

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

NONE

**Section II**  
**Proposed Rules**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

**RULE NO.:** 59G-6.031  
**RULE TITLE:** Enhanced Ambulatory Patient Grouping Reimbursement Methodology for Hospital Outpatient Services

**PURPOSE AND EFFECT:** The purpose of Rule 59G-6.031, Florida Administrative Code (F.A.C.), is to codify Florida Medicaid’s reimbursement methodology for hospital outpatient services and ambulatory surgical centers.

**SUMMARY:** The rule specifies outpatient prospective payment systems as required in sections 409.905(6)(b) and 409.908(5), F.S.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

**RULEMAKING AUTHORITY:** 409.919 FS.

**LAW IMPLEMENTED:** 409.905, 409.908, 409.913 FS.

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

**DATE AND TIME:** August 28, 2018, 3:30 p.m. to 4:00 p.m.

**PLACE:** Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308-5407.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rydell Samuel. 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:** Rydell Samuel, Bureau of Medicaid Program Finance, 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407, telephone: 850-412-4093, e-mail: Rydell.Samuel@ahca.myflorida.com.

Official comments to be entered into the rule record will be received from the date of this notice until August 29, 2018. Comments may be e-mailed to MedicaidRuleComments@ahca.myflorida.com. For general inquiries and questions about the rule, please contact the person specified above.

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

59G-6.031 Enhanced Ambulatory Patient Grouping Reimbursement Methodology for Hospital Outpatient Services and Ambulatory Surgical Centers.

(1) This rule applies to all hospitals and ambulatory surgical centers (ASC) rendering Florida Medicaid outpatient hospital services to recipients, in accordance with Rules 59G-4.160 and 59G-4.020, Florida Administrative Code, (F.A.C.), respectively.

(2) Definitions.

(a) Automatic Rate Enhancement – An additional fee applied to each payable claim line.

(b) Base Rate – An amount calculated using 12 months of historical claims data.

(c) Bundled EAPG Payment – A single payment applied to one claim line that includes reimbursement for services reported on multiple claim lines.

(d) Charge Cap – A limitation that ensures the Medicaid-allowed amount does not exceed the submitted charges on either individual service line(s), or overall for the entire outpatient claim.

(e) Crossover Claim – Provider claim for services provided to recipients who are eligible for Medicare and Medicaid services, or who have other third-party insurance.

(f) Discounting Claim Line – A service line on a claim where the payment is reduced.

(g) Enhanced Ambulatory Patient Groups (EAPG) – A product of 3M Health Information Systems (HIS) that categorizes outpatient services and procedures into groups for payment based on clinical information present on an outpatient claim.

(h) EAPG Code - Proprietary number developed by 3M HIS to indicate a specific grouping of services.

(i) EAPG Methodology - Reimbursement system that provides an all-inclusive rate for all services and items furnished during an outpatient visit, unless otherwise specified. The methodology categorizes the amount and type of services provided during an outpatient visit and groups together procedures, medications, materials, and patient factors that share similar characteristics and resource utilization. Each category is assigned an EAPG code. Each EAPG code is assigned a relative weight (which may equal zero) that is used to calculate payment.

(j) Florida Medicaid Outpatient Charges – The usual and customary charges for outpatient services covered by the Florida Medicaid program for a hospital or an ASC.

(k) General Hospital – As defined in section 395.002(10), Florida Statutes (F.S.).

(l) High Medicaid Outpatient Utilization Hospital - A hospital that renders 55 percent or more of its total annual outpatient services to Florida Medicaid recipients.

(m) Payment Adjustment Factor – A multiplier used to package and consolidate payment for similar services; or, to discount services if the services are determined to be clinically similar to other services on the claim.

(n) Policy Adjustor - Numerical multipliers included in the EAPG claim service line payment calculation that increase or decrease payments to categories of services, categories of providers, or both.

(o) Provider Rate Worksheets – A list of the EAPG base rates and automatic rate enhancements for each hospital and ASC.

(p) Relative Weights – National average values calculated by 3M HIS which identify the relative amount of resources utilized to perform the services mapped to the EAPG code.

(q) Rural Hospital – As defined in section 395.602(2), F.S.

(r) Service Line Payment – A calculation used to determine individual claim line reimbursement.

(s) Service Line Procedure Code – The assigned Common Procedure Terminology© code included on a claim line.

(3) Reimbursement. Effective July 1, 2017, the Agency for Health Care Administration (AHCA) will reimburse for Florida Medicaid outpatient hospital services rendered by hospital and ASC providers using the EAPG payment methodology in accordance with section 409.905, F.S.

(4) Reimbursement Methodology.

(a) EAPG Payment Calculation. The calculation is as follows: [(Base Rate \* EAPG Relative Weight \* Policy Adjustor \* Payment Adjustment Factor) (up to the \$1,500 recipient annual benefit limit, when applicable)] + Automatic Rate Enhancement.

(b) Base Rate. AHCA will establish base rates. The base rates for dates of service beginning July 1, 2017 through March 31, 2018 are incorporated by reference and available on the AHCA website at [http://ahca.myflorida.com/medicaid/cost\\_reim/xls/Provider\\_EAPG\\_Rate\\_Worksheet\\_FY\\_2017-2018\\_Effective\\_July-1-2017-2018-01.xlsx](http://ahca.myflorida.com/medicaid/cost_reim/xls/Provider_EAPG_Rate_Worksheet_FY_2017-2018_Effective_July-1-2017-2018-01.xlsx) and at [DOS place holder Ref-\_\_\_\_\_]. The base rates for dates of service beginning April 1, 2018 through June 30, 2018 are incorporated by reference and available on the AHCA website at [http://ahca.myflorida.com/medicaid/cost\\_reim/xls/Provider\\_EAPG\\_Rate\\_Worksheet\\_FY\\_2017-2018\\_Effective\\_April-1-2018.xlsx](http://ahca.myflorida.com/medicaid/cost_reim/xls/Provider_EAPG_Rate_Worksheet_FY_2017-2018_Effective_April-1-2018.xlsx) and at [DOS place holder Ref-\_\_\_\_\_]. The base rates for dates of service beginning July 1, 2018 are incorporated by reference and available on the AHCA website at [http://ahca.myflorida.com/medicaid/cost\\_reim/xls/Provider\\_EAPG\\_Rate\\_Worksheet\\_FY\\_2017-2018\\_Effective\\_July-1-2018.xlsx](http://ahca.myflorida.com/medicaid/cost_reim/xls/Provider_EAPG_Rate_Worksheet_FY_2017-2018_Effective_July-1-2018.xlsx) and at [DOS place holder Ref-\_\_\_\_\_].

(c) EAPG Relative Weight. AHCA will use 3M HIS relative weights incorporated by reference and available on the AHCA website at [http://ahca.myflorida.com/medicaid/cost\\_reim/xls/EAPG\\_Rate\\_Worksheet\\_2017-2018\\_Effective\\_2017-07-01.xlsx](http://ahca.myflorida.com/medicaid/cost_reim/xls/EAPG_Rate_Worksheet_2017-2018_Effective_2017-07-01.xlsx) and at [DOS place holder Ref-\_\_\_\_\_]. AHCA will use the service line procedure code to determine the EAPG code and relative weight, except in claims for evaluation and management services without another significant procedure, wherein AHCA will use the recipient's primary diagnosis to determine the EAPG code and relative weight.

(d) Policy Adjustor. AHCA will only include a provider policy adjustor in the EAPG payment for rural hospitals and high Florida Medicaid outpatient utilization hospitals.

(e) Payment Adjustment Factor. AHCA will establish the Payment Adjustment Factor(s) as follows:

1. The Payment Adjustment Factor will be 1.0 for claim service lines that pay in full.
2. The Payment Adjustment Factor will be zero for bundled lines.
3. The Payment Adjustment Factor will be 0.50 on discounting claim lines, except for bilateral procedures.
4. The Payment Adjustment Factor will be 1.50 for bilateral procedures.

(f) Automatic Rate Enhancements. AHCA will apply an automatic rate enhancement to payable claim lines for outpatient hospitals listed in the provider rate worksheet incorporated by reference and available on the AHCA Web site at: [http://ahca.myflorida.com/medicaid/cost\\_reim/hospital\\_rates.shtml](http://ahca.myflorida.com/medicaid/cost_reim/hospital_rates.shtml) and at [DOS place holder Ref-\_\_\_\_\_].

1. For each hospital receiving automatic rate enhancements, AHCA will calculate a per-payable service-line payment amount by dividing the annual appropriation by the number of Florida Medicaid outpatient payable service lines in the base year.

2. AHCA will apply an automatic rate enhancement payment as follows:

a. To claim service lines that receive a bundled EAPG payment.

b. When adjudicated after a recipient reaches his or her annual hospital outpatient benefit limit with

claim service lines that are paid \$0.00 and have a status of paid.

3. AHCA will apply an automatic rate enhancement payment of \$0.00 to claim service lines when claim services lines are denied.

(g) Budget Neutrality. AHCA will reconcile the EAPG parameters to comply with budget neutrality requirements.

(h) Terminated Procedures. AHCA will reimburse providers for procedures that are terminated prior to the administration of anesthesia at 50% of the rate.

(i) Charge Cap. AHCA will not apply a charge cap to services reimbursed under the EAPG payment methodology.

(5) Exclusion. AHCA will not apply the EAPG reimbursement methodology to reimburse the following:

1. Services covered under the transplant global fee in accordance with Rule 59G-4.150, F.A.C.

2. Vagus nerve stimulator device payments.

3. Newborn hearing screening.

(6) Cost Settlement. AHCA will not subject hospitals and ASCs reimbursed using the EAPG payment methodology to retrospective cost settlement.

(7) Crossover Pricing. For hospital outpatient crossover claims, AHCA will determine the Medicaid allowed amount using the EAPG pricing methodology.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rydell Samuel

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 30, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 7, 2017

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:       RULE TITLE:

64B16-28.750    Class III Institutional Pharmacies.

PURPOSE AND EFFECT: The Board proposes the rule promulgation to create a rule for a Class III Institutional Pharmacy Permit as required by Chapter 2018-95, Laws of Florida.

SUMMARY: A rule will be promulgated for Class III Institutional Pharmacy Permits.

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: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.019(2)(d), 465.022 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:

64B16-28.750 Class III Institutional Pharmacies.

(1)(a) Class III Institutional Pharmacies are those Institutional Pharmacies authorized by section 465.019(2)(d), F.S. All Class III Institutional Pharmacies must be affiliated with a hospital. An Institutional Pharmacy may hold only a Class III Institutional Pharmacy Permit, or may hold a Class III Institutional Permit in conjunction with other permits authorized by Florida statute or administrative rule.

(b) A Class III Institutional Permit may be issued to existing Class II or Modified Class II Institutional Pharmacy Permittees or as an initial permit to new pharmacy facilities meeting the statute's requirements or Central Distribution Facilities under common control with a hospital.

(2) Change of Association for Existing Permittees. Institutional Pharmacies affiliated with a hospital currently holding Class II or Modified Class II Institutional Pharmacy Permits may request the facility be associated as a Class III Institutional Pharmacy Permit by completing Form DH5033-MQA, 08/2018, "Change of Permit Association – Class III Pharmacy," Rev 06/2018, which is incorporated by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref->. Upon approval of the request, the existing Class II or Modified Class II permit will be re-associated as a Class III Institutional Pharmacy Permit, with no change of permit number. Because pharmacy permits are non-transferrable, this option is not available if there is any change in the ownership or identity of the business entity holding the existing Class II or Modified Class II Institutional Pharmacy Permit.

(3)(a) New Class III Permits. Applicants for a new Class III Institutional Pharmacy permit must complete an application for a permit using an original Form DH5032-MQA, 08/2018, "Class III Institutional Pharmacy Permit Application and Information," Rev 06/18, which is incorporated by reference herein and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref->. Applicants for an Institutional Pharmacy Permit must designate a consultant pharmacist of record as required by Section 465.019, F.S. and Rule 64B16-28.501, F.A.C.

(b) A copy of the permittee's policy and procedure manual as provided herein shall accompany the permit application. The original policy and procedure manual shall be kept within the Class III Institutional Pharmacy and shall be available for inspection by the Department of Health or authorized representative of the Board.

(5)(a) The policy and procedure manual of facilities which are issued or re-associated as a Class III Institutional Permit shall, at a minimum, include the following:

1. The process for designation of the consultant pharmacist responsible for pharmaceutical services, including maintenance of drug records required by law and drug handling procedures.

2. Safe practices for the preparation, dispensing, prepackaging, distribution, and transportation of medicinal drugs and prepackaged drug products.

3. Provisions for maintaining records to monitor the movement, dispensing, distribution, and transportation of medicinal drugs and prepackaged drug products.

4. Provisions for maintaining records of pharmacy staff responsible for each step in the preparation, dispensing, prepackaging, transportation, and distribution of medicinal drugs and prepackaged drug products.

5. Identification of medicinal drugs and prepackaged drug products that may not be safely distributed among Class III Institutional Pharmacies and health care establishment permittees.

6. If an Institutional Formulary system is to be adopted and used, the policies and procedures for the development and approval of the system.

7. The establishment of a Pharmacy Services Committee which shall meet at least annually.

8. Provisions for the secure ordering, storage and recordkeeping of all medicinal drugs at the facility.

9. Provisions for the utilization of a perpetual inventory system for all controlled substances.

10. Provisions to ensure prepackaged drug products are not adulterated and are free of contamination or cross-contamination.

11. Provisions to ensure medicinal drugs and prepackaged drug products are transported according to manufacturer's recommended guidelines for storage and transportation, including exposure to light, heat, etc.

12. Provisions regarding compliance with all state and Federal laws, regulations, and rules regarding controlled substances, including ordering, inventory and anti-diversion mechanisms.

13. Provisions regarding the labeling of medicinal drugs and prepackaged drug products, including, if applicable, labels related to transfers between Class III pharmacies, transportation requirements, or safe handling/hazardous precautions.

