but not in the international trust entity's

chain of control. However, in cases where a holding company is the only controlling element in an international trust group, holding company supervision by a home country supervisor shall be required when it is needed to ensure consolidated supervision of all entities in the group.

(7) In cases where a holding company is not supervised, adequate supervision shall be considered to exist if the home country supervisor regulates transactions between the international trust entity and controlling persons or entities under common control.

(8) An international trust entity, its offices or subsidiaries, shall be considered adequately supervised if it is subject to comprehensive supervision. Comprehensive supervision is supervision which ensures that the supervisory processes and procedures are designed to inform the home country supervisor about the international trust entity's financial condition, including capital position; asset quality; and the capability of management.

(9) Comprehensive supervision does not require the home country supervisor to conduct on-site examinations of the international trust entity or its offices or subsidiaries. However, at a minimum, it requires that the home country supervisor:

(a) Determine that the international trust entity, and its offices and subsidiaries, have adequate procedures for monitoring and controlling its domestic and foreign operations; and

(b) Is authorized to obtain information, by examination, audits or by other means, on the domestic and foreign operations of the international trust entity, including its offices and subsidiaries, and the authority to demand financial reports which permit analysis of the consolidated condition of the international trust entity.

Rulemaking Authority 655.012(2), 663.406(9), 663.414 FS. Law Implemented 663.406(9), 663.414 FS. History-New _____.

69U-130.106 Capital Accounts.

(1) Pursuant to Section 663.407(2), F.S., the proposed capitalization of an international trust entity seeking licensure to operate an international trust company representative office must be in such amount as the OFR deems adequate, but may in no case be less than \$1 million dollars.

(2) The OFR may not deem the proposed capitalization of the international trust entity to be adequate unless the international trust entity is considered well-capitalized in accordance with the capital adequacy standards of its home country. An international trust entity seeking licensure to operate an international trust company representative office under this part must certify that it is considered well-capitalized in accordance with the capital adequacy standards of its home country.

(3) The OFR may require additional capital for an international trust entity seeking licensure to operate an international trust company representative office in the State of Florida if the OFR finds that the condition and operations of the international trust entity or the proposed scope or type of operations of the proposed international trust company representative office require additional capital. The factors to be considered by the OFR include:

(a) the nature and type of business conducted;

(b) the nature and degree of liquidity in assets held in a corporate capacity;

(c) the amount and type of fiduciary assets under management or assets under administration;

(d) the complexity of fiduciary duties and degree of discretion undertaken;

(e) the competence and experience of management;

(f) the extent and adequacy of internal controls;

(g) the presence or absence of annual unqualified audits by an independent certified public accountant;

(h) the reasonableness of business plans for retaining or acquiring additional capital; and

(i) the existence and adequacy of insurance obtained or held by the international trust entity for the purpose of protecting its clients, beneficiaries, and grantors.

(4) Certifications of capital shall be filed on Form OFR-U-57T, Certificate of Capital, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>.

Rulemaking Authority 655.012(2), 663.414, 663.407(4) FS. Law Implemented 663.407, 663.414 FS. History-New _____.

69U-130.107 Surrender of License.

(1) An international trust entity proposing to terminate the operation of its international trust company representative office shall surrender its license in the manner prescribed by this rule.

(2) An international trust entity shall provide to the OFR written notice of its intention to terminate the operation of its international trust representative office at least sixty (60) days prior to the proposed date of termination. The notice shall state that the proposed termination has been approved by the board of directors of the international trust entity, or a committee or executive officer duly authorized by such board of directors, and shall include the proposed date of termination and the name of the officer in charge of the termination procedures, which officer may be the general manager or any other officer of the international trust company representative office.

(3) An international trust entity shall provide a written notice of termination in a newspaper of general circulation in the county in which its international trust company

representative office is located for a period of two months prior to the proposed date of termination and shall provide the OFR with an affidavit of publication showing that the requirement of publication has been satisfied.

(4) Reports to the OFR.

(a) At the time of its filing the notice required by subsection (2) of this rule, an international trust entity shall file with the OFR a report of the international trust company representative office's assets and liabilities together with attached schedules fully describing the amount and maturity of each of the international trust company representative offices's actual and contingent liabilities, if any. In addition, the international trust entity shall notify the OFR of any pending litigation.

(b) Within thirty (30) days after the date on which the notice required by subsection (2) of this rule, is given to the OFR, an international trust entity shall file with the OFR, a report of the international trust company representative office's assets and liabilities. The report shall reflect the settlement of the international trust representative office's aggregate liabilities as defined in Section 663.07(1), F.S. Any such liability shall be deemed settled if it is either discharged by payment or assumed by another office of the international trust entity.

(c) Within sixty (60) days after the date on which the notice required by subsection (2) of this rule is given to the OFR, an international trust entity shall file with the OFR a statement certified by an appropriate officer of such entity that all the international trust company representative office's assets have been transferred to another office of the international trust entity, and that all the international trust company representative office's liabilities have been settled.

(5) The OFR may conduct an examination of the books of an international trust company representative office at any time after its receipt of the report required by paragraph (4)(a) of this rule, and shall conduct a final examination of such books within fourteen (14) days of its receipt of the statement required by paragraph (4)(c) of this rule.

(6) An international trust company representative office's operations shall be deemed terminated effective upon the expiration of thirty (30) days from the date of filing the statement required by paragraph (4)(c) of this rule, unless, within such thirty (30) day period, the OFR provides to the international trust entity a written notice specifying the grounds for denial of such proposed termination. The OFR shall not deny a request to terminate unless it learns of the existence of any outstanding claim or claims, or any outstanding regulatory obligations which the international trust entity has not met, or unless it deems that the requirements of this rule have not been satisfied.

Rulemaking Authority 655.012(2), 663.414, 663.408(2), 663.408(4), 663.411 FS. Law Implemented 663.414, 663.408(2), 663.408(4), 663.411 FS. History-New _____.

69U-130.108 Service of Process.

An international trust entity operating an international trust company representative office in this state is subject to service of processing at the location of such international trust company representative office. Service of complaints, summonses, notices, orders, subpoenas, and any other legal paper required to be served upon an international trust entity at any such location may be made in accordance with the law and rules governing the court in which the action is, was, or is to be pending.

Rulemaking Authority 655.012(2), 663.414 FS. Law Implemented 663.414 FS. History-New _____.

69U-130.109 Interim Operational Plan.

(1) Pursuant to Section 663.412, F.S., an international trust entity that is licensed to maintain an international trust company representative office may not continue to conduct its licensed business in this state if the international trust entity is experiencing any of the statuses outlined in Section 663.412(1)(a) 1. – 3., F.S. However, subject to the OFR's approval, the OFR may permit an international trust company representative office to remain open and in operation if the international trust entity is experiencing any of the statuses outlined in Section 663.412(1)(a) 2. – 3., F.S., if, within the 30 days after the occurrence of such event, the international trust company representative office provides the office with either a plan to wind down its affairs and business within the subsequent 90 days, or an interim operational plan to the OFR within 30 days after the occurrence of any such event.

(2) The interim operational plan submitted to the OFR must contain the following:

(a) The international trust entity's operational requirements, restrictions, written agreements, or other documents provided by its home country supervisor based on its current status;

(b) A business continuity and strategic plan of the international trust company representative office and international trust entity based on the status of international trust entity. The plans must include projected timelines and impact on business continuity based on the status of the international trust entity;

(c) A description of the technical competence and administrative ability of the management of the international trust entity and its offices or subsidiaries to manage and address requirements and operations based on its status;

(d) A description of the technical competence and

administrative ability of the management of the international trust company representative office based on the status of the international trust entity;

(e) A description of the adequacy of the accounting and internal control systems of the international trust entity, particularly the international trust entity's ability to monitor and supervise the activities of its offices or subsidiaries, wherever located, based on its status;

(f) A description of any updates to internal systems, processes, policies, and procedures of the international trust company representative office and the international trust entity due to the status of the trust entity;

(g) The name and contact information of the international trust entity's home country supervisor;

(h) The name and contact information of any supervisory authorities monitoring and overseeing the international trust entity based on its status; and

(i) If there are any changes to the officer or manager overseeing the operations of the international trust company representative office as part of the interim operational plan, the international trust company representative office shall submit a Form OFR-U-10, Interagency Biographical and Financial Form, revised 3/2003, which is hereby incorporated by reference and available at <https://www.flrules.org/XXXXX>, and Form OFR-U-10A, Confidential Release of Information Supplement to the Interagency Biographical and Financial Form, revised 6/2006, which is hereby incorporated by reference and available at <https://www.flrules.org/XXXXX>, for each newly proposed officer or manager.

(3) Standards. Pursuant to Section 663.412(1)(b)1.a., F.S., if the OFR finds that the interim operational plan does not allow for the conduct of business in a safe and sound manner, the OFR shall revoke the license. In making its determination of the acceptability of the interim operational plan, the OFR shall consider the following criteria:

(a) The international trust entity is authorized by the foreign country in which it is organized and licensed to address the affairs of the international trust company representative office in this state;

(b) The international trust company representative office will not engage in any new lines of business or otherwise expand its activities in this state;

(c) Allowing the international trust company representative office to remain open furthers domestic and foreign supervisory cooperation;

(d) Allowing the international trust company representative office to remain open is in the public's interest and does not present an immediate or serious danger to the public health, safety, or welfare;

(e) Management of the international trust company representative office has the ability to operate the office in a safe and sound manner;

(f) The capital adequacy of the international trust entity, its offices or subsidiaries as specified by the capital adequacy guidelines in the home country and in the United States, based on the status of the international trust entity;

(g) The liquidity, funds management, asset management, and asset administration practices of the international trust entity, its offices or subsidiaries, based on the status of the international trust entity; and

(h) Any supervisory information from the home country regulator or supervisory authority of the international trust entity, based on its status.

(4) The OFR may conduct an onsite examination or investigation of an international trust company representative office to confirm information provided to the OFR in the interim operational plan.

(5) The OFR shall process requests for approval of an interim operational plan as follows:

(a) Upon receipt of any request for approval of an interim operational plan, the OFR shall review the information contained therein, and request any additional information to complete the request within 15 days after receipt. The international trust entity shall provide the requested additional information within 15 days after the receipt of the notice from the OFR. Failure to respond within the timeframe required is grounds for denial of the interim operational plan, and will result in the subsequent revocation of the license in accordance with Section 663.412(1)(a), F.S.

(b) Within 10 days after receipt of any additional information requested, the OFR shall deem the request for approval of an interim operational plan complete or provide notification that the information provided does not satisfy the OFR's request or requests.

(c) Within 10 days after receipt of a completed request for approval of an interim operational plan, the OFR shall approve or deny the interim operational plan.

