

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF JUVENILE JUSTICE

Division of Administration

RULE NOS.: RULE TITLES:

- 63F-13.001 Definitions.
- 63F-13.002 Submitting Diversion Data
- 63F-13.003 Publishing Diversion Usage Data

PURPOSE AND EFFECT: The rules implement section 985.126, F.S., requiring the submission of juvenile diversion data to the department, and the department's periodic publication of the data.

SUBJECT AREA TO BE ADDRESSED: The rules govern the collection and submission of juvenile diversion data by law enforcement and diversion programs.

RULEMAKING AUTHORITY: 985.64, 985.126, FS.

LAW IMPLEMENTED: 985.126, FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

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

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3223, Tallahassee, Florida. For information about participation by telephone, contact John Milla at (850)921-4129.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100, e-mail: john.milla@djj.state.fl.us

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

Section II Proposed Rules

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

- 64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language regarding remediable tasks delegable to a dental hygienist.

SUMMARY: Language regarding remediable tasks delegable to a dental hygienist will be clarified.

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: 466.004(4), 466.017(6), 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.017(6), 466.023, 466.024 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B5-16.006 follows. See Florida Administrative Code for present text.)

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist.

(1) By virtue of their training and licensure, dental hygienists are authorized to perform the following remediable tasks without additional training as defined in Chapter 64B5-16, F.A.C under Direct supervision:

Gingival curettage.

(2) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training as defined by Rule 64B5-16.002, F.A.C., and who performs the tasks under Direct supervision:

(a) Fabricating temporary crowns or bridges intra-orally which shall not include any adjustment of occlusion to the appliance or existing dentition;

(b) Selecting and pre-sizing orthodontic bands, including the selection of the proper size band for a tooth to be banded which does not include or involve any adapting, contouring, trimming or cementing or otherwise modifying the band material such that it would constitute fitting the band;

(c) Selecting and pre-sizing archwires prescribed by the patient's dentist so long as the dentist makes all final adjustments to bend, arch form determination, and symmetry prior to final placement;

(d) Selecting prescribed extra-oral appliances by pre-selection or pre-measurement which does not include final fit adjustment;

(e) Preparing a tooth surface by applying conditioning agents for orthodontic appliances by conditioning or placing of sealant materials which does not include placing brackets;

(f) Packing and removing retraction cord, so long as it does not contain vasoactive chemicals and is used solely for restorative dental procedures;

(g) Removing and re-cementing properly contoured and fitting loose bands that are not permanently attached to any appliance;

(h) Inserting or removing dressings from alveolar sockets in post-operative osteitis when the patient is uncomfortable due to the loss of a dressing from an alveolar socket in diagnosed cases of post-operative osteitis; and,

(i) Apply bleaching solution, activate light source, monitor and remove in-office bleaching materials.

(3) The following remediable task may be performed by a dental hygienist who has received on-the-job training and who performs the task under Direct supervision: Changing of bleach pellets in the internal bleaching process of non-vital, endodontically treated teeth after the placement of a rubber dam. A dental hygienist may not make initial access preparations.

(4) Administration of Local Anesthesia:

(a) Notwithstanding Section 466.003(11), F.S., the administration of local anesthesia becomes a remediable and delegable task if a Florida licensed dental hygienist has been appropriately certified by the Board and has received a certificate from the Florida Department of Health authorizing the dental hygienist to administer local anesthesia in compliance with and pursuant to Section 466.017(5), F.S. Upon the issuance of the certificate, the hygienist will be referred to as a Certified Registered Dental Hygienist.

(b) Under Direct supervision, a CRDH may administer local anesthesia in accordance with the following:

1. The patient must be eighteen years of age or older,
2. The patient must not be sedated; and,

3. The CRDH may administer intraoral block and soft tissue infiltration anesthesia.

(c) A Registered Dental Hygienist may apply for certification as a Certified Registered Dental Hygienist after completion of the required education mandated by Section 466.017(5), F.S., and in accordance with Rule 64B5-14.003, F.A.C.

(5) By virtue of their training and licensure, dental hygienists are authorized to perform the following remediable tasks without additional training as defined in Chapter 64B5-16, F.A.C., under Indirect supervision:

Removal of excess remaining bonding adhesive or cement following orthodontic appliance removal with slow-speed rotary instrument, hand instrument or ultrasonic scalers.

(6) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training as defined by Rule 64B5-16.002, F.A.C., and who performs the tasks under Indirect supervision:

(a) Placing or removing rubber dams;

(b) Placing or removing matrices;

(c) Applying cavity liners, varnishes or bases;

(d) Making impressions for study casts which are not being made for the purpose of fabricating any intra-oral appliances, restorations or orthodontic appliances;

(e) Making impressions to be used for creating opposing models or the fabrication of bleaching stents and surgical stents to be used for the purpose of providing palatal coverage as well as impressions used for fabrication of topical fluoride trays for home application;

(f) Taking of impressions for and delivery of at-home bleaching trays;

(g) Securing or unsecuring an archwire by attaching or removing the fastening device;

(h) Taking impressions for passive appliances, occlusal guards, space maintainers and protective mouth guards;

(i) Marginating restorations with finishing burs, green stones, and/or burlew wheels with slow-speed rotary instruments which are not for the purpose of changing existing contours or occlusion;

(j) Cementing temporary crowns and bridges with temporary cement;

(k) Monitor the administration of the nitrous-oxide oxygen making adjustments only during this administration and turning it off at the completion of the dental procedure; and,

(l) Using adjunctive oral cancer screening medical devices approved by the U.S. Food and Drug Administration.

(7) By virtue of their training and licensure, dental hygienists are authorized to perform the following remediable tasks without additional training as defined in Chapter 64B5-16, F.A.C under General supervision:

(a) Removing calculus deposits, accretions and stains from exposed surfaces of the teeth and from the tooth surfaces within the gingival sulcus (prophylaxis);

(b) Placing and exposing dental and carpal radiographic film and sensors;

(c) Root Planing.

(8) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training as defined by Rule 64B5-16.002, F.A.C., and who performs the tasks under General supervision:

(a) Polishing restorations which is not for the purpose of changing the existing contour of the tooth and only with the following instruments used with appropriate polishing materials – burnishers, slow-speed hand pieces, rubber cups, and bristle brushes;

(b) Polishing clinical crowns of the teeth which is not for the purpose of changing the existing contour of the teeth and only with the following instruments used with appropriate polishing materials – slow-speed hand pieces, bristle brushes, rubber cups, porte polishers and air-abrasive polishers;

(c) Applying of topical fluorides that are approved by the American Dental Association or the Food and Drug Administration, including the use of fluoride varnishes and silver diamine fluoride; These procedures may also be performed as provided in subsection (10) of this rule.

(d) Removing excess cement from dental restorations and appliances with non-mechanical hand instruments or ultrasonic scalers only;

(e) Placing periodontal or surgical dressings;

(f) Removing periodontal or surgical dressings;

(g) Removing sutures;

(h) Using appropriate implements to assess and chart suspected findings of the oral cavity;

(i) Applying sealants;

(j) Placing or removing prescribed pre-treatment separators; and,

(k) Insert and/or perform minor adjustments to sports mouth guards and custom fluoride trays.

(l) Placing subgingival resorbable chlorhexidine, doxycycline hyclate, or minocycline hydrochloride.

(9) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or on-the-job training and who performs the tasks under General supervision:

(a) Fabricating temporary crowns and bridges in a laboratory;

(b) Applying topical anesthetics and anti-inflammatory agents which are not applied by aerosol or jet spray;

(c) Taking or recording patients' blood pressure rate, pulse rate, respiration rate, case history and oral temperature;

(d) Retracting lips, cheeks and tongue;

(e) Irrigating and evacuating debris not to include endodontic irrigation;

(f) Placing and removing cotton rolls;

(g) Placing or removing temporary restorations with non-mechanical hand instruments only; and,

(h) Obtaining bacteriological cytological (plaque) specimens, which do not involve cutting of the tissue and which do not include taking endodontic cultures, to be examined under a microscope for educational purposes.

(10) By virtue of their training and licensure, dental hygienists are authorized to perform the following remediable tasks without additional training as defined in Chapter 64B5-16, F.A.C., without supervision:

(a) Provide educational programs, faculty or staff training programs, and authorized fluoride rinse programs;

(b) Apply fluoride varnishes, and silver diamine fluoride, instruct patients in oral hygiene care and supervising patient oral hygiene care and other services which do not involve diagnosis or treatment of dental conditions.

(c) Perform the remediable tasks specified in Section 466.023 (3), F.S., Section 466.0235, F.S. and Section 466.024 (2), F.S., as long as all provisions of the respective statute are met.

(11) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training as defined by Rule 64B5-16.002, F.A.C., and who performs the tasks without supervision:

(a) Perform the remediable tasks specified in Section 466.023 (3), F.S., Section 466.0235, F.S. and Section 466.024 (2), F.S., as long as all provisions of the respective statute are met ;

(b) Screening of a patient, including state or federally mandated screenings, to determine an individual's need to be seen by a dentist for a diagnosis;

(c) Assessment of a patient, a limited clinical inspection that is performed to identify possible signs of oral or systemic disease, malformation, or injury, and the potential need for referral for diagnosis and treatment to a licensed practitioner.

Rulemaking Authority 466.004(4), 466.017(6), 466.023, 466.024 FS. Law Implemented 466.017(6), 466.023, 466.024 FS. History--New 1-18-89, Amended 11-16-89, 3-25-90, 9-5-91, 2-1-93, Formerly 21G-16.006, Amended 3-30-94, Formerly 61F5-16.006, Amended 1-9-95, 6-12-97, Formerly 59Q-16.006, Amended 1-25-98, 9-9-98, 3-25-99, 4-24-00, 9-27-01, 7-13-05, 2-14-06, 3-24-08, 7-20-09, 10-17-10, 8-5-12, 6-28-17, 8-29-17, 2-27-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 27, 2018

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-16.007 RULE TITLE: Levels of Supervision for Dental Hygienists
 PURPOSE AND EFFECT: The Board proposes the rule repeal due to repetitive language that is located in other rules.

SUMMARY: The rule will be repealed due to repetitive language.

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: 466.004, 466.023, 466.024 FS.

LAW IMPLEMENTED: 466.023, 466.024(7) 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-16.007 Levels of Supervision for Dental Hygienists. Rulemaking Authority 466.004, 466.023, 466.024 FS. Law Implemented 466.023, 466.024(7) FS. History–New 1-18-89, Formerly 21G-16.007, 61F5-16.007, Amended 9-27-95, 6-12-97, Formerly 59Q-16.007, Amended 1-8-01, 6-11-07, 7-20-09, 6-28-17, 8-29-17, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2018

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-17.0045 RULE TITLE: Standards for the Use of Controlled Substances for Treatment of Pain

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the rule based on the enactment of Chapter 2018-13, Laws of Florida (HB 21).

SUMMARY: Standards for the Prescribing of Controlled Substances for the Treatment of Acute Pain will be updated in the 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: 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: 466.004 FS.

LAW IMPLEMENTED: 466.017, 466.028(1)(p) 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: Jennifer Wenhold, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B5-17.0045 follows. See Florida Administrative Code for present text.)

64B5-17.0045 Standards for the Prescribing of Controlled Substances for the Treatment of Acute Pain.

The standards of practice in this rule do not supercede the level of care, skill and treatment recognized in general law related to healthcare licensure. All dentists who are authorized to prescribe controlled substances shall comply with the following:

(1) Definitions.

(a) Acute Pain. For the purpose of this rule, “acute pain” is defined as the normal, predicted, physiological, and time-limited response to an adverse chemical, thermal, or mechanical stimulus associated with surgery, trauma, or acute illness. The term does not include pain related to:

1. Cancer.

2. A terminal condition. For purposes of this subparagraph, the term “terminal condition” means a progressive disease or medical or surgical condition that causes significant functional impairment, is not considered to be reversible without the administration of life-sustaining procedures, and will result in death within 1 year after diagnosis if the condition runs its normal course.