(b) The Class III Institutional Pharmacy's policies and procedures shall be based upon authoritative literature, studies, and materials generally accepted and commonly relied upon by the Pharmacy and pharmaceutical professions, which must be identified in the policies and procedures.

(c) In addition to the policies and procedures manual, the Class III Institutional Pharmacy shall create and maintain documentation of: the hospital with which the permittee is affiliated; all other Class III Institutional Pharmacy Permits under common control with the permittee; all health care clinic establishments under common control with the permittee; and the way/manner in which the permittee and other entities are

under common control. Such documentation shall be maintained by the permittee and shall be available for review by a Department Inspector or authorized agent of the Board.

(d) Pursuant to section 465.022(4), F.S., each applicant must attach to the application the applicant’s written policies and procedures for preventing controlled substance dispensing based on fraudulent representations or invalid practitioner-patient relationships. The policy and procedure manual shall contain, at a minimum, the following:

1. Provisions to identify and guard against invalid practitioner-patient relationships.
2. Provisions to guard against filling fraudulent prescriptions for controlled substances.
3. Provisions to identify prescriptions that are communicated or transmitted legally.
4. Provisions to identify the characteristics of a forged or altered prescription.

(6) As required by Rule 64B16-28.100(1)(c), F.A.C., prior to issuance of a Class III Institutional Pharmacy Permit, the applicant must pass an on-site inspection. For applicants who currently hold Institutional Class II or Modified Class II permits, the on-site inspection required for issuance of the Class III permit shall be coordinated, to the extent practicable, with any other inspections required or recently conducted, and in no event, shall reset or disrupt the permittee’s existing inspection schedule.

(7) Each applicant must comply with the fingerprinting requirements of section 465.022, F.S., unless the applicant qualifies for the statutory exception for corporations having more than \$100 million of business taxable assets in Florida. Electronic fingerprint information (“EFI”) that has been submitted to the Florida Agency for Health Care Administration may be accessible by the Florida Department of Health for a period of sixty (60) months. If the Department is able to access EFI from AHCA, applicants will not be required to resubmit EFI for additional or new applications submitted during this time period. After sixty (60) months, new electronic fingerprint information must be submitted as part of all applications, unless the applicant is a corporation having more than \$100 million of business taxable assets in Florida.

Rulemaking Authority 465.005, 465.022 FS. Law Implemented 465.019(2)(d), 465.022 FS. History–New \_\_\_\_\_.

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 12, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2018

**DEPARTMENT OF HEALTH**

**Prescription Drug Monitoring Program**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
64K-1.001	Patient Advisory Alerts and Reports
64K-1.002	American Society of Automation in Pharmacy Standards and Formats Accessing Database
64K-1.003	Management and Operation of Database
64K-1.004	Indicators of Controlled Substance Abuse
64K-1.007	Electronic Health Recordkeeping System Integration
64K-1.008	

**PURPOSE AND EFFECT:** For rules 64K-1.001, .002, .003, .004 and .007, F.A.C., to provide for revising the requirements for reporting dispensing of controlled substances, to allow employees of the U.S. Department of Veterans Affairs, U. S. Department of Defense, and Indian Health Services to access certain information pursuant to recently enacted legislation. For rules 64K-1.007 and .008, F.A.C, to provide the process for approved entities to connect electronic health recordkeeping systems to the Prescription Drug Monitoring Program system as required by recently enacted legislation.

**SUMMARY:** For rules 64K-1.001, .002, .003, .004 and .007, F.A.C., reporting and query requirements for dispensers and prescribers of controlled substances and access to certain information by employees of the U.S. Department of Veterans Affairs, U.S. Department of Defense, and Indian Health Services pursuant to recently enacted legislation. For rule 64K-1.007 and .008, F.A.C., electronic health recordkeeping system connections with the Prescription Drug Monitoring Program system as required by recently enacted legislation.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the SERC checklist, this rulemaking will not have an adverse impact on regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 893.055, FS.

**LAW IMPLEMENTED:** 893.055, 893.0551, FS.

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

DATE AND TIME: Thursday, August 23, 2018, 1:00 p.m. to 5:00 p.m.

PLACE: Florida Department of Health, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32311

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Program Manager, Prescription Drug Monitoring program, 4052 Bald Cypress Way, Bin #C-16, Tallahassee, Florida 32399 or Rebecca.Poston@FlHealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64K-1.001 Patient Advisory Alerts and Reports.

Rulemaking Authority 893.055 FS. Law Implemented 893.055 FS. History—New 11-24-11, Repealed

64K-1.002 American Society for Automation in Pharmacy Standards and Formats.

The format for submission to the E-FORCSE® database shall be in accordance with the electronic reporting standards of the American Society for Automation in Pharmacy (ASAP) contained in the “Implementation Guide ASAP Standard for Prescription Monitoring Programs Version 4, Release 2A 2,” (10/2016) (~~9/2014~~), incorporated by reference. E-FORCSE® ~~The PDMP~~ will continue to accept reports in the ASAP 2011 2009 version 4.2 4.1 standard for one year from the effective date of this rule (~~to be determined October 21, 2015~~), after which all reports must be made using the ASAP 2016 version 4.2A 2011 version 4.2 standard. The format for submission to the E-FORCSE® database if no controlled substances are dispensed shall be in accordance with the incorporated by reference ASAP Error and Zero Report Standard (10/2016 9/2014). The agency has determined that posting the incorporated materials would be a violation of federal copyright law. The materials are available for public inspection at the Department of Health, 4052 Bald Cypress Way, Tallahassee, FL 32399, and the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399. A copy of the eElectronic rReporting Standard for Prescription Drug Monitoring Programs may be obtained from the American Society for Automation in Pharmacy, 492 Norristown Road, Suite 160, Blue Bell, Pennsylvania 19422, Telephone: (610)825-7783, Website: www.asapnet.org.

Rulemaking Authority 893.055 FS. Law Implemented 893.055 FS. History—New 2-20-12, Amended 10-21-15,

64K-1.003 Accessing Database.

(1) Definitions:

(a) “Designee” means a person, preferably a licensed or certified health care professional, appointed to act as an agent

of a prescriber or dispenser for the purposes of requesting or receiving information from the Prescription Drug Monitoring Program database, E-FORCSE®.

(b) “E-FORCSE®” is the comprehensive electronic database system established by the Department of Health that has controlled substance prescribing and dispensing information reported to it and that provides the information to persons and entities allowed by law to access, request and receive this information.

(c) “Electronic health record” is an electronic or digital version of a patient’s medical history, maintained over time and may include all of the key administrative clinical data relevant to that person’s medical care under a particular provider, including demographics, progress notes, problems, medications, vital signs, past medical history, immunizations, laboratory data and radiology reports. The electronic health record uses computer hardware and software for the storage, retrieval, sharing and use of health care information and data.

(d)(~~b~~) “Impaired practitioner consultant” means an approved impaired practitioner program designated by the department through contract with a consultant to evaluate, refer and monitor impaired practitioners. The department has designated the Intervention Project for Nurses (IPN) and Professionals Resource Network (PRN) as the Approved Impaired Practitioner Programs.

(e) “Order” means a written, transmitted or oral direction from a prescriber for a controlled substance to be administered to a patient in an inpatient setting.

(f) “Prescribe” means the act of a prescriber issuing, writing or transmitting a direction to a pharmacist to dispense a specified controlled substance to a specified patient.

(2) Pharmacists, prescribers and dispensers, or their designees, are required to access and consult E-FORCSE® to review a patient’s controlled substance dispensing history each time a controlled substance, other than a nonopioid drug listed on Schedule V, is prescribed or dispensed, but not ordered, for a patient age 16 or older unless a statutory exception applies.

(3)(~~2~~)a) Pharmacists, prescribers and dispensers licensed in Florida may directly access the information in E-FORCSE® the program database by registering on the E-FORCSE® secure web portal at <https://florida.pmpaware.net/login> ~~https://fldmp-phreg.hidinc.com~~ using the temporary user name “newacct” and temporary password “welcome.” A written request may be submitted to the program manager if information must be received by alternate means. A pharmacist, prescriber or dispenser must review the “PMP AWARe User Support Manual Training Guide for Florida Practitioners and Pharmacists,” DH8009-PDMP, effective ~~7/2016~~ 7/2018, which is incorporated by reference and available at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_07628](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____07628), prior to registering. Certification of this review is

required before registration can be completed. A permanent user name and password will be emailed to the successful registrant. Registration denials, stating the reason for denial, will be emailed to the unsuccessful registrant.

(b) A prescriber or dispenser may request and receive information from E-FORCSE® ~~the database~~ using a secure recordkeeping system integration ~~web service~~ associated with his or her electronic health record ~~The web service shall transmit the authorized user's login credentials and query parameters to E-FORCSE® for authentication.~~ If the user is authenticated, E-FORCSE® will return query results to the ~~authorized user through the web service for display only viewing within the~~ authorized user's electronic health record.

(4)(3)(a) A designee of a prescriber or dispenser may directly access the information in E-FORCSE® ~~the program database~~ by registering ~~on the E-FORCSE® secure web portal~~ at <https://florida.pmpaware.net/login> ~~https://fldmp-phreg.hidinc.com~~ using the temporary user name "newacct" and temporary password "welcome." ~~A written request may be submitted to the program manager if information must be received by alternate means.~~ A designee must review the "PMP AWARxE User Support Manual Training Guide for Florida Practitioners and Pharmacists" and the "Information Security and Privacy Training Course for Designees," DH8019-PDMP, effective 7/2016, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07629>, prior to registering. A permanent user name and password will be emailed to the successful registrant. Registration denials, stating the reason for the denial, will be emailed to the unsuccessful registrant.

(b) A registered designee will not have access to E-FORCSE® ~~the database~~ until the designating prescriber or dispenser affirmatively accepts responsibility for the designee and links the designee to a pharmacy, prescriber or dispenser E-FORCSE® account as described in the "PMP AWARxE User Support Manual Training Guide for Florida Practitioners and Pharmacists." The linking process will require the prescriber or dispenser to certify that the designee has reviewed the "PMP AWARxE User Support Manual Training Guide for Florida Practitioners and Pharmacists" and the "Information Security and Privacy Training Course for Designees." The designating prescriber or dispenser shall maintain printed copies of the certification of these reviews and make them available to the program manager upon request.

(c) Registered designees who do not access ~~the~~ E-FORCSE® ~~database~~ for a period in excess of six months will be deactivated. Deactivated designees may reapply for access.

(5)(4) Prescribers and dispensers and their designees employed by the United States Department of Veterans Affairs (DVA), United States Department of Defense (DOD), and the Indian Health Service (IHS) who are authorized to prescribe or

dispense controlled substance and are not licensed in Florida but provide health care services to patients in this state pursuant to such employment, may directly access E-FORCSE® by registering at <https://florida.pmpaware.net/login>. An employee of the DVA, DOD and IHS must review the "PMP AWARxE User Support Manual" prior to registering. A permanent user name will be emailed to the successful registrant. Registration denials, stating the reason for the denial, will be emailed to the unsuccessful registrant.

(a) A registered employee of the DVA, DOD, and IHS will not have access to E-FORCSE® until his or her employment is verified.

(b) Direct access to the information in E-FORCSE® is limited to the information that relates to a patient of such employee and may be accessed only for the purpose of reviewing that patient's controlled substance prescription history.

(c) A prescriber or dispenser or designee employed by the DVA, DOD or IHS that is an authorized E-FORCSE user must notify E-FORSCE within 30 days of termination of employment.

(6)(a) Entities that do not have direct access to E-FORCSE® ~~the database~~ may request information from the program manager by having the agency head or a person appointed by the agency head for this purpose execute an "Agency User Agreement," DH8017-PDMP, effective 7/2015, incorporated ~~herein~~ by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06462>. If approved, the program manager will execute and return the agreement to the agency.

(b) After approval of the Agency User Agreement, each agency head or person appointed by the agency head for this purpose shall appoint an agency administrator with an "Agency Administrator Appointment Form," DH 8010-PDMP, effective 1/2015, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06457>. Approved administrators will be notified and provided instructions for appointing authorized users.

(c) Each agency head or person appointed by the agency head for this purpose shall immediately notify the program manager or support staff of a change in the agency administrator. Authority to request and receive information from ~~the~~ E-FORCSE® ~~database~~ shall be suspended during an agency administrator vacancy.

(d) Each agency administrator may appoint authorized users to request and receive information on behalf of the agency using an "Agency Authorized User Appointment Form," DH-8015-PDMP, effective 1/2015, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06460>. Prior to appointment each authorized user must review

the “Training Guide for Enforcement and Investigative Agencies,” DH-8012-PDMP, effective ~~7/2018~~ ~~6/2016~~, incorporated by reference and available at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_07630](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____07630), and the “E-FORCSE® Information Security and Privacy Training Course,” effective 7/2016, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07631>. Certification of these reviews is required before registration can be completed. The authorized user must provide printed copies of the certifications from both courses to the agency administrator who shall maintain them for the duration of the appointment and make them available for examination upon request of the program manager. Approved authorized users will be notified by email and provided with instructions for requesting and receiving information ~~from through the secure E-FORCSE® web portal.~~

(e) An authorized user must have actual knowledge of an active investigation as defined by section 893.055(1)(a h), F.S., prior to submitting a request and is prohibited from requesting information on behalf of another law enforcement agency or entity.

(f) Each agency administrator shall immediately notify the program manager or support staff by email of authorized user changes and verify the list of authorized users on or immediately prior to June 30 of each year.

~~(7)(5)~~(a) Impaired practitioner consultants do not have direct access to ~~E-FORCSE® the information in the database~~ but may request and review information relating to persons referred to or participating in the approved impaired practitioner programs ~~from the program manager~~ by having the Medical Director or Executive Director of the ~~approved~~ impaired practitioner program execute an “Impaired Practitioner Consultant User Agreement,” DH8020-PDMP, effective 7/2016, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07632>. If approved, the program manager will execute and return the agreement to the Medical Director or Executive Director of the ~~approved~~ impaired practitioner program.

