

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-3.001 Application for Licensure for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants

PURPOSE AND EFFECT: The purpose of the rule amendment is to update incorporated application.

SUBJECT AREA TO BE ADDRESSED: Update application.

RULEMAKING AUTHORITY: 491.004(5), FS.

LAW IMPLEMENTED: 456.013, 456.0635, 491.005, 491.006, 491.0065 FS

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or Jennifer.Wenhold@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-6.001 Renewal of Active License

PURPOSE AND EFFECT: The purpose of the rule amendment is to update continuing education requirements for renewal of active license.

SUBJECT AREA TO BE ADDRESSED: Update continuing education requirements.

RULEMAKING AUTHORITY: 491.004(5), 491.007(1), (2), FS.

LAW IMPLEMENTED: 456.031(1)(a), 491.007(1), (2), FS.

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

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DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-6.0025 Approved Continuing Education Course for Supervisory Training

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the rule.

SUBJECT AREA TO BE ADDRESSED: Update the rule.

RULEMAKING AUTHORITY: 491.004(5), 491.007, 491.0085, FS.

LAW IMPLEMENTED: 491.007, 491.0085 FS.

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

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DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:
64B4-6.004 Approval of Continuing Education Providers

PURPOSE AND EFFECT: The purpose of the rule amendment is to update rule text.

SUBJECT AREA TO BE ADDRESSED: Update rule.

RULEMAKING AUTHORITY: 491.004(5), 491.0085(1), (3), (4), FS.

LAW IMPLEMENTED: 491.0085, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE

DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or Jennifer.Wenhold@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-6.0045
 RULE TITLE: Approval of Laws and Rules Course Providers

PURPOSE AND EFFECT: The purpose of the rule amendment is to update provider requirements.

SUBJECT AREA TO BE ADDRESSED: Update provider requirements.

RULEMAKING AUTHORITY: 491.004, 491.0085(4), FS.

LAW IMPLEMENTED: 491.0085, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counselors, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or Jennifer.Wenhold@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.013
 RULE TITLE: Standards for the Use of Controlled Substances for the Treatment of Pain

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address the requirements

of Section 456.44, F.S., with regard to the prescribing of controlled substances for the treatment of acute pain.

SUBJECT AREA TO BE ADDRESSED: The prescribing of controlled substances for the treatment of acute pain.

RULEMAKING AUTHORITY: 456.44(4), 458.309(1), 458.331(1)(v) FS.

LAW IMPLEMENTED: 456.44, 458.326, 458.331(1)(g), (t), (v) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

DEPARTMENT OF HEALTH

Board of Medicine

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

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

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

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

LAW IMPLEMENTED: 456.037, 456.0635, 478.43, 478.49, 478.51, 478.55 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Electrolysis Council/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, Allen.Hall@flhealth.gov.

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

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

RULE NOS.:	RULE TITLES:
5P-3.001	Program Participation
5P-3.002	Program Responsibilities
5P-3.003	Procurement Standards
5P-3.004	Reimbursement Process and Financial Management
5P-3.005	Administrative Reviews
5P-3.006	Fiscal Action

PURPOSE AND EFFECT: This rulemaking adopts rules for the administration of the Summer Food Service Program.

SUMMARY: The proposed rules establish eligibility criteria, identify program responsibilities, set procurement standards, present requirements for reimbursement and financial management, and demonstrate how Administrative Reviews will be conducted to determine any necessary fiscal action of the Summer Food Service Program. The proposed rules are specific to Florida’s practices not addressed in the applicable Codes of Federal Regulations.

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: There are no costs associated with the establishment of this rule and program participation is voluntary.

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: 570.07(23); 595.404(4); 595.404(10), FS.

LAW IMPLEMENTED: 595.404; 595.501, 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: S. Quinn Skinner, 600 S. Calhoun Street, Suite 120, Tallahassee, FL 32399, (850) 617-7451.