3. Palliative care to provide relief of symptoms related to an incurable, progressive illness or injury.

4. A traumatic injury with an Injury Severity Score of 9 or greater.

(b) Prescription Drug Monitoring Program (PDMP) or “the system”. For the purpose of this rule, the system is defined as the Florida Department of Health’s electronic system to collect and store controlled substance dispensing information as set forth in Section 893.055, F.S.

(c) Substance Abuse. For the purpose of this rule, “substance abuse” is defined as the use of any substances for non-therapeutic purposes or use of medication for purposes other than those for which it is prescribed.

(2) Standards. The nature and extent of the requirements set forth below will vary depending on the practice setting and circumstances presented to the dentist. The Board has adopted the following standards for the prescribing of controlled substances for acute pain:

(a) Evaluation of the Patient. A medical history and physical examination appropriate for the patient’s clinical condition must be conducted and documented in the medical record. The medical record also shall document the presence of one or more recognized medical indications for the use of a controlled substance.

(b) Treatment Plan. The written treatment plan shall indicate if any further diagnostic evaluations or other treatments are planned including non-opioid medications and therapies if indicated. After treatment begins, the dentist shall adjust medication therapy, if necessary, to the individual medical needs of each patient.

(c) Informed Consent and Agreement for Treatment. The dentist shall discuss the risks and benefits of the use of controlled substances including the risk of abuse and addiction as well as physical dependence with the patient, persons designated by the patient, or with the patient’s surrogate or guardian if the patient is incompetent. The discussion shall also include expected pain intensity, duration, options, use of pain medications, non-medication therapies, and common side effects. Special attention must be given to those pain patients who are at risk of misuse or diversion of their medications.

(d) Periodic Review. Based on the circumstances presented, the dentist shall review the course of treatment and any new information about the etiology of the pain. Continuation or modification of therapy shall depend on the dentist’s evaluation of the patient’s progress. If treatment goals are not achieved, despite medication adjustments, the dentist shall reevaluate the patient and determine the appropriateness of continued treatment. The dentist shall monitor patient compliance of medication usage and related treatment plans.

(e) Consultation. The dentist shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation, and may require consultation with or referral to an expert in the management of such patients.

(f) Medical Records. The dentist is required to keep accurate and complete records to include, but not be limited to:

1. The medical history and a physical examination, including history of drug abuse or dependence, if indicated,
2. Diagnostic, therapeutic, and laboratory results,
3. Evaluations and consultations,
4. Treatment objectives,
5. Discussion of risks and benefits,
6. Treatments,
7. Medications (including date, type, dosage, and quantity prescribed),
8. Instructions and agreements,
9. Drug testing results if indicated;

10. Justification for deviation from the 3-day prescription supply limit for a Schedule II opioid controlled substance for acute pain:

11. Outline of problems encountered when attempting to consult the PDMP, if the system was non-operational or the clinician, or his or her designee, is unable to access the PDMP due to a temporary technological or electrical failure; and

12. Periodic reviews. Records must remain current, maintained in an accessible manner, readily available for review, and must be in full compliance with Rule 64B5-17.002, F.A.C., Section 456.057, F.S., Section 466.018, F.S., and Section 466.028(1)(m), F.S.

(g) Compliance with Laws and Rules. Dentists shall at all times, remain in compliance with this rule and all state and federal laws and regulations addressing the prescribing and administration of controlled substances.

Rulemaking Authority 456.044(4), 466.004 FS. Law Implemented 456.044(4) ~~466.017, 466.028(1)(p)~~ FS. History—New 8-12-02, Amended .

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Dentistry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 4, 2018

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

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:

- 65C-16.001 Definitions
- 65C-16.012 Types of Adoption Assistance
- 65C-16.013 Determination of Maintenance Subsidy Payments
- 65C-16.0131 Determination of Extension of Maintenance Subsidy Payments

PURPOSE AND EFFECT: The Department intends to amend Rules 65C-16.001 and .012-.013, F.A.C., to add provisions for the extension of maintenance adoption subsidy. In addition, the Department intends to create a new rule, 65C-16.0131, concerning the determination of extension of maintenance subsidy payments.

Ch. 2018-103, Laws of Florida, amended section 409.166, F.S., regarding adoption assistance payments and requires the Department to adopt rules to implement the statute.

SUMMARY: The amendments and new rule will add a definition for “Extension of Maintenance Adoption Subsidy” and establish guidelines for the determination of the amount of subsidy payments.

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 a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 409.166(8), FS.

LAW IMPLEMENTED: 409.166(4), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-16.001 Definitions.

(1) through (12) No change.

(13) “Extension of Maintenance Adoption Subsidy” means benefits provided to a family for a child who meets the eligibility criteria established in subsection 409.166(4), F.S.

(13) through (17) renumbered (14) through (18) No change.

Rulemaking Authority 63.233, 409.166(4), (8), 409.167(6) FS. Law Implemented 63.092, 63.165, 409.166, 409.167 FS. History—New 4-28-92, Amended 4-19-94, Formerly 10M-8.0013, Amended 12-4-97, 8-19-03, 11-30-08, 7-7-16, Amended .

65C-16.012 Types of Adoption Assistance.

(1) through (2) No change.

(3) Extension of Maintenance Adoption Subsidy. A monthly payment made for support and maintenance of a special needs young adult until the young adult’s 21st birthday.

(3) through (5) renumbered (4) through (6) No change.

~~(7)(6)~~ Tuition Fee Exemption Waiver. Children who were in the custody of the Department and who were adopted from the Department after May 5, 1997, are eligible for an exemption of undergraduate college tuition fees at Florida universities or community colleges as stated in Section 1009.25, F.S.

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

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166 FS. History—New 2-14-84, Formerly 10M-8.18, 10M-8.018, Amended 8-19-03, 11-30-08, 7-7-16. Amended

65C-16.013 Determination of Maintenance Subsidy Payments.

(1) No change.

(2) The child's and the family's need for subsidy must be determined prior to the adoptive placement. A family who enters into their initial subsidy agreement when the child is 16 or 17 years of age must make an election on the initial "Adoption Assistance Agreement" of whether or not to participate in the Extension of Maintenance Adoption subsidy program. ~~and No~~ subsidy payment may be made prior to all parties signing the "Adoption Assistance Agreement," CF-FSP 5079, PDF October 2010, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-06974>.

(a) through (c) No change.

(3) through (8) No change.

(9) The "Adoption Assistance Agreement," incorporated in subsection (2); of this rule, must be signed and dated by all parties prior to the finalization of the adoption and uploaded into the Florida Safe Families Network (FSFN). The effective date of the agreement is the date the child was placed with the family as an adoptive placement and the Memorandum of Agreement to Adopt, CF-FSP 5072, incorporated by reference in paragraph 65C-16.002(2)(c), F.A.C., was signed by the potential adoptive caregiver and the CBC or subcontracted agency. If not completed on the same date, the effective date will be the latter of the two. Payments may not be made for any months in which there is no adoption assistance agreement in place.

(10) through (15) No change.

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166(4) FS. History—New 2-14-84, Formerly 10M-8.20, Amended 5-20-91, 4-19-94, Formerly 10M-8.020, Amended 12-23-97, 8-19-03, 11-30-08, 7-7-16, 10-30-16, 12-18-16, 9-25-17, 2-5-18. Amended

65C-16.0131 Determination of Extension of Maintenance Subsidy Payments.

(1) The purpose of the Extension of Maintenance Adoption Subsidy is to make available to prospective adoptive parents financial aid that would enable them to adopt a special needs child who is 16 or 17 years of age. Every adoptive family adopting a child at the age of 16 or 17 must be advised of the

availability of Extension of Maintenance Adoption Subsidy and the purpose for which it is intended.

(2) Extension of Maintenance Adoption Subsidy payments may be made until the young adult reaches age 21, if the child is engaged in one of the qualifying activities specified in subparagraph 409.166(4)(d), F.S.

(3) The young adult and the family's need for subsidy must be determined prior to the young adult's 18th birthday and no subsidy payment will be made until after the young adult turns 18 years old and all parties have signed the "Extension of Maintenance Adoption Assistance Agreement," CF-FSP 5433, June 2018, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(a) If the Department or community-based care (CBC) agency was responsible for the placement and care of the young adult, the CBC agency in the county where the court had jurisdiction is responsible for entering into the Extension of Maintenance Adoption Assistance Agreement and paying the Extension of Maintenance Adoption Subsidy, even if the young adult and family lives in another county.

(b) If the Department or CBC agency was not responsible for the placement and care of the young adult at the time of adoption, the CBC agency in the adoptive parents' county of residence is responsible for determining whether the young adult meets the requirements to receive the Extension of Maintenance Adoption Subsidy, must enter into the Extension of Maintenance Adoption Agreement and pay the Extension of Maintenance Adoption Subsidy.

(c) When the need for the Extension of Maintenance Adoption Subsidy is not determined prior to the child's 18th birthday and the adoptive parents feel they have been wrongly denied the subsidy benefits on behalf of an adopted child, they have the right to appeal the denial pursuant to Chapter 120, F.S. If it is found that the subsidy was wrongly denied, retroactive payment will be made dating back to the date the family requested the subsidy in writing.

(4) Medical and/or mental health evaluations shall be required to document the need for an enhancement to the Extension of Maintenance Adoption Subsidy that exceeds the statewide standard foster care board rate and the young adult's initial subsidy amount. Medical and/or mental health evaluations must be no more than 12 months old.

(5) The CBC or subcontractor agency adoption staff shall inform the adoptive parent(s) that the Extension of Maintenance Adoption Subsidy, unlike foster care board rate payments, is not intended to cover the complete cost of the young adult's care. The Extension of Maintenance Adoption payment is intended to be a continuation in assisting the adoptive parent with the extra costs associated with supporting the young adult with special needs.

(6) The determination of the monthly Extension of Maintenance Adoption Subsidy is based on the needs of the young adult at the time of the negotiation and the projected future needs of the young adult based on the family and medical history of the young adult and birth family or, for adoptions finalized on or after January 1, 2019, as stated in Section 409.166(4), F.S.

(7) An Extension of Maintenance Adoption Subsidy may be negotiated up to 100% of the statewide foster care board rate. A subsidy may exceed 100% of the statewide foster care board rate only when an exception is granted by the Department's regional managing director or designee and documented on the "Maintenance Adoption Subsidy Approval" form CF-FSP 5077, August 2018, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. Requests for exceptions must be in writing. In determining whether to grant an exception, the regional managing director or designee shall consider the medical, behavioral, and therapeutic needs of the young adult at the time of the negotiation, as well as the projected future needs of the young adult based on the mental health, substance use and/or misuse, and medical history of the young adult and birth family. In no case shall the subsidy exceed the foster care maintenance payment for which the young adult is or would be eligible if the young adult had been placed in a family foster home. The Extension of Maintenance Adoption Subsidy is not intended to cover services which can be obtained through family insurance, Medicaid, Children's Medical Services, medical subsidy, or through special education plans provided by the public school district.

(8) The "Extension of Maintenance Adoption Assistance Agreement," incorporated in subsection (3) of this rule, must be signed and dated by all parties prior to the young adult's 18th birthday and uploaded into FSFN in the file cabinet located in the post adoption case. The effective date of the agreement is the date the young adult turns 18 years old. Payments may not be made for any months in which there is no Extension of Maintenance Adoption Assistance Agreement in place and/or the child is not participating in a qualifying activity.

(9) The child welfare professional shall advise the family that it is their responsibility to notify the Department or CBC of any change in circumstances, including moving out of state, no later than 48 hours after the change.

(10) The Extension of Maintenance Adoption Assistance Agreement remains in effect until whichever of the following occurs first:

(a) The young adult reaches 21 years of age.

(b) The young adult no longer meets one of the qualifying activities specified in subparagraph 409.166(4)(d), F.S.

(c) The adoptive parents are no longer providing any support to the young adult, the young adult marries, or the young adult enters the military. Support includes emotional and/or financial support, even in situations when the young adult is no longer living in the home.

(d) The young adult dies.

(e) The adoptive parent(s) die.