(b) The impaired practitioner consultant shall immediately notify the program manager or support staff of a change of Medical Director or Executive Director. Authority to request and receive information from ~~the E-FORCSE® database~~ shall be suspended while the position of Medical Director or Executive Director is vacant.

(c) Upon approval of the impaired practitioner consultant user agreement, the Medical Director or Executive Director of the approved practitioner program may appoint up to three (3) authorized users who are employees of the ~~approved~~ impaired practitioner consultant to request and receive information on behalf of the ~~approved~~ impaired practitioner program using an

“Impaired Practitioner Program Authorized User Appointment Form,” DH8022-PDMP, effective 7/2016, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07633>. Prior to appointment, each authorized user must review the “Training Guide for Impaired Practitioner Consultants,” DH8021-PDMP, effective ~~7/2018~~ ~~7/2016~~, incorporated by reference and available at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_07634](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____07634). Certification of this review is required before registration can be completed. The authorized user must provide a printed copy of this certification to the Medical Director or Executive Director of the ~~approved~~ impaired practitioner program who shall maintain them for the duration of the appointment and make them available for examination upon request of the program manager. Approved authorized users will be notified by email and provided with instructions for requesting and receiving information ~~from through the secure E-FORCSE® web portal.~~ Registration denials, stating the reason for the denial, will be emailed to the Medical Director or Executive Director.

(d) The Medical Director or Executive Director of the ~~approved~~ impaired practitioner consultant shall immediately notify the program manager or support staff by email of authorized user changes and verify the list of authorized users on or immediately prior to June 30 of each year.

(e) The person referred to or participating in the ~~approved~~ impaired practitioner program must provide written authorization for the ~~approved~~ impaired practitioner consultant to request and review ~~any~~ information ~~from E-FORCSE®~~ relating to that person. The referred or participating person shall use the “Authorization for Impaired Practitioner Consultant Access,” Form DH8023-PDMP, effective 7/2016, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07635>, to provide this authorization. The impaired practitioner consultant or authorized user must upload the executed authorization form with the request for information from ~~the E-FORCSE® database~~ relating to the referred or participating person. Each access for a referred person requires a new authorization form. Authorizations for impaired practitioner program participants can be in effect no longer than the duration of the monitoring contract with the impaired practitioner program. If approved, the program manager will return the information on the referred or participating person ~~from E-FORCSE®~~ to the impaired practitioner consultant or authorized user ~~through the secure E-FORCSE® web portal.~~ If denied, the program manager will notify the impaired practitioner consultant or authorized user with the reason for the denial.



(f) Impaired practitioner program consultants and authorized users may only query information relating to the referred or participating person who has given authorization to access the information, and not any prescriber or dispenser. An impaired practitioner program consultant may make a notation of the query in the impaired practitioner program file.

(g) Information in ~~the~~ E-FORCSE® ~~database~~ relating to referred and participating persons accessed by impaired practitioner consultants and authorized users is confidential and exempt and shall not be disclosed or transmitted to any other person, program or entity, including the Department. To prevent inadvertent disclosure, the information should not be included in the referred or participating person's impaired practitioner program file, downloaded or printed.

~~(8)(6)~~ A patient or the legal guardian or designated health care surrogate of an incapacitated patient may request information from E-FORCSE® ~~the program database~~ to verify the accuracy of the ~~database~~ information by contacting the Prescription Drug Monitoring Program by mail at 4052 Bald Cypress Way, Bin #C-16, Tallahassee, FL 32399-3254, or by telephone at (850)245-4797 ~~and submitting. Requesters must complete~~ form DH 2143, "Patient Information Request," effective ~~7/2018~~ ~~6/2016~~, incorporated by reference and available

at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_07636](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____07636). ~~The patient or other authorized person must make an appointment, appear in person at the program or department field office, and produce a valid government issued identification, which includes a photograph, to review the requested information.~~

Rulemaking Authority, 893.055 FS. Law Implemented 893.055, 893.0551 FS. History—New 11-24-11, Amended 2-17-16, 2-14-17,

64K-1.004 Management and Operation of Database.

(1) All non-exempt entities that dispense controlled substances ~~as defined in section 893.055(1)(c), F.S., Schedules H—IV,~~ are required to register and report to the program database. ~~Orders for administration are exempt from reporting.~~

(2) Dispensers must register electronically at <https://pmpclearinghouse.net/registrations/new>. ~~https://flpdmp-reporting.hidinc/ using the temporary user name "newacct" and temporary password "welcome."~~ A permanent user name and password will be provided electronically to successful registrants. ~~Prior to registration, a dispenser must review the "Data Submission Dispenser Guide Certification that the dispenser has reviewed the "Dispenser's Implementation Guide," DH8013-PDMP, effective 7/2018 7/2015,~~ incorporated by reference and available at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_06459](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____06459), ~~is required~~ before registration can be completed.

(3) All dispensers shall electronically report dispensing information to E-FORCSE® ~~the program's database~~ as soon as possible, but ~~no later than the close of the next business day after the day the controlled substance~~ ~~not more than 7 days after the controlled substance~~ is dispensed. Extensions of time to report the dispensing of a controlled substance may be granted for no more than 30 days upon request to the program by any dispenser unable to submit data by electronic means if the dispenser provides evidence of having suffered a mechanical or electronic failure or cannot report for reasons beyond the control of the dispenser or if E-FORCSE® ~~the database~~ is unable to receive submissions. A dispenser that has no dispensing transactions to report for the preceding ~~business day seven day period~~ must submit a zero activity report as described in the "Data Submission Dispenser Guide ~~"Dispenser's Implementation Guide."~~

(4) Dispensing information with errors or omissions shall be corrected and resubmitted to E-FORCSE® ~~the database~~ by the reporting dispenser within ~~one seven business day days~~ of receiving electronic or written notice from the program manager or support staff of the error or omission.

(5) The program will file a complaint with the Department and refer to law enforcement any failure to report the dispensing of ~~Schedules H—IV~~ controlled substances ~~as defined in section 893.055(1)(c), F.S.~~

(6) Pharmacies ~~and registered dispensing practitioners~~ that do not dispense controlled substances in or into this state must submit a "Notification of Exemption From Reporting," DH8016-PDMP (effective ~~7/2018~~ ~~7/2015~~), incorporated by reference and available at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_06461](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____06461). Exemptions must be renewed on or before February 28 in odd years by making the appropriate election on the biennial pharmacy permit renewal form or on "Renewal of Notification of Exemption from Reporting Form," DH8018-PDMP (effective ~~7/2018~~ ~~7/2015~~), incorporated by reference and available

at [https://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_06463](https://www.flrules.org/Gateway/reference.asp?No=Ref-_____06463). Pharmacies ~~and registered dispensing practitioners~~ seeking to begin dispensing controlled substances must notify the program electronically and be removed from the exempt list prior to registering to report to the program database.

(7)(a) A patient, health care provider, prescriber, or dispenser may submit an electronic request to the program manager for the correction of erroneous information in E-FORCSE® ~~the database~~. The request shall include:

1. A statement explaining in detail the error and the basis for the requested correction.
2. The precise change requested.
3. Documentation establishing the correct information.

4. The requester’s name, address, telephone number, and license number if licensed as a health care provider in Florida.

(b) The program manager or support staff will review all requests to correct information and will request the reporting dispenser ~~reporting the incorrect information~~ to correct identified errors. No correction will be made if no error is found. The program will notify the entity or person requesting the correction of the results of the review.

(8) Information reported to E-FORCSE® will be ~~maintained in the database~~ available for access for a period of 2 years from the date the prescription was dispensed.

~~(9) Information submitted to the database by dispensers directly dispensing a controlled substance shall include the telephone number of the person for whom the prescription was written.~~

Rulemaking Authority 893.055 FS. Law Implemented 893.055 FS. History–New 11-24-11, Amended 2-17-16, 1-12-17,

64K-1.007 Indicators of Controlled Substance Abuse.

(1) The following behavior indicates controlled substance abuse:

A patient who within a 90-day time period: (1) obtains a prescription for a controlled substance ~~in Schedules II, III, or IV~~, as defined in section 893.055(1)(c) 893.03, F.S., from more than one prescriber; and (2) is dispensed a controlled substance ~~in Schedules II, III, or IV~~, as defined in section 893.055(1)(c) 893.03, F.S., from five or more pharmacies.

(2) Upon identifying a patient who exhibits or for whom the behavior outlined in subsection (1), has been exhibited, the Program Manager may provide relevant information to the identified health care practitioners who have prescribed or dispensed controlled substances to the identified patient within the 90-day period.

Rulemaking Authority 893.055 FS. Law Implemented 893.055(2) FS. History–New 5-21-12, Amended

64K-1.008 Electronic Health Record System Integration

(1) Definitions.

(a) “Approved entity” means an eligible entity that has been approved by the department to connect an electronic health record system directly to E-FORCSE®, the prescription drug monitoring data system.

(b) “Authorized user” means a health care practitioner as defined in section 893.055(f), F.S., or his or her designee.

(c) “Electronic health record” is an electronic or digital version of a patient’s medical history, maintained over time and may include all of the key administrative clinical data relevant to that person’s medical care under a particular provider.

including demographics, progress notes, problems, medications, vital signs, past medical history, immunizations, laboratory data and radiology reports. The electronic health record uses computer hardware and software for the storage, retrieval, sharing and use of health care information and data.

(d) “Eligible entity” means an organization or entity that operates or provides or makes available an electronic health record system to a health care practitioner or a designee of the practitioner.

(2) An eligible entity may apply to the department to request and receive information directly from E-FORCSE® through an electronic health record system by completing the following steps:

(a) Complete an Integration Request Form, DH8024-PDMP, effective 7/2018, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-####>.

(b) Submit the Integration Request Form to the department.

(3) The department will review the submitted form and notify each applicant by email if the request to integrate is approved or denied.

(4) Eligible entities and authorized users may retain patient prescription monitoring information in the electronic health record and must ensure that the confidential and exemption information is not inadvertently released or accessed by unauthorized persons or entities.

(5) Only individuals authorized by sections 893.055 and 893.0551, F.S., who are active registered E-FORCSE® users are authorized to request and receive information directly from E-FORCSE® through an electronic health record.

(6) The department may suspend or revoke integration approval if an eligible entity or authorized user does not adhere to the department’s terms and conditions, including security and privacy requirements. The department will immediately notify the approved entity or authorized user upon suspension or revocation of approval.

Rulemaking Authority, 893.055 FS. Law Implemented 893.055(7) FS. History–New

NAME OF PERSON ORIGINATING PROPOSED RULE: Rebecca Poston, Program Manager, Prescription Drug Monitoring Program

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 31, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 21, 2018

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: RULE TITLE:  
 68A-3.002 Powers of Wildlife Officers and Other Designated Assistants

68A-3.004 Wildlife Reserve Program

PURPOSE AND EFFECT: To repeal rules that are redundant with statutes providing for law enforcement authority.

SUMMARY: The Joint Administrative and Procedures Committee of the Florida Legislature identified potential problems with and requested review of these rules.

Subsections 68A-3.002(1) and (2) lists powers of wildlife officers and “duly authorized assistants”. These sections give the executive director and these assistants the power to make arrests and enforce all laws or rules relating to wild animal life and freshwater aquatic life. The rule purports to be implementing 379.3311, F.S., Police powers of commission and its agents, but instead expands on those powers. These sections either overreach or are redundant with the statute and should be repealed. Section (3) provides the ability for other law enforcement personnel to enforce all laws or rules relating to wild animal life and freshwater aquatic life, and should be retained.

Rule 68A-3.004 Wildlife Reserve Program. This rule is outdated and no longer representative of FWC’s reserve program. Repealing the rule would not change the Division of Law Enforcement’s ability to have a program, but would remove an outdated and unnecessary rule.

**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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Art. IV, Sec. 9, Florida Constitution, 379.1025, 379.3311, FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution, 379.1025, 379.3311, 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: Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, FL 32399.

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

68A-3.002 Powers of Wildlife Officers and Other Designated Assistants.

~~(1) The Fish and Wildlife Conservation Commission, the executive director and each wildlife officer are constituted peace officers with the power to make arrests for violation of the laws of the state in accordance with the provisions of Section 379.3311, F.S.~~

~~(2) Other duly authorized assistants as designated by the executive director are empowered to enforce all laws or rules relating to wild animal life and freshwater aquatic life in accordance with the provisions of subsection (2), Section 379.3311, F.S.~~

~~(3) Those state officers who are vested with powers of arrest and those municipal police officers and deputy sheriffs acting within the scope of their police jurisdiction are empowered to enforce all laws or rules relating to wild animal life and freshwater aquatic life.~~

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS. Law Implemented 379.3311 FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-3.02, 39-3.002, Amended \_\_\_\_\_.

68A-3.004 Wildlife Reserve Program.  
Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS. Law Implemented 379.3311 FS. History—New 8-1-79, Amended 6-21-82, 7-1-84, Formerly 39-3.04, 39-3.004, Repealed \_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Bud Vielhauer, General Counsel, 620 S. Meridian Street, Tallahassee, FL 32399.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 4/25/2018  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 9/27/2017

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Aquatic Plants**

RULE NO.:	RULE TITLE:
68F-20.0015	Definitions
68F-20.002	Permits - Applications
68F-20.0035	Waters Exempt from Permitting
68F-20.0045	Criteria for Issuing, Modifying or Denying Permit Applications
68F-20.0055	Management Method Criteria and Standards, Operations and Reporting Requirements
68F-20.0075	Penalties

PURPOSE AND EFFECT: The proposed amendments to the rules of 68F-20 would effect changes to: chapter definitions, the aquatic plant control permit application process, exemptions from permit requirements, and penalties.

SUMMARY: The changes add new definitions, remove obsolete definitions, clarify existing definitions, institute and clarify processes for permit applications, add new exemptions, and set forth new penalties. The changes will allow staff to direct more of their time toward the development of aquatic plant control plans and the monitoring of treatment results, while also easing the regulatory burden on the public.

**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 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:

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: Sections 369.20, 369.22, 379.501, 379.502, 379.503, and 379.504, FS.