THE FULL TEXT OF THE PROPOSED RULE IS:

5P-3.001 Program Participation

Each organization participating or desiring to participate in the Summer Food Service Program, as defined in Rule 5P-1.001(38), F.A.C., must meet the standards established by the United States Department of Agriculture as provided in 2 CFR 200, 7 CFR 15, 15a, 15b, 7 CFR 225, and 7 CFR 250 all revised as of January 1, 2018, and which are hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, Chapter 595, Florida Statutes, and this rule chapter.

(1) Summer Food Service Program Application. Any organization desiring to participate in the Summer Food Service Program must be eligible as required by 7 CFR 225.14 and must:

(a) Submit to the department a complete application online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled “Summer Food Service Program Application”, FDACS-01722 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>. For the purposes of this program, a complete application includes:

1. All Sponsor Information as requested on the application;
2. All Site Information as requested on the application for at least one site; and
3. A management plan must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399. The management plan must demonstrate financial capability, administrative capability, and program accountability for program operations and allow the department to determine in which of the three (3) operational tiers, as described in Rule 5P-3.002(2), F.A.C., the organization will be approved based on the information submitted. All information submitted as part of the management plan must be in the name of the organization listed on the application.

a. The organization has the financial capability to operate a Summer Food Service Program if it has the financial resources available to pay for fifty (50) percent of expenses as indicated in the Sponsor’s proposed budgets independent of any reimbursement from the department. The department will assess whether the organization has demonstrated financial capability by review of the following information which must be included with the organization’s management plan:

(I) Administrative and operational budgets that include projected expenses;

(II) Twelve (12) consecutive months of bank statements for the prior year for all cash accounts in the name of the organization;

(III) All agreements for loans, lines of credit, revolving credit card accounts, non-cancelable leases, and purchase commitments;

(IV) The most recent federal tax filing (e.g., Form 990), unless the organization is exempt from filing as a governmental entity; and

(V) One of the following:

(A) In consideration for Tier 3, as defined in Rule 5P-3.002(2), F.A.C., complete financial statements, audited by a Certified Public Accountant, for the most recent fiscal year, at a minimum, all of the following: balance sheet, statement of activities, statement of changes in net assets, statement of cash flows, notes to financial statements. From these documents, the following factors will be considered:

I. Assets exceeding liabilities (i.e., positive net assets or fund balance);

II. All accounts and transactions of the organization are included;

III. Debt does not exceed eighty (80) percent of total assets;

IV. Current asset/liability ratio of at least 1:1; and

V. Transactions for Summer Food Service Program activities are separately identifiable either in the statement of activities or notes to financial statements;

(B) In consideration for Tier 2, at a minimum, internally-prepared statements including at least the balance sheet and statement of activities for the most recent fiscal year from which the following factors will be considered:

I. Assets exceeding liabilities (i.e., positive net assets or fund balance);

II. All accounts and transactions of the organization are included;

III. Debt does not exceed eighty (80) percent of total assets; and

IV. Current asset/liability ratio of at least 1:1; or

(C) In consideration for Tier 1, at a minimum, a trial balance report including at least the balance sheet and statement of activities for the most recent fiscal year from which the following factors will be considered:

I. The trial balance balancing zero (\$0);

II. Assets exceeding liabilities (i.e., positive net assets or fund balance);

III. All accounts and transactions of the organization are included;

IV. Debt does not exceed eighty (80) percent of total assets; and

V. Current asset/liability ratio of at least 1:1.

b. The organization has the administrative capability to participate in the Summer Food Service Program if it:

(I) Has not been declared Seriously Deficient by the department or terminated from the Summer Food Service Program or any other federal Child Nutrition Program in the previous seven (7) years. However, such an organization may be considered if the department determines that the organization has taken appropriate corrective actions to prevent recurrence of all deficiencies as prescribed in Rule 5P-1.004(1)(a), F.A.C., and has repaid any outstanding debts owed to federal Child Nutrition Programs; and

(II) Has a documented system of internal controls that include, at a minimum, all of the following: policy and procedure manuals, job function narratives, independent oversight for operations and finance, and checks and balances in place for executing procurement contracts and preparing the Claim for Reimbursement, as prescribed in Rule 5P-3.004(4), F.A.C., or will adopt basic benchmark internal control policies as provided by the department at <https://fans.freshfromflorida.com>; and