(d) Approval of an interim operational plan will be granted for no more than 120 days. Should the international trust entity require an interim period of longer than 120 days, a new interim operational plan must be submitted to the OFR for approval at least 15 days prior to the expiration of the original approval. If a new interim operational plan is not provided within 15 days prior to the expiration of the prior plan, the OFR shall revoke the license in accordance with Section 663.412(1)(a), F.S.

(6) If the OFR denies the interim operational plan, the OFR shall revoke the license in accordance with Section 663.412(1)(a), F.S.

(7) No more than 2 consecutive interim operational plans may be approved.

(8) Reporting. The OFR may request periodic reporting as part of the ongoing monitoring of an international trust company representative office that is operating under an interim operational plan.

Rulemaking Authority 655.012(2), 663.414 FS. Law Implemented 663.414 FS. History-New _____.

69U-130.110 Examination Fees.

(1) Pursuant to Section 663.413(2), F.S., the OFR shall charge each international trust entity which maintains an international trust company representative office in this state and is licensed under the provisions of Chapter 663, F.S., an examination fee equal to the actual cost of each examiner's participation during each examination of such international trust company representative office. The examination fee shall equal the actual cost of the examination, but in no event shall such fees (inclusive of travel expenses and other incidental expenses) be less than \$200 per day for each examiner participating in the examination.

(2) For purposes of this section, "actual cost" means the direct salary (excluding employee benefits), travel expenses and other incidental expenses required as a result of the examination staff's onsite and offsite examination of the international trust company representative office. In addition, "actual cost" shall include the travel expenses of any supervisory staff required as a result of examination findings.

(3) The actual cost of any field staff person and supervisor required for training assignments approved by management shall be excluded from the examination fee charged the international banking corporation.

(4) All examination fee payments shall be postmarked within 30 days after receipt of an invoice from the OFR.

Rulemaking Authority 655.012(2), 663.413, 663.414 FS. Law Implemented 663.413, 663.414 FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jeremy W. Smith, Director, Division of Financial Institutions
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2017
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 30, 2017

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

RULE NOS.:	RULE TITLES:
69U-140.002	Applications
69U-140.003	Principles of Adequate Supervision of an International Banking Corporation's Foreign Establishments
69U-140.004	Application for the Establishment of Separate International Banking Agencies by a Qualified International Banking Corporation
69U-140.0045	Interim Operational Plans
69U-140.005	Surrender of Agency License
69U-140.006	Investment Services
69U-140.008	Permissible Activities for an Agency
69U-140.015	Capital Equivalency or Asset Maintenance
69U-140.016	Capital Accounts and Capital Ratio Standards
69U-140.017	Acceptances
69U-140.018	Minimum Audit Procedures - International Bank Agencies
69U-140.019	Financial Reports
69U-140.022	Service of Process
69U-140.023	Reciprocity
69U-140.120	Examination Fees

PURPOSE AND EFFECT: The Office of Financial Regulation (OFR) proposes to create new rules, and amend existing rules, under Chapter 69U-140, F.A.C., to implement Ch. 2017-83, Laws of Florida (International Financial Institutions), signed into law on June 9, 2017. The legislation requires the Financial Services Commission to implement some of its provisions by rule. Additionally, the OFR proposes to amend Rule 69U-140.005, F.A.C., to make the surrender of license requirements applicable to all licensed offices of international banking corporations; and amend Rule 69U-140.023, F.A.C., to update the reciprocity requirement. Finally, the OFR proposes to amend Rules 69U-140.002, 140.003, 140.004, 140.005, 140.006, 140.008, 140.015, 140.017, 140.018, 140.019, 140.020, 140.022, 140.023, and 140.120, F.A.C., to update references to revised rules, statutes, and forms, update cites in the rules' rulemaking authority and law implemented sections, revise language of current rules to create consistency with proposed new rules, and clean-up superfluous language.

SUMMARY: The OFR proposes to amend Chapter 69U-140, F.A.C., which governs the regulation of licensed offices of International Banking Corporations.

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: Pursuant to Section 663.13, F.S., no statement of estimated regulatory costs is required for the proposed rule.

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: 655.012(2), 655.045(3), 663.05(4), 663.05(5), 663.05(6), 663.05(9), 663.055(4), 663.06(2), 663.06(4), 663.0601(2), 663.061(3), 663.07(1), 663.083(1), 663.09, 663.11(1)(b)2., 663.12(3), 663.13 FS.

LAW IMPLEMENTED: 48.081, 48.181, 48.193, 119.071(5)(a), 655.045(3), 658.95, 658.96, 663.02(1), 663.04, 663.05, 663.055, 663.06, 663.0601, 663.061, 663.07, 663.08, 663.083(1), 663.09, 663.10, 663.11, 663.12, 663.13 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi-Ann V. Livingstone, Chief Counsel, Division of Financial Institutions, (850)410-9652, Jodi.Livingstone@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69U-140.002 Applications.

(1) The application for authority to establish an international branch, or international bank agency, shall be filed on Form OFR-U-20, Application for the Establishment of an International ~~Banking~~ Branch or International Bank Agency in the State of Florida, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX> ~~revised 3/2003~~. The application for authority to establish an international representative office or international administrative office shall be filed on Form OFR-U-20A, Application for the Establishment of an International Representative Office or International Administrative Office in the State of Florida, effective 01/2018 8/97, revised 3/2003, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. The application to convert an

international bank agency office to an international branch ~~office~~ shall be filed on Form OFR-U-20B, Application ~~for Authority~~ to Convert an International Bank Agency to an International Branch Office, effective 01/2018 11/01, revised 3/2003, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. The application for authority to organize an international development bank shall be filed on Form OFR-U-20C, Application for Authority to Organize an International Development Bank, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. The application for authority to convert a currently licensed international banking office to an

office of a different type shall be filed on Form OFR-U-20E, Application for Authority to Convert a Licensed International Banking Office to an Office of a Different Type, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. ~~The application for authority to establish an international trust company representative office shall be filed on Form OFR U 20D, Application for the Establishment of an International Trust Company Representative Office in the State of Florida, new 08/2016, herein incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07394>. The application shall be submitted with a nonrefundable filing fee in the amount prescribed by Section 663.12, F.S., which is made payable to the Office of Financial Regulation (OFR).~~

(2) through (3) No change.

(4) After the Fact Licensure In the Event of Acquisition, Merger, or Consolidation. Pursuant to Section 663.0601, F.S., if an international banking corporation proposes to acquire, merge, or consolidate with an international banking corporation that presently operates an international branch, international bank agency, international administrative office, or international representative office licensed in the State of Florida, the OFR may allow the currently licensed office to remain open and in operation after the consummation of a proposed acquisition, merger, or consolidation subject to certain conditions. An after-the-fact application for authority to establish an international branch or international bank agency shall be filed on Form OFR-U-20, Application for the Establishment of an International Branch or International Bank Agency in the State of Florida, effective 01/2018, which is hereby incorporated by reference and available at <https://www.flrules.org/XXXXX>. The application shall be submitted with a nonrefundable filing fee in the amount prescribed by Section 663.12(1), F.S., which is made payable to the OFR. An after-the-fact application for authority to establish an international administrative office or an international representative office shall be filed on Form OFR-

U-20A, Application for the Establishment of an International Representative Office or International Administrative Office in the State of Florida, effective 01/2018, which is hereby incorporated by reference and available at <https://www.flrules.org/XXXXX>. The application shall be submitted with a nonrefundable filing fee in the amount prescribed by Section 663.12(1), F.S., which is made payable to the OFR.

(a) At least 30 days prior to the consumation of the acquisition, merger, or consolidation, the international banking corporation currently licensed to operate an international branch, international bank agency, international administrative office, or international representative office in Florida must provide the OFR a written notice. This written notice shall contain the following:

1. The name, home jurisdiction, and home country supervisor of each party to the transaction.

2. The date of the proposed transaction.

3. The type and terms of the transaction. The written notice must indicate whether the proposed transaction is an acquisition, merger, or consolidation, and give a brief description of the terms of the proposed transaction, including the names of the current and resulting entities, any reasons for engaging in the proposed transaction, and any proposed change to the board of directors.

4. If the proposed transaction will result in a change of home country supervisor, the written notice must include the name and home country jurisdiction of the new home country supervisor.

5. Certification that the international branch, international bank agency, international administrative office, or international representative office will not engage in any new lines of business or otherwise expand its activities until final disposition of the after-the-fact application.

6. Certification that the proposed transaction will not result in violation of subsection (1) of Section 663.0601, F.S.

(5) Pursuant to Section 663.05(4), F.S., an international banking corporation that has operated an international branch, international bank agency, international administrative office, or international representative office in this state for at least three years in a safe and sound manner, as defined by commission rule, and that is otherwise eligible to establish an additional office may establish one or more additional international branches, international bank agencies, international administrative offices, or international representative offices by providing an abbreviated application. An international banking corporation may not use an abbreviated application to seek licensure for any license type whose permissible activities are broader than those in which the international banking corporation is currently authorized to engage.

(a) For the purposes of this subsection, “safe and sound manner” means operating without violating any prior agreement or order of a state or federal regulatory agency, or engaging in any practice, conduct, or violation found by the OFR to be contrary to generally accepted standards applicable to a financial institution, or that otherwise creates the likelihood of loss, insolvency, or dissipation of assets or otherwise prejudices the interest of the international banking corporation or its customers.

(b) The abbreviated application for authority to establish an additional international administrative office or international representative office shall be filed on Form OFR-U-20 ABR, Abbreviated Application for the Establishment of an Additional International Branch or International Bank Agency in the State of Florida, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. This abbreviated application shall be submitted with the appropriate nonrefundable filing fee in the amount prescribed by Section 663.12(1), F.S. The abbreviated application for authority to establish an additional international branch or international bank agency shall be filed on Form OFR-U-20A ABR, Abbreviated Application for the Establishment of an Additional International Administrative Office or International Representative Office in the State of Florida, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>. This abbreviated application shall be submitted with the appropriate nonrefundable filing fee in the amount prescribed by Section 663.12(1), F.S.

(6) For applications filed on or after January 1, 2018, the timelines contained in this subsection will apply to each application for authority to establish an international branch, international bank agency, international administrative office, or international representative office.

(a) The original and two copies of the application in the format required by OFR, accompanied by the prescribed fee, shall be filed with the Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371. No application will be deemed filed or received for publication unless accompanied by the proper filing fee. All filing fees for any license action covered by these rules are nonrefundable. Upon receipt of the application and the accompanying fee, the applicant shall be so notified by OFR.

(b) The OFR shall have published in the Florida Administrative Register notice of the application within 21 days after receipt.

(c) Within 21 days after publication of notice, any person may request a hearing. Failure to request a hearing within 21 days after notice constitutes a waiver of any right to a hearing. The OFR or an applicant may request a hearing at any time prior to the issuance of a final order. Hearings shall be conducted pursuant to Sections 120.569 and 120.57, F.S.