(11) If the adoptive parent and young adult have not provided documentation that the young adult is participating in a qualifying activity, the Department or designee must retain the maintenance subsidy payment until such documentation is provided.

(12) The adoptive parent and young adult can re-enter the Extension of Maintenance Adoption Subsidy Program until the youth reaches the age of 21 if they provide documentation to support that the young adult meets one of the qualifying activities pursuant to subparagraphs 409.166 (4)(a)-(d), F.S.

(13) Adoptive parents may request an increase in the maintenance adoption subsidy after the Extension of Maintenance Adoption Assistance Agreement was approved due to increased needs of the young adult or a change in the family's ability to meet the needs of the young adult.

(a) The negotiation of this increase shall be based on the family foster, therapeutic foster, or medical foster home board rate at the time of the request. Requests for increases must be submitted in writing by the adoptive parents to the CBC that issues the subsidy payment and approval shall be based on the merit of each case.

(b) If the increase request is approved, retroactive payment will be made dating back to the date the family requested the increased subsidy in writing.

(c) If the increase request is denied, the designated Department staff shall send a denial letter with notification of the adoptive parents' right to appeal the denial pursuant to Chapter 120, F.S. If it is found that the increase was wrongfully denied, the effective date of the new subsidy will be the date the written request for an increased was received. A new Extension of Maintenance Adoption Assistance Agreement must be signed by all parties with the new approved amount documented.

(14) No change shall be made to an Extension of Maintenance Adoption Subsidy without concurrence of the adoptive parents except as provided by federal regulation or state law. The Extension of Maintenance Adoption Assistance Agreement is not transferable to another caregiver.

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166(4) FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Valerie Proctor
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Rebecca Kapusta
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 3, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: October 5, 2018

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-41.001	Definitions
65C-41.002	Application Procedures for Readmission to Extended Foster Care
65C-41.003	Eligibility Requirements
65C-41.0031	Supervised Living Arrangement
65C-41.004	Transition and Case Plans
65C-41.005	Discharge from Program
65C-41.006	Appeals

PURPOSE AND EFFECT: The Department intends to amend Chapter 65C-42, F.A.C., to accomplish the following: (1) add definitions; (2) update forms and incorporate new forms; (3) clarify the rights of young adults with disabilities or mental health needs; and (4) add a new rule regarding supervised independent living.

SUMMARY: Definitions were added for extended foster care agreement, extended foster care voluntary placement agreement, shared living agreement, supervised living arrangement, and supervised independent living assessment. The following forms were updated or created: Extended Foster Care Agreement, Extended Foster Care Voluntary Placement Agreement, Supervised Independent Living Assessment, Shared Living Agreement, Notice of Discharge from Extended Foster Care, and Notice of Denial for Readmission into Extended Foster Care. Requirements for approving supervised living arrangements and assisting young adults with disabilities or mental health needs were added.

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 a checklist to conduct an economic analysis and determine if there is an adverse impact

or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 39.012, 39.0121, 39.6251, 409.1415, FS.

LAW IMPLEMENTED: 39.6035, 39.6251, 39.701, 409.1451, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.abramowitz@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-41.001 Definitions.

(1) No change.

(2) “Designated staff” means a case manager or other child welfare professional designated staff ~~assigned~~ by the community-based care lead agency or its contracted service provider assigned to work with youth and young adults in transition ages 18 to 23 to handle all matters pursuant to Extended Foster Care ~~and the Road to Independence Program~~.

(3) No change.

(4) “Extended Foster Care Agreement” means a document that contains the young adult’s or their legal guardians informed consent to participate in the program. “Fair hearing” means a hearing that is conducted pursuant to the procedural requirements of Rules 65-2.042 through 65-2.069, F.A.C.

(5) “Extended Foster Care Voluntary Placement Agreement” means a document that contains the young adult’s or their legal guardians informed consent to participate in the program, the application, and authorization for the Department to have placement and care responsibility.

(6) “Fair hearing” means a hearing that is conducted pursuant to the procedural requirements of Rules 65-2.042 through 65-2.069, F.A.C.

(7) “Shared Living Plan” means a document that contains detailed information about the living arrangement between applicable parties.

(8) “Supervised Living Arrangement” means that the young adult is living independently under a supervised arrangement, approved by the community-based care lead agency, pursuant to subsection 39.6251(4), F.S.

(9) “Supervised Living Arrangement Assessment” means a document that contains an evaluation of the young adult’s living environment.

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251 FS. History—New 11-2-15, Amended _____.

~~65C-41.002 Application Procedures for Readmission to Extended Foster Care.~~

(1) Children in the legal custody of the Department on the date of their 18th birthday do not need to apply for Extended Foster Care. If the child exercises his or her option to remain in foster care under the jurisdiction of the court, the child and designated staff shall complete an “Extended Foster Care Agreement,” CF-FSP 5432, Sept 2018, incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. The agreement and any supporting documentation must be attached to the transition plan that is updated during the 90-day period immediately prior to the date on which the youth will attain 18 years of age, uploaded in Florida Safe Families Network (FSFN), and be filed with court at the last review hearing before the child’s 18th birthday.

(2) A young adult may apply for readmission to extended foster care at any time before his or her 21st birthday. Prior discharge from the program is not a barrier to readmission. A young adult shall be ~~admitted~~ readmitted provided the young adult meets the eligibility requirements of Section 39.6251, F.S. Young adults who voluntarily re-enter foster care after turning 18 years of age following dismissal of dependency are considered to be entering a new foster care episode. ~~(4) Applications for admission readmission must be readily available to young adults. The application form to be used is “Application for Readmission into Extended Foster Care Voluntary Placement Agreement,” CF-FSP 5377, Sept 2018 May 2015, incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. A community based care lead agency may add its logo to form CF-FSP 5377.~~

(a)(2) To enter ~~reenter~~ extended foster care after having left foster care, the young adult must complete the ~~Application for Readmission into~~ Extended Foster Care Voluntary Placement Agreement and provide proof of participating in a qualifying activity. Designated staff shall offer to assist the young adult with completing the form application and/or obtaining necessary documentation.

1. If the young adult is unable to participate in a qualifying activity due to a physical, intellectual, emotional, or psychiatric condition, the young adult shall either furnish documentation of the condition or execute a consent for release of records to the designated staff to obtain the documentation. The designated

staff shall attach documentation of the inability to the Extended Foster Care Voluntary Placement Agreement.

2. All young adults with diagnosed disabilities or mental health needs shall be provided an equal opportunity to participate in extended foster care. A young adult with diagnosed disabilities or mental health needs may need additional support; therefore, the designated staff will work in consultation with all of the young adult’s service providers, guardian ad litem, and attorney, if applicable.

(b)(3) If the young adult does not meet eligibility requirements, designated staff shall offer to assist the young adult in choosing and enrolling in a qualifying activity and applying for Aftercare Services.

~~(4) All young adults with diagnosed disabilities or mental health needs shall be provided an equal opportunity to participate in extended foster care. A young adult with diagnosed disabilities or mental health needs may need additional support; therefore, the designated staff will work in consultation with all of the young adult’s service providers, guardian ad litem, and attorney, if applicable.~~

(c)(5) The young adult must be notified within 10 business days of submitting the application whether the application was approved or denied, or whether additional information, including supporting documentation, is needed.

1.(a) No change.

2.(b) If the decision is to readmit the young adult into extended foster care, within three (3) business days, the ~~designated staff case manager~~ shall request the Children’s Legal Services attorney or legal representative of the Department to petition the court for reinstatement of jurisdiction.

3. Reinstatement of jurisdiction must occur within 90 days from the time the Extended Foster Care Voluntary Placement Agreement is signed by all parties.

4. Upon verification and approval of eligibility, the signed Extended Foster Care Voluntary Placement Agreement shall be uploaded into the Florida Safe Families Network (FSFN).

5.(e) If the decision is to deny the application for extended foster care, the community-based care agency shall make a recommendation of denial to the Department’s designated regional operations representative for review and agreement. If the Department disagrees with the denial and is unable obtain consensus with the community-based care lead agency, documentation should then be forwarded to the Department’s regional representative in the Office of the General Counsel. If after consultation, there is continued disagreement, documentation should be forwarded to the Department’s headquarters representative in the Office of Child Welfare for continued review. The Department’s headquarters representative will make the final determination in the conflict

resolution. Upon reaching agreement with the adverse action, designated staff shall provide a “Notice of Denial for Readmission into Extended Foster Care,” CF-FSP 5410, Sept 2018 May 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and an “Application for Aftercare Services,” CF-FSP 5391, May 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05789>. The “Due Process Rights” form, CF/PI 175-74, August 2014, incorporated by reference in subsection 65C-41.005(1), F.A.C., and a “Request for Fair Hearing,” CF-FSP 5380, August 2014, incorporated by reference in subsection 65C-41.006(2), F.A.C., shall be attached the Notice of Denial for Readmission into Extended Foster Care. A community based care lead agency may add its logo to forms CF FSP 5391 and CF FSP 5410.

6.(d) No change.

Rulemaking Authority 39.012, 39.0121, 39.6251, 409.1451 FS. Law Implemented 39.6251, 409.1451 FS. History—New 11-2-15. Amended

65C-41.003 Eligibility Requirements.

(1) through (4) No change.

(5) If the young adult’s qualifying activity is participating in a program or activity designed to promote or eliminate barriers to employment, the young adult must comply with the requirements of the program. To meet the requirements of participating in a program or activity designed to promote or eliminate barriers to employment, the young adult must comply with the attendance requirements of the program or activities documented in the young adult’s transition plan.

(6) A young adult may change qualifying activities and remain in extended foster care. A change of qualifying activity shall not require a new application, although it shall require the young adult and designated staff to amend either the Extended Foster Care Agreement or Extended Foster Care Voluntary Placement Agreement and young adult’s transition plan. This change and may also require the designated staff to amend the case plan.

(7) If a young adult is unable to participate full-time in a program or activities listed in subparagraphs Sections 39.6251(2)(a)-(d), F.S., due to a physical, intellectual, emotional, or psychiatric condition that limits participation, designated staff the young adult’s case manager shall:

(a) Assist the young adult in securing supporting documentation of the condition from a clinician(s); and;

(b) Develop or amend the case transition plan to address the condition and the accommodations or modifications to be implemented to achieve the goals detailed of the young adult as included in the transition case plan.

(8) Participation by the Young Adult in Case Management and Judicial Proceedings. In addition to engaging in one or

more of the qualifying activities set forth in subsection Section 39.6251(2), F.S., the young adult must continue to reside in an approved supervised living arrangement, meet face to face in the home every month with designated staff, participate in ongoing transition and case planning, participate in on going supervision by case management and shall be is encouraged to participate in judicial review and permanency hearings.

(a) The young adult must sign necessary releases to enable the designated staff ease manager to document the young adult’s participation in the qualifying activity or activities.

(b) The designated staff ease manager must consult with the young adult in drafting the case plan.

(c) In preparation for each judicial review hearing, the designated staff ease manager must collaborate with the young adult in preparing the Judicial Review Social Study Report (“JRSSR”).

(9) Residing in the Approved Living Arrangement. The young adult must reside in a supervised living arrangement that is approved by the community based care lead agency and acceptable to the young adult.

(a) Whether a living arrangement will be approved shall be decided by designated staff on a case by case basis, taking into consideration the needs and desires of the young adult and the level of supervision and support the young adult requires.

(b) The community based care lead agency may withhold approval for a living arrangement requested by the young adult if the living arrangement jeopardizes the young adult’s safety and well being.

(c) In addition to the types of living arrangements permitted by Section 39.6251(4), F.S., the living arrangement may also include housing provided by the U.S. Military, housing provided by the Agency for Persons with Disabilities, housing for victims of human trafficking, or housing included as a component of service by any other service provider.

(d) A young adult who may require continued, intensive therapeutic or medical care will be assessed to determine his or her needs and the most appropriate living arrangement, and services will be sought by the case manager in consultation with the young adult and the young adult’s team of service providers, guardian ad litem, and attorney, if applicable.