(III) A written, detailed monitoring plan for conducting and maintaining records for site visits and reviews as required in 7 CFR 225.15(d)(2)-(3), previously incorporated in this rule, including a standard internal monitoring documentation form.

c. To demonstrate program accountability, the organization's management plan must provide evidence of how it meets the following criteria:

(I) Has oversight of the program by an independent governing board of directors;

(II) Provides an ongoing service to the community as evidenced by payroll records or timesheets;

(III) Has procedures in place for record keeping of all advances, program expenditures, Claims for Reimbursement; and

(IV) Has a written, detailed plan for providing, and maintaining records for, program training, as prescribed in Rule 5P-3.002(1), F.A.C., to all program staff prior to the first operating day of the year or the first operating day of the site to which they are assigned.

4. Organizations that are audited on a predetermined, continual cycle with the Florida Auditor General and participate in the National School Lunch Program are exempt from the requirements in subparagraph 3. of this rule, unless the Sponsor is declared Seriously Deficient, as described in Rule 5P-1.004(1)(a), F.A.C., in the year prior to the current year.

(b) Complete the Summer Food Service Program training with eighty (80) percent accuracy or higher prior to being approved for participation.

1. This training requirement is applicable for operation of Summer Food Service Program at any time of the year in an area with a continuous school calendar.

2. The department waives this training requirement for operation of the Summer Food Service Program during

unanticipated school closures during the period from October through April.

(2) Non-Profit Food Service Account. Sponsors must establish and maintain a financial system for accurately identifying program funds, to include:

(a) A separate bank account for Summer Food Service Program funds where all income and expenses must be for the benefit of the Summer Food Service Program; or

(b) The use of accounting codes to indicate what income and expenses are for the benefit of the Summer Food Service Program if the account is used for any purpose outside of the program.

(3) Advance Payments. Advance payments on Claims for Reimbursement will be available for June, July, and August of each year, pursuant to 7 CFR 225.9(c), previously incorporated in this rule.

(4) Application Deadlines. Application deadlines for participation in the Summer Food Service Program are as follows:

(a) Applications are due February 15 and must be approved by March 14 for all organizations requesting an advance for the month of June.

(b) Applications are due March 15 and must be approved by April 14 for all organizations requesting an advance for July.

(c) Applications are due April 15 and must be approved by May 14 for all remaining organizations.

(d) Applications submitted after April 15 will be denied and organizations may apply again the following year.

(5) Pre-approval Site Visits. In accordance with 7 CFR 225.7(d)(1), previously incorporated in this rule, the department will conduct a pre-approval site visit for all organizations and their sites, which did not operate the program in the year prior to the current year, to assess Summer Food Service Program compliance and to verify information provided in the application using the form entitled "Summer Food Service Program State Pre-Approval Site Visit", FDACS-01735 Rev. 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(a) If program compliance is confirmed during a pre-approval site visit, the organization will be approved to operate the Summer Food Service Program at that site.

(b) If program compliance is not confirmed during a pre-approval site visit, the department will allow the organization to make necessary changes, for that site, identified on form 'Summer Food Service Program State Pre-Approval Site Visit', FDACS-01735 Rev. 06/18, and request a technical assistance visit to follow-up on the changes made to bring the organization into compliance. If applicable deadlines have already lapsed for

the current year, the organization cannot operate the Summer Food Service Program at the site.

1. If program compliance is confirmed during the technical assistance visit, the organization will be approved to operate the Summer Food Service Program at the site.

2. If program compliance is not confirmed during the technical assistance visit, the organization cannot operate the Summer Food Service Program at the site.

(6) Seriously Deficient Sponsors. Seriously Deficient Sponsors are Sponsors that were declared Seriously Deficient pursuant to paragraph 5P-1.004(1)(a), F.A.C. In accordance with 7 CFR 225.6(c)(2), previously incorporated in this rule, Sponsors reapplying for participation in the Summer Food Service Program that were declared Seriously Deficient in the year prior to the current year, must be eligible as required by 7 CFR 225.14(b), previously incorporated in this rule, and this rule chapter.