(d) Should a hearing be requested as provided by subsection (c), the applicant or licensee shall publish at its own cost a notice of the hearing in a newspaper of general circulation in the area affected by the application.

(e) All information the applicant wants to present to support the application should be submitted with the original filing. The required exhibits in the application forms are not intended to limit the applicant's presentation of any of the requirements, but merely represent the minimum information required to be filed. All additional information and/or complete correction of all errors or omissions must be submitted within 60 days after requested by OFR. Applicant's failure to respond to such request within 60 days after the date of the request shall be construed by OFR as grounds for denial of an application in accordance with the provisions of Section 120.60(1), F.S., and the file shall be closed, unless good cause is shown that it remain open. Should the file be closed pursuant to these provisions, the applicant shall be duly notified.

(f) An applicant may amend the application as to those factors generally within the control or selection of the applicant once, as a matter of course, at any time within 30 days from its receipt for filing. Otherwise, the application may only be amended with permission from OFR. Requests to make material changes filed at any time after the application has been received shall be deemed by OFR to be grounds for denial, and upon such denial a new application accompanied by the appropriate filing fee shall be required. If OFR grants a request to make material changes in the application, the amended application will be treated as a new application with respect to the applicable rules of this chapter, except that no additional filing fee shall be required. When an application is denied on the grounds set forth above, the applicant shall be duly notified.

(g) Upon a request from an applicant, OFR shall permit the filing of supplemental information external to the application which sets forth evidence of changing economic conditions and transactions, occurrences, or events having a bearing on the application and which have taken place since the application was filed. Such supplemental information must be filed within a reasonable time after the information is known by the applicants but in no event later than 10 days before the hearing, if one has been requested.

(h) An application for authority to establish an international branch, an international bank agency, an international administrative office, or an international representative office must be approved or denied within 180 days after receipt of the original application, or receipt of the timely requested additional information or correction of errors or omissions. An application for such a license which is not approved or denied within the 180-day period or within 30 days after conclusion of a public hearing on the application, whichever is later, shall be

deemed approved subject to the satisfactory completion of conditions required by statute as a prerequisite to license.

(i) The applicant may withdraw the application at any time by filing a written notice of withdrawal from the correspondent as designated on the application form with OFR. OFR shall publish notice of the withdrawal within 21 days of its receipt, if the original application required public notice.

~~(4) Forms OFR U 20, OFR U 20A, and OFR U 20B, which are incorporated herein by reference, may be obtained online _____ at <http://www.flofr.com/StaticPages/DivisionOfFinancialInstitutions.htm>. Forms may also be obtained at no cost by request to the Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0371.~~

~~(7)(5) Notice Regarding Collection and Use of Social Security Numbers. The forms incorporated by reference in this rule request that the applicant provide his or her social security number. In accordance with Sections 119.071(5)(a)2.a. and b., F.S., the OFR gives the following notice to applicants regarding the OFR's collection and use of social security numbers:~~

~~(a) The OFR's collection of social security numbers is not expressly authorized by or mandatory under federal or state law, but it is imperative for the performance of the OFR's duties and responsibilities as prescribed by Sections 663.05(5) and (8), F.S., to ensure the safe and sound management and operations of offices of international banking corporations ~~the international trust company representative office~~ in this state.~~

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

~~Rulemaking Authority 655.012(2), 663.05(4), 663.05(5), 663.05(6), 663.05(9) ~~(8)~~, 663.0601(2), 663.13 FS. Law Implemented 119.071(5)(a), 663.04, 663.05, 663.0601, 663.10 FS. History—New 7-21-81, Amended 12-20-82, 3-8-84, Formerly 3C-15.09, Amended 2-9-87, 10-1-87, 10-10-88, 1-24-89, Formerly 3C-15.009, Amended 3-22-93, 9-5-94, Formerly 3C-140.050, Amended 11-5-97, 3-11-02, Formerly 3C-140.002, Amended 8-28-16, ____.~~

69U-140.003 Principles of Adequate Supervision of an International Banking Corporation's Foreign Establishments.

(1) Section 663.05(8)(a)3, ~~663.05(7)(e)~~, F.S., states a license shall not be issued to an international banking corporation for the purpose of operating an international bank agency or an international branch in this state unless the international banking corporation is adequately supervised by the central bank or bank regulatory agency in the foreign country in which it is organized and chartered. Section 663.05(8)(b)2, ~~663.05(8)(b)~~, F.S., also states that a license shall not be issued to an international banking corporation for the purpose of operating an international representative office or an international administrative office in this state unless the international banking corporation is adequately supervised by

the central bank or bank regulatory agency in the foreign country in which it is organized and chartered.

(2) through (8) No change.

(9) Comprehensive supervision does not require the home country supervisor to conduct on-site examinations of the international banking corporation or its offices or subsidiaries. However, at a minimum, it requires that the home country supervisor:

(a) Determine that the international banking corporation, and its offices and subsidiaries, have adequate procedures for monitoring and controlling its domestic and foreign operations; and

(b) Receives information (by examination, audits or by other means) on the domestic and foreign operations of the international banking corporation, including its offices and subsidiaries; and also receives financial reports which permit analysis of the consolidated condition of the international banking corporation;

~~(c) Has the ability to obtain information on the dealings and relationships between the international banking corporation, its offices and subsidiaries wherever located; and~~

~~(d) Is empowered by the home country's banking laws with the authority and ability to ensure the safety and soundness of the international banking corporation and its offices and subsidiaries.~~

~~(10) Comprehensive supervision includes the ability and willingness of the home country supervisor to provide OFR early notice of any financial weaknesses being experienced by the international banking corporation, including its offices or subsidiaries wherever located. Comprehensive supervision also includes the ability of the home country supervisor to provide OFR assurance of cooperation by both the international banking corporation and the home country supervisor.~~

Rulemaking Authority ~~120.53(1)(b); 655.012(2) 655.012(3), 663.05(9)~~ FS. Law Implemented 663.05(9) FS. History—New 8-24-93, Formerly 3C-140.051, 3C-140.003, Amended _____.

69U-140.004 Application for the Establishment of Separate Florida Offices International Banking Agencies by a Qualified International Banking Corporation.

In accordance with Chapter 663, F.S., a qualified international banking corporation may establish separately licensed offices in the State of Florida international banking agencies by application for authority to establish an international branch, an international bank agency, an international administrative office, or an international representative office banking agency as provided in subsection 69U-140.002(1) 69U-15.009(1), F.A.C. Each such separately licensed international branch, international bank agency, international administrative office, or international representative office banking agency shall meet

the criteria specified in Section 663.05, F.S., and rules promulgated thereunder, and shall be fully subject to all applicable restrictions and limitations imposed by Chapter 663, F.S., and the rules promulgated thereunder.

Rulemaking Authority 655.012(2) 663.06(6), 663.13 FS. Law Implemented 663.04, 663.05(5) 663.05(4), 663.06(1) 663.06(6) FS. History—New 12-20-82, Formerly 3C-15.081, 3C-15.0081, 3C-140.004, Amended _____.

69U-140.0045 Interim Operational Plans.

(1) Pursuant to Section 663.11, F.S., an international banking corporation that is licensed to maintain an international branch, international bank agency, international administrative office, or international representative office may not continue to conduct its licensed business in this state if the international banking corporation is experiencing any of the statuses outlined in Section 663.11(1)(a) 2. – 3., F.S. However, subject to OFR approval, the OFR may permit an international branch, international bank agency, international administrative office, or international representative office to remain open and in operation if the international banking corporation is experiencing any of the statuses outlined in Section 663.11(1)(a) 2. – 3., F.S., if, within the 30 days after the occurrence of such event, the international branch, international bank agency, international administrative office, or international representative office provides the OFR with either a plan to wind down its affairs and business within the subsequent 90 days, or an interim operational plan to the OFR within 30 days after the occurrence of any such event.

(2) The interim operational plan submitted to the OFR must contain the following:

(a) The international banking corporation's operational requirements, restrictions, written agreements, or other documents provided by its home country supervisor based on its current status;

(b) A business continuity and strategic plan of the international branch, international bank agency, international administrative office, or international representative office and international banking based on the status of international banking corporation. The plans must include projected timelines and impact on business continuity based on the status of the international banking corporation.

(c) A description of the technical competence and administrative ability of the management of the international banking corporation and its offices or subsidiaries to manage and address requirements and operations based on its status;

(d) A description of the technical competence and administrative ability of the management of the international branch, international bank agency, international administrative office, or international representative office based on the status

of the international banking corporation;

(e) A description of the adequacy of the accounting and internal control systems of the international banking corporation, particularly the international banking corporation's ability to monitor and supervise the activities of its offices or subsidiaries, wherever located, based on its status;

(f) A description of any updates to internal systems, processes, policies, and procedures of the international branch, international bank agency, international administrative office, or international representative office and the international banking corporation due to the status of the international banking corporation;

(g) The name and contact information of the international banking corporation's home country supervisor;

(h) The name and contact information of any supervisory authorities monitoring and overseeing the international banking corporation based on its status; and

(i) If there are any changes to the officer or manager overseeing the operations of the international branch, international bank agency, international administrative office, or international representative office as part of the interim operational plan, the international branch, international bank agency, international administrative office, or international representative office shall submit a Form OFR-U-10, Interagency Biographical and Financial Form, effective 3/2003, which is hereby incorporated by reference and available at <https://www.flrules.org/XXXXX> and Form OFR-U-10A, Addendum to Form OFR-U-10, Confidential Release of Information Supplement to the Interagency Biographical and Financial Form, effective 01/2018, which is hereby incorporated by reference and available at <https://www.flrules.org/XXXXX>, for each newly proposed officer or manager.

(3) Pursuant to Section 663.11(1)(b)1.a., if the OFR finds that the interim operational plan does not allow for the conduct of business in a safe and sound manner, the OFR shall revoke the license. In making its determination of the acceptability of the interim operational plan, the OFR shall consider the following criteria:

(a) The international banking corporation is authorized by the foreign country in which it is organized and licensed to address the affairs of the international branch, international bank agency, international administrative office, or international representative office in this state;

(b) The international branch, international bank agency, international administrative office, or international representative office will not engage in any new lines of business or otherwise expand its activities in this state;

(c) Allowing the international branch, international bank agency, international administrative office, or international

representative office to remain open furthers domestic and foreign supervisory cooperation;

(d) Allowing the international branch, international bank agency, international administrative office, or international representative office to remain open is in the public's interest and does not present an immediate or serious danger to the public health, safety, or welfare;

(e) Management of the international branch, international bank agency, international administrative office, or international representative office has the ability to operate the office in a safe and sound manner;

(f) The capital adequacy of the international banking corporation, its offices or subsidiaries as specified by the capital adequacy guidelines in the home country and in the United States, based on the status of the international banking corporation;

(g) The liquidity and funds management practices of the international banking corporation, its offices or subsidiaries, based on the status of the international banking corporation; and

(h) Any supervisory information from the home country regulator or supervisory authority of the international banking corporation, based on its status.