(e) A young adult may share housing with other persons provided the requested living arrangement meets the assessed levels of supervision and services for every household member who is in the extended foster care program. The community based care lead agency must approve all roommates based on its assessment of the young adult’s needs and safety concerns. The community based care lead agency is not responsible for any portion of the expenses of any roommate who is not receiving extended foster care services.

(f) Once a living arrangement has been approved, the young adult must notify the case manager of any changes in

circumstances in the living arrangement, including a change of occupants or a planned absence from the home as set forth in the transition plan.

~~(g) The young adult and foster parent, primary caregiver or group home provider shall discuss and agree upon the length of any permitted absence of the young adult from his or her approved living arrangement. The young adult and the foster parent, primary caregiver or group home provider shall determine jointly the protocol for notification of such absences.~~

~~(h) In the event the extended foster care living arrangement is obtained before the young adult reaches age 18, the case manager shall make scheduled visits with the young adult to the new approved living arrangement as a part of the transition.~~

~~Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251 FS. History—New 11-2-15, Amended _____.~~

65C-41.0031 Supervised Living Arrangement.

(1) Residing in a supervised environment is not intended to be a barrier to independence; however, every living arrangement must meet all the requirements as detailed in subsection 39.6251(4), F.S.

(2) Approved Living Arrangements.

(a) A comprehensive assessment shall be made to determine the appropriateness of the young adult's living arrangement, using the "Supervised Living Arrangement Assessment", CF-FSP 5431, Sept 2018, incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. This form is to be used for placement in Extended Foster Care (EFC). Prior to completing the assessment, the designated staff must have reviewed the youth or young adult's case file and inspected the home environment proposed as the EFC living arrangement. The completed assessment shall be uploaded into the Florida Safe Families Network (FSFN) and becomes an addendum to the young adult's transition plan and also supports the young adult's case plan.

(b) Designated staff shall decide whether a living arrangement will be approved on a case-by-case basis, taking into consideration the needs and desires of the young adult and the level of supervision and support the young adult requires.

(c) The community-based care lead agency shall withhold approval for a living arrangement if the living arrangement jeopardizes the young adult's safety and well-being.

(d) Living environments in which young adults are involuntary placed do not meet the conditions of an appropriate supervised independent living setting unless consent for placement is through a court appointed guardian.

(e) A young adult who may require continued, intensive therapeutic or medical care will be assessed in consultation with the young adult and the young adult's team of service providers, guardian ad litem, and attorney, if applicable.

(f) A young adult may share housing with other persons provided that any household members are approved based on an assessment of the young adult's needs and safety concerns. A young adult may not share housing with legal or biological parents.

(g) The community-based care lead agency is not responsible for any portion of the expenses of any other household member who is not receiving extended foster care services.

(3) Shared Living Plans

(a) Once a living arrangement has been approved, designated staff shall develop a plan in collaboration with the young adult and other applicable parties using the "Shared Living Plan" form, CF-FSP 5430, Sept 2018, incorporated by reference, and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. The plan outlines the expectations, addressing the fundamental and routine needs, to enable a successful living arrangement. The completed plan becomes an addendum to the young adult's transition plan and shall be uploaded in FSFN.

(b) The young adult must notify the designated staff and other agreed upon parties (if applicable) of any changes in circumstances in the living arrangement, including a change of occupants or a planned absence from the home.

(c) In the event the extended foster care living arrangement is obtained before the young adult reaches age 18, designated staff shall make scheduled visits with the youth to the approved living arrangement as a part of the transition.

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251 FS. History—New _____.

65C-41.004 Transition and Case Planning and Management Reviews Plans

(1) Transition Planning.

(a) Transition planning must begin within 180 days of the young adult's 17th birthday or within 30 days of being placed into licensed foster care after that date. The transition plan must be completed at least 90 days prior to the young adult's 18th birthday, or as soon as possible for any young adult who enters licensed foster care after that date, and no later than the last judicial review hearing during the young adult's minority.

(b) All young adults with diagnosed disabilities or mental health needs shall be provided with an equal opportunity to participate in transition planning. A young adult with a

diagnosed disability or mental health need may need additional support; therefore, the designated staff shall work in consultation with the young adult and the young adult's service providers, guardian ad litem, and attorney, if applicable.

(c) If the young adult intends to leave extended foster care, the case manager shall discuss with the young adult options for remaining in extended foster care or enrollment in Aftercare or Postsecondary Education Services and Support (PESS). If, after discussion with the case manager, the young adult still intends to leave extended foster care, the case manager shall provide the young adult with the form "My Decision to Leave Extended Foster Care," CF FSP 5375, January 2015, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 05784>. A community based care lead agency may add its logo to form CF FSP 5375. Upon receipt of the completed and signed form, the case manager shall provide the young adult a copy of the completed form.

(1)(2) Transition and Case Plans. Each young adult in extended foster care must have both a transition plan and a case plan developed. Designated staff by the case manager in consultation with the shall work with the young adult on the development and updates to each plan.

(a) Transition Plan. The provisions of the transition plan form the basis of the young adult's case plan and delineate the young adult's short-term and long-term goals, the young adult's obligations, and the obligations of the foster parent, caregiver or group home, the designated staff case manager, and any other service provider.

1. No change.

2. All young adults with diagnosed disabilities or mental health needs shall be provided with an equal opportunity to participate in transition planning. A young adult with a diagnosed disability or mental health need may need additional support; therefore, the designated staff shall work in consultation with the young adult and the young adult's service providers, guardian ad litem, and attorney, if applicable.

3. The transition plan shall address allowance.

a. Whether an allowance will be provided to the young adult and the amount of the allowance shall be discussed in consultation with the young adult and foster parent, caregiver, or designated staff.

b. The foster parent or caregiver shall use a reasonable and prudent parent standard to decide whether an allowance will be provided and the amount. The foster parent or caregiver shall make the ultimate decision.

c. If the young adult does not have a foster parent or caregiver, designated staff shall decide whether an allowance will be provided and the amount based on the level of support the young adult requires. The designated staff shall make the ultimate decision.

d. The decision and rationale shall be supported by documentation in the young adult's transition plan.

4. If the young adult is a parent, the transition plan shall address the young adult's goals and needs in his or her role as a parent, as well as any referrals to service providers.

5. Amending the Transition Plan. The transition plan may be amended at any time, without court approval, whenever the young adult and the designated staff agree. The plan shall be periodically reviewed and must be updated when necessary prior to each judicial review hearing.

6. Portability. The services provided under this rule are portable across county lines and between lead agencies.

a. The service needs that are identified in the original or updated transition plan shall be provided by the lead agency where the young adult is currently residing but shall be funded by the lead agency that initiated the transition plan.

b. For all young adults in foster care who are in a living arrangement out of state or visiting out of state, the lead agency with primary case management responsibilities shall provide maintenance payments; case planning, including a written description of all services that will assist the young adult in preparing for the transition from care to independence; as well as regular case reviews that conform with all federal scheduling and content requirements.

(b) No change.

(2)(3) Provision of Services. The community-based care lead agency must ensure that the young adult is provided necessary services. Necessary services include:

(a) through (c) No change.

(d) Face-to-face contact with the young adult shall occur every 30 days in the home, pursuant to Rule 65C-30.007(1)(a)-(c), F.A.C. at least monthly, but more often as necessary and as agreed to by both the case manager and the young adult. If the young adult lives outside the service area of his or her community based care lead agency, monthly contact may occur by telephone.

1. During the visit designated staff must assess for safety and discuss the young adult's transition and continue to assess life skill development.

2. If applicable, designated staff shall update the Supervised Living Arrangement Assessment and Shared Living Plan.

(e) No change.

(3)(4) Procedures for a Young Adult Wishing to Remain in Extended Foster Care until the 22nd birthday. A young adult must be actively participating in extended foster care on his or her 21st birthday, and have a documented disability, in order to remain in care until his or her 22nd birthday.

(a) The designated staff case manager for a young adult who has a documented disability shall discuss with the young adult and any designated decision-making authority for the

young adult, within 180 days of the young adult's 20th birthday, whether the young adult wishes to remain in extended foster care after his or her 21st birthday. This discussion shall occur during the transition planning for possible discharge based on reaching the maximum age for participation.

(b) If the young adult who has a documented disability requests discharge from, or otherwise opts out of continuing in extended foster care beyond the 21st birthday, the designated staff ~~case manager~~ shall provide the form "My Decision to Leave Extended Foster Care," CF-FSP 5375, January 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05784> ~~in paragraph (1)(c), of this rule,~~ and specify that the young adult has requested discharge from the program on the 21st birthday.

(4) Portability. The services provided under this rule are portable across county lines, between lead agencies, and across state lines if the other state is willing to provide assistance.

(a) The service needs that are identified from the transition plan, the Supervised Living Arrangement Assessment, Shared Living Agreement, and Extended Foster Care Agreement or Extended Foster Care Voluntary Placement Agreement shall be provided by the community-based care lead agency where the young adult is currently residing, but shall be funded by the community-based care lead agency that initiated the transition plan.

(b) If the young adult who has a documented disability requests discharge from, or otherwise opts out of continuing in extended foster care beyond the 21st birthday, the designated staff shall provide the form "My Decision to Leave Extended Foster Care," CF-FSP 5375, incorporated in paragraph (3)(b), of this rule, and specify that the young adult has requested discharge from the program on the 21st birthday.

Rulemaking Authority 39.012, 39.0121 FS. Laws Implemented 39.6035, 39.6251, 39.701(4)(a) FS. History—New 11-2-15, Amended _____.

65C-41.005 Discharge from Program.

(1) A young adult shall be discharged from the extended foster care program when the young adult is no longer eligible to participate in the program. In the event the designated staff determines that the young adult is ineligible, the designated staff shall make a recommendation of program termination to the Department's designated regional operations representative for review and agreement. If the Department disagrees with program termination and is unable obtain consensus with the community-based care lead agency, documentation should then be forwarded to the Department's regional representative in the Office of the General Counsel. If after consultation, there is continued disagreement, documentation should be forwarded to the Department's headquarters representative in the Office of Child Welfare for continued review. The Department's

headquarters representative will make the final determination in the conflict resolution. Upon reaching agreement with the adverse action, designated staff shall offer to assist the young adult in resuming eligibility requirements and provide to the young adult a "Notice of Discharge from Extended Foster Care," CF-FSP 5376, May 2014, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05768>. The "Due Process Rights" form, CF/PI 175-74, August 2014, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05783>, and a "Request for Fair Hearing," CF-FSP 5380, August 2014, incorporated by reference in subsection 65C-41.006(2), F.A.C., shall be attached the Notice of Discharge from Extended Foster Care. A community based care lead agency may add its logo to form CF-FSP 5385.

(a) ~~A young adult shall be discharged from extended foster care when categorical eligibility ends on the earliest of the dates that the young adult:~~

~~1. Reaches 21 years of age or, in the case of a young adult with a disability, reaches 22 years of age;~~

~~2. Knowingly and voluntarily withdraws his or her consent to participate in extended foster care. Withdrawal of consent to participate in extended foster care shall be verified by the court pursuant to Section 39.701, F.S. If the young adult intends to leave extended foster care, the designated staff shall discuss with the young adult options for remaining in extended foster care or applying for Aftercare or Postsecondary Education Services and Support (PESS). If, after discussion with the designated staff, the young adult still intends to leave extended foster care, the designated staff shall provide the young adult with the form "My Decision to Leave Extended Foster Care," CF-FSP 5375, which is incorporated by reference in subsection 65C-41.004(3), F.A.C. Upon receipt of the completed and signed form, the designated staff shall upload the form into the Florida Safe Families Network (FSFN) and provide the young adult a copy of the completed form.~~

~~3. Achieves Permanence. Permanence due to a voluntary return by the young adult to his or her legal parent after the age of 18 disqualifies the young adult from participating in extended foster care during the time the young adult is living with that parent. However, in the event that living arrangement fails, the young adult will no longer be considered to have achieved permanence, and the young adult is again eligible for extended foster care.~~

(b) No change.