LAW IMPLEMENTED: Sections 369.20, 369.22, 379.501, 379.502, 379.503, 379.504, and 403.088, 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: Robert Kipker, 3800 Commonwealth Boulevard, Mail-Stop 705, Tallahassee, Florida 32303

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

68F-20.0015 Definitions.

(1) "Aquatic plant" means any plant, including a floating, emersed, submersed, or ditchbank species, growing in, or closely associated with, an aquatic environment, and includes any part or seed of such plant.

(2) "Aquatic plant management" means an activity designed to control the growth of aquatic plants so as to protect human health, safety and recreation and, to the greatest degree practicable, to prevent injury to non-target plants, animal life, and property.

(3) "Artificial waters" means those surface waters created through excavation by humans.

(4)(3) "Beneficial aquatic plants" means indigenous aquatic plant species that provide fish and wildlife habitat, water quality protection, and shoreline stabilization.

(5) "Boatable connection" means a connection between two waterbodies that is of sufficient depth and width, at normal water levels, that a subsurface propeller-driven boat can navigate between the waterbodies.

~~(4) "Section" means the Invasive Plant Management Section, an administrative subdivision of the Florida Fish and Wildlife Conservation Commission, located at 3900 Commonwealth Boulevard, MS 705, Tallahassee, Florida 32399 3000, telephone (850)245 2809.~~

~~(5) "Classes of Surface Water" means the classification of surface waters as defined by the Department of Environmental Protection, pursuant to Rule 62-302.400, F.A.C.~~

~~(6)(6a) "Class I – Potable Public Water Supplies" means surface waters designated for human consumption as defined by the Department of Environmental Protection, pursuant to Rule 62-302.400, F.A.C., and all derivatives of this classification.~~

~~(7)(7b) "Class II – Shellfish Propagation or Harvesting" means surface waters where shellfish are grown or harvested for human consumption as defined by the Department of Environmental Protection, pursuant to Rule 62-302.400, F.A.C.~~

~~(e) "Class III – Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife" means all surface waters of the state of Florida, which are not included in Class I, II, IV or V.~~

~~(d) “Class IV Agricultural Water Supplies” means secondary and tertiary canals within agricultural areas.~~

~~(e) “Class V Waters Navigation, Utility and Industrial Use” means waters designated for such use.~~

~~(8)(6) “Collection” means the removal or gathering of any aquatic plant, including any part or seed thereof, from the place in which it is growing in the natural environment.~~

~~(9) “Commission” means the Florida Fish and Wildlife Conservation Commission.~~

~~(10)(7) “Connection” means any depression, ditch, canal, culvert, pipe, or any other natural or man-made conveyance, whether permanent or intermittent, which joins the surface water of one waterbody to the surface water of another waterbody in such a manner as to allow the interchange of water between the waterbodies. Waterbodies with conveyances which are subject to man-made controls, including but not limited to dams, weirs, water control gates, and valves which are preventing the interchange of water between waterbodies at the time of the use of an herbicide for aquatic plant management activities, and throughout any water use restriction periods required by the herbicide product label, shall not be considered to be connected.~~

~~(11)(8) “Control area” means an area of water containing the aquatic plant management site within which opportunity exists for the mixture of water temporarily degraded by management activities with receiving or adjacent waters and. This includes the area of water in which the use of a herbicide or mechanical aquatic plant management activity is undertaken.~~

~~(9) “Commission” means the Florida Fish and Wildlife Conservation Commission.~~

~~(12) “Direct connection,” or any derivative thereof, means when conditions exist where interchange of water between waterbodies can occur at the time of aquatic plant control activities.~~

~~(13)(40) “Ditchbank species” means those plants usually growing not directly in water but near water’s edge at normal water level.~~

~~(14)(44) “Eradication program” means a method for the control of non-indigenous aquatic plants in which control techniques are utilized in a coordinated manner in an attempt to kill all the target aquatic plants on a permanent basis in a given geographical area.~~

~~(15)(42) “Herbicide” means any chemical product used to chemically control or regulate aquatic plant growth.~~

~~(16)(43) “Maintenance program” means a method for the management of aquatic plants in which techniques are used in a coordinated manner, on a continuous or periodic basis, in order to maintain the target plant population at the lowest feasible level funding and technology will permit, as determined by the Commission.~~

~~(17)(14) “Manatee aggregation site” means a specific area within a waterbody or canal system where manatees periodically congregate, as identified by the section in consultation with the U.S. Fish and Wildlife Service and the Commission’s Imperiled Species Management Section.~~

~~(18)(45) “Natural waters” means those surface waters created through geological and biological processes whether or not subsequently modified by man.~~

~~(19)(46) “Noxious aquatic plant” means any part, including but not limited to seeds or reproductive parts, of an aquatic plant which has the potential to hinder the growth of beneficial plants, to interfere with irrigation or navigation, or to adversely affect the public welfare or the natural resources of this state.~~

~~(20)(47) “Outstanding Florida Waters” means waters designated by the Environmental Regulation Commission as worthy of special protection because of their natural attributes as listed in Rule 62-302.700, F.A.C.~~

~~(21)(48) “Permit” means a license issued by the Commission, pursuant to this chapter.~~

~~(22)(49) “Person” or “persons” means any individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and any other groups or combinations thereof.~~

~~(23) “Public waterbody” means a waterbody that is accessible by the boating public, either by waters that themselves have a boatable connection to another public waterbody, or by way of an established, improved boat ramp:~~

~~(a) There must be a sign at the boat ramp stating that it is a public boat ramp or use area.~~

~~(b) There must be at least one directional sign on the nearest paved roadway indicating the way to the boat ramp.~~

~~(c) There must be sufficient space to safely turn a vehicle and trailer around, and ample parking space within 0.25 miles of the boat ramp.~~

~~(d) A ramp fee can be charged, provided that the fee is not unreasonable (in keeping with ramp fees charged in the area).~~

~~(24)(20) “Regional biologist” means a biologist employed by the section who is located in a region of the state designated by the section, and whose duties are to carry out the responsibilities of the section within the region as assigned.~~

~~(25)(21) “Riparian owner” means a person who possesses fee title to property that extends to the ordinary high water mark of natural navigable waters, or to the bottom of natural waters.~~

~~(26) “Section” means the Invasive Plant Management Section, an administrative subdivision of the Florida Fish and Wildlife Conservation Commission.~~

~~(22) “Sovereignty lands” means, pursuant to Article X, Section 11, Constitution of the State of Florida, the title to lands under navigable waters, within the boundaries of the state, which have not been alienated, including beaches below mean~~

~~high water lines, is held by the state, by virtue of its sovereignty, in trust for all the people.~~

~~(27)(23) “Waters” or “Waters of the State” means rivers, streams, lakes, navigable waters and associated tributaries, canals, meandered lakes, enclosed water systems, and all other bodies of water.~~

~~(28)(24) “Waters of Special Concern” means Class I and II waters, Outstanding Florida Waters, and manatee aggregation sites waters designated by rule as a fish management area by the commission.~~

~~Specific Authority 369.20, 369.22 F.S. Law Implemented 369.20, 369.22, 403.088 F.S. History—New 2-9-82, Amended 7-9-85, Formerly 16C-20.015, 16C-20.0015, Amended 5-3-95, Formerly 62C-20.0015, Amended \_\_\_\_\_.~~

68F-20.002 Permits – Applications.

(1) No person or public agency shall attempt to control, eradicate, remove, or otherwise alter any aquatic plants in waters of the state, ~~including those listed in Section 369.251, F.S.~~, except as provided in a permit issued by the Commission unless the activities or waters in which aquatic plant management activities are to take place are expressly exempted in Rule 68F-20.0035, F.A.C.

(2) Permits issued pursuant to this chapter are not intended to allow for the collection and reintroduction ~~subsequent use~~ of the removed plants into another waterbody, unless specifically provided for in the permit conditions.

(3) Application format and requirements:

(a) All applications for new permits or amendments ~~modifications~~ to existing permits shall be submitted in accordance with the requirements of this rule.

(b) Applications for new permits, renewal permits, or amendments to existing permits shall be submitted electronically through the Commission’s aquatic plant control online permitting system, on the Commission’s web site at <http://myfwc.com/wildlifehabitats/invasive-plants/>. Persons unable to apply electronically should contact the Commission’s Invasive Plant Management Section for assistance in the application process. ~~All application documents shall be submitted in an 8 1/2 by 11 inch format and be of good quality and clearly legible.~~

~~(c) Each application shall be submitted on FWC form 50-032(16) (Aquatic Plant Management Application, effective date 5-3-95, which is hereby incorporated by reference), and is available at no cost from the section.~~

~~(c)(d)~~ All applications, except for those from government agencies, research institutions, and wastewater treatment facilities approved by the Department of Environmental Protection, shall be in the name of ~~and signed by~~ the riparian owner. If the Commission is unable to determine if the applicant

is a riparian owner, the applicant ~~who~~ shall, upon request, provide proof of riparian ownership. An application ~~can~~ may be submitted by an agent authorized by ~~of~~ the riparian owner ~~provided that the name, address, telephone number, signature of the riparian owner, and agent is provided on the application.~~ Persons authorized to ~~representing~~ multiple riparian owners such as, but not limited to, governmental agencies and officers of homeowners associations ~~can~~ may submit a single an application for multiple sites ~~without the name, address, telephone number, and signature of all riparian owners.~~ ~~However, the name, signature, address, and telephone number of the contact person must be shown.~~

~~(d)(e)~~ As part of the application, the applicant shall provide the name of the waterbody, if it is named; the street address of the control site; or ~~and~~ a map with directions to the proposed management site using county, state, and U.S. highway names and route numbers.

~~(e)(f)~~ As part of the application, the applicant shall provide a ~~detailed~~ diagram of the proposed management site which shall contain at a minimum the following information:

1. ~~The r~~Riparian owner’s property boundaries, including dimensions.
2. ~~The a~~Approximate water’s edge at the time of the proposed application.
3. ~~All P~~Prominent features such as docks, fences, trees, etc., located near the water’s edge.
4. ~~Prominent~~All aquatic plant communities located at the site identified by name or symbol, with a clear depiction of the aquatic plants proposed for control including the dimensions of the control area and the vegetation not to be controlled.
5. The proposed control method to be used.
6. Copy of any existing conservation easement established in the area aquatic plant control is proposed ~~Type of public notification to be used when applying herbicides with water use restrictions required by the herbicide product label.~~
7. Legends that explain all symbols and patterns used in the management site diagram.

~~(g) Each applicant shall submit one complete application bearing original signatures and two copies of the complete application to the appropriate regional biologist.~~

(4) The regional biologist shall review and determine the completeness of each application ~~and may conduct an on-site inspection.~~

(5) Applicants and permittees shall allow reasonable access to regional biologists for the purpose of engaging in surveys and examinations of the proposed aquatic plant management site.

~~(6)(5)~~ Final agency action on permit applications.

(a) All conditions of the permit shall be stated on the permit.

(b) Permits shall be effective for a period of three years from the date issued.

~~(c) The permittee must sign the permit and have a copy of the signed permit on site for review while conducting any control activities.~~

~~(7)(6) Permit amendments:~~

(a) The permittee ~~can~~ ~~may~~ request an amendment subject to the procedures and review criteria of this chapter.

(b) Following notice to the permittee, the ~~C~~ommission is authorized to amend a permit issued pursuant to this chapter during the term of the permit to restrict or limit the scope of the permitted activity. This shall be done if necessary to ensure the protection of human health, safety, recreation, plant and animal life, and property.

(c) A permit issued pursuant to this chapter ~~can~~ ~~may~~ be transferred at the written request of a new owner or assignee of the permitted property when accompanied by written consent from the permit holder. If any changes, additions, or ~~amendments~~ ~~modifications~~ to the permit are requested, an application for a new permit must be submitted ~~filed~~ for processing.

~~(8)(7) It shall be the responsibility of the permittee to submit a renewal application 45 days prior to the expiration date of the permit.~~

~~(8) When a person enters into a contract with the commission to conduct aquatic plant management for research purposes or pursuant to an eradication or maintenance program initiated under Chapter 5B-64, F.A.C., or Chapter 68F-54, F.A.C., the execution of the contract shall constitute the commission's permit for aquatic plant management.~~

~~Specific Authority 369.20, 369.22 FS. Law Implemented 369.20, 369.22, 403.088 FS. History—New 5-8-77, Amended 2-9-82, 7-9-85, Formerly 16C-20.02, 16C-20.002, Amended 5-3-95, Formerly 62C-20.002, Amended \_\_\_\_\_.~~

68F-20.0035 Waters or Activities Exempt from Permitting.

(1) No aquatic plant ~~control~~ ~~management~~ permit is required by the ~~C~~ommission for the following waters or activities:

(a) Waters where all of the surrounding (360 degrees) upland property and submerged lands are wholly owned by one person, other than the state, unless provided there is a direct no connection to Waters of Special Concern when herbicides are used and throughout any water use restriction periods required by the herbicide product label, or there is a connection to a manatee aggregation site that would allow the ingress and egress of a manatee into the water body.

(b) ~~Class IV waters or~~ Artificial waters used exclusively for agricultural purposes, provided unless there is no a direct connection to Waters of Special Concern when herbicides are used and throughout any water use restriction periods required by the herbicide product label, or there is a connection to a

manatee aggregation site that would allow the ingress and egress of a manatee into the water body.

(c) Electrical power plant cooling ponds, reservoirs, or canals, ~~unless there is a direct connection used as or connected to Waters of Special Concern when herbicides are used and throughout any water use restriction periods required by the herbicide product label, or there is a connection to a manatee aggregation site that would allow the ingress and egress of a manatee into the water body waters designated by the commission as manatee aggregation sites.~~

~~(d) In Waters that are of 10 surface acres or less than 160 surface acres unless: provided there is no connection to Waters of Special Concern.~~

1. The Waters are a public waterbody or a waterbody that has a boatable connection to a public waterbody, or

2. There is a direct connection to Waters of Special Concern when herbicides are used and throughout any water use restriction periods required by the herbicide product label, or there is a connection to a manatee aggregation site that would allow the ingress and egress of a manatee into the water body.