(4) The OFR may conduct an onsite examination or investigation of an international branch, international bank agency, international administrative office, or international representative office to confirm information provided to the OFR in the interim operational plan.

(5) The OFR shall process requests for approval of an interim operational plan as follows:

(a) Upon receipt of any request for approval of an interim operational plan, the OFR shall review the information contained therein, and request any additional information to complete the request within 15 days after receipt. The international banking corporation shall provide the requested additional information within 15 days after the receipt of the notice from the OFR. Failure to respond within the timeframe required is grounds for denial of the interim operational plan, and will result in the subsequent revocation of the license in accordance with Section 663.11(1)(a), F.S.

(b) Within 10 days after receipt of any additional information requested, the OFR shall deem the request for approval of an interim operational plan complete or provide notification that the information provided does not satisfy the OFR's request or requests.

(c) Within 10 days after receipt of a completed request for approval of an interim operational plan, the OFR shall approve or deny the interim operational plan.

(d) Approval an interim operational plan will be granted for no more than 120 days. Should the international banking corporation require an interim period of longer than 120 days, a new interim operational plan must be submitted to the OFR

for approval prior at least 15 days prior to the expiration of the original approval. If a new interim operational plan is not provided within 15 days prior to the expiration of the prior plan, the OFR shall revoke the license in accordance with Section 663.11(1)(a), F.S.

2. If the OFR denies the interim operational plan, the OFR shall revoke the license in accordance with Section 663.11(1)(a), F.S.

3. No more than 2 consecutive interim operational plans may be approved.

(6) Reporting. The OFR may request periodic reporting as part of the ongoing monitoring of an international branch, international bank agency, international administrative office, or international representative office that is operating under an interim operational plan.

Rulemaking Authority 663.11(1)(b)2. FS. Law Implemented 663.11 FS. History—New

69U-140.005 Surrender of Agency License.

(1) ~~General.~~ An international banking corporation proposing to terminate the operation of its international branch, international administrative office, international representative office, or international bank agency by closure or by nonrenewal of the international branch, international administrative office, international representative office, or international bank agency license shall surrender such license in the manner prescribed by this rule.

(2) ~~Preliminary Notice to OFR.~~ An international banking corporation shall provide to OFR written notice of its intention to terminate the operation of its licensed office agency at least sixty (60) days prior to the proposed date of termination. The notice shall state that the proposed termination has been approved by the board of directors of the international banking corporation, or a committee or executive officer duly authorized by such board of directors, and shall include the proposed date of termination and the name of the officer in charge of the termination procedures, which officer may be the general manager or any other officer of the agency.

(3) ~~The An~~ international banking corporation shall provide to the depositors and other creditors of its licensed office agency a written notice of termination in a newspaper of general circulation in the county in which its agency is located for a period of two months, running on a weekly basis, prior to the proposed date of termination and shall provide OFR with an affidavit of publication showing that the requirement of publication has been satisfied. The international banking corporation shall, in addition, send a notice directly to the customers of the international branch, international administrative office, international representative office, or international bank agency, at least thirty (30) days prior to the

proposed date of termination, and shall provide a sample copy of the notice to the OFR.

(4) Reports to OFR.

(a) At the time of its filing the notice required by subsection (2) of this rule, an international banking corporation shall file with OFR a report of the licensed office's agency's assets and liabilities together with attached schedules fully describing the amount and maturity of each of the licensed office's agency's actual and contingent liabilities, including any pending litigation.

(b) Within thirty (30) days after the date on which the notice required by subsection (2) of this rule is given to OFR, an international banking corporation shall file with OFR a report of the licensed office's agency's assets and liabilities, which report shall reflect the settlement of the licensed office's agency's aggregate liabilities as defined in Section 663.07(1), F.S. Any such liability shall be deemed settled if it is either discharged by payment or assumed by another office of the international banking corporation.

(c) Within sixty (60) days after the date on which the notice required by subsection (2) of this rule is given to OFR, an international banking corporation shall file with OFR a statement certified by an appropriate officer of such corporation that all the licensed office's agency's assets, except any assets, including dollar deposits maintained with other banks or investment securities, held in satisfaction of the agency's asset maintenance or capital equivalency requirements, have been transferred to another office of the international banking corporation and that all the licensed office's agency's liabilities have been settled.

(5) ~~Review by OFR.~~ OFR may conduct an examination of the books of an international branch, international administrative office, international representative office, or international bank agency at any time after its receipt of the report required by paragraph (4)(a) of this rule and shall conduct a final examination of such books within seven (7) days of its receipt of the statement required by paragraph (4)(c) of this rule.

(6) ~~Effective Date of Termination.~~ An international branch, international administrative office, international representative office, or international banking agency's operations shall be deemed terminated effective upon the expiration of thirty (30) days from the date of filing the statement required by paragraph (4)(c) of this rule unless, within such thirty (30) day period, OFR provides to the international banking corporation a written notice specifying the ground for denial of such proposed termination. OFR shall not deny a request to terminate unless it learns of the existence of any outstanding claim or claims, or any outstanding regulatory obligations which the international banking corporation has not met, or against the international bank agency or unless it deems that the requirements of this rule

have not been satisfied.

Rulemaking Authority ~~120.53(1)(b), 655.012(2) 655.012—(3), 663.06(2), 663.06(4), 663.13 FS. Law Implemented 120.53(1)(b), 658.95, 658.96, 663.02(1) 663.02(2), 663.06 663.06(4), 663.07, 663.09, 663.13 FS. History—New 12-27-87, Formerly 3C-15.016, 3C-140.005, Amended~~.

69U-140.006 Investment Services.

(1) Pursuant to Section 663.061(1), F.S., an international bank agency may provide investment management and investment advisory services to non-residents and may also provide such services to residents when such services relate to international or foreign, or domestic investments. For the purposes of this rule the term “non-residents” has the same meaning as that term is defined pursuant to Section ~~663.01(10) 663.01(11)~~, F.S.

(2) through (3) No change.

Rulemaking Authority ~~120.53(1)(b), 655.012(2) 655.012—(3), 663.061(3), 663.13 FS. Law Implemented 663.06(5), 663.061(1) FS. History—New 1-30-84, Formerly 3C-15.14, 3C-15.014, Amended 8-2-93, Formerly 3C-140.061, 3C-140.006, Amended~~.

69U-140.008 Permissible Activities for an Agency.

(1) Generally, permissible activities shall include those activities permissible for corporations engaged in international banking or financial operations under the Edge Act, 12 U.S.C. sections 611-631, except such of those activities that are contrary to or inconsistent with any of the provisions of Chapter 663, F.S., or these rules. An international bank agency may engage in any activity permissible for an international administrative office or international representative office.

(2) ~~Credit Balances.~~ An international bank agency may maintain for the account of others credit balances necessarily incidental to, or arising out of, the exercise of its lawful powers. Provided that such credit balances are disbursed in accordance with subsection (3) of this rule, they shall not be considered to be functionally equivalent to demand deposits for purposes of Section ~~663.061(2) 663.06(5)~~, F.S. Credit balances may include proceeds of loans to customers where such proceeds are not immediately disbursed; proceeds of incoming remittances; proceeds of collections made for customers’ accounts; funds delivered by customers to settle letters of credit accounts with the banking agency prior to settlement date; proceeds of export bills negotiated (i.e., drafts drawn under letters of credit issued by and received from other financial institutions); cash collateral resulting from any permissible activity with a customer; undisbursed proceeds of a loan retained by the banking agency in the nature of a compensating balance from the borrowing customer; funds delivered prior to execution of money transfers undertaken on behalf of customers; funds delivered or received on account of the purchase or sale of securities for the account of customers; and funds received from

customers to cover currency transactions or as the result of currency transactions on behalf of customers.

(3) ~~Disbursement of Credit Balances.~~ A credit balance may be fully or partially disbursed either to the customers for whose accounts it is maintained or to third parties designated by the customer. Such disbursements may be made by check, draft, pre-authorized transfer, or otherwise. Disbursements by the customer to third parties, however made, shall not exceed an average of twenty per day per calendar month. Disbursements to the customer maintaining the credit balance and disbursements by the international bank agency on behalf of the customer to third parties may be made without limitation.

(4) ~~Compliance with Disbursement Limitations.~~ To insure compliance with subsection (3) of this rule, an international bank agency which maintains credit balances for the account of customers shall adopt procedures to monitor credit balance disbursements to third parties and promptly notify customers who exceed the limitations established in subsection (3) of this rule. Customers who are notified as provided in this subsection and who subsequently exceed the limitations established in subsection (3) of this rule shall be prohibited by the international bank agency at which their accounts are maintained from making further credit balance disbursements to third parties.

(5) ~~Lending.~~ An agency may provide financing and banking services to foreign businesses and foreign individuals in their foreign operations, and also in their operations in the United States or elsewhere, where such operations are in the stream of international business and commerce. An agency may also provide financing and banking services to United States businesses and customers in their foreign operations and in their operations in Florida and elsewhere that are clearly related to international commerce, such as operations directly connected with the production, storage, transportation and sale of goods for export or import if the importation or exportation of the goods is financed by the banking agency.

(6) Deposits.

(a) An international bank agency licensed by this state may accept, pursuant to Section 663.061, F.S., only the following deposits:

1. through 3. No change.

4. International banking facility deposits, as defined by Rule ~~69U-100.003 69U-17.002~~, F.A.C.

(b) No change.

(7) Pursuant to the authority contained in ~~subsections (6) and (7) of Section 663.061 663.06, F.S., and by virtue of the provisions of the federal International Banking Act of 1978 (Public Law 95-369, 92 Stat. 607) relating to federal agencies, as defined therein, and those provisions of the Code of Federal Regulations as adopted by the Comptroller of the Currency of the United States pursuant to said International Banking Act of~~

~~1978 relating to federal agencies (12 CFR Part 28; 44 Federal Register 65381, November 13, 1979),~~ notwithstanding the limitations set forth above, the operations of an international banking corporation at its international bank agency licensed in Florida by OFR:

(a) No change.

(b) Shall be subject to all the same duties, restrictions, penalties, liabilities, conditions, and limitations that would apply under the Financial Institutions Codes Florida Banking Code to a state bank doing business in Florida.

Rulemaking Authority 655.012(2), 663.061(3), 663.13 FS. Law Implemented 663.061, 663.06(5) FS. History—New 5-4-78, Amended 2-24-80, 7-21-81, 12-2-85, Formerly 3C-15.03, Amended 5-27-87, 5-18-88, Formerly 3C-15.003, Amended 11-5-97, Formerly 3C-140.008, Amended 10-29-12,___.

69U-140.015 Capital Equivalency or Asset Maintenance.