(c) A young adult shall be discharged from the extended foster care program for failure to reside in the approved living arrangement. The length of the young adult's absence from the approved living arrangement that supports the determination that the young adult is not residing in the approved living

arrangement shall be determined during transition planning and documented in the “Shared Living Plan”, CF-FSP 5430, July 2018, incorporated by reference in subsection 65C-41.0031(3), F.A.C. ~~transition plan.~~

~~(2) A young adult may elect voluntary discharge from the extended foster care program. When a young adult indicates to a case manager or designated staff that he or she wishes to leave the program, the case manager or designated staff shall provide the young adult with the form “My Decision to Leave Extended Foster Care,” CF FSP 5375, January 2015, which is incorporated by reference in Rule 65C 41.004, F.A.C., and ask the young adult to complete the form and return it to the case manager. The case manager shall inform the young adult of other available services in Postsecondary Education Services and Support and Aftercare Services. When a young adult elects voluntary discharge from extended foster care, or when the young adult is discharged, the case manager shall request that the Children’s Legal Services attorney file a motion to terminate jurisdiction and schedule a court hearing on that motion.~~

~~(3) Before the case manager may discharge a young adult from extended foster care, other than when the young adult voluntarily leaves the program, the case manager must provide the young adult with a written notice that describes all reasons for the discharge and the form “Due Process Rights,” CF/PI 175-74, August 2014, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05783>. A community-based care lead agency may add its logo to form CF/PI 175-74.~~

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251 FS. History–New 11-2-15, Amended.

65C-41.006 Conflict Resolution and Appeals.

(1) through (2) No change.

(3) Request for Fair Hearing.

(a) A young adult shall have 30 calendar days from the date of receipt of the notice of adverse action to request a fair hearing. If the young adult requests the fair hearing within 10 business days of the date of receipt of the notice of adverse action terminating participation in extended foster care, then the young adult shall remain in extended foster care pending the resolution of the fair hearing. change. The notice shall be provided on the form “Notice of Discharge from Extended Foster Care,” CF-FSP 5376, incorporated by reference in subsection 65C-41.005(1), F.A.C or “Notice of Denial for

Readmission into Extended Foster Care,” CF-FSP 5410, incorporated by reference in paragraph 65C-41.002(2)(c), F.A.C.

(b) The request for a fair hearing may be made orally or in writing.

1. The form “Oral Request for Fair Hearing,” CF-FSP 5381, August 2014, incorporated by reference, shall be used by the ~~ease manager or designated staff~~ to document oral requests for a fair hearing. This form is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05788>. ~~A community-based care lead agency may add its logo to form CF FSP 5381.~~

2. No change.

(c) The request for a fair hearing is made on the date the young adult sends a written request for fair hearing by U.S. Mail or email, or hand-delivers the written request to the staff member of the agency (or his or her designee) who sent the notice of adverse action. An oral request for a fair hearing is made on the date the young adult speaks with his or her ~~ease manager or designated staff~~, the community-based care agency providing him or her with independent living services, or the Department of Children and Families, Office of Appeal Hearings in Tallahassee. If the deadline to request a fair hearing is a Saturday, Sunday or state or federal holiday, the request shall be timely if it is made on or before the first business day after the weekend or holiday.

(4) No change.

(5) Additional Local Preparation for Fair Hearings.

(a) No change.

(b) The designated staff responsible for the young adult’s extended foster care case (the designated staff ~~ease manager~~ in the county where the young adult’s participation originated) shall coordinate and participate in the fair hearing, even if the hearing takes place in a different county or region. The fair hearing shall take place in the county in which the young adult lives.

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251 FS. History–New 11-2-15, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Brandie McCabe

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Rebecca Kapusta

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 4, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: October 5, 2018

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:
 64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 185, September 21, 2018 issue of the Florida Administrative Register.

The changes are in response to discussion and subsequent vote by the board at a public hearing held September 28, 2018. The changes are as follows:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents

The formulary of topical ocular pharmaceutical agents consists of pharmaceutical agents that are appropriate to treat or diagnose ocular disease and disorders and which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration:

- (1) through (8) No change.
- (9) MISCELLANEOUS
- (a) through (e) No change.
- (f) Natamycin Ophthalmic Suspension 5%; ~~and,~~
- (g) Lifitegrast ophthalmic solution 5%; ~~and,~~
- (h) Cyclosporine 0.09% Ophthalmic Solution.

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History—New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, 3-23-09, 6-28-09, 10-18-09, 4-21-10, 12-26-10, 7-21-11, 11-11-12, 11-29-13, 12-9-13, 4-10-14, 8-14-15, 1-20-17, 8-31-18,_____.

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

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:
 58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Stratford Court of Palm Harbor. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:
 58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Five Star Premier Residences of Plantation. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Five Star Premier Residences of Pompano Beach. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Fountainview. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Five Star Premier Residences of Boca Raton. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from The Gardens of Port St. Lucie. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Barrington Terrace at Boynton Beach. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for

temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Brentwood Retirement Community. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from The Beacon at Gulf Breeze. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from The Villas at Lakeside Oaks. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Delray Beach FL, LLC d/b/a Arden Courts of Delray Beach. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Beneva Lakes Assisted Living Center. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Ft. Myers FL, LLC d/b/a Arden Courts

of Ft. Myers. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Largo FL, LLC d/b/a Arden Courts of Largo. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Palm Harbor FL, LLC d/b/a Arden Courts of Palm Harbor. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts-Lely Palms of Naples FL, LLC d/b/a Arden Courts of Lely Palms. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for permanent/temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Sarasota FL, LLC d/b/a Arden Courts of Sarasota. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Seminole FL, d/b/a Arden Courts of Seminole. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Tampa FL, LLC d/b/a Arden Courts of Tampa. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Arden Courts of Winter Springs FL, LLC d/b/a Arden Courts of Winter Springs. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Catalina Gardens Health Care Associates LLC d/b/a The Brookshire. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H Thirty Five OPCO Willow Wood, LLC d/b/a Atria Willow Wood. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from HCP Lantana FL OPCO, LLC d/b/a Atria Meridian. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an

alternate energy source for emergency environmental control, from S-H Thirty Five OPCO Tamarac, LLC d/b/a Atria Tamarac. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

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DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from HCP Port Orange FL OPCO, LLC d/b/a Atria Port Orange. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H Thirty Five OPCO Waterside Retirement Estates, LLC d/b/a Atria Sarasota. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H Thirty Five OPCO Lutz, LLC d/b/a Atria Lutz. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H Thirty-Five OPCO Clearwater, LLC d/b/a Atria

Countryside. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on September 28, 2018, the Florida Department of Elder Affairs, received a petition for temporary waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from S-H Thirty Five OPCO Port St. Lucie, LLC d/b/a Atria Port St. Lucie. Any interested person or other agency may submit written comments on the petition within 14 days after this notice to alfrulecomment@elderaffairs.org.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-26.003 Massage Establishment Operations

NOTICE IS HEREBY GIVEN that on October 05, 2018, the Board of Massage Therapy, received a petition for variance and waiver, filed by Trudy Hunter, Owner of Personal Wellness DBA Massage Green Spa. The Petitioner is seeking a variance or waiver of paragraph 64B7-26.003(1)(d), F.A.C. regarding infrared “saunas” as Petitioner states infrared “saunas” are not by definition “saunas” and should be excluded from the Rule applying to wet or steam saunas, whirlpools baths, and steam room. Petitioner states that these infrared cabins have only been marketed as “saunas” in order to assist in the education of the benefits of said device to consumers and that they do not meet the definition of a “sauna” nor do they produce steam, moisture, or water of any kind. In addition, Petitioner states that the “sauna” in the state requirement should be further defined as a “wet sauna” for purposes of inspection moving forward. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, (850)245-4162, or by electronic mail - kama.monroe@flhealth.gov.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.003 Application and Selection Process for Developments

NOTICE IS HEREBY GIVEN that on October 09, 2018, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-21.003(8)(j) from Trinity Towers East Preservation Associates, LLLP, requesting a waiver to decrease the total set-aside percentage from 90% to 85% of the 156 units. A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: Thursday, October 18, 2018, 4:00 p.m. – 5:00 p.m.

PLACE: Peterson and Smith Equine Hospital located at 4747 SW 60th Ave., Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 4:00 Executive Committee meeting is being canceled due to Hurricane Micheal.

The 5:00 Board of Director's meeting will still take place.

A copy of the agenda may be obtained by contacting: Tenley Struhs at (352)607-6699 or email at tstruhs@flhorsepark.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by

contacting: Tenley Struhs at (352)607-6699 or email at tstruhs@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: RULE TITLE:

5B-40.010 Endangered and Threatened Native Flora Conservation Grants Program

The Division of Plant Industry announces a public meeting to which all persons are invited.

DATES AND TIMES: October 25, 2018, 1:00 p.m. – 5:00 p.m. and October 26, 2018, 8:00 a.m. – 12:00 Noon

PLACE: Doyle Conner Building Auditorium

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentations by grant applicants/recipients; submit completed application evaluation forms on proposals for 2019-2020 fiscal year; review of Regulated Plant Index; review Ranks System forms; discuss inclusion on the Regulated Plant Index for 6 plants; election of officers; Saw Palmetto discussion.

A copy of the agenda may be obtained by contacting: Tyson Emery at (352)395-4709.

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: Tyson Emery at (352)395-4709. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The Articulation Coordinating Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 24, 2018, 1:00 p.m. – 4:00 p.m.

PLACE: Florida Department of Education, 325 W. Gaines St., Rm. 1721/25, Tallahassee, FL 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the agenda may be obtained by contacting: Office of Articulation, 325 W. Gaines St., Ste. 1401, Tallahassee, Florida 32399-0400 or (850)245-0427.

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: articulation@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).

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Office of Early Learning - Child Care Executive Partnership (CCEP) Program announces a public meeting to which all persons are invited.

DATE AND TIME: October 29, 2018, 2:00 p.m. (EDT), until business concludes

PLACE: online via Zoom - register at <https://zoom.us/meeting/register/bf7b901a10876a56c5b9141539e44ee6> - or in person at the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board action items relating to the Child Care Executive Partnership (CCEP) Program.

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

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

For more information, you may contact: Ashley.Mitchell@oel.myflorida.com.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Pensacola and Perdido Bays Estuary Program (PPBEP) Policy Board, formerly called Bay Area Resource Council (BARC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, October 24, 2018, 3:30 p.m.

PLACE: Gulf Breeze Council Chambers, 1070 Shoreline Drive, Gulf Breeze, Florida 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Committee will meet at 1:30 pm, on the same day and in the same location. Regular business of the board will be discussed.

A copy of the agenda may be obtained by contacting: Katie Wilhelm at katie.wilhelm@wfrpc.org or (850)332-7976, ext. 280.

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: Title VI Coordinator at TitleVI@wfrpc.org or (850)332-7976, ext. 220. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Katie Wilhelm at katie.wilhelm@wfrpc.org or (850)332-7976, ext. 280.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-2.301 Conditions for Issuance of Permits

The Suwannee River Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: October 26, 2018, 1:00 p.m. – 2:30 p.m.

PLACE: Call-in number: 1(888)670-3525, participant code: 6501477384, then press #

Suwannee River Water Management District Governing Board Room, 9225 CR49, Live Oak, Florida 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: The District will discuss and receive public comment on proposed amendments to the rule and Water Use Permit Applicant’s Handbook intended to (1) correct rule terminology, (2) clarify MFL and spring impact evaluation criteria, (3) reduced water use monitoring and reporting burdens on the public and businesses, and (4) revise Water Resource Caution Areas.

Note: Members of the District’s Governing Board may attend the scheduled Public Workshop.

A copy of the agenda may be obtained by contacting: Suwannee River Water Management District, Attn: Warren Zwanka, 9225 CR49, Live Oak, Florida 32060, WPZ@srwmd.org, (386)362-1001.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the District at (386)362-1001. 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: Warren Zwanka, 9225 CR49, Live Oak, Florida 32060, WPZ@srwmd.org, (386)362-1001.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Thursday, November 8, 2018, 4:00 p.m.