The acreage of waters in systems with any connections shall be calculated for each individual water rather than collectively as a system. Natural connections between non-exempt waters shall be considered part of those waters.

(e) In that specific area of a waterbody where an Environmental Resource Permit is issued a dredge and fill activity is permitted by the Department of Environmental Protection or one of the state's Water Management Districts and aquatic plants are removed as a part of the permitted activity.

(f) Activities conducted, authorized, or contracted for by the Commission.

(g) In all freshwater bodies, except aquatic preserves designated under chapter 258, F.S. and Outstanding Florida Waters designated under chapter 403, F.S., a riparian owner may physically or mechanically remove herbaceous aquatic plants and semiwoody herbaceous plants, such as shrub species and willow, within an area delimited by up to 50 percent of the property owner's frontage or 50 feet, whichever is less, and by a sufficient length waterward from, and perpendicular to, the riparian owner's shoreline to create a corridor to allow access for a boat or swimmer to reach open water. All unvegetated areas shall be cumulatively considered when determining the width of the exempt corridor. Physical or mechanical removal does not include the use of any chemicals or any activity that requires a permit pursuant to part IV of chapter 373, F.S.

(2) Although certain waters are exempt from the ~~C~~ommission permit requirements, all aquatic plant management activities shall be conducted in a manner so as to protect human health, safety, recreational use, and to prevent injury to non-target plant and animal life, and property, to the greatest degree practicable. When applying a herbicide in

exempt waters, all persons shall comply with label rates, instructions, cautions, and directions, and shall follow the public notice requirements of paragraph 68F-20.0055(2)(c), F.A.C. No aquatic plant management activity using herbicides or mechanical harvesting equipment shall be conducted when manatees are in the control area in exempt waters. Copper-based herbicides shall not be used in any exempt waterbody directly connected to Waters of Special Concern ~~any natural waterbody designated as a manatee aggregation site~~ without a permit from the Commission.

Specific Authority 369.20, 369.22 F.S. Law Implemented 369.20, 369.22, 403.088 F.S. History—New 2-9-82, Amended 7-9-85, Formerly 16C-20.035, 16C-20.0035, Amended 5-3-95, Formerly 62C-20.0035, Amended \_\_\_\_\_.

68F-20.0045 Criteria for Issuing, Modifying or Denying Permit Applications.

(1) The Commission recognizes the varied human and environmental concerns for Florida's waters. Aquatic plant control management permits shall be issued to allow persons reasonable access to, and use of, these waters while maintaining sufficient native vegetation to provide for environmental concerns such as the impact upon fish, wildlife, water quality, and shoreline stabilization. Native aquatic plant species in natural waters will not be considered for control unless the native species alone, or when intermingled with nonindigenous species, have become noxious.

(2) In determining whether a permit shall be issued for aquatic plant management purposes, the Commission shall consider the following criteria:

(a) The noxious aquatic plant species present and the potential of the target plants to create adverse effects.

(b) The amount and quality of the aquatic plants within the waterbody and the proposed management site, and their importance to biological communities that are utilizing them.

(c) The positive or adverse impacts of the aquatic plant management activities on public interest considerations such as:

1. Health and safety of the public.
2. Navigation.
3. General public's access to, or use of, the waterbody.
4. Riparian property owners' access to, or use of, the waterbody.
5. Swimming, fishing or other recreational activities.
6. Water flow or the potential for flooding.

(d) The positive or adverse impacts of the aquatic plant management activities on fish and wildlife considerations such as:

1. Endangered or threatened species, species of special concern, or their prey species and habitat.
2. The potential of the management activities to improve habitat for the production of fish and wildlife, including non-game species.

3. The potential of the plant management activities to increase or improve native aquatic plant species diversity.

(e) The positive or adverse impacts of the proposed aquatic plant management activities on water quality considerations such as:

1. ~~Native P~~plant coverage which ~~may~~ protects or improves water quality.

2. ~~Native P~~plant coverage which ~~may~~ prevents or reduces shoreline erosion and runoff.

3. Nutrient levels, dissolved oxygen levels, deposition of organic matter, herbicide residues or other impacts on water quality outside of the control area designated by the Commission.

(f) The protection of the receiving waterbodies consistent with the classes of surface waters established pursuant to Chapter 62-302, F.A.C.

(g) The potential of the proposed activity to spread noxious aquatic plants, or to promote the survival and growth of native aquatic plants.

(h) Whether a conservation easement has been established that prohibits the alteration or removal of vegetation in the area proposed for aquatic plant control.

(3) The Commission will not issue more than one permit for the same activity at the same site, at the same time, in the behalf of a riparian owner.

(4) The removal, cutting, collecting, or altering in any way of mangroves, mangrove seeds (fruits) or propagules, or plants restricted by Rule 68B-42.001, F.A.C., are not regulated by this chapter and, therefore, shall not be permitted pursuant to Chapter 68F-20, F.A.C.

(5) If after review of a complete application the Commission determines that the proposed activity does not conform to the criteria as established in Rule 68F-20.0045, F.A.C., the Commission shall deny the permit.

Specific Authority 369.20, 369.22 F.S. Law Implemented 369.20, 369.22, 403.088 F.S. History—New 2-9-82, Formerly 16C-20.045, 16C-20.0045, Amended 5-3-95, Formerly 62C-20.0045, Amended \_\_\_\_\_.

68F-20.0055 Management Method Criteria and Standards, and Operations ~~and Reporting~~ Requirements.

(1) Management Method Criteria and Standards

(a) Herbicide control activities:

1. All herbicide control activities shall be in conformity with label requirements of the product to be used.

2. Herbicides with label ~~that require water use~~ restrictions for potable water use that when used according to label requirements, and do not indicate a potable water intake setback distance ~~on the label~~, must not be used to manage floating plants within 0.5 miles of a functioning potable water intake permitted by the Department of Environmental Protection in a lake or within ~~2.0two~~ miles upstream or 0.5 miles downstream of a



functioning potable water intake permitted by the Department of Environmental Protection in a river system. There are no setback requirements when using herbicides that do not have restrictions on the label for potable water use.

3. When used to manage aquatic vegetation other than floating plants, herbicides with label that require water use restrictions for potable water use which when used according to label requirements, and do not indicate a potable water intake setback distance on the label, must not be used within 2.0 two miles of a functioning potable water intake permitted by the Department of Environmental Protection in a lake or within 2.0 two miles upstream or 0.5 miles downstream of a functioning potable water intake permitted by the Department of Environmental Protection in a river system. There are no setback requirements when using herbicides that do not have restrictions on the label for potable water use.

4. When management activities, using a herbicide with label restrictions for without a potable water use which does not have a potable water setback distance, are to take place within 2.0 two miles of a functioning potable water intake permitted by the Department of Environmental Protection in a lake, or within 2.0 two miles upstream or 0.5 miles downstream of a functioning potable water intake permitted by the Department of Environmental Protection in a river system, written notice by certified mail must be given to the operator of the water treatment plant and to the section at least one week prior to the treatment activity, unless an alternative notification system has previously been approved by the Ceommission. There are no requirements to notify water treatment plant operators or the section when using herbicides that do not have restrictions on the label for potable water use.

5. When more than one herbicide is registered for use in an aquatic site, the Ceommission shall require the use of the herbicide which it determines has the least adverse effect upon human health, safety, recreational uses, non-target plants, fish, and wildlife. In determining which herbicide shall be used, the following criteria shall be considered:

- a. Which herbicide will provide the greatest protection to human health, safety, and recreational uses.
- b. Which herbicide will provide the greatest protection to non-target plant and animal life.
- c. Which herbicide will be most effective at controlling the targeted species.

6. No herbicide shall be permitted for use in violation of label requirements as registered by the Department of Agriculture and Consumer Services or the United States Environmental Protection Agency.

7. Application of herbicides shall be conducted at all times in a manner to cause the least possible adverse effect on human health, safety, recreational uses, non-target plants, fish, or wildlife.

8. Management activities using herbicides shall not be permitted in manatee aggregation sites when manatees are present except when automatic herbicide applications spreaders operating on timing devices have been authorized by a permit.

9. In order to protect the welfare, safety, and health of manatees, when manatees are sighted in a control area, all herbicide control operations must cease immediately (except when automatic herbicide applications spreaders operating on timing devices have been authorized by a permit), and shall not be resumed until all manatees have left the control area of their own volition. No Mmanatees shall not may be herded or harassed into leaving the control area.

10. Proposed herbicide treatments that can may cause the rapid decay of aquatic vegetation and possible oxygen depletion, shall be required to be staggered or conducted in stages to allow time for recovery and stabilization of oxygen levels between treatments.

(b) Mechanical and Physical Control Activities:

1. Mechanical aquatic plant management operations shall be conducted in a manner which will not cause further significant spread of noxious aquatic plant species. All cut or harvested aquatic vegetation shall be deposited as prescribed in the permit. No substrate is authorized to be recontoured or removed under an aquatic plant control management permit.

2. When manatees are sighted within 50 feet of mechanical operations, all operations must cease immediately and shall not be resumed until all manatees have left the mechanical operations area of their own volition. No Mmanatees shall not may be herded or harassed into leaving the control area.

3. An aquatic plant control management permit is required to fluctuate water levels when the primary purpose is for aquatic plant management. A permit to fluctuate water levels could may also be required from the appropriate water management district.

(c) Biological Control Activities:

1. The use of fish as a biological control for aquatic plants requires a permit from the Ceommission, pursuant to rule 68A-23.088, F.A.C., and is not regulated under this chapter, which has statutory authority for the regulation of the use of fish.

2. All other biological control agents shall be used only if approved for general release by the U.S. Department of Agriculture and the Florida Department of Agriculture and Consumer Services.

(2) Operations Requirements:

(a) All persons conducting aquatic plant management activities shall remove from the site and properly dispose of, in accordance with label instructions, all herbicide containers which result from aquatic plant management activities.

(b) All persons conducting aquatic plant management activities shall allow employees of the Ceommission to conduct inspections, sample waters in management sites and; observe

~~control activities at management sites, and review records required by; subsection 68F 20.0055(3), F.A.C., of this chapter in order to determine compliance with the terms of this chapter and permit conditions. In addition, all persons shall allow employees of the commission, acting as agents of the Department of Agriculture and Consumer Services, pursuant to an interagency memorandum of understanding (effective date 22 May 1985, which is hereby incorporated by reference and is available from the section) to remove samples from spray tanks to ascertain compliance with the terms of this chapter, and permit conditions.~~

(c) Prior to undertaking herbicide control activities, each permittee shall notify potential users of waters, subject to or affected by the aquatic plant management activities, if there are use restrictions on the herbicide label for treated waters. The permittee must use one or more of the following methods of notice, which shall be stated on the permit, for posting water-use restrictions to properly notify the affected public:

1. The posting of signs at access points.
2. The publication of notice in a newspaper of general circulation in the affected area.
3. The placement of notices at the management site.
4. The establishment of a signal or marker system.
5. Giving notice at established point of contact.
6. Other methods, approved in advance by the Commission, designed to reach the affected public.

(d) The notice shall include, at least, the types of activities which will be temporarily prohibited, or restricted, and the dates for which these prohibitions, or restrictions, are applicable. The notice must remain posted during the period for which any use restrictions are in effect.

(e) Any person engaged in aquatic plant management must have a copy of the aquatic plant control management permit when conducting control activities, unless activities are being undertaken pursuant to Chapter 68F-54, F.A.C.

(f) If the Commission finds that immediate, serious danger to the public health, safety, ~~or~~ welfare, or the environment requires emergency action, it is authorized, to suspend, restrict, or limit the scope of the permitted activity by emergency order. Any emergency action taken pursuant to this rule shall be promptly reported to the Commissioners as agency head.

**(3) Reporting Requirements:**

(a) ~~Each permittee shall maintain records of herbicide use conducted pursuant to this chapter on FWC Form 50-031(16) (Aquatic Plant Management Annual Operations Report, effective date 5-3-95, which is hereby incorporated by reference and is available from the section). An equivalent report may be used provided it is approved in advance by the section.~~

~~(b) The Operations Report Form, or other approved equivalent form, shall be sent to the section each year within 30 days following the anniversary of the issue date or the expiration date of the permit.~~

~~(c) Subsequent permits will not be issued or renewed until the Operations Report is received. A permit is subject to revocation if the Operations Report is not received within the required time frame.~~

Specific Authority 369.20, 369.22 F.S. Law Implemented 369.20, 369.22, 403.088 F.S. History-New 2-9-82, Amended 7-9-85, Formerly 16C-20.055, 16C-20.0055, Amended 5-3-95, Formerly 62C-20.0055, Amended \_\_\_\_\_.

68F-20.0075 Penalties.

(1) Following proper notice, the Commission is authorized to modify, revoke, suspend, annul, or withdraw any permit granted by it, or deny or modify any permit request, if the Commission determines that the following actions were committed by the permittee or applicant:

(a) Submission of false or inaccurate information in the permit application, requests for amendments or renewals, ~~or records maintained pursuant to subsection 68F 20.0055(3), F.A.C.~~

(b) An unresolved violation of a permit, permit conditions, this chapter, or Florida Statutes relating to aquatic plant management activities.

~~(c) Failure to file an operations report within the specified period of paragraph 68F 20.0055(3)(b), F.A.C.~~

(2) Violators of this chapter, Florida Statutes, permit, or permit conditions relating to aquatic plant management activities involving the use of herbicides are subject to penalties as provided in Sections 379.501, 379.502, 379.503, and 379.504 403.141 and 403.161, F.S.