(1) No change.

(2) ~~Deposit Arrangements.~~ The capital equivalency deposits shall be maintained pursuant to a deposit agreement between the international banking corporation and the depository bank on Form OFR-U-29, Capital Equivalency Deposit Agreement, which shall be available from OFR. Funds deposited in investment securities placed in safekeeping at the depository bank to satisfy the capital equivalency requirements shall: be segregated on the books and records of the depository bank; not be diminished in aggregate value, by withdrawal, without the prior approval of OFR; be pledged to OFR; and be free from any lien, charge, right of set off, credit or preference in connection with any claim of the depository bank against the international banking corporation. So long as it continues business in the ordinary course, the international banking corporation shall be permitted to collect income on the securities and the funds so deposited and will be allowed from time to time to exchange such securities. In the event of the voluntary closure of the international bank agency or international branch, OFR shall determine the time for the release of the capital equivalency dollar deposits and investment securities. The time for release shall be based upon a determination by OFR that satisfactory arrangements have been made by the international banking corporation for the payment of creditors and the settlement of depositors of the international bank agency or international branch.

(3) ~~Maintenance of a Capital Equivalency Ledger Account.~~

Each international bank agency or international branch shall maintain a capital equivalency account and shall record for each business day the amount of liabilities requiring capital equivalency coverage. On the last business day of each month, the average daily balance of such liabilities shall be computed. Based on this computation, any increase in the dollar deposits or investment securities that may be necessary to maintain the

minimum capital equivalency amount or capital equivalency ratio shall be made within the first seven business days of the following month. If an international banking corporation has two or more international bank agencies or international branches, the capital equivalency deposits and the amount of liabilities requiring capital equivalency coverage shall be determined on an aggregate basis.

(4) through (11) No change.

Rulemaking Authority 655.012(2), 663.13, 663.07(1) FS. Law Implemented 663.07(1), (3), (5), (7), (9), 663.12(4) FS. History—New 3-10-82, Amended 11-21-85, Formerly 3C-15.10, Amended 10-5-89, Formerly 3C-15.010, Amended 8-24-93, Formerly 3C-140.007, 3C-140.015, Amended 10-29-12,___.

69U-140.016 Capital Accounts and Capital Ratio Standards.

(1) To qualify for a license to operate an international branch, international bank agency, international administrative office, or international representative office, an international banking corporation must have an average capital ratio of 5.0 percent or greater. For the purposes of this section, “average capital ratio” means capital accounts divided by the average of the prior 4 quarters of average assets.

(2) In no case may the total capital accounts of the international banking corporation be less than the minimum required under s. 658.21(2) to establish a state bank. An international banking corporation that operates an international branch, international bank agency, international administrative office, or international representative office under this part must annually certify the total capital accounts of the international banking corporation. Such certification must be submitted to the OFR on a Form OFR-U-57, Certificate of Capital, effective 01/2018, herein incorporated by reference and available at <https://www.flrules.org/XXXXX>.

(3) The OFR may not deem the proposed capitalization of the international banking corporation to be adequate unless the international banking corporation is considered well-capitalized in accordance with the capital adequacy standards of its home country. An international banking corporation seeking licensure to operate an international branch, international bank agency, international administrative office, or international representative office under this part must certify that it is considered well-capitalized in accordance with the capital adequacy standards of its home country.

Rulemaking Authority 663.055(4) FS. Law Implemented 663.04(5), 663.05, 663.055, 663.06, 663.08 FS. History—New ___.

69U-140.017 Acceptances.

(1) through (4) No change.

Rulemaking Authority 655.012(2) ~~655.012(3)~~, 663.083(1), 663.13 FS. Law Implemented 120.53(1)(b), 663.083(1) FS. History—New 11-4-84, Formerly 3C-15.15, 3C-15.015, 3C-140.017, Amended ___.

69U-140.018 Minimum Audit Procedures – International Bank Agencies.

(1) ~~Scope, Records in English.~~ Each ~~state licensed~~ international bank agency shall keep a set of accounts and records in English, reflecting all transactions on a daily basis. The international banking corporation of each ~~state licensed~~ bank agency shall perform, or shall cause to be performed, an audit of the agency within each calendar year and within 15 months of the previous audit, in compliance with the following minimum audit requirements. If the audit is performed on a departmental or continuous basis, it should be initiated during the calendar year and within 15 months of the previous audit.

(2) ~~Persons Qualified to Perform Audits.~~ Persons who perform audits for the international bank agencies must be independent of any manager or employee in charge of operating the international agency and must qualify pursuant to one of the following classes:

(a) through (b) No change.

(3) through (7) No change.

Rulemaking Authority 655.012(2) ~~655.012(3)~~, 655.045(3), 663.09, 663.13 FS. Law Implemented 655.045(3), 663.09 FS. History–New 3-29-83, Formerly 3C-15.12, Amended 8-19-86, 5-22-90, 10-29-91, 2-17-92, Formerly 3C-15.012, Amended 3-11-01, Formerly 3C-140.018, Amended.

69U-140.019 Financial Reports.

(1) through (8) No change.

Rulemaking Authority ~~120.53(1)(b)~~, 655.012(2) ~~655.012(3)~~, 663.13 FS. Law Implemented 663.07, 663.09 FS. History–New 2-22-79, Amended 2-24-80, 7-21-81, 4-29-84, 8-15-85, Formerly 3C-15.06, Amended 8-19-86, 3-22-92, Formerly 3C-15.006, Amended 4-18-93, 1-31-96, Formerly 3C-140.009, 3C-140.019, Amended.

69U-140.022 Service of Process.

An international banking corporation operating an international branch, an international bank agency, an international administrative office, or an international representative office ~~a state chartered agency~~ in this state is subject to service of processing at the location of such office agency. Service of complaints, summonses, notices, orders, subpoenas and any other legal paper required to be served upon an international banking corporation at any such location may be made in accordance with the law and rules governing the court in which the action is, was, or is to be pending.

Rulemaking Authority 655.012(2) ~~655.012(3)~~, 663.13 FS. Law Implemented 48.081, 48.181, 48.193, ~~120.53(1)(e)~~, ~~120.60(6)~~, ~~663.06(6)~~, 663.13 FS. History–New 2-24-80, Amended 7-21-81, Formerly 3C-15.07, 3C-15.00, 3C-140.022, Amended.

69U-140.023 Reciprocity.

The applicant must establish to the satisfaction of the OFR, that the country in which the applicant is organized permits any

financial institution licensed or chartered by any state or any federal bank regulatory agency in the United States ~~Florida banks~~ to establish similar facilities therein or exercise similar powers to those for which an application has been made. Similar facilities or the exercise of similar powers shall include the indirect maintenance of such facilities or exercise of such powers through the ownership of a subsidiary company. The information submitted may consist of data as to the existing activities of foreign banks in the country in which the applicant is organized, an opinion of a licensed member of the legal profession of the country in which the applicant is organized or a certificate of the appropriate bank supervisory authority thereof. In determining whether the requisite reciprocity exists, the criteria and terms and conditions of admission to the foreign country shall be considered sufficiently similar if, taken as a whole, with due regard to local banking practices, they are as favorable as the criteria and the terms and conditions existing in Florida.

Rulemaking Authority 655.012(2) ~~655.012(3)~~, 663.13 FS. Law Implemented ~~120.60(4)~~, 663.04(2), 663.05(7)(a) FS. History–New 5-4-78, Amended 7-21-81, Formerly 3C-15.05, 3C-15.005, 3C-140.023, Amended.

69U-140.120 Examination Fees.

(1) through (2) No change.

Rulemaking Authority 655.012(2) ~~655.012(3)~~, 663.12(3) FS. Law Implemented 663.12(3) FS. History–New 6-1-97, Formerly 3C-140.120, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jeremy W. Smith, Director, Division of Financial Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 30, 2017

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-3.001
RULE TITLE: General Requirements of Clinical Laboratory Personnel Training Programs
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 92, May 11, 2017 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NOS.:	RULE TITLES:
64B3-5.003	Technologist
64B3-5.004	Technician
64B3-5.007	Director; Limitations and Qualifications

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. 79, April 24, 2017 issue of the Florida Administrative Register.

A previous Notice of Change published for the rules on July 17, 2017, in Vol. 43, No. 137, of the Florida Administrative Register. The following changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The rules shall now read as follows:

64B3-5.003 Technologist.

(1) No change.

(2) All applicants for a Technologist license must satisfy the requirements for High Complexity Testing under CLIA Amendments, 42 CFR 493.1489, effective April 24, 1995 (~~2014~~), which is incorporated by reference and adopted herein and available at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title42-vol5/pdf/CFR-2011-title42-vol5-sec493-1489.pdf> or at http://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

(3) No change.

Rulemaking Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034(3), 483.809, 483.811(2), 483.823 FS. History—New 12-6-94, Amended 7-12-95, 9-10-95, 12-4-95, Formerly 590-5.003, Amended 5-26-98, 1-11-99, 7-5-01, 3-24-02, 10-29-02, 8-16-04, 5-15-05, 12-19-05, 5-25-06, 7-9-07, 2-7-08, 6-17-09, 1-30-12, 2-7-13, 10-3-13, 4-5-15, 6-16-15,_____.

64B3-5.004 Technician.

(1) No change.

(2) All applicants for a Technician license must satisfy the requirements for Moderate Complexity Testing under CLIA Amendments, 42 CFR 493.1423, effective January 19, 1993, which is incorporated by reference herein and available at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title42-vol5/pdf/CFR-2011-title42-vol5-sec493-1423.pdf> or http://www.flrules.org/Gateway/reference.asp?No=Ref-_____. Technicians performing high complexity testing as defined in 42 CFR 493.5 ~~both~~ effective April 24, 1995, which is incorporated by reference herein and available at <https://www.gpo.gov/fdsys/pkg/CFR-2011-title42-vol5/pdf/CFR-2011-title42-vol5.pdf> or http://www.flrules.org/Gateway/reference.asp?No=Ref-_____ and 493.17, effective January 19, 1993, which is incorporated by reference herein and available at <https://www.gpo.gov/fdsys/pkg/CFR-2011-title42->

http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, and who have been licensed after September 1, 1997, shall meet the minimum educational and training qualifications provided in 42 CFR 493.1489, effective April 24, 1995, which is incorporated by reference herein and available at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title42-vol5/pdf/CFR-2011-title42-vol5-sec493-1489.pdf> or http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, incorporated herein by reference, including a minimum of an associate degree in laboratory science, medical laboratory technology, or equivalent education and training.

(3) No change.

Rulemaking Authority 483.805(4), 483.811(2), 483.823 FS. Law Implemented 381.0034, 483.809, 483.811(2), 483.823 FS. History—New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 590-5.004, Amended 5-26-98, 9-20-98, 1-11-99, 8-31-99, 9-27-00, 12-26-00, 4-29-02, 10-29-02, 2-11-03, 4-20-04, 2-23-06, 5-25-06, 12-5-07, 1-30-12, 10-3-13,_____.