PLACE: Coast Guard Auxiliary Meeting Hall, 4340 Calienta Street, Hernando Beach, FL 34607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Weeki Wachee Natural System Carrying Capacity Study Public Workshop: The Southwest Florida Water Management District is hosting a public workshop in coordination with Hernando County, Florida Department of Environmental Protection and the third-party consultant conducting the Weeki Wachee Natural System Carrying Capacity Study. The purpose of the workshop is to explain to the public the intent and process/methodology of the study, and to allow the public to provide feedback about river use.

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

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

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

For more information, you may contact: James.Fine@WaterMatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4213 (Ad Order EXE0646).

DEPARTMENT OF ELDER AFFAIRS

Division of Volunteer and Community Services

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: October 31, 2018, 1:30 p.m.

PLACE: 100 SW 75th St, Suite 301 Gainesville, FL 32607 or by phone: 1(888)670-3525, Participant code: 649 992 7145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Dementia Cure and Care Initiative Task force for the City of Gainesville. The goal of the DCCI Task force is to engage communities across the state to be more dementia friendly, promote better care for Floridians affected by dementia, and support research efforts to find a cure. The vision of the DCCI Task Force is to see all Florida communities engaged in providing better care for those affected by dementia while we work towards a cure.

A copy of the agenda may be obtained by contacting: Christine Didion, Department of Elder Affairs, (850)414-2028, DidionC@elderaffairs.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: Christine Didion, Department of Elder Affairs, (850)414-2028, DidionC@elderaffairs.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: Christine Didion, Department of Elder Affairs, (850)414-2028, DidionC@elderaffairs.org.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

The Florida Board of Orthotists & Prosthetists announces a public meeting to which all persons are invited.

DATE AND TIME: October 25, 2018, 1:00 p.m.

PLACE: Embassy Suites by Hilton Ft. Lauderdale 1100 SE 17th Street Causeway, Ft. Lauderdale, Florida 33316, (954)315-1326

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice replaces # 20534238 General board business and disciplinary matters.

A copy of the agenda may be obtained by contacting: C. Erica White, Executive Director, (850)245-4292.

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: C. Erica White, Executive Director, (850)245-4292. 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: C. Erica White, Executive Director, (850)245-4292.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Department of Health, Community Health Promotion, Florida Coordinating Council for the Deaf and Hard of Hearing, Website Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 24, 2018, 9:00 a.m. – 10:00 a.m.

PLACE: This meeting is being held via conference call and may be accessed by dialing: 1(888)670-3525; conference code: 293-155-2025#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Website Committee conference call will be to discuss using the website to collect data for the biennial report and to improve resources in the state.

Communication Access Real-Time Translation Services: (CART) will be provided remotely via:

<http://streamtext.net/player?event=FCCDHH>.

A copy of the agenda may be obtained by contacting: Megan Callahan at (850)245-4913.

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: Megan Callahan, Florida Department of Health, (850)245-4913. 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: Megan Callahan, (850)245-4913.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 25, 2018, 10:00 a.m. – 11:00 a.m. ET

PLACE: Florida Department of Health, 2585 Merchants Row Blvd., Suite 135Q, Tallahassee, FL 32399 or by telephone at 1(877)309-2073 Access Code: 248-839-421 and online at <https://global.gotomeeting.com/join/248839421>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Information Clearinghouse on Developmental Disabilities Advisory Council will provide technical assistance to the Department of Health in the establishment of a website of resource information related to Down syndrome or other prenatally diagnosed developmental disabilities; support programs for parents and families; and developmental evaluation and intervention services.

A copy of the agenda may be obtained by contacting: Anna Simmons, (850)245-4465 or Anna.Simmons@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Anna Simmons, (850)245-4465 or Anna.Simmons@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Anna Simmons, (850)245-4465 or Anna.Simmons@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Department of Health, Community Health Promotion, Florida Coordinating Council for the Deaf and Hard of Hearing announces a public meeting to which all persons are invited.

DATES AND TIMES: November 15, 2018, 9:00 a.m. – 6:00 p.m.; November 16, 2018, 8:00 a.m. – 12 Noon

PLACE: Hampton Inn & Suites Sarasota/Bradenton Airport, 975 University Parkway, Sarasota, FL 34243

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Coordinating Council for the Deaf and Hard of Hearing (FCCDHH) is mandated by Florida Statute 413.271 to serve as an advisory and coordinating body which recommends policies that address the needs of Florida's community who are deaf, hard of hearing, late deafened or have combined hearing and vision loss. The purpose of the Quarterly Council Meeting will be to review the It's a Deaf Thing! Event that Chairperson, Karen Goldberg, and Glenna Ashton attended on behalf of the Council as well as to discuss, draft and finalize the 2019 Biennial Report.

Communication Access Real-Time Translation Services: (CART) will be provided remotely via:

<http://streamtext.net/player?event=FCCDHH>.

The meeting may be accessed via conference call: 1(888)670-3525; conference code: 293-155-2025#.

A copy of the agenda may be obtained by contacting: Megan Callahan, (850)245-4913.

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: Megan Callahan, Florida Department of Health, (850)245-4913. 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: Megan Callahan, (850)245-4913.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

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

DATE AND TIME: October 31, 2018, 10:00 a.m. – 12:00 Noon

PLACE: Webinar:

<http://floridadcf.adobeconnect.com/r51al4bvcfv/>, or

Department of Children and Families Headquarters, 1317 Winewood Boulevard, Building 6, Conference Room A, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting and webinar of the Florida Children's System of Care State Advisory Team is to give an update on the progress of the statewide plan and discuss future business. For more information, go to: <http://www.socflorida.com/>.

A copy of the agenda may be obtained by contacting: Steven F. Chapman at Steven.chapman@myflfamilies.com or (850)717-4435.

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: Steven F. Chapman at Steven.chapman@myflfamilies.com or (850)717-4435. 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: Steven F. Chapman at Steven.chapman@myflfamilies.com or (850)717-4435.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

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

DATE AND TIME: October 22, 2018, 11:30 a.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN080918HSET1 - Peer Services - Reply Opening and Review of Mandatory Requirements.

All replies received by the deadline stated in the ITN will be opened and reviewed for mandatory requirements.

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

For more information, you may contact: Michele.staffieri@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

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

DATE AND TIME: November 5, 2018, 10:00 a.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd, Bldg 6, Conference Room A, Tallahassee, FL 32399

Call-in: 1(888)670-3525, PIN: 286-825-0655.

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN080918HSET1 - Peer Services - Debriefing Meeting of the Evaluators and Ranking of the Replies.

Evaluators will verify their scoring of each reply received by the deadline.

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

For more information, you may contact:
michele.staffieri@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

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

DATE AND TIME: November 14, 2018, 4:30 p.m.

PLACE: Dept. of Children & Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399

Call-in: 1(888)670-3525, PIN: 286-825-0655

GENERAL SUBJECT MATTER TO BE CONSIDERED:
ITN080918HSET1 - Peer Services - Meeting of Negotiations Team to Develop Recommendation for Award.

The Department’s Negotiation Team will develop a recommendation to submit to the Secretary or designee, as to the award that will provide the best value to the state.

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

For more information, you may contact:
michele.staffieri@myflfamilies.com.

DEPARTMENT OF FINANCIAL SERVICES

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

DATE AND TIME: Wednesday, October 24, 2018, 2:00 p.m. – 4:00 p.m., Eastern Daylight Time

PLACE: Florida House of Representatives, 402 South Monroe Street, Knott Committee Meeting Room 116, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida PALM Executive Steering Committee will meet to discuss the status of the Florida PALM Project.

A copy of the agenda may be obtained by contacting: the Florida PALM Project website <https://www.myfloridacfo.com/floridapalm/meetings/executive-steering-committee/>.

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: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FloridaPALM@myfloridacfo.com. If you have any questions or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.:RULE TITLES:

69O-186.013 Title Insurance Statistical Gathering: Licensed Agencies and Florida Retail Officers of Direct-Writing Title Insurance Underwriters

69O-186.014 Title Insurance Statistical Gathering-Title Insurance Underwriters

The Office of Insurance Regulation announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, October 17, 2018, 10:00 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

To join by telephone, call (850)413-1558 and enter conference ID# 693149.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop scheduled for Wednesday, October 17, 2018 at 10:00 a.m. is postponed. The workshop will be rescheduled for a future date and time. Please contact Jeffrey Joseph, Assistant General Counsel, Jeffrey.Joseph@flor.com, (850)413-4294, for further information.

A copy of the agenda may be obtained by contacting: Jeffrey Joseph, Assistant General Counsel, Jeffrey.Joseph@flor.com, (850)413-4294.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

The Office of Insurance Regulation announces a public meeting to which all persons are invited.

DATE AND TIME: October 17, 2018, 1:00 p.m.

PLACE: Committee Room 301, Senate Office Building, 404 South Monroe Street, Florida Capital Complex, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting scheduled for 1:00 p.m. on October 17, 2018, is canceled. The meeting was scheduled for the purpose of considering the Workers’ Compensation filing made by the National Council on Compensation Insurance, Inc. (“NCCI”), under the provisions of Section 627.091, Florida Statutes, and subject to the provisions of Sections 627.101 and 627.111, Florida Statutes. This filing was received by the Office of Insurance Regulation (“OFFICE”), on August 27, 2018. In this filing, the NCCI requests an overall average decrease in rate levels of 13.4% for the voluntary market for all new and renewal workers’ compensation insurance policies written in the State of Florida, effective January 1, 2019. Written comments should be submitted to RateHearings@flor.com by 5:00 p.m. on October 26, 2018.

Please contact Michael Kliner, Assistant General Counsel, Michael.Kliner@flor.com (850)413-4108, for further information.

A copy of the agenda may be obtained by contacting: Michael Kliner, Assistant General Counsel, Michael.Kliner@flor.com (850)413-4108.

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: October 24, 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.

FLORIDA SPORTS FOUNDATION

The Florida Sports Foundation Grant Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 29, 2018, 11:30 a.m.

PLACE: by phone, 1(888)670-3525, participant code: 656-578-0871#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly grant committee meeting.

A copy of the agenda may be obtained by contacting: Charlotte Cowen, ccowen@flsports.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Charlotte Cowen, ccowen@flsports.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: Charlotte Cowen, ccowen@flsports.com.

OFFICE OF THE STATE COURTS ADMINISTRATOR

The Office of the State Courts Administrator announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 18, 2018, 2:00 p.m.

PLACE: Supreme Court Building, OSCA Executive Conference Room, 500 South Duval Street, Tallahassee, FL 32399-1900.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Office of the State Courts Administrator will present an overview of the Judicial Branch 2019-2020 Legislative Budget Request. Any person wishing to testify is asked to contact Ms. Dorothy Willard, Chief of Budget Services, by October 16, 2018, 5:00 p.m., at the address above. Written comments may be submitted to the hearing officer at the proceeding or mailed to the Office of the State Courts Administrator at the above address.

A copy of the agenda may be obtained by contacting: N/A
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: Donna Brewer, Senior Budget Analyst, by phone at (850)488-8414 or in person at the Supreme Court Building. 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).

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: Thursday, November 1, 2018, 6:00 p.m. – 8:00 p.m.

PLACE: The Marvel Banquet Hall, 2717 SW 142 Avenue, Miami, FL 33175

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for an intersection safety improvement project along State Road (SR) 90/SW 8 Street at SW 137 Avenue, in Miami-Dade County. The project identification number is 441837-1-52-01. The meeting will be an open house, 6:00 p.m. – 8:00 p.m. Graphic displays will be shown and

FDOT representatives will be available to discuss the project and answer questions.

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

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Community Outreach Specialist, Rodolfo Roman at (305)470-5477, email: Rodolfo.Roman@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Hong Benitez, P.E. at (305)470-5219 or in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at: Hong.Benitez@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Community Outreach Specialist Rodolfo Roman at (305)470-5477, email: Rodolfo.Roman@dot.state.fl.us.

SCALAR CONSULTING GROUP INC.

The Florida Department of Transportation (FDOT), District 5, announces a hearing to which all persons are invited.