Specific Authority 369.20, 369.22, 379.501, 379.502, 379.503, 379.504 F.S. Law Implemented 369.20, 369.22, 379.501, 379.502, 379.503, 379.504, 403.088, 403.141, 403.161 F.S. History-New 2-9-82, Formerly 16C-20.075, 16C-20.0075, Amended 5-3-95, Formerly 62C-20.0075, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Kipp Frolich, Division Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 16, 2018

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.:       RULE TITLE:  
33-602.101      Care of Inmates

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 103, May 25, 2018 issue of the Florida Administrative Register.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the Department used an itemized checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory cost associated with this rule that exceeds the criteria. Upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in paragraph 120.541(2)(a), FS. Any person who wishes to provide information regarding the statement of estimated regulatory costs or 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.

### Section IV Emergency Rules

**DEPARTMENT OF THE LOTTERY**

RULE NO.:       RULE TITLE:  
53ER18-43      PICK Daily Games™ Coupon Promotion

**SUMMARY:** This emergency rule describes the PICK Daily Games™ Coupon Promotion that will begin on August 8, 2018 and continue through September 1, 2018. On Wednesday and Saturday during each week of the Promotion, a coupon for 50% off the purchase price of one of the four PICK Daily Games, depending on the week, will be produced with a qualifying ticket purchase.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER18-43 PICK Daily Games™ Coupon Promotion.

(1) Beginning August 8, 2018, and continuing through September 1, 2018, the Florida Lottery will conduct the PICK Daily Games™ Coupon Promotion (“Promotion”). On Wednesday and Saturday during each week of the Promotion, a coupon for 50% off the purchase price of one of the four PICK Daily Games, depending on the week, will be produced with a qualifying ticket purchase as further described below.

(2) The dates and times for qualifying ticket purchases, qualifying game and description of the coupon offered for each week of the Promotion are as follows:

	<u><b>Date and Time for Qualifying Ticket Purchase</b></u>	<u><b>Qualifying Game</b></u>	<u><b>Promotional Coupon Description</b></u>
<u>Week 1</u>	<u>Wednesday, August 8, 2018</u> <u>6:00 a.m. - 11:59:59 p.m. ET</u> <u>Saturday, August 11, 2018</u> <u>6:00 a.m. - 11:59:59 p.m. ET</u>	<u>Any FLORIDA LOTTO® ticket purchase, excluding Jackpot Combo and GROUPER® plays</u>	<u>50% off a \$1 PICK 2™ Quick Pick Straight Play</u>
<u>Week 2</u>	<u>Wednesday, August 15, 2018</u> <u>6:00 a.m. - 11:59:59 p.m. ET</u> <u>Saturday, August 18, 2018</u> <u>6:00 a.m. - 11:59:59 p.m. ET</u>	<u>Any FLORIDA LOTTO ticket purchase, excluding Jackpot Combo and GROUPER plays</u>	<u>50% off a \$1 PICK 3™ Quick Pick Straight Play</u>

<p><u>We</u> ek 3</p>	<p><u>Wednesd</u> <u>ay, August</u> <u>22, 2018</u> <u>6:00</u> <u>a.m.-</u> <u>11:59:59 p.m.</u> <u>ET</u> <u>Saturday,</u> <u>August 25,</u> <u>2018</u> <u>6:00</u> <u>a.m.-</u> <u>11:59:59 p.m.</u> <u>ET</u></p>	<p><u>Any</u> <u>POWERBAL</u> <u>L® ticket</u> <u>purchase,</u> <u>excluding</u> <u>Jackpot</u> <u>Combo play</u></p>	<p><u>50% off a</u> <u>\$1 PICK 4™</u> <u>Quick Pick</u> <u>Straight Play</u></p>
<p><u>We</u> ek 4</p>	<p><u>Wednesd</u> <u>ay, August</u> <u>29, 2018</u> <u>6:00</u> <u>a.m.-</u> <u>11:59:59 p.m.</u> <u>ET</u> <u>Saturday,</u> <u>September 1,</u> <u>2018</u> <u>6:00</u> <u>a.m.-</u> <u>11:59:59 p.m.</u> <u>ET</u></p>	<p><u>Any</u> <u>POWERBAL</u> <u>L ticket</u> <u>purchase,</u> <u>excluding</u> <u>Jackpot</u> <u>Combo play</u></p>	<p><u>50% off a</u> <u>\$1 PICK 5™</u> <u>Quick Pick</u> <u>Straight Play</u></p>

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1), FS. History – New 8-6-18.  
 THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
 EFFECTIVE DATE: August 6, 2018.

### 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-1.004 General Sanitation and Safety Requirements  
 NOTICE IS HEREBY GIVEN that on August 06, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Levy Premium Foodservice Limited Partnership located in St. Petersburg. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 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  
 Board of Accountancy  
 RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sitzings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on August 01, 2018, the Board of Accountancy, received a petition for variance or waiver filed by Gailene Jennifer Grums, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-

(3) A coupon will automatically print separately following a triggering FLORIDA LOTTO or POWERBALL ticket purchase. Only one coupon will print per ticket purchase regardless of the number of plays or purchase price of the ticket. Jackpot Combo and GROUPER plays are not included in this Promotion. Any FLORIDA LOTTO ticket purchase that includes a Jackpot Combo or GROUPER play will not produce a coupon. Any POWERBALL ticket purchase that includes a Jackpot Combo play will not produce a coupon. The trigger ticket will contain a “Coupon Alert!” symbol at the bottom of the ticket and a message at the top of the ticket that says “Enjoy a 50% off PICK (game) Coupon! Obtain from Retailer.” Players can redeem the coupon at any Florida Lottery retailer or any Florida Lottery district office. Coupons must be redeemed by October 31, 2018. Coupons may not be redeemed by mail. Coupons received in the mail by the Florida Lottery will not be redeemed or returned.

(4) Should an issue arise concerning the ticket purchase and/or coupon, it is the player’s responsibility to seek resolution of the issue with the retailer and the Lottery prior to leaving the retail location.

month period, which begins on the NASBA grade release date for the first test section(s) passed.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on July 24, 2018, the Board of Accountancy, received a petition for variance or waiver filed by Briana Freeman, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

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

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 4, 2018, 9:00 a.m. until conclusion

PLACE: This meeting will be held via webinar and teleconference. To join the Presenter 1 & 2 & Projects panel meeting: 1. Use your computer or portable device for video and your separate telephone for audio:

a. At the time of the meeting, go to <http://joinwebinar.com> in your web browser. Enter your name and Session ID# 987-606-323.

b. Use your telephone to dial in:

i. Click Phone call. Please do NOT use the computer audio option. You will not be able to speak during the meeting unless you use your telephone for audio.

ii. Dial (415)655-0060.

iii. Enter Access Code# 309-345-311. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

2. If you wish to call in only and not see the video webinar:

a. At the time of the meeting, dial (415)655-0060

b. Enter Access Code# 309-345-311. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2019-2020 Presenter Level 1 and 2 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](http://www.florida-arts.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 48 hours before the workshop/meeting by contacting: Rachelle Ashmore at [rachelle.ashmore@dos.myflorida.com](mailto:rachelle.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, (850)245-6462, [hillary.crawford@dos.myflorida.com](mailto: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 5, 2018, 9:00 a.m. until conclusion.

PLACE: This meeting will be held via webinar and teleconference. To join the Presenter 3 panel meeting:

1. Use your computer or portable device for video and your separate telephone for audio:

a. At the time of the meeting, go to <http://joinwebinar.com> in your web browser. Enter your name and Session ID# 650-385-931.

- b. Use your telephone to dial in:
  - i. Click Phone call. Please do NOT use the computer audio option. You will not be able to speak during the meeting unless you use your telephone for audio.
  - ii. Dial (415)930-5321.
  - iii. Enter Access Code# 460-319-354. You will be told that you enter “as a panelist” regardless of whether or not you are on the panel.
- c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

2. If you wish to call in only and not see the video webinar:

- a. At the time of the meeting, dial (415)930-5321
- b. Enter Access Code# 460-319-354. You will be told that you enter “as a panelist” regardless of whether or not you are on the panel.
- c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2019-2020 Presenter Level 3 grants under the General Program Support Grant Program.

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](http://www.florida-arts.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 48 hours before the workshop/meeting by contacting: Rachelle Ashmore at [rachelle.ashmore@dos.myflorida.com](mailto:rachelle.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, (850)245-6462, [hillary.crawford@dos.myflorida.com](mailto: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 6, 2018, 9:00 a.m. until conclusion.

PLACE: This meeting will be held via webinar and teleconference. To join the Community Theatre panel meeting:

- 1. Use your computer or portable device for video and your separate telephone for audio:
  - a. At the time of the meeting, go to <http://joinwebinar.com> in your web browser. Enter your name and Session ID# 849-663-067.

- b. Use your telephone to dial in:
  - i. Click Phone call. Please do NOT use the computer audio option. You will not be able to speak during the meeting unless you use your telephone for audio.
  - ii. Dial (415)930-5321.
  - iii. Enter Access Code# 740-675-934. You will be told that you enter “as a panelist” regardless of whether or not you are on the panel.
- c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

2. If you wish to call in only and not see the video webinar:

- a. At the time of the meeting, dial (415)930-5321
- b. Enter Access Code# 740-675-934. You will be told that you enter “as a panelist” regardless of whether or not you are on the panel.
- c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2019-2020 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](http://www.florida-arts.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 48 hours before the workshop/meeting by contacting: Rachelle Ashmore at [rachelle.ashmore@dos.myflorida.com](mailto:rachelle.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, [Ginny.Grimmsley@dos.myflorida.com](mailto:Ginny.Grimmsley@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 7, 2018, 9:00 a.m. until conclusion.

PLACE: This meeting will be held via webinar and teleconference. To join the Professional Theatre panel meeting:

- 1. Use your computer or portable device for video and your separate telephone for audio:
  - a. At the time of the meeting, go to <http://joinwebinar.com> in your web browser. Enter your name and Session ID# 166-936-571.

b. Use your telephone to dial in:

- i. Click Phone call. Please do NOT use the computer audio option. You will not be able to speak during the meeting unless you use your telephone for audio.
- ii. Dial (415)655-0052.
- iii. Enter Access Code# 737-934-640. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.

c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

2. If you wish to call in only and not see the video webinar:

- a. At the time of the meeting, dial (415)655-0052
- b. Enter Access Code# 737-934-640. You will be told that you enter "as a panelist" regardless of whether or not you are on the panel.
- c. You will be muted during the call. When it is your turn to speak, press \*6 to unmute yourself, then \*6 to mute yourself again when you are done speaking.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and score grant applications for the 2019-2020 Professional 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](http://www.florida-arts.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 48 hours before the workshop/meeting by contacting: Rachelle Ashmore at [rachelle.ashmore@dos.myflorida.com](mailto:rachelle.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, [Ginny.Grimmsley@dos.myflorida.com](mailto:Ginny.Grimmsley@dos.myflorida.com).

**DEPARTMENT OF LEGAL AFFAIRS**

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

DATE AND TIME: August 14, 2018, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards & Recognition Committee

DATE AND TIME: August 14, 2018, 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee

DATE AND TIME: August 15, 2018, 4:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee

DATE AND TIME: August 16, 2018, 2:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee

DATE AND TIME: August 22, 2018, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee

DATE AND TIME: August 23, 2018, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee

DATE AND TIME: August 28, 2018, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Committee

DATE AND TIME: August 30, 2018, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Essay Contest Task Force

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050 PHONE: (850)414-3300 FAX: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the

proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Licensing

The Private Investigation, Recovery and Security Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 13, 2018, 9:00 a.m.

PLACE: Hilton, 305 Northlake Blvd., Altamonte Springs, Florida 32701-5397, Phone: (407)830-1985

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Revised notice: Please note the change of venue from the notice that was published on May 14, 2018 in Vol. 44/94, of the Florida Administrative Register for the Altamonte Springs public meeting.

This is for the quarterly meeting of the Council pursuant to the requirements of subsection 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Stefannie Carter, P.O. Box 5647, Tallahassee, Florida 32314-5647 or by email at Stefannie.Carter@FreshFromFlorida.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: 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: Stefannie Carter at (850)245-5443.

**DEPARTMENT OF EDUCATION**

State Board of Education

The Blind Services Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 22, 2018, 3:00 p.m.

PLACE: Teleconference Phone: 1(888)670-3525, Passcode: 1242528392#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Blind Service Foundation Website

A copy of the agenda may be obtained by contacting: The Division of Blind Services, 325 West Gaines Street, Room 1114, Turlington Bldg., Tallahassee, FL 32399, Phone: (850)245-0329, Email:Selena.Sickler@dbs.fldoe.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 7 days before the workshop/meeting by contacting: The Division of Blind Services, 325 West Gaines Street, Room 1114, Turlington Bldg., Tallahassee, FL 32399, Phone: (850)245-0329, Email:Selena.Sickler@dbs.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Room 1114, Turlington Bldg., Tallahassee, FL 32399, Phone: (850)245-0329, Email:Selena.Sickler@dbs.fldoe.org.

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announce the following meetings which are open to the public.

DATE AND TIME: Tuesday, August 14, 2018, Board Workshop: 12:00 Noon – 1:00 p.m.

PLACE: Administrative Offices, 501 West State Street, Jacksonville, FL 32202, Room 403A

**GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:** Discussion of 2018-19 District Board of Trustees Governance Structure

DATE AND TIME: Regular Board Meeting: 1:00 p.m. – 2:30 p.m.

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

**GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:** Annual Organizational Meeting / Regular Meeting

Agenda copies may be obtained by contacting:

District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

Copies of the agenda for the regular Board meeting will be available for inspection beginning Tuesday, August 7, 2018, and copies will be provided upon written request and the payment of approved duplicating charges. If any person decides to appeal any decision made by the Board with respect to any matter considered at the regular board meeting, 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these meetings is asked to advise the agency at least 24 hours before the meetings by contacting: The Office of the College President, District Board of Trustees Project



Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

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

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

For more information, you may contact:

District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

**STATE BOARD OF ADMINISTRATION**

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2018, 1:30 p.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To validate and aggregate the Evaluators' individual scores to determine the total score for each responsive reply to Invitation to Negotiate, ITN 18-01, Fixed income investment management services designed to outperform the Bloomberg Barclays US Aggregate Bond Index.