64B3-5.007 Director; Limitations and Qualifications.

(1) All applicants for a Director license must have the qualifications for a High Complexity Laboratory Director, listed in 42 CFR 493.1443 (~~2014~~), effective January 24, 2003, which is incorporated by reference and adopted herein, available at www.gpo.gov/fdsys/pkg/CFR-2011-title42-vol5/pdf/CFR-2011-title42-vol5.pdf or at http://www.flrules.org/Gateway/reference.asp?No=Ref-_____. The applicant shall complete a one hour educational course acceptable to the Board on human immunodeficiency virus and acquired immune deficiency syndrome or provide an affidavit that the course will be completed within six (6) months of licensure.

(2) No change.

Rulemaking Authority 483.805(4) FS. Law Implemented 381.0034(3), 483.800, 483.809, 483.823(1), 483.824 FS. History—New 6-6-85, Formerly 10D-41.67, Amended 3-11-90, Formerly 10D-41.067, Amended 7-1-97, Formerly 590-5.007, Amended 5-26-98, 3-2-99, 3-24-02, 10-14-02, 4-20-04, 2-23-06, 3-17-08, 6-17-09, 12-30-09, 1-30-12, 2-23-16,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

**Section IV
Emergency Rules**

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on August 17, 2017, the
Florida Department of Business and Professional Regulation,
Division of Hotels and Restaurants, received a petition for an
Emergency Variance for subsection 61C-4.010(7), Florida
Administrative Code and subsection 61C-4.010(6), Florida
Administrative Code, from Big C's BBQ located in St.
Petersburg. The above referenced F.A.C. addresses the
requirement that at least one accessible bathroom be provided
for use by customers. They are requesting to share the
bathrooms located within a nearby establishment under a
different ownership for use by customers only.

The Division of Hotels and Restaurants will accept comments
concerning the Petition for 5 days from the date of publication
of this notice. To be considered, comments must be received
before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained
by contacting: Daisy.Aleman@myfloridalicense.com, Division
of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee,
Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation,
Division of Hotels and Restaurants, Bureau of Elevator Safety
hereby gives notice:

On August 15, 2017, the Division issued an order. The Final
Order was in response to a Petition for a temporary Variance
from BB&T Tower, filed July 20, 2017, and advertised on July
31, 2017 in Vol.43, No.147, of the Florida Administrative
Register. No comments were received in response to the
petition. The Final Order on the Petition for Variance grants the
Petitioner a variance from Rule 3.11.3, A17.3, 1996 edition, as
adopted by paragraph 61C-5.001(1)(a), Florida Administrative
Code, that requires upgrading the elevators with firefighters
service operation because the Petitioner has demonstrated that
the purpose of the underlying statute has been met and that
Petitioner would suffer a substantial hardship if required to
comply with this rule (VW2017-119).

A copy of the Order or additional information 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on August 17, 2017, the
Florida Department of Business and Professional Regulation,
Division of Hotels and Restaurants, received a petition for an
Emergency Variance for subsection 61C-4.010(7), Florida
Administrative Code, and subsection 61C-4.010(6), Florida
Administrative Code, from Chaplins Calabash located in St.
Petersburg. The above referenced F.A.C. addresses the
requirement that at least one accessible bathroom be provided
for use by customers. They are requesting to share the
bathrooms located within a nearby establishment under a
different ownership for use by customers only.

The Division of Hotels and Restaurants will accept comments
concerning the Petition for 5 days from the date of publication
of this notice. To be considered, comments must be received
before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained
by contacting: Daisy.Aleman@myfloridalicense.com, Division
of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee,
Florida 32399-1011.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on August 17, 2017, the
Florida Housing Finance Corporation received a petition for
Waiver of subsection 67-48.002(95), F.A.C., seeking a waiver
of the timing provisions of the 2015 QAP pertaining to a tax
credit exchange.

A copy of the Petition for Variance or Waiver may be obtained
by contacting: Corporation Clerk, 227 N. Bronough Street,
Suite 5000, Tallahassee, Florida 32301. The Petition has also
been posted on Florida Housing's website at
floridahousing.org. Florida Housing will accept comments
concerning the Petition for 14 days from the date of publication
of this notice. To be considered, comments must be received on
or before 5:00 p.m., Eastern Time, on the 14th day after
publication of this notice at Florida Housing Finance
Corporation, 227 North Bronough Street, Suite 5000,
Tallahassee, Florida 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on August 17, 2017, the Florida Housing Finance Corporation received a petition for waiver from from SP Gardens LLC requesting to waive subsection 67-48.002(95), F.A.C, to waive the timing requirements found in the 2016 QAP to immediately return its allocation for 2016 in exchange for 2017 Housing Credits and extend corresponding deadlines.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 18, 2017, 9:00 a.m. until conclusion.

PLACE: Teleconference; dial: 1(888)670-3525, then participant code: 6583652830#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2018-2019 Presenter Level 3 grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: the Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org/calendar.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rachele Ashmore at rachele.ashmore@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida

Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Hillary Crawford at (850)245-6462 or at hillary.crawford@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Division of Cultural Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 19, 2017, 9:00 a.m. until conclusion.

PLACE: Teleconference; dial: 1(888)670-3525, then participant code: 6583652830#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2018-2019 Community Theatre grants under the General Program Support and Specific Cultural Project Grant Programs.

A copy of the agenda may be obtained by contacting: the Division of Cultural Affairs at (850)245-6470 or by visiting our website: www.florida-arts.org/calendar.

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

For more information, you may contact: Ginny Grimsley, (850)245-6431, gabby.grimsley@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Florida Council on the Social Status of Black Men and Boys announces public meetings to which all persons are invited.

DATES AND TIMES: September 13, 2017, 9:00 a.m. – 5:00 p.m.; September 14, 2017, 9:00 a.m. – 5:00 p.m.

PLACE: The Capitol, Cabinet Meeting Room, 400 S. Monroe St., Tallahassee, FL 32399, (850)414-3300; telephone conference: toll-free dial-in number: 1(888)670-3525, participant code: 1937102943

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business Meeting. The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: <http://www.cssbmb.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

The Early Learning Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, Sept. 15, 2017, 10:30 a.m. – 3:30 p.m. (or until business concludes)

PLACE: The Rosen Shingle Creek, 9939 Universal Blvd., Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting.

A copy of the agenda may be obtained by contacting: Jessica.Fowler@oel.myflorida.com.

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

For more information, you may contact: Jessica.Fowler@oel.myflorida.com.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, Florida’s Turnpike Enterprise announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 23, 2017, 6:00 p.m. – 8:00 p.m.; Formal Presentation at 6:30 p.m.

PLACE: CORRECTION to address: West Dade Regional Library, 9445 Coral Way, Miami, FL 33165

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a meeting to provide information about upcoming construction along the Coral Way Bridge. Residents are invited to attend to learn more about upcoming construction activities and other project details. A presentation will begin at 6:30 p.m., project diagrams and other pertinent materials will be on display.

FDOT construction project staff will be available to answer questions. (Financial Project ID Number: 415051-4-52-01)

A copy of the agenda may be obtained by contacting: Ms. Fiorella Teodista, Florida’s Turnpike Enterprise, P.O. Box 9828, Ft. Lauderdale, FL 33310-9828, Fiorella.teodista@dot.state.fl.us. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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. Fiorella Teodista, (954)934-1130, Fiorella.teodista@dot.state.fl.us. If any person requires translation services (free of charge) please advise Ms. Fiorella Teodista at least 7 days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Fiorella Teodista, (954)934-1130, Fiorella.teodista@dot.state.fl.us.

STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Monday, September 18, 2017, 3:30 p.m.

PLACE: 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The IAC Compensation Subcommittee will discuss its evaluation of the Executive Director & CIO’s performance for the fiscal year ended June 30, 2017, his compensation and other matters that may come before the Subcommittee.

A copy of the agenda may be obtained by contacting: Amy Walker, (850)413-1253, amy.walker@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, eddie.mcewen@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

COMMISSION ON ETHICS

The Commission on Ethics announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 28, 2017, 9:00 a.m.

PLACE: Commission on Ethics, 325 John Knox Rd., Bldg. E, Suite 200, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Committee Meeting.

A copy of the agenda may be obtained at www.ethics.state.fl.us or by calling (850)488-7864.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by calling (850)488-7864. 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).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: August 30, 2017, 9:30 a.m.

PLACE: Bonita Springs Government Center, 9101 Bonita Beach Road SE, Bonita Springs, FL 34135

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2017 Lower West Coast Water Supply Plan Update: Public Stakeholder Meeting #3.

A copy of the agenda may be obtained by contacting: Bob Verrastro, (561)682-6136 or bverras@sfwmd.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 5 days before the workshop/meeting by contacting: Bob Verrastro, (561)682-6136 or bverras@sfwmd.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).

For more information, you may contact: Bob Verrastro, (561)682-6136 or bverras@sfwmd.gov.

SPACE FLORIDA

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

DATE AND TIME: Tuesday, August 29, 2017, 8:30 a.m. – 3:00 p.m., ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Space Florida Evaluation Committee Members will be conducting Stage 3 of the Evaluation Process and considering the proposals submitted by vendors in response to the Competitive Solicitation for the Request for Proposals for SLF Maintenance & Repair Contract (Shuttle Landing Facility at Kennedy Space Center-Airport Code KTTS), RFP-SF-04-0-2017/PE.

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

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

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

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

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

DATE AND TIME: August 22, 2017, 10:01 a.m.

PLACE: 4050 Esplanade Way, Conference Room 360K, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with section 120.525, Florida Statutes, a bid opening is hereby noticed for the following Invitation to Bid Number: 1-84131503-H, Commercial Automobile Insurance. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

To obtain a copy of the ITB timeline you may contact: Jill Soderberg, (850)488-7996, jill.soderberg@dms.myflorida.com.

A copy of the agenda may be obtained by contacting: Jill Soderberg.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jill Soderberg, (850)488-7996, jill.soderberg@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jill Soderberg, (850)488-7996, jill.soderberg@dms.myflorida.com.

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 6, 2017, 9:00 a.m.

PLACE: Phone number: 1(888)670-3525; participant code: 2597709961

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: the Board office at (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Board office at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

The Board of Massage Therapy announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 13, 2017, 9:00 a.m.

PLACE: Phone number: 1(888)670-3525, participant code: 2597709961

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: the Board office at (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Board office at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATES AND TIMES: October 19, 2017, 9:00 a.m.; October 20, 2017, 9:00 a.m.

PLACE: Sheraton Tampa East, 10221 Princess Palm Ave., Tampa, FL 33610, (813)623-6363

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: the Board office at (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the Board office at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 11, 2017, 10:30 a.m.