(7) Ineligible Sponsors. Sponsors that owe money to the department from previous fiscal action taken are not eligible to participate in the program.

(8) Transfer of Sites Between Sponsors. Sites may request to transfer to a different Sponsor if:

(a) A written request to transfer and justification is provided to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399 and to the Sponsor under which the Site is currently operating at least seven (7) calendar days before the anticipated date of transfer.

(b) The written request to transfer must include:

1. The current Sponsor's name;

2. The requested new Sponsor's name, and

3. The justification for the request to transfer. The justification must demonstrate good cause beyond the Site's control for why the Site is requesting to be transferred. Good cause includes:

a. The population served will expand;

b. The quality of meal service will improve; or

c. The effectiveness of site operation will improve.

(c) If a Site experiences, at a minimum, two consecutive days where meals are not delivered by the Sponsor, or can document inconsistent deliveries, the Site is exempt from the time requirement in paragraph (a) of this subsection.

(9) Site Eligibility. Pursuant to 7 CFR 225.2, previously incorporated in this rule, to be eligible to participate in the Summer Food Service Program, an organization must be non-profit, which is defined as being tax exempt under section 501(a) of the Internal Revenue Code of 1986.

(a) The department will approve sites which are identified as for-profit locations if the sites meet all the following criteria:

1. The sites must be operated under an eligible public or private non-profit Sponsor;

2. The sites must operate as Open sites or Restricted Open sites;

3. The sites must be located in an area in which at least 50 percent of the children are from households that are eligible for free or reduced priced school meals;

4. The sites must make meals available to all children in the area and must serve meals to children on a first come, first served basis; and

5. The sites must serve all meals at no charge.

(b) The Sponsor must submit to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, a signed "Summer Nutrition Programs For-Profit Certificate" FDACS-01839 Rev. 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, prior to the first operating day of each site identified as for-profit.

(10) Agreement. Each Sponsor approved to participate in the Summer Food Service Program must enter into a written agreement with the department, using the form entitled "Child Nutrition Programs Agreement", FDACS-01716 Rev. 06/18, incorporated in Rule 5P-2.002, F.A.C.

(11) Emergency Meal Service. In the event of an unanticipated school closure during the school year, the department will provide an expedited approval for Sponsors that are also School Districts, as defined in Section 595.402(5), F.S., with current agreements to operate the Summer Food Service Program, if the Sponsor has previously indicated its intent to provide such emergency meals.

(a) This intent to serve emergency meals must be provided in writing as an attachment to the Sponsor's application to participate in the Summer Food Service Program and contain a list of the sites that would be activated to serve emergency meals.

(b) In the event a School District is unable to provide an Emergency Meal Service, the department will solicit the remaining Sponsors of the Summer Food Service Program for the county in which the non-participating School District resides, and responses will be considered on a first come, first served basis, in the following order:

1. Sponsors operating the Tier 3 who have not been declared Seriously Deficient in the current year and the year prior to the current year;

2. Sponsors operating the Tier 2 who have not been declared Seriously Deficient in the current year and the year prior to the current year; then

3. Sponsors operating the Tier 1 who have not been declared Seriously Deficient in the current year and the year prior to the current year.

(12) Terminated Sponsors. Sponsors that have been terminated from the Summer Food Service Program and are applying again to participate must be eligible as required by 7 CFR 225.14(b), previously incorporated in this rule, and this rule chapter, and must submit an application pursuant to paragraph 5P-3.001(1)(a), F.A.C., including a management plan using the criteria in sub-subparagraphs 5P-3.001(1)(a)3.a. through c., F.A.C.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10) FS. Law Implemented 595.404 FS. History-New _____.