A copy of the agenda may be obtained by contacting: The Florida Prepaid College Board, ITN Administrator by email at ITNinfo.PrePaid@MyFloridaPrepaid.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: ITN Administrator by email at ITNinfo.PrePaid@MyFloridaPrepaid.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**REGIONAL PLANNING COUNCILS**

West Florida Regional Planning Council

The Federal Highway Administration Along with the Florida-Alabama Transportation Planning Organization announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 14, 2018, 8:30 a.m.

PLACE: West Florida Regional Planning Council, 4081 E. Olive Road, Suite A, in Pensacola, Fla.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review of the Transportation Planning Organization (TPO) planning process in the Florida-Alabama Transportation Management Area (TMA). The review will include follow-up from the 2014 Federal Highway Administration TMA Certification review. Additionally, an overview of: the purpose for the review, TPO agreements and boundaries, best practices, challenges, and TPO documents will take place. Participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who believe they have been discriminated against on these conditions may file a complaint with the Title VI Coordinator, (850)332-7976, ext. 220.

A copy of the agenda may be obtained by contacting: Jill Lavender at jill.lavender@wfrpc.org or (850)332-7976.

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: Public Involvement at PublicInvolvement@wfrpc.org or (850)332-7976. 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 Lavender at jill.lavender@wfrpc.org, or (850)332-7976.

**REGIONAL PLANNING COUNCILS**

Central Florida Regional Planning Council

The Heartland Regional Transportation Planning Organization (HRTPO) announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2018, 2:00 p.m.

PLACE: DeSoto County Administration Building, Commission Board Room 201 East Oak Street, Arcadia, FL.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting of the Heartland Regional Transportation Planning Organization (HRTPO) Citizens Advisory Committee (CAC).

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, HRTPO Community Engagement Manager, at 1(863)534-7130 ext. 134 or at msoderstrom@cfrcpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, HRTPO Community Engagement Manager, at 1(863)534-7130 ext. 134 or at msoderstrom@cfrcpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**REGIONAL PLANNING COUNCILS**

**Central Florida Regional Planning Council**

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

**DATE AND TIME:** August 23, 2018, 9:30 a.m.

**PLACE:** Hardee County Health Department, K.D. Revell Road, Wauchula, FL

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

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Manager, at 1(863)534-7130 ext. 107 or at ccarte@cfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Chuck Carter, Program Manager, at 1(863)534-7130 ext. 107 or at ccarte@cfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF THE LOTTERY**

The Department of the Lottery announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, August 21, 2018, 3:30 p.m. Eastern Standard Time.

**PLACE:** Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Lottery will open Bids received in response to the Invitation to Bid: Holiday Booklets and Caddy Counter Display Holders (Project #054-17/18) and will read aloud the names of the submitting vendors.

For more information, please visit the Vendor Bid System (VBS) at:

[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu). A copy of the agenda may be obtained by contacting: Kara Godwin at (850)487-7710 or by going to the Department of the Lottery’s website, [www.flalottery.com](http://www.flalottery.com).

Any person requiring a special accommodation because of a disability at this public meeting should contact the individual identified above at (850)487-7710 (voice), or through the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), at least 24 hours prior to the meeting.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

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

**DATE AND TIME:** Thursday, August 16, 2018, 5:30 p.m. – 6:30 p.m. EST

**PLACE:** This meeting is online via webinar and requires a telephone for audio. To join the webinar, please use the following link and webinar ID: <https://attendee.gotowebinar.com/register/1445416178519327235> United States (Toll-free): 1(866)901-6455, Access Code: 252-660-408. If you have any difficulty accessing the teleconference, please call the Florida Center’s main number at (850)412-3730.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Cardiology Rule Subcommittee of the Pediatric Cardiology Technical Advisory Panel (PCTAP) to which all interested parties are invited. The purpose of this meeting is to discuss the Cardiology Rule component of the PCTAP.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jess Hand, Florida Center for Health Information and Transparency at [Jessica.Hand@ahca.myflorida.com](mailto:Jessica.Hand@ahca.myflorida.com) or (850)412-3750. 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: Jess Hand, Florida Center for Health Information and Transparency at [Jessica.Hand@ahca.myflorida.com](mailto:Jessica.Hand@ahca.myflorida.com) or (850)412-3750.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

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

DATE AND TIME: Tuesday, August 21, 2018, 9:30 a.m. – 5:00 p.m.; call-in 1(888)670-3525/Password: 6395414829

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Joint Task Force (JTF) Board of the Statewide Law Enforcement Radio System (SLERS) will meet together to discuss matters pertaining to the network.

The agenda and handouts will be made available closer to the date of the meeting at the following web address:

[http://www.dms.myflorida.com/business\\_operations/telecommunications/radio\\_communications\\_services/statewide\\_law\\_enforcement\\_radio\\_system\\_slers/upcoming\\_joint\\_task\\_force\\_meetings](http://www.dms.myflorida.com/business_operations/telecommunications/radio_communications_services/statewide_law_enforcement_radio_system_slers/upcoming_joint_task_force_meetings)

A copy of the agenda may be obtained by contacting: Millie Marchiano, (850)922-7435, Millicent.Marchiano@dms.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: Millie Marchiano, (850)922-7435, Millicent.Marchiano@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).

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: Millie Marchiano, (850)922-7435, Millicent.Marchiano@dms.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

DATE AND TIME: Board meeting, Thursday, September 20, 2018, 9:00 a.m.

PLACE: Hilton Daytona Beach Oceanfront Resort, 100 North Atlantic Avenue, Daytona Beach, FL 32118.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Board of Accountancy 240 NW 76th Drive, Suite A, Gainesville FL 32607.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:

61D-11.002 Cardroom Games

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering announces a workshop to which all persons are invited.

DATE AND TIME: September 13, 2018, 9:00 a.m. – Close of Meeting

PLACE: DIVISION OF PARI-MUTUEL WAGERING, NORTH BROWARD REGIONAL SERVICE CENTER, 1400 W. COMMERCIAL BLVD., ROOM 195, FT. LAUDERDALE, FL 33309.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public input on Rule 61D-11.002, F.A.C., titled "Cardroom Games."

A copy of the agenda may be obtained by contacting: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1761.

For more information, you may contact: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1761.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Tampa Bay Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 21, 2018, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Children and Families, 9393 N. Florida Avenue, Tampa, FL 32612

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the Tampa Bay Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair, 1(813)545-1716 or David Draper, (407)317-7335.

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: Janet Blair at 1(813)545-1716 or David Draper at (407)317-7335. 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: Janet Blair at 1(813)545-1716 or David Draper at (407)317-7335.

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#### FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: RULE TITLE:

68D-35.001 Airboat Operator Course

The Florida Fish and Wildlife Conservation Commission (FWC), Division of Law Enforcement, Boating and Waterways Section, announces a workshop to which all persons are invited.

**DATES AND TIMES:** September 4, 2018, 1:00 p. m., September 5, 2018, 1:00 p. m., September 6, 2018, 9:00 a. m.

**PLACES:** September 4 – Florida Department of Transportation Meeting Room, 133 S. Semoran Boulevard, Orlando, FL 32807  
September 5 – Port Everglades Auditorium, Administration Building (in Lobby Area), 1850 Eller Drive, Fort Lauderdale, FL 33316 (Photo ID Required)

September 6 –Rookery Bay Environmental Learning Center Auditorium, 300 Tower Road, Naples, FL 34113

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To provide information on the minimum standards for prospective Airboat Operator Course Providers. Applicants interested in becoming airboat course providers will need to meet the requirements of subsection 68D-35.001(2), Florida Administrative Code (F.A.C.), and their course will need to meet the requirements of subsection 68D.35.001(5), F.A.C., to be approved by FWC These rule provisions will be discussed, including, but not limited to: course material that will be provided by FWC pursuant to paragraph 68D.35.001(5)(b), F.A.C.; course material that will need to be created by the applicants, and the specifications and/or checklist FWC will use to evaluate courses for approval. Each session is expected to last three to four hours.

A copy of the agenda may be obtained by contacting: the FWC, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600, or by calling Precious Boatwright at (850)488-5600.

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

For more information, you may contact: Brian Rehwinkel or Precious Boatwright at (850)488-5600.

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#### DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 15, 2018, 9:30 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151. (850)487-2685.

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#### WILLIAM W. "BILL" HINKLEY CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT

The Hinkley Center for Solid and Hazardous Waste announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, September 28, 2018, 9:00 a.m. – 12:00 Noon

PLACE: Avanti International Resort, 8738 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Board for the Hinkley Center for Solid and Hazardous Waste Management will hold their biannual board meeting. Topic to be discussed will include past, current, and future business as well as a vote to accept the center's Research Agenda which will be included in the center's Request for Proposals.

A copy of the agenda may be obtained by contacting: John Schert, jschert@ufl.edu (352)392-6264

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: John Schert, jschert@ufl.edu (352)392-6264. 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: John Schert, jschert@ufl.edu (352)392-6264

**Section VII**

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Jennifer Allegra, In Re: The Towers of Key Biscayne, Inc., Docket No. 2018040197, filed on July 31, 2018. The petition seeks the agency's opinion as to the applicability of subsections 718.113(5) and 718.113(2), Florida Statutes, as it applies to the petitioner.

Whether subsection 718.113(5), Florida Statutes, takes precedence over subsection 718.113(2), Florida Statutes, to allow an association to change the glass color of existing condominium windows if those windows are a common element and thus the responsibility of the association?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)717-1539; Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Chevonne Christian, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, subsection 120.57(2), Fla. Stat., must be filed within 21 days of this notice.

**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 MANAGEMENT SERVICES  
 Division of Building Construction  
 MSFM-TBD-Benton Bldg.(CM)  
 RE-ADVERTISEMENT  
 STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES  
 DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT  
 PUBLIC ANNOUNCEMENT FOR CONSTRUCTION CONTRACTORS  
 TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES

August 7, 2018

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services (DMS), Division of Real Estate Development and Management, requests qualifications from licensed general contractors who wish to provide submittals for Construction Management (CM) at Risk services (i.e., the Negotiated Fee-Guaranteed Maximum Price (GMP) Construction Contracting Method, as defined by subsection 60D-5.002(12) Florida Administrative Code (F.A.C.) on the following project:

RFQ NUMBER: RFQ-REDM18/19-04

PROJECT NUMBER: MSFM-TBD-Benton Building (CM)

PROJECT NAME: Exterior Repair and Sealing, Benton Building

PROJECT LOCATION Fort Pierce, Florida

ESTIMATED CONSTRUCTION BUDGET: \$2,000,000.00 (+ Plus)

The selected CM must demonstrate that they can bring multiple qualified and competitive subcontractors to all related construction trades for successful project delivery. The CM must be capable of supplying workers that meet Florida Department of Law Enforcement criminal history Level 1 background checks. The Project will entail removal and replacement of all windows and curtainwall. The removal of exterior paint to the stucco and repainting. All caulking and sealing as required to prevent water from intrusion into the building. This will also require the removal and reinstallation of water damaged materials on the interior of the building.

COMPETITIVE SELECTION (QUALIFICATIONS CRITERIA): Firms must be licensed in the State of Florida at the time of submittal. Further, if a corporation, the firm must be registered by the Department of State, Division of Corporations. The relative ability of each firm to perform the services required shall be determined utilizing the evaluation

criteria set forth in the evaluation scoring form number, DMS PD24 Dated 6/2014. Pursuant to Rule 60D-5.0082, F.A.C., at least three firms, deemed to be most highly qualified to perform the required services, shall be selected and posted in order of preference on the DMS website.

RESPONSE INSTRUCTIONS: On or before the response due date listed below, firms interested in being considered for this project must submit five (5) printed copies of their submittals and one scanned copy of the entire response in Adobe (.pdf) on a thumb drive with a table of contents and tabbed sections in the following order:

Preliminary Screening (Revised Instructions):

1. A letter of interest detailing the firm's qualifications to meet the above referenced selection criteria. (To include firm name, address, contact person, telephone number and email address).
2. A revised current Contractor's Experience Questionnaire and Financial Information-Form Number DMS Form CM01 Dated 7/2016. (This form may be obtained from the DMS website under "Forms and Documents.")
3. Project listing of relevant experience (including name of client, architect and phone number).
4. Resumes of proposed staff and staff organizations, for both pre-construction and construction phases.
5. Describe effective Project Management Systems utilized to successfully complete relevant projects.
6. Copies of the firm's current Florida Department of Business and Professional Regulation Contracting License.
7. For Corporations only: If the firm offering services is a corporation, it must be properly registered with the Department of State to operate in Florida and must provide a copy of the firm's current Florida Corporate Registration.
8. At a minimum, provide five (5) references that contain the following: project name, and the owner's representative's name, e-mail address and telephone number.

SPECIAL NOTE FOR INTERESTED FIRMS: For information only, you may download the New Evaluation Summary Sheet-General Contractor/Construction Manager Selection Form-(DMS PD24 Dated 6/2014) and the Contractor's Experienced Questionnaire and Financial Information-Form Number (DMS CM01 Dated 7/2016). (These documents may be obtained from the DMS website under Forms and Documents).

INTERVIEWS: The Selection Committee will conduct discussions with and may require public presentation by no fewer than three (3) firms regarding their qualifications, approach to the project and ability to furnish the required services. Selection of finalists for interview will be made on the basis of proposed office distance to site, financial capacity to project scope, relevant project type experience, proposed preconstruction phase staff, proposed construction phase staff and project management systems utilization. The list of firms

selected for interview by the Selection Committee will be posted on the DMS website. Each invitee will be notified by facsimile or email of the date and time of its interview/presentation. All interviews will be held at the following address: Department of Management Services, Real Estate Development and Management, 337 North 4th Street, Room 123, Fort Pierce, Florida 34950.