PLACE: Toll-Free Number: 1(888)670-3525, participant code: 990 808 6106

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained at <http://floridasnursing.gov/meeting-information/>.

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

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

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: August 30, 2017, 10:00 a.m. – 6:00 p.m.

PLACE: Senate Office Building, Room 110, Florida State Capitol, 400 South Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. A review of market rate developments.
2. A review of affordable housing developments.
3. A review of land use for affordable housing developments.
4. A review of building codes for affordable housing developments.
5. A review of the State’s implementation of rental housing programs, and particularly the low-income housing tax credit program.
6. A review of private and public-sector development and construction industries.
7. A review of the rental market for assisted rental housing.
8. The development of strategies and pathways for low-income housing.
9. Such other matters as may be included on the Agenda for the August 30, 2017, Affordable Housing Workgroup Meeting.

A copy of the agenda may be obtained approximately two days prior to the meeting by contacting: Sheila Freaney, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number: (850)488-4197 or by visiting the Corporation’s website at www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). 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.

ENTERPRISE FLORIDA, INC.

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

DATES AND TIMES: August 21-22, 2017, 9:00 a.m.

PLACE: The Westin Fort Lauderdale Beach Resort, 321 N Fort

Lauderdale Beach Blvd., Ft. Lauderdale, FL 33304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Enterprise Florida, Inc. announces public meetings of the Enterprise Florida Board of Directors & Stakeholder Council.

Purpose: These meetings will discuss on-going issues, developing issues and other matters.

Location: Ft. Lauderdale

Materials: August 2017 Two-Day Agenda

A copy of the agenda may be obtained by contacting: Katie Richardson, (850)298-6625.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Mike Grissom, (850)298-6630. 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: Katie Richardson, (850)298-6625.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The Florida Birth-Related Neurological Injury Compensation Association announces a public meeting to which all persons are invited.

DATE AND TIME: August 31, 2017, 10:00 a.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Jeff Fuqua Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: General.

A copy of the agenda may be obtained by contacting: the Florida Birth-Related Neurological Injury Compensation Association.

QCAusa

The Florida Department of Transportation, District Seven announces a public meeting to which all persons are invited.

DATE AND TIME: August 29, 2017, 10:00 a.m. to 12:00 noon

PLACE: North Tampa Branch Library, 8916 North Boulevard, Tampa, FL 33604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation, District Seven, is holding a West Busch Boulevard (SR 580) Corridor Study Project Advisory Group (PAG) Meeting for project stakeholders within the study limits. The limits of the project extend from North Dale Mabry Highway to North Nebraska Avenue, a distance of approximately 3.3 miles. The corridor study area includes portions of unincorporated Hillsborough County and the City of Tampa.

The purpose of the Corridor Study is to work with the community, stakeholders and a Project Advisory Group (PAG) to develop a vision and identify needs and issues in the corridor. The PAG will be an important component of the study. It will serve as a special advisory resource to the FDOT and the consultant team. The PAG participants will help develop a vision for the corridor that will guide proposed short and long-term recommendations. This may include issues related to capacity, traffic operations, safety, access and egress, mobility, freight movements, transit, bicycles, and pedestrian movements. The FDOT Financial Project ID Number for the project is 435908-1-22-01

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Comuniquese Con Nosotros

Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuniquese con nuestra representante, Lilliam Escalera, al (813) 975-6403, Departamento de Transportación de Florida, 11201 N. McKinley Dr., Tampa, FL 33612, Lilliam.Escalera@dot.state.fl.us

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Mr. Brian Shroyer, Project Manager, at (813)975-6449 or via email at Brian.Shroyer@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: Christopher Speese, Public Involvement Coordinator, at (813)975-6405 or (800)226-7220. 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: Mr. Brian Shroyer, Project Manager, at (813)975-6449 or via email at Brian.Shroyer@dot.state.fl.us

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

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF JUVENILE JUSTICE

ITN #10553 - Broward Youth Treatment Center
ITN 10553 - The Department is seeking a forty (40) bed Residential Program for boys appropriate for non secure residential placement, between the ages of thirteen (13) and

eighteen (18) with innovations in delinquency programming and treatment services. The proposed services shall also include funding for forty (40) filled slots for boys in need of Substance Abuse Treatment Overlay Services (SAOS). The program shall be located in a Department owned/leased building in DJJ South Region, Circuit 17 at 8301 South Palm Drive, Building 2, Pembroke Pines, Florida 33025. All public meetings for this ITN are advertised on the Vendor Bid System at: http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=135102.

NORTHWEST FLORIDA AREA AGENCY ON AGING

Older Americans Act Okaloosa County
Public Notice RFP

The Northwest Florida Area Agency On Aging Inc., Aging Disability Resource Center is receiving sealed bids for the administering of Older Americans Act services in Okaloosa County.

Provisions of services shall be for the contract period of January 1, 2018 to December 31, 2018 with the option to renew an additional five (5) years.

Specifications are contained in the Request for Proposals available after Friday, August 18, 2018 in the area agency office at 5090 Commerce Park Circle, 32505 as well as the agency website at www.nwflaa.org. Proposals are due in the area agency office by 2:00 p.m. (CT) Thursday, October 5, 2018. The Area Agency on Aging reserves the right to reject any and all proposals. NO PHONE CALLS.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENTS OF QUALIFICATIONS
for ARCHITECTURAL AND ENGINEERING SERVICES
PROJECT ANNOUNCEMENT:** The Sarasota County Public Hospital District d/b/a Sarasota Memorial Health Care System and its governing board (collectively, “the Hospital”), located in Sarasota County, Florida, is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act, which is codified at Section 287.055, Florida Statutes.

PROJECT DESCRIPTION: The scope of work for this project includes architectural and engineering services for the renovation of an approximately 6600 sq. ft. medical office building located at 609 South Tamiami Trail, Venice, FL, to include but not limited to programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, parking and site work infrastructure. The site work infrastructure also includes, but is not limited to, public utilities, communications providers, mechanical, electrical, plumbing, fire protection and structural design work for the renovation of the medical office building.

PROPOSED SCHEDULE: The timelines to design and build the medical office building will be determined by the results of the planning study and potential revisions to the planning study as the medical office building design develops. In addition, the proposed schedule will be determined, and may be subject to change, based on the timing of regulatory and other necessary approvals. Project development, including professional services is contingent upon availability of funds.

Firms interested in being considered as candidates are required to submit five (5) bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida design licensure and corporate registration certificates.
2. Proof of insurance in the following categories; Commercial General Liability to include, each occurrence \$1,000,000, Damage to Rented Premises, \$300,000 each occurrence, Medical Expenses to any one person \$10,000, Personal Injury \$1,000,000, General Aggregate \$2,000,000, Umbrella Liability, \$5,000,000, each occurrence. Worker Compensation & Employee Liability insurance is minimum \$1,000,000 each occurrence, \$1,000,000 each accident, \$1,000,000 disease each employee, \$1,000,000 disease policy limit. The Firm’s insurer(s) shall be rated A- (or better) by A.M. Best.
3. A separate statement as to whether the Firm is a certified Minority Business Enterprise. If your Firm claims MBE, WMBE status, a copy of your Firm’s current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team to include individual resumes with relevant design experience as follows:
 - a. Planning and design of a medical office building;
 - b. Programming of a medical office building, preferably in the state of Florida; and
 - c. Examples of a similarly completed design of a medical office building project that includes:
 - i. Relevancy in size and scope, preferably in the state of Florida;
 - ii. Experience in the City of Venice, and County of Sarasota, and other required agencies
 - iii. Site development to include but not limited to, Roadway access, Surface parking, Utilities, Lighting, Landscaping and Drainage.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified. Please ensure your references are updated and willing to reply. Reference responses are mandatory.
6. Design and permitting experience within the County of Sarasota, Florida and other applicable permitting agencies.
7. Location of the design Firm’s main office, and proposed project team office location (if different from main).

8. An explanation of how the Firm intends to respond expeditiously on urgent project matters and a summary of the Firm’s approach to this particular project.

Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applications on any other form may not be considered, and applications which do not comply with the above instructions may be disqualified. Submissions must be complete and on time. Incomplete or tardy submissions will be returned un-opened and the responding Firm disqualified. Submittals are part of the public record. Application materials will not be returned.

The basis for selection criteria for this project includes, but is not limited to:

1. The Firm’s relevant design experience as it relates to the above referenced project;
2. The Firm’s relevant experience with regulatory agencies with applicable jurisdictional authority, including, but not limited to, federal, state, and local agencies;
3. The Firm’s depth of design team and the resources available for this assignment. This includes recent, current, and projected workloads of the Firm;
4. The location of the lead designer’s main / corporate office;
5. The Firm’s approach to this particular project;
6. The Firm’s ability to respond quickly;
7. Whether or not the lead Firm is an MBE / WMBE (valid certificate from the Office of Supplier Diversity required); and
8. The volume of previously awarded projects to the Firm by the Hospital.

It is the Hospital’s responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

All interested Firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804. Submissions shall be titled: Statement of Qualifications for ARCHITECTURAL AND ENGINEERING SERVICES The Sarasota Memorial Hospital Health Care System Medical Office at 609 S. Tamiami Trail, Venice, FL
4. Submittals must be received by the Hospital no later than

3:30 p.m., Tuesday, September 5, 2017. Submit statements to Thomas Perigo, Director of Architecture and Construction, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

5. Only Thomas Perigo shall be contacted with regard to this Request. Requests for meetings by individual Firms will not be granted. No communication shall take place between the applicants and the Hospital’s Selection Committee members or employees of the Hospital. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

6. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.

7. The selection committee will meet in a public meeting in Sarasota Memorial Hospital’s Waldemere Auditorium, 1700 S. Tamiami Trail, Sarasota, FL 34239, first floor, on Wednesday, September 13, 2017 from 11:00 AM to 1:00 PM to hear presentations, discuss and announce the top three ranked Firms (unless fewer than three Firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the Hospital will subsequently engage in contract negotiations. If there are less than three (3) Firms responding, the Selection Committee shall also evaluate current statements of qualifications and performance data on file with Hospital, in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENTS OF QUALIFICATIONS for
GENERAL CONTRACTING SERVICES**

PROJECT ANNOUNCEMENT: The Sarasota County Public Hospital District d/b/a Sarasota Memorial Hospital Health Care System and its governing board (collectively, “the Hospital”), located in Sarasota County, Florida, is accepting statements of qualifications from General Contracting Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act, which is codified at Section 287.055, Florida Statutes.

PROJECT DESCRIPTION: The scope of work for this project includes general contracting services for the renovation of an approximately 6600 sq. ft. medical office building located at 609 South Tamiami Trail, Venice, FL, to include but not limited to pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services, site work, parking and site work infrastructure. The site work infrastructure also includes, but is not limited to, public utilities, communications, mechanical,

electrical, plumbing, fire protection and structural work for the renovation of the medical office building.