5P-3.002 Program Responsibilities

(1) Training. Each year, upon approval to operate the Summer Food Service Program, the Sponsor must hold training sessions for its administrative staff prior to the first day of program operations. Additionally, each year the Sponsor must hold training sessions for site personnel prior to the first day of each site's program operation. Training of site personnel must, at a minimum, include: the purpose of the Summer Nutrition Program, civil rights as indicated in section XI of FNS Instruction 113-1 FNS-620 (1-99), which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>, site eligibility, recordkeeping, site operations, meal pattern requirements, and the duties of a monitor as prescribed in 7 CFR 225.15(d), incorporated in Rule 5P-3.001, F.A.C.

(2) Operational Tiers. Sponsors are approved to operate the Summer Food Service Program within one of three tiers of operation determined during the application process each year, unless exempt per Rule 5P-3.001(1)(a)4., F.A.C.

(a) Tier 3 allows over 150,000 meals to be served;

(b) Tier 2 allows up to 150,000 meals to be served; and

(c) Tier 1 allows up to 60,000 meals to be served;

(d) The Sponsor may not include in the Claim for Reimbursement, and will not be reimbursed for, any meals served over the allowable amount for the tier in which the Sponsor is approved to operate.

(3) Site Information. Sponsors must submit any additional site information or changes to current site information requested on the application not less than two business days prior to the implementation of the additional or updated site information submitted.

(4) Pre-operational Visits. Prior to Summer Food Service Program operations, Sponsors must conduct a pre-operational visit of all sites that did not operate the Summer Food Service Program or any sites that had deficiencies noted, by the department or the Sponsor, in the year prior to the current year. These visits are to determine that the sites have the facilities to provide meal service for the anticipated number of children in attendance and the capability to conduct the proposed meal service. The Sponsor must indicate what, if any, improvements

or corrective actions are needed and must address the needed improvements or corrective actions before the site can be approved for operation. Sponsors must provide the department written documentation of a completed pre-operational visit when requested. These pre-operational visits are not the same as the site visit conducted during the first week of program operations as required in 7 CFR 225.15(d)(2), incorporated in Rule 5P-3.001, F.A.C.

(5) Site Monitoring. The Sponsor must identify a site supervisor for each proposed site and must allow no site to operate until the site supervisor has attended one Summer Food Service Program training session hosted by the Sponsor. Each site must have the site supervisor present at each meal service.

(6) Meal Service. Pursuant to 7 CFR 225.15(d)(3), Sponsors must review food service operations at each site at least once during the first four weeks of Summer Nutrition Program operations. Sponsors must complete the site review using the form entitled “Summer Food Service Program Sponsor Site Review”, FDACS-01926 Rev. 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/refernece.asp?no=ref-XXXXX>.

(a) Sponsors must serve meals that meet the meal patterns prescribed in 7 CFR 225.16(d), incorporated in Rule 5P-3.001, F.A.C. Exceptions to the meal pattern requirements are permitted as follows:

1. Sponsors may serve food in smaller quantities than are indicated in 7 CFR 225.16(d) to children under six (6) years of age. The Sponsor must ensure that variations in portion size are in accordance with the age levels of the children served.

2. Sponsors wanting to serve children under one (1) year of age must first request approval to do so from the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled “Request to Serve Infant Meals”, FDACS-01849 Rev. 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(b) When serving food in smaller quantities than are indicated in 7 CFR 225.16(d), the Sponsor must follow the age-appropriate meal pattern requirements contained in 7 CFR 226.20(b), which is hereby adopted and incorporated by reference and made available online at <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(c) Meals must be counted at the point of service (i.e., meals are counted as they are served) using either tally marks or a counting device to ensure that an accurate count of meals served is obtained and reported.

(d) Meals may not be served between the hours of 8:00pm and 6:00am.

(e) If the Sponsor plans to provide meal service to children away from the approved site, the Sponsor must submit to the department, online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, notification of any field trip that would affect the time and location of meal service using the form entitled “Summer Nutrition Programs Field Trip Schedule”, FDACS-01877 Rev. 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/refernece.asp?no=ref-XXXXX>. Notification must be made forty-eight (48) hours prior to date of the field trip.