DATE AND TIME: Monday, October 22, 2018, 3:00 p.m. – 5:00 p.m.

PLACE: Town of Pierson Community Center, 124 W. Washington Ave., Pierson, FL 32180

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) is holding a project advisory group (PAG) meeting for the U.S. 17 Trail PD&E Study. We will discuss the trail alternatives along U.S. 17 from S.R. 40 to the Putnam County line, approximately 14 miles. This meeting provides interested persons an opportunity to express their views concerning the social, economic and environmental impacts of the proposed trail alternatives.

The meeting will be 3:00 p.m. – 5:00 p.m. on Monday, October 22, 2018 at the Town of Pierson Community Center, 124 W. Washington Ave., Pierson, FL 32180. Attendees may review study information and discuss the trail alternatives with the study team. Information presented at this meeting will also be available on the study website, CFLRoads.com (search by number 439876-1), by Nov. 1, 2018.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator, at Jennifer.Smith2@dot.state.fl.us.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this

project are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Lorena Cucek, FCCM, CPM, FDOT project manager, by phone at (386)943-5392, or via email at lorena.cucek@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lorena Cucek, FCCM, CPM, FDOT project manager, by phone at (386)943-5392, or via email at lorena.cucek@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lorena Cucek, FCCM, CPM, FDOT project manager, at (386)943-5392 or email at lorena.cucek@dot.state.fl.us.

Section VII

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

NONE

Section VIII

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

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

NONE

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

NONE

Section IX

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

NONE

Section X

Announcements and Objection Reports of

the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF MANAGEMENT SERVICES
Division of Building Construction
MSFM-18002030
STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT
SERVICES
DIVISION OF REAL ESTATE DEVELOPMENT AND
MANAGEMENT
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES
ARCHITECTURE
October 16, 2018

The Department of Management Services (DMS), Division of
Real Estate Development and Management, announces that
professional services are required for the project listed below.

RFQ NUMBER: RFQ-REDM18/19-13

PROJECT NUMBER: MSFM - 18002030

PROJECT NAME: Hurston Complex, ADA Corrections

PROJECT LOCATION: Orlando, Florida

ESTIMATED CONSTRUCTION BUDGET: \$2,000,000.00

PROJECT SCOPE: Accessibility upgrades and improvements
to both towers and parking garage, in accordance with the
Florida Building Code – Accessibility. The work is primarily
related to – but not limited to - existing toilet rooms.
Renovation of other fittings, fixtures and equipment, as
identified in the Accessibility Evaluation Report, may be
required.

SERVICES TO BE PROVIDED: Architectural Services

QUALIFICATIONS SELECTION CRITERIA: Firms must be
properly licensed in the State of Florida at the time of submittal.
Representative samples of related work may be included or
submitted in a separate binder. Firms are advised that plans and
specifications for Architectural projects may be reused.
Selections will be made in accordance with Chapter 287.055,
Florida Statutes.

INTERVIEWS: The Selection Committee will conduct
interviews 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 professional services qualifications including,

related architectural experience and ability of professional
personnel, location, billable staff, recent, current, and projected
workloads of the firms, Florida licensed staff, volume of DMS
and other State Agency work. The list of firms selected for
interview by the Selection Committee will be posted to DMS
website. Each invitee will be notified by fax/email of the date
and time of its interview/presentation. All interviews will be
held at the following address: Department of Management
Services, Division of Real Estate Development and
Management, Zora Neale Hurston Regional Service Center,
500 West Robinson Street, Orlando, Florida 32801.

INSTRUCTIONS

Firms interested in being considered for this project must
submit five (5) printed copies and one scanned copy of the
entire response in Adobe (.pdf) on a thumb drive of their
submittal with a table of contents and tabbed sections in the
following order:

1. A Letter of interest detailing the firm's qualifications, related
experience, the firm's abilities to do the work, and to meet the
above referenced selection criteria.
2. Professional Qualifications Supplement (PQS). *Specify
billable staff within the office address listed in Item 2, whether
or not you have current or previous DMS or Agency State Work.*
(You must use "Form AE12a-Rev 7/12" which may be obtained
from the DMS, Building Construction website under Forms and
Documents)
3. A copy of the firm's current Florida Department of Business
and Professional Regulation License.
4. For Corporations only: If the firm offering services is a
corporation, it must be properly registered with the Florida
Department of State to practice their profession in Florida and
must provide a copy of the firm's current Florida Corporate
Registration.
5. Completed Federal GSA Standard Form 330 (Rev. 8/2016).
(This Form may be downloaded at <http://www.gsa.gov/>).
6. 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 Professional Services
Evaluation Form and the Selection of Design Professional
booklet for selection criteria information. (These documents
may be obtained from the DMS, Building Construction website
under Forms and Documents).

QUESTIONS: Any questions from prospective firms
concerning the RFQ shall be submitted in writing, identifying
the submitter, to Shelby Walker by email at
shelby.walker@dms.myflorida.com no later than 5:00 p.m. on
October 22, 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	EVENT TIME (ET)	EVENT DATE
RFQ posted too FAR and the VBS website.		10/16/2018
Question Period Ends.	By 5:00 p.m.	10/22/2018
Answers to Questions posted to the VBS website.	By 5:00 p.m.	10/25/2018
Responses from Vendors due.	By 4:00 p.m.	11/16/2018
Responses reviewed for responsiveness.		11/19/2018
Post shortlist results to the VBS website.		11/27/2018
72-hour protest period ends.		11/30/2018
Interview/Presentations of shortlisted firms.		12/11/2018
Anticipated Posting of final results to the VBS website.		12/17/2018

72-hour protest period ends.		12/20/2018
Anticipated contract start date.		TBD

RESPONSE DUE DATE: Responses must be received by the Department, in accordance with the document delivery instructions below on, or before November 16, 2018 by 4:00 p.m. Eastern Time.

DOCUMENT DELIEVERY: Responses are to be submitted to: Ms. Shelby Walker, Department of Management Services, Real Estate Development and Management, 4050 Esplanade Way, Suite 315.5x, 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 Shelby Walker, (850)487-9929. 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 the DMS, VBS website http://www.myflorida.com/apps/vbs/vbs_www.main_menu. 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 MANAGEMENT SERVICES
 Division of Building Construction
 MSFM-18002020
 STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES
 DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT
 PUBLIC ANNOUNCEMENT FOR PROFESSIONAL SERVICES
 ARCHITECTURE
 October 16, 2018

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.

RFQ NUMBER: RFQ-REDM18/19-15

PROJECT NUMBER: MSFM-18002020

PROJECT NAME: Trammell Building, ADA Corrections

PROJECT LOCATION: Tampa Florida

ESTIMATED CONSTRUCTION BUDGET: \$2,000,000.00 (+plus), with additional funding contingent upon future appropriation by the Legislature.

PROJECT SCOPE: Update ADA Survey, Upgrades to Public Restrooms, Parking, Common Areas, etc.

SERVICES TO BE PROVIDED: Architectural design for site and building modifications for ADA compliance.

QUALIFICATIONS SELECTION CRITERIA: Firms must be properly licensed in the State of Florida at the time of submittal. Representative samples of related work may be included or submitted in a separate binder. Firms are advised that plans and specifications for Architectural projects may be reused. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

INTERVIEWS: The Selection Committee will conduct interviews 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 professional services qualifications including, related architectural experience and ability of professional personnel, location, billable staff, recent, current, and projected workloads of the firms, Florida licensed staff, volume of DMS and other State Agency work. The list of firms selected for interview by the Selection Committee will be posted to DMS website. Each invitee will be notified by fax/email of the date and time of its interview/presentation. All interviews will be held at the following address: Department of Management Services, Division of Real Estate Development and Management, 1313 North Tampa Street, Tampa Florida 33602.

INSTRUCTIONS

Firms interested in being considered for this project must submit five (5) printed copies and one scanned copy of the entire response in Adobe (.pdf) on a thumb drive of their submittal with a table of contents and tabbed sections in the following order:

1. A Letter of interest detailing the firm's qualifications, related experience, the firm's abilities to do the work, and to meet the above referenced selection criteria.
2. Professional Qualifications Supplement (PQS). *Specify billable staff within the office address listed in Item 2, whether or not you have current or previous DMS or Agency State Work.* (You must use "Form AE12a-Rev 7/12" which may be obtained

from the DMS Building Construction website under Forms and Documents)

3. A copy of the firm's current Florida Department of Business and Professional Regulation License.

4. For Corporations only: If the firm offering services is a corporation, it must be properly registered with the Florida Department of State to practice their profession in Florida and must provide a copy of the firm's current Florida Corporate Registration.

5. Completed Federal GSA Standard Form 330 (Rev. 8/2016). (This Form may be downloaded at <http://www.gsa.gov/>).

6. 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 Professional Services Evaluation Form and the Selection of Design Professional booklet for selection criteria information. (These documents may be obtained from the DMS, Building Construction website under Forms and Documents).

QUESTIONS:

Any questions from prospective firms concerning the RFQ shall be submitted in writing, identifying the submitter, to Shelby Walker by email at shelby.walker@dms.myflorida.com no later than 5:00 p.m. on October 23, 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	EVE NT TIME (ET)	EVENT DATE
RFQ posted too FAR and the VBS website.		10/16/2018
Question Period Ends.	By 5:00 p.m.	10/23/2018
Answers to Questions posted to the VBS website.	By 5:00 p.m.	10/26/2018
Responses from Vendors due.	By 4:00 p.m.	11/16/2018
Responses reviewed for responsiveness.		11/20/2018
Post shortlist results to the VBS website.		12/3/2018
72-hour protest period ends.		12/6/2018
Interview/Presentations of shortlisted firms.		1/9/2019
Anticipated Posting of final results to the VBS website.		1/14/2019
72-hour protest period ends.		1/17/2019
Anticipated contract start date.		TBD

RESPONSE DUE DATE: Responses must be received by the Department, in accordance with the document delivery instructions below on, or before November 16, 2018 by 4:00 p.m. Eastern Time.

DOCUMENT DELIEVERY: Responses are to be submitted to: Ms. Shelby Walker, Department of Management Services, Real Estate Development and Management, 4050 Esplanade Way, Suite 315.5x

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 Shelby Walker, (850)487-9929. 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 the DMS, VBS website http://www.myflorida.com/apps/vbs/vbs_www.main_menu. 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 MANAGEMENT SERVICES
ADVERTISEMENT TO BID CONSTRUCTION**

October 16, 2018

PROPOSALS ARE REQUESTED FROM QUALIFIED ELEVATOR CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES HEREINAFTER REFERRED TO AS OWNER, FOR THE PROJECT REFERENCED BELOW:

RFQ NUMBER: RFQ-REDM18/19-14

PROJECT NO: HSMV-17058000

PROJECT NAME & LOCATION: NKB Elevators 1, 2, 5, and 6 Modernization, Neil Kirkman Building, Tallahassee, Florida

ESTIMATED CONSTRUCTION COST: \$262,000.00

MANDATORY DEPARTMENT OF MANAGEMENT(DMS) SERVICES PREQUALIFICATION: Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit pre-qualification data of their eligibility to submit bid proposals five (5) calendar days prior to the bid opening date. If bidder has been previously prequalified by the Department of Management Services for the current biennium (September 1 through August 31) of even numbered years, please verify pre-qualification is still valid. Prequalification requirements are outlined in the Non-Technical Specification Instruction to Bidders under Article B-2 "Bidder Qualification Requirements and Procedures". Please call (850)413-9588 for information on requirements for pre-qualification with the Department of Management Services.

After the bid opening, the low bidder may be required to provide additional financial and bidding qualifications in accordance with Florida Administrative Rule 60D-5.004. These requirements are outlined in the Non-Technical Specifications Instruction to Bidders under Article B-22 "Qualifications for Award of Contract".

PUBLIC ENTITY CRIME INFORMATION STATEMENT: Under Section 287.017 Florida Statutes, a person or affiliate

who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services and/or construction or repair of a public building or public work and may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: Under subsection 287.134(2) Florida Statutes, entities or affiliates who have been placed on the State of Florida’s discriminatory vendor list may not submit a bid or proposal on this contract.