PROPOSED SCHEDULE: The timeline to renovate the medical office building will be determined by the results of the pre-construction services and potential revisions to the planning study as the medical office building design develops. In addition, the proposed schedule will be determined, and may be subject to change, based on the timing of regulatory and other necessary approvals. Project development, including professional services is contingent upon availability of funds. Firms interested in being considered as candidates are required to submit five (5) bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
 2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
 3. Proof of general, automobile and workers' compensation liability insurance coverage.
 4. Proof of current bonding capacity and current usage of bonding their bonding capacity
 5. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
 6. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified. Please ensure your references are updated and willing to reply. Reference responses are mandatory.
 7. Construction and permitting experience within the City of Venice, FL and County of Sarasota, Florida and other applicable permitting agencies.
 8. Resumes of key personnel that would be used on this project to include their project relevant experience.
 9. Medical Office Building specific renovation experience.
 10. Location of the firm's main office, and proposed project team office location (if different from main).
 11. An explanation of how the Firm intends to respond expeditiously on urgent project matters and a summary of the Firm's approach to this particular project.
 12. Site construction management experience to include but not limited to, Roadway Access, Surface parking, Utilities, Lighting, Landscaping and Drainage.
- Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applications on any other form may not be considered, and applications which do not comply with the above instructions may be disqualified. Submissions must be

complete and on time. Incomplete or tardy submissions will be returned un-opened and the responding Firm disqualified. Submittals are part of the public record. Application materials will not be returned.

The basis for selection criteria for this project includes, but is not limited to:

1. The Firm's relevant construction / renovations experience as it relates to the above referenced project;
2. The Firm's relevant experience with regulatory agencies with applicable jurisdictional authority, including, but not limited to, federal, state, and local agencies;
3. The Firm's depth of construction project management team and the resources available for this assignment. This includes recent, current, and projected workloads of the Firm;
4. The location of Construction Management main / corporate office;
5. The Firm's approach to this particular project;
6. The Firm's ability to respond quickly;
7. Whether or not the lead Firm is an MBE / WMBE (valid certificate from the Office of Supplier Diversity required); and
8. The volume of previously awarded projects to the Firm by the Hospital.

9. Available bonding capacity remaining for this project
It is the Hospital's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

All interested Firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Questions regarding submissions shall be directed only to Thomas Perigo, (941) 917-1804. Submissions shall be titled: Statement of Qualifications for General Contracting Services for The Sarasota Memorial Hospital Health Care System Medical Office at 609 S. Tamiami Trail, Venice, FL
4. Submittals must be received by the Hospital no later than 3:30 p.m., Tuesday, September 5, 2017. Submit statements to Thomas Perigo, Director of Architecture and Construction, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
5. Only Thomas Perigo shall be contacted with regard to this

Request. Requests for meetings by individual Firms will not be granted. No communication shall take place between the applicants and the Hospital’s Selection Committee members or employees of the Hospital. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

6. Interested persons should contact Thomas Perigo, (941) 917-1804 with any project-related questions.

7. The selection committee will meet in a public meeting Sarasota Memorial Hospital’s Waldemere Auditorium, 1700 S. Tamiami Trail, Sarasota, FL 34239, first floor, on Wednesday, September 13, 2017 from 8:00 a.m. to 10:30 a.m. to hear presentations, discuss and announce the top three ranked Firms (unless fewer than three Firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the Hospital will subsequently engage in contract negotiations. If there are less than three (3) Firms responding, the Selection Committee shall also evaluate current statements of qualifications and performance data on file with Hospital, in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

**SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENTS OF QUALIFICATIONS
FOR HEALTH CARE CAPITAL PROGRAM
MANAGEMENT SERVICES**

PROJECT ANNOUNCEMENT: The Sarasota County Public Hospital District d/b/a Sarasota Memorial Health Care System and its governing board (collectively, “the Hospital”), located in Sarasota County, Florida, is accepting statements of qualifications from Health Care Program Management Consulting Firms under Section 255.103, Florida Statutes, and the provisions of the Consultants’ Competitive Negotiation Act, which is codified at Section 287.055, Florida Statutes.

HEALTH CARE PROGRAM MANAGEMENT SERVICES DESCRIPTION: The scope of work for health care capital program management services (“Program Management Services”) includes, but is not limited to, the following: schedule control, cost control, and coordination in providing or procuring planning, design, and construction services; preparation of construction documents and bid documents for capital projects; evaluation of construction bids; administration and supervision of construction; master planning; strategic planning; operational efficiency studies; land use management; market analysis; functional programming; capital expenditure strategy; owner representative services; and other relevant project management staff for the implementation and

management of capital design and capital construction projects related to the development and integration of a new hospital campus location. The Program Management Services includes a grouping of substantially similar activities that include (i) the development of a 65 acre site to include a new 90 bed, approximately 315,000 square foot, acute care hospital consisting of 80 adult medical/surgical beds, 10 obstetric labor, delivery, recovery, postpartum room beds, 20 observation unit beds, and 25 emergency care treatment rooms, located at the southwest corner of Laurel Road and Interstate 75 in Venice/Nokomis, Florida (Zip Code 34275)(the “New Hospital Facility”), and (ii) integration and coordination of the New Hospital Facility into Sarasota Memorial Health Care System as it is operated currently, including coordination in capital planning, design, and construction services at Sarasota Memorial Health Care System’s current locations.

PROPOSED SCHEDULE OF SERVICES: Capital Design, Capital Construction Projects, and the rate of Capital Expenditure timelines will be determined by the approval of ongoing, master planning, strategic planning operational programming, and determination of optimal land use by hospital senior leadership and the Sarasota County Public Hospital District as well as project specific approvals required by relevant agencies having jurisdiction. Project development, including capital Program Management Services, is contingent upon availability of funds.

Firms interested in being considered as candidates are required to submit five (5) bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified. Please ensure your references are updated and willing to reply. Reference responses are mandatory.
2. Florida Health Care Master Planning experience.
3. Florida Health Care Operational Programming experience.
4. Florida Health Care Land Use Planning experience.
5. Florida Health Care Capital Project Design review and experience.
6. Florida Health Care Construction Project Management feasibility experience.
7. Florida Health Care experience with agencies having jurisdiction.
8. Florida Health Care Market Analysis experience.
9. Location of the main office, and proposed project team office location (if different from main).
10. An explanation of how the Firm intends to respond

expeditiously on urgent project matters and a summary of the Firm's approach to this particular project.

Additionally, services may include, but are not limited to, the study and reporting of health care specific market analysis and branding, physician integration, clinical and non-clinical operational efficiency, best practices, functional programming and feasibility, strategic capital expenditure, portfolio and performance development.

Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Applications on any other form may not be considered, and applications which do not comply with the above instructions may be disqualified. Submissions must be complete and on time. Incomplete or tardy submissions will be returned un-opened and the responding Firm disqualified. Submittals are part of the public record. Application materials will not be returned.

The basis for selection criteria for this project includes, but is not limited to:

1. The Firm's relevant Florida Health Care experience as it relates to the above referenced services;
2. Florida Health Care Master Planning experience;
3. Florida Health Care Operational Programming experience;
4. Florida Health Care Land Use Planning experience;
5. Florida Health Care Capital Project Design review experience;
6. Florida Health Care Construction Project Management experience;
7. Florida Health Care experience with agencies having jurisdiction;
8. Location of the main office, and proposed project team office location (if different from main);
9. An explanation of how the Firm intends to respond expeditiously on urgent project matters and a summary of the Firm's approach to this particular scope of services;
10. The Firm's depth and the resources available for this assignment (This includes recent, current, and projected workloads of the Firm);
11. Whether or not the Firm is an MBE / WMBE (valid certificate from the Office of Supplier Diversity required); and
12. The volume of previously awarded projects to the Firm by the Hospital.

It is the Hospital's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

All interested Firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Questions regarding submissions shall be directed only to Thomas Perigo, (941) 917-1804.
Submissions shall be titled:
Statement of Qualifications for
HEALTH CARE CAPITAL PROGRAM MANAGEMENT SERVICES for
Sarasota Memorial Health Care System
4. Submittals must be received by the Hospital no later than 3:30 p.m., Wednesday, September 6, 2017. Submit statements to Thomas Perigo, Director of Architecture and Construction, 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
5. Only Thomas Perigo shall be contacted with regard to this Request. Requests for meetings by individual Firms will not be granted. No communication shall take place between the applicants and the Hospital's Selection Committee members or employees of the Hospital. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
6. Interested persons should contact Thomas Perigo, (941) 917-1804 with any project-related questions.
7. The selection committee will meet in a public meeting Sarasota Memorial Hospital's Waldemere Auditorium, 1700 S. Tamiami Trail, Sarasota, FL 34239, first floor, on Wednesday, September 13, 2017 from 2:00 p.m. – 5:00 p.m. to hear presentations, discuss and announce the top three ranked Firms (unless fewer than three Firms deliver submittals) deemed to be the most highly qualified to perform the required services with whom the Hospital will subsequently engage in contract negotiations. If fewer than three (3) Firms respond, the Selection Committee shall also evaluate current statements of qualifications and performance data on file with Hospital, in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

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., Friday, August 11, 2017 and 3:00 p.m., Thursday, August 17, 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
64B8-9.009	8/15/2017	9/4/2017
64B8-11.001	8/15/2017	9/4/2017
64J-2.006	8/14/2017	9/3/2017
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
40C-2.101	8/2/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

DECISION ON EXPEDITED APPLICATION

The Agency for Health Care Administration made the following decision on Certificate of Need application for expedited review:

County: Hernando Service District: 3-6
 CON #10491 Decision Date: 8/16/2017 Decision: A
 Facility/Project: Oak Hill Health and Rehabilitation, LLC
 Applicant: Oak Hill Health and Rehabilitation, LLC
 Project Description: Transfer Exemption #E160018 from Colony SNF Operations, LLC for the establishment of a 109-bed community nursing facility

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Register pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

Miami-Dade County

The Florida Department of Environmental Protection (DEP) has determined that Miami-Dade County’s project involving construction of deep injection wells at the Central and South District Wastewater Treatment Plants is not expected to generate controversy over potential environmental effects. The estimated construction cost is \$76,000,000. The project may qualify for a Clean Water State Revolving Fund loan comprised of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bryan Goff, SRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000, calling (850)245-2966, or emailing Bryan.Goff@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Dentistry

Emergency Action

On August 17, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Amara L. Gardian, R.D.H., License # DH 18920. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On August 17, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Quanariel Enosha Stevenson, C.N.A., Certificate # CNA 277150. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On August 17, 2017, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Jennifer R. Briscoe, C.N.A., Certificate # CNA 150321. This Emergency Suspension Order was predicated upon the State

Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding
Week

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