**QUESTIONS:** Any questions from prospective firms concerning the RFQ shall be submitted in writing, identifying the submitter, to Ryan Meikenhous by email at Ryan.Meikenhous@dms.myflorida.com no later than 5:00 p.m. on Friday, August 17, 2018. All questions and answers/changes to the solicitation will be provided in writing and posted on the Vendor Bid System (VBS) website. It is the prospective firm's responsibility to check periodically for any information updates to the solicitation which are posted to the VBS website. The Department bears no responsibility for any delays, or resulting impacts, associated with a prospective firm's failure to obtain the information made available through the VBS website.

**INFORMATION WILL NOT BE AVAILABLE BY PHONE:** Any information received through an oral communication shall not be binding on the Department and shall not be relied upon by an offeror. Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour protest period following the agency posting the notice of intended award, excluding Saturdays, Sundays and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in this solicitation. Violation of this provision may be grounds for rejecting the response.

**SELECTION SCHEDULE:** The table below contains the Timeline of Events for this advertisement. Firms shall become familiar with the Timeline of Events. The dates and times within the Timeline of Events may be subject to change. It is the firm's responsibility to check for any changes. All changes to the Timeline of Events will be made through an addendum to the advertisement on the VBS website. Firms are responsible for submitting all required documentation by the dates and times (Eastern time) specified below.

**SELECTION SCHEDULE**

RFQ posted to FAR and the VBS website.

Question Period Ends.

Answers to Questions posted to the VBS website.

Responses from Vendors due.

Responses reviewed for responsiveness.

Post shortlist results to the VBS website.

72-hour protest period ends.

Anticipated Interview/Presentations of shortlisted firms.

Anticipated Posting of final results to the VBS website.

72-hour protest period ends.

Anticipated contract start date.

10/11/2018

10/16/2018

TBD

**RESPONSE DUE DATE:** Responses must be received by the Department, in accordance with the document delivery instructions below, on or before September 10, 2018 by 4:00 p.m. Eastern time.

**DOCUMENT DELIVERY:** Responses are to be submitted to: Mr. Ryan Meikenhous, Department of Management Services, Real Estate Development and Management, 4050 Esplanade Way, Suite 315.4y, Tallahassee, Florida 32399

The time/date stamp/clock in the Department shall serve as the official authority to determine timeliness of the responses.

Responses, which for any reason are not timely received, will not be considered. Late responses will be declared non-responsive and will not be further evaluated. Unsealed and/or unsigned responses received by telegram, facsimile transmission or other similar means are not acceptable, and will be declared non-responsive and will not be further evaluated. Submittals that do not comply with the requirements or instructions of this solicitation document will be declared non-responsive and will not be further evaluated.

**DISABILITY ACCESS:** Pursuant to the provisions of the Americans with Disabilities Act according to 286.26 Florida Statutes, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Ryan Meikenhous, (850)488-0711. 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).

**AWARD POSTING:** Official notice of final selection results will be by electronic posting on this website. Failure to file a protest within the time prescribed in subsection 120.57(3), Florida Statutes shall constitute a waiver of proceedings under Chapter 120 Florida Statutes.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Deepwater Horizon Restoration and Planning Support**

The Department of Environmental Protection is requesting responses from qualified vendors to provide professional environmental consulting services to assist with natural resource restoration activities related to the 2010 Deepwater Horizon Gulf of Mexico oil spill.

**NOTICE OF Request for Proposal:** On behalf of the Florida Department of Environmental Protection, the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2019002 for Deepwater Horizon Restoration and Planning Support.

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**  
 West Palm Bay Shooting Park Phase 3C and 3D  
 BID NO: FWC 18/19-05C  
 TITLE: WEST PALM BAY SHOOTING PARK PHASE 3C AND 3D  
 FOR: The intent of this Invitation to Bid (ITB) is to obtain competitive pricing for construction services at West Palm Beach County Public Shooting Park, in accordance with the Contract Documents and in accordance with Chapter 255, F.S. **SEALED BIDS WILL BE PUBLICLY OPENED AND READ ALOUD ON:**  
 DATE & TIME: September 13, 2018, 3:00 p.m.  
 Location: Florida Fish & Wildlife Conservation Commission, 2590 Executive Center Circle East, Suite 100, Tallahassee, Florida 32301  
 Please follow the steps below to review the advertisement:

- Click on: [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)
- Click on: Search Advertisements
- Under Agency, select the “Fl. Fish and Wildlife Conservation Commission” from the drop down box
- Scroll to the bottom of the page and click on “Initiate Search”
- Click on the solicitation number FWC 18/19-05C. This will allow you to view the advertisement for this solicitation
- At the bottom of the advertisement, there is a list of Downloadable Files for the Advertisement
- Click on the link for each file

**PURCHASING MANAGER:** (Direct questions to the following)  
 Bryan Tucker, Procurement Manager, Florida Fish & Wildlife Conservation Commission, Tallahassee Purchasing Office, 2590 Executive Center Circle, Tallahassee, Florida 32301, (850)488-6551, [bryan.tucker@myfwc.com](mailto:bryan.tucker@myfwc.com)

**DEPARTMENT OF MILITARY AFFAIRS**  
 217081 AASF #2 Brooksville Aircraft Mooring Pad Replacement  
 STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS  
 PUBLIC ANNOUNCEMENT  
 INVITATION TO BID  
 The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General or Building Contractors (GC) for the following project located at AASF #2 Brooksville, Brooksville, FL.  
 For complete information, & submission requirements you must go to the myflorida.com vendor bid system on or after 8/7/2018 at [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).  
**PROJECT:** 217081 AASF #2 Brooksville Aircraft Mooring Pad Replacement  
**FUNDING:** The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.  
**BID OPENING DATE:** As stated on the Vendor Bid System (late bids will not be accepted)  
**MANDATORY PRE-BID/SITE VISIT DATE:** As stated on the Vendor Bid System  
**GENERAL STATEMENT OF WORK:** Replace 6 existing 40' x 60' concrete aircraft mooring pads, surrounding asphaltic mooring pad perimeter aprons, and designated asphaltic flight line boundary area. Project to include demolition of existing mooring pads, perimeter aprons, and designated flight line areas, excavation, pre-construction geotechnical subsurface remediation for foundation stability, compaction, drilling and grout injection, and new 80' x 100' 6000psi reinforced concrete mooring pads.  
 The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.  
**POINT OF CONTACT:** Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904)823-0255 or e-mail [ng.fl.flarng.list.cfmo-contracting@mail.mil](mailto:ng.fl.flarng.list.cfmo-contracting@mail.mil).  
 Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.  
 Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.



DEPARTMENT OF MILITARY AFFAIRS  
 212035 Bldg 2100 Reno Camp Blanding  
 STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS

**PUBLIC ANNOUNCEMENT  
 INVITATION TO BID**

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General or Building Contractors (GC) for the following project located at Camp Blanding Joint Training Center (CBJTC), Starke, FL.

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 8/7/18 AT [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

PROJECT: 212035 Renovation Building 2100, CBJTC.

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

STATEMENT OF WORK: Project to include interior demolition and renovation of an existing 3900 square foot masonry building. Project to include interior finishes, floors, ceiling, walls; upgraded mechanical, electrical, lighting fixtures, plumbing, gas instant heat water heater, reroof of existing shingle roof, minor site work to include sidewalks, grading and parking.

Alternate Bid Item to include replacement of existing roof with standing seam metal roof.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904)823-0285 or (904)827-8544 or e-mail [ng.fl.flarng.list.cfmo-contracting@mail.mil](mailto:ng.fl.flarng.list.cfmo-contracting@mail.mil).

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

**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 3:00 p.m., Tuesday, July 31, 2018 and 3:00 p.m., Monday, August 6, 2018.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
2A-9.002	7/31/2018	8/20/2018
2A-9.004	7/31/2018	8/20/2018
2A-9.008	7/31/2018	8/20/2018
6A-1.099811	8/1/2018	8/21/2018
6A-1.099814	8/1/2018	8/21/2018
6A-2.0020	8/1/2018	8/21/2018
6A-4.004	8/1/2018	8/21/2018
6A-6.03315	8/1/2018	8/21/2018
6A-6.0574	8/1/2018	8/21/2018
6A-6.0652	8/1/2018	8/21/2018
6A-6.07861	8/1/2018	8/21/2018
6A-6.0910	8/1/2018	8/21/2018
6A-6.0951	8/1/2018	8/21/2018
6A-6.0960	8/1/2018	8/21/2018
6A-6.0961	8/1/2018	8/21/2018
6A-6.0962	8/1/2018	8/21/2018
6A-6.0970	8/1/2018	8/21/2018
6A-6.0981	8/1/2018	8/21/2018
6A-6.0982	8/1/2018	8/21/2018
6M-4.200	7/31/2018	8/20/2018
6M-4.208	7/31/2018	8/20/2018
6M-4.300	7/31/2018	8/20/2018
6M-8.604	7/31/2018	8/20/2018
40C-21.001	8/3/2018	8/23/2018

40C-21.051	8/3/2018	8/23/2018
40C-21.0221	8/3/2018	8/23/2018
40C-21.231	8/3/2018	8/23/2018
40C-21.251	8/3/2018	8/23/2018
40C-21.271	8/3/2018	8/23/2018
40C-21.291	8/3/2018	8/23/2018
40C-21.331	8/3/2018	8/23/2018
40C-21.371	8/3/2018	8/23/2018
40C-21.391	8/3/2018	8/23/2018
40C-21.401	8/3/2018	8/23/2018
40C-21.421	8/3/2018	8/23/2018
40C-21.511	8/3/2018	8/23/2018
40C-21.531	8/3/2018	8/23/2018
40C-21.551	8/3/2018	8/23/2018
40C-21.571	8/3/2018	8/23/2018
40C-21.601	8/3/2018	8/23/2018
40C-21.621	8/3/2018	8/23/2018
40C-21.631	8/3/2018	8/23/2018
40C-21.641	8/3/2018	8/23/2018
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53ER18-36	8/2/2018	8/5/2018
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53ER18-39	8/2/2018	8/2/2018
53ER18-40	8/2/2018	8/2/2018
53ER18-41	8/2/2018	8/2/2018
53ER18-42	8/2/2018	8/2/2018
53ER18-43	8/6/2018	8/6/2018
61G2-3.001	7/30/2018	8/19/2018
62-304.625	8/1/2018	8/21/2018
64B6-4.002	8/6/2018	8/26/2018

64B8-51.008	8/3/2018	8/23/2018
64B20-3.0001	8/6/2018	8/26/2018
64B20-3.002	8/6/2018	8/26/2018
64B20-3.004	8/6/2018	8/26/2018
64B20-3.0045	8/6/2018	8/26/2018
64B20-3.005	8/6/2018	8/26/2018
64B20-3.006	8/6/2018	8/26/2018
64B20-3.007	8/6/2018	8/26/2018
64B20-3.008	8/6/2018	8/26/2018
64B20-3.009	8/6/2018	8/26/2018
64B20-3.091	8/6/2018	8/26/2018
64B20-3.095	8/6/2018	8/26/2018
64B20-3.096	8/6/2018	8/26/2018
64B20-3.010	8/6/2018	8/26/2018
64B20-3.0101	8/6/2018	8/26/2018
64B20-3.0105	8/6/2018	8/26/2018
64B20-3.011	8/6/2018	8/26/2018
64B20-3.012	8/6/2018	8/26/2018
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64B20-3.014	8/6/2018	8/26/2018
64B20-3.016	8/6/2018	8/26/2018
64B20-3.017	8/6/2018	8/26/2018
65C-29.002	8/3/2018	8/23/2018
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF LAW ENFORCEMENT  
 Division of Local Law Enforcement Assistance  
 NOTICE OF APPLICATION FOR FEDERAL FUNDS AND  
 FUNDING AVAILABILITY

RULE NO.: RULE TITLE:

11D-9.002 Funds Availability

The State of Florida, Department of Law Enforcement (FDLE), Office of Criminal Justice Grants will be submitting an application to the United States Department of Justice, Bureau of Justice Assistance, for Federal Fiscal Year 2018 funds made available under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Section 500 as amended.

A copy of the application will be available for review and comment by the public at FDLE, Business Support Program, Office of Criminal Justice Grants, Tallahassee, Florida 32308. Interested parties should contact the Office of Criminal Justice Grants at (850)617-1250 to obtain a copy of the application for review.

If the Bureau of Justice Assistance approves this application, units of local government will be eligible to receive subawards from the Department of Law Enforcement. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Chapter 11D-9, Florida Administrative Code, governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subaward funds.

FDLE will provide a notice of funding availability to the chief official of each county and each city. The notice will state the amount of funds available to the county and include information about the application process.

Questions regarding FDLE's application and the funding process should be directed to Petrina T. Herring, Bureau Chief, Office of Criminal Justice Grants, FDLE, at (850)617-1250.

**Section XIII**

**Index to Rules Filed During Preceding Week**

**INDEX TO RULES FILED BETWEEN JULY 30, 2018 AND AUGUST 3, 2018**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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2A-9.008	7/31/2018	8/20/2018	44/125	

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6A-6.0970	8/1/2018	8/21/2018	44/119	
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6A-6.0982	8/1/2018	8/21/2018	44/119	

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40C-21.291	8/3/2018	8/23/2018	44/91	
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40C-21.371	8/3/2018	8/23/2018	44/91	
40C-21.391	8/3/2018	8/23/2018	44/91	
40C-21.401	8/3/2018	8/23/2018	44/91	
40C-21.421	8/3/2018	8/23/2018	44/91	
40C-21.511	8/3/2018	8/23/2018	44/91	
40C-21.531	8/3/2018	8/23/2018	44/91	
40C-21.551	8/3/2018	8/23/2018	44/91	
40C-21.571	8/3/2018	8/23/2018	44/91	
40C-21.601	8/3/2018	8/23/2018	44/91	
40C-21.621	8/3/2018	8/23/2018	44/91	
40C-21.631	8/3/2018	8/23/2018	44/91	
40C-21.641	8/3/2018	8/23/2018	44/91	
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**LIST OF RULES AWAITING LEGISLATIVE REVIEW/ APPROVAL PURSUANT TO SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

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**DEPARTMENT OF HEALTH**

**Board of Medicine**

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