COOPERATION WITH THE INSPECTOR GENERAL: Pursuant to subsection 20.055(5), Florida Statutes, the bidder who is awarded the contract and its subcontractors understand and will comply with their duty to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing.

BID BOND: If the Base Bid or the Base Bid plus the sum of any alternates exceed \$100,000, the bidder shall enclose a certified check, cashier's check, treasurer's check, bank draft or Bid Bond in the amount of not less than five percent (5%) of the Bid, payable to the Owner as a guarantee for the purpose set out in Instructions to Bidders. (Failure to submit a bid bond will result in disqualification).

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount exceeds \$100,000.00, a Performance Bond and a Labor and Material Payment Bond will be required and will be issued with the award of contract.

PRE-BID MEETING:
 Date and Time: October 22, 2018, 3:00 p.m. ET
 Place: Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399 – Conference Room B202

SEALED BIDS WILL BE RECEIVED, PUBLICLY OPENED AND READ ALOUD ON:
 Date and Time: November 5, 2018, 2:00 p.m. ET
 Place: McGinniss & Fleming Engineering, 820 East Park Avenue, Suite I-200, Tallahassee, Florida 32301

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the:

ARCHITECT-ENGINEER: McGinniss & Fleming Engineering, 820 East Park Avenue, Suite I-200, Tallahassee, Florida, 32301 TELEPHONE: (850)681-6424

Full sets of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$100.00 per set. PDFs can be transmitted upon request free of charge.

DISABILITY ACCESS: Pursuant to the provisions of the Americans with Disabilities Act according to Section 286.26 Florida Statutes, any person requiring special accommodations to participate in this meeting/bid opening is asked to advise the agency at least 48 hours before the meeting by contacting Elvie Rubio at (850)487-0796. 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).

CONTRACT AWARD: The Notice of Award Recommendation will be posted on the DMS, Vendor Bid System website at http://www.myflorida.com/apps/vbs/vbs_www.main_menu within 72 hours (business day) after the bids are opened. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted within this time frame, then all bidders will be notified by e-mail or fax when the award is posted. If no protest is filed per Section B-19 of the Instructions to Bidders, "Notice and Protests Procedures", the contract will be awarded to the qualified, responsive low bidder in accordance with Rule 60D-5 by the Owner.

FISH AND WILDLIFE CONSERVATION COMMISSION
 St. Petersburg Fume Hood Upgrade REVISED
 BID NO: FWC 18/19-26C REVISED

TITLE: St. Petersburg Fume Hood Upgrade REVISED
FOR: The intent of this Invitation to Bid(ITB) is to obtain competitive pricing for Fume Hood Upgrades at Florida Wildlife Research Institute(FWRI), in accordance with the contract documents and chapter 255 of the Florida Statutes.
SEALED BIDS WILL BE PUBLICLY OPENED AND READ ALOUD ON:

DATE AND TIME: November 14, 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
- 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 18/19-26C Revised. 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

For an electronic copy of construction plans and all other associated documents please email a completed Confidentiality

Exemption Form (Attachment A) to Bryan Tucker the Procurement Manager at bryan.tucker@myfwc.com.
 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, Phone: (850)488-6551, bryan.tucker@myfwc.com.

**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., Monday, October 8, 2018 and 3:00 p.m., Friday, October 12, 2018.

Rule No.	File Date	Effective Date
64B9-8.001	10/8/2018	10/28/2018
64B9-15.0035	10/8/2018	10/28/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

Final Order No. DEO-18-056

IN RE:

EMERGENCY

ORDER

FINAL

DEO FINAL ORDER NO.: DEO-18-056
 RELATING TO UNEMPLOYED
 INDIVIDUALS ELIGIBLE TO RECEIVE
 BENEFITS UNDER CHAPTER 443,
 FLORIDA STATUTES, IN RESPONSE
 TO HURRICANE MICHAEL

EMERGENCY FINAL ORDER

Pursuant to Sections 120.569(2)(n), 252.36, and 252.46, Florida Statutes, and upon consideration of the State of Florida Executive Order No. 18-276 and the following findings of fact, the State of Florida Department of Economic Opportunity (“Department”) enters this Emergency Final Order (“Order”), including Findings of Fact and Conclusions of Law, in response to the imminent or immediate danger to the public health, safety, and welfare of the citizens of the State of Florida posed by Hurricane Michael (hereinafter “the Hurricane”).

FINDINGS OF FACT

1. On October 7, 2018, by State of Florida Executive Order No. 18-276 (“Executive Order 18-276”), the Governor declared that a state of emergency exists throughout the State of Florida based upon the serious threat to the public health, safety, and welfare posed by the Hurricane.
2. The Department has the ultimate authority over the administration of Florida’s Reemployment Assistance (“RA”) Program pursuant to Sections 20.60(5)(c)(3) and 443.1317(1)(a), Florida Statutes, and Chapters 73B-10 and 73B-11, Florida Administrative Code.
3. On October 15, 2018, the Department publicly announced that Disaster Unemployment Assistance (“DUA”) was available to Florida businesses and residents whose employment or self-employment was lost or interrupted as a direct result of the Hurricane.
4. DUA is available for individuals who are eligible for regular RA benefits, pursuant to Chapter 443, Florida Statutes, but whose employment was lost or interrupted as a direct result of the Hurricane.
5. The online work registration and reporting requirements of Section 443.091(1)(b), Florida Statutes, generally apply to claimants seeking RA benefits.i[1]
6. The work search requirement of Section 443.091(1)(d), Florida Statutes, generally applies to claimants seeking RA benefits.
7. The one week waiting period requirement of Section 443.091(1)(f), Florida Statutes, applies only to certain DUA claims.ii[2]
8. Executive Order 18-276, recognizes that special duties and responsibilities rest upon some State, regional, and local agencies and other governmental bodies in responding to the emergency may require waiver or deviation from the statutes, rules, ordinances, and orders those agencies and governmental bodies administer. Pursuant to Executive Order 18-276, the Department, as a State agency, may suspend the provisions of any state statute or regulation prescribing the procedures for conduct of state business or the orders or rules of the Department, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the effects of the Hurricane.

9. The Department finds that the Hurricane creates a state of emergency threatening the public health, safety, and welfare throughout the State. As a result of the emergency and for the administration of DUA, it is necessary to immediately waive the online work registration and reporting requirements of Section 443.091(1)(b), Florida Statutes, the work search requirement of Section 443.091(1)(d), Florida Statutes, and the one week waiting period requirement of Section 443.091(1)(f), Florida Statutes, for DUA claims.

10. The Department finds that immediate, strict compliance with Sections 443.091(1)(b), 443.091(1)(d), and 443.091(1)(f), Florida Statutes, for DUA claims would prevent, hinder, or delay necessary action in coping with the emergency, and the actions authorized under this Order are narrowly tailored to address the immediate need for action and are procedurally appropriate under the circumstances.

CONCLUSIONS OF LAW

11. Based on the findings recited above, it is hereby concluded that the emergency caused by the Hurricane poses an immediate danger to the public health, safety, or welfare and requires an immediate order of the Department.

12. Pursuant to Executive Order 18-276 and Sections 120.569(2)(n), 252.36, and 252.46, Florida Statutes, the Executive Director, or designee, of the Department is authorized to issue this Emergency Final Order.

13. The waiver of Sections 443.091(1)(b), 443.091(1)(d), and 443.091(1)(f), Florida Statutes, for DUA claims is required so as not to prevent, hinder, or delay necessary action in coping with the emergency.

THEREFORE, IT IS ORDERED that the online work registration and reporting requirements of Section 443.091(1)(b), Florida Statutes, the work search requirement of Section 443.091(1)(d), Florida Statutes, and the one week waiting period requirement of Section 443.091(1)(f), Florida Statutes, are hereby waived for DUA claims. This Emergency Final Order shall take effect immediately upon execution by the Executive Director, or designee, and shall expire on November 14, 2018, unless modified or extended by further order.

DONE AND ORDERED on this 15 day of October, 2018, in Tallahassee, Florida.

FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

/s/

Cissy Proctor
Executive Director
107 E. Madison St.
Tallahassee, Florida 32399

Filed on this 15th day of October, 2018, with the designated Agency Clerk, receipt of which is hereby acknowledged.

/s/

Stephanie Webster
Agency Clerk

NOTICE OF RIGHT TO APPEAL

THIS FINAL ORDER CONSTITUTES FINAL AGENCY ACTION UNDER CHAPTER 120, FLORIDA STATUTES. A PARTY WHO IS ADVERSELY AFFECTED BY FINAL AGENCY ACTION IS ENTITLED TO JUDICIAL REVIEW IN ACCORDANCE WITH SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(B)(1)(c) AND 9.110.

TO INITIATE AN APPEAL OF THIS FINAL AGENCY ACTION, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT’S AGENCY CLERK, AGENCY.CLERK@DEO.MYFLORIDA.COM, 107 EAST MADISON STREET, CALDWELL BUIDLING, MSC 110, TALLAHASSEE, FLORIDA 32399-4128, WITHIN THIRTY (30) CALENDAR DAYS OF THE DATE THIS FINAL AGENCY ACTION IS FILED WITH THE AGENCY CLERK, AS INDICATED ABOVE. A DOCUMENT IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(a). A COPY OF THE NOTICE OF APPEAL MUST ALSO BE FILED WITH THE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

AN ADVERSELY AFFECTED PARTY WAIVES THE RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH BOTH THE DEPARTMENT’S AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

^{i[1]} The online work registration and reporting requirement in Section 443.091(1)(b), Florida Statutes, generally do not apply to persons falling within one or more of the five enumerated categories in that section. This Order and the waiver effectuated hereby does not affect those exemptions as they currently exist in Section 443.091(1)(b), Florida Statutes.

^{ii[2]} The one week waiting period requirement for DUA benefits pursuant to Section 443.091(1)(f), Florida Statutes, does not apply to individuals who would not typically be eligible for regular RA benefits (i.e., individuals who are self-employed or someone who was getting ready to start a job but was unable to because of the Hurricane). The one week waiting period requirement generally applies to individuals who meet the

eligibility requirements listed in Section 443.091, Florida Statutes, which requires an individual to have been unemployed for a waiting period of one week. See Section 443.091(1)(f), Florida Statutes.

BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT

NOTICE OF RULE DEVELOPMENT AND THE SETTING OF FEES BY BABCOCK RANCH COMMUNITY INDEPENDENT SPECIAL DISTRICT

In accordance with Chapter 2007-306, Laws of Florida, as amended, the Babcock Ranch Community Independent Special District (“District”) hereby gives notice of its intention to develop rules setting fees and charges related to environmental review fees and utilities plan review fees, potable water, sewer and irrigation quality water utility fees, additions to the Babcock Ranch Water Utilities ERC calculation tool, and solid waste collection fees. The purpose and effect of the proposed rules is to provide for efficient and effective District operations, and to provide sufficient revenues to meet expenses and provide services within boundaries of the District.

A public hearing will be conducted by the District on November 15, 2018, 1:00 p.m., 14750 State Road 31, Punta Gorda, Florida 33982. Specific legal authority for the rule includes Chapter 2007-306, Laws of Florida, as amended, and 120.054, Florida Statutes. A copy of the proposed rules may be obtained by contacting the District Manager, Craig Wrathell, at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431 or by calling (561)571-0010.

**Section XIII
Index to Rules Filed During Preceding
Week**

INDEX TO RULES FILED BETWEEN

OCTOBER 8, 2018 AND OCTOBER 12, 2018

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

Personnel Management System

60LER18-1	10/8/2018	10/8/2018	44/198	
60LER18-2	10/8/2018	10/8/2018	44/198	

DEPARTMENT OF HEALTH

Board of Nursing

64B9-8.001	10/8/2018	10/28/2018	44/144	44/171
64B9-15.0035	10/8/2018	10/28/2018	44/171	

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-24.005	10/9/2018	11/1/2018	44/157	
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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

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009	7/21/2016	**/**/****	42/105	
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003	12/9/2015	**/**/****	39/95	41/49
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NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.