(7) Audit Requirements. Sponsors that expend \$750,000 or more during the fiscal year in federal awards must have a single audit conducted for that year in accordance with Subpart F – Audit Requirements of 2 CFR 200, incorporated in Rule 5P-3.001, F.A.C.

(a) In determining whether \$750,000 in federal awards have been expended, the Sponsor must combine the value of USDA Foods received as determined by the United States Department of Agriculture (USDA), all reimbursements received for meals served to eligible children as a part of the School Nutrition Programs, if applicable, Summer Food Service Program, and all other federal awards as defined in 2 CFR 200.38, incorporated in Rule 5P-3.001, F.A.C. Sponsors may obtain the value of USDA Foods received by accessing the Web-Based Supply Chain Management website at <https://www.eauth.usda.gov/Login/login.aspx> or by calling the department toll-free at (800) 504-6609.

(b) A copy of the audit report must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within nine (9) months after the end of the audit period.

(c) If any issues related to the Summer Food Service Program are noted in the audit report, and require correction, the department will provide a plan to the Sponsor to correct all said issues. The Sponsor will have thirty (30) calendar days from the date of receipt of this plan to address each issue noted.

(8) Complaints. If a complaint is received regarding a violation of civil rights, fraud, or food safety, the department will conduct a site review, using the form entitled “Summer Food Service Program State Site Review”, FDACS-01947 Rev. 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/refernece.asp?no=ref-XXXXX>, to assess each Sponsor’s ability to administer the Summer Food Service Program and address the nature of the complaint. If during this site review, the department determines corrective actions are necessary, a written demand for

corrective action will be issued and the Sponsor will be provided seven (7) calendar days to respond in writing.

(a) The written response to the demand for corrective action should include:

1. All deficiencies identified in the written demand for corrective action;

2. The corrective action(s) required;

3. The timeframe(s) by which the corrective action(s) will be completed; and

4. If applicable, documentation to demonstrate corrective action was completed as prescribed in the written notification; and

(b) As part of the response to the written demand for corrective action, the Sponsor is required to conduct a follow-up Site Review using the form entitled "Summer Food Service Program Sponsor Site Review", FDACS-01926 Rev. 06/18, previously incorporated in Rule 5P-3.002(4), F.A.C. and submit this form to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399.

(c) If after seven (7) calendar days of the date of demand, the Sponsor fails to respond to the department regarding the required corrective actions, the Sponsor will be deemed Seriously Deficient and the department will issue a Notice of Action for suspension pursuant to paragraph 5P-1.004(1)(a), F.A.C. The sponsor may exercise appellate rights under Rule 5P-1.002, F.A.C.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10), FS. Law Implemented 595.404, 595.501 FS. History-New _____.

5P-3.003 Procurement Standards

(1) Contracts. All contracts must be issued using the standards outlined in 7 CFR 225.17 and 2 CFR 200, incorporated in Rule 5P-3.001, F.A.C.

(a) All formal solicitations, to include specifications, evaluation criteria, procurement procedures, and proposed contract documents, must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, prior to issuance or execution.

(b) The department will examine each Sponsor's proposed contracts prior to the issuance, if:

1. The Sponsor has a contract with a food service management company; or

2. The Sponsor has any proposed contracts that exceeds \$50,000 for public and charter school Sponsors or the simplified acquisition threshold identified in 2 CFR 200.88, incorporated in Rule 5P-3.001, F.A.C., for all other Sponsors.

(c) Sponsors can enter into a Successive Purchasing Agreement, as defined in Rule 5P-1.001(37), F.A.C., when the awarded Contractor agrees, in writing, to permit the Successive

Purchasing Agreement at the same terms, conditions, and prices, or below such prices.

1. Sponsors must submit Successive Purchasing Agreement and written authorization from the Contractor to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within seven (7) calendar days of execution.

2. Sponsors must conduct a separate procurement to obtain goods and services if the proposed Successive Purchasing Agreement results in a material change to the underlying contract. The department considers a change to be material if it would cause the contractor to bid differently if the prospective change had existed during the solicitation process or if the total cost of the change exceeds the thresholds referenced in subparagraph 5P-3.003(1)(b)2, F.A.C.

(2) Donations. Sponsors may obtain and use donated food items to meet the meal service requirements outlined in 7 CFR 225.16, incorporated in Rule 5P-3.001, F.A.C., for meal service. Documentation required for the use of donated food items must include:

(a) The Sponsor's name and sponsor number;

(b) The name of the person or organization donating food items;

(c) The donor's physical address;

(d) The donor's phone number;

(e) The donor's email address;

(f) The food item(s) being donated, including the quantity and size;

(g) The estimated value of donation; and

(h) A statement certifying that:

1. All information provided in the documentation is true;

2. All donated items listed have been received meet proper sanitation and health standards which conform with all applicable state and local public health requirements and without compensation to the donor;

3. The Sponsor understands the department may verify the information and request additional documentation such as invoices and receipts of the actual purchases from the donor and that the donor has been informed of such conditions; and

4. The Sponsor understands that if false information regarding donations is purposely provided, the Sponsor will be deemed Seriously Deficient and subject to suspension, pursuant to paragraph 5P-1.004(1)(a), F.A.C.

(3) Invoices and Receipts. All items listed in program invoices and receipts must be allowable program expenses as required FNS Instruction 796-4 Form FNS-389 (9-88), which is hereby adopted and incorporated by reference and available online at <https://www.flrules.org/gateway/refernece.asp?no=ref-XXXXX>.

(4) Training. Food service management companies wanting to contract to provide food services to any Sponsor must complete, with an eighty (80) percent passing score or higher, the online vendor training found at <http://freshforfloridakidstraining.com>, or attend an in-person vendor training, conducted by the department, prior to bidding on any Sponsor solicitations.

(5) Performance Bonds. In accordance with 7 CFR 225.15(m)(6)-(7), incorporated in Rule 5P-3.001, F.A.C., each food service management company that enters into a food service contract for over \$100,000 with a Sponsor must obtain a performance bond equal to ten (10) percent of the value of the contract.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10) FS. Law Implemented 595.404 FS. History-New _____.

5P-3.004 Reimbursement Process and Financial Management

(1) Start-up Funds. In accordance with 7 CFR 225.9(a), incorporated in Rule 5P-3.001, F.A.C., the department will not provide startup payments to Sponsors for the Summer Food Service Program.

(2) Advances. The department will make advance payments to Sponsors as requested in the application to assist in meeting operating costs and administrative expenses in accordance with the criteria established in 7 CFR 225.9(c), incorporated in Rule 5P-3.001, F.A.C., and the application deadlines set forth in Rule 5P-3.002, F.A.C.

(a) When processing requests for advance payments, the department will take into consideration unused reimbursement the Sponsor has carried over from the previous year of operations, if applicable. The department will deduct the total amount of unused reimbursement from the year prior to the current year from the total advance requested.

(b) Advance payments to Sponsors for any one month will not exceed \$40,000.

(3) Claims. Claims for Reimbursement must only be made by Sponsors operating under written agreement, incorporated in subsection 5P-3.001(11), F.A.C., with the department.

(4) Due Dates. All Sponsors must submit to the department a monthly Claim for Reimbursement online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, using the form entitled "Summer Nutrition Programs Claim for Reimbursement", FDACS-02007 Rev. 06/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/refernece.asp?no=ref-XXXXX>.

(a) Claim for Reimbursement forms must be postmarked or submitted online to the department not later than thirty (30)

calendar days following the last day of the month covered by the claim (claim month).

(b) Adjustments on Claims for Reimbursement must be completed and postmarked or submitted online to the department within sixty (60) calendar days of the last day of the claim month. Upward adjustments on Claims for Reimbursement are limited to two adjustments per claim month per Sponsor unless the adjustment results from an Administrative Review or from federally-required or state-imposed audits.

(5) Combined Claims. Sponsors must combine the Claim for Reimbursement as follows:

(a) If the Sponsor operated the program for ten (10) operating days or less in their initial month of operations, the Claim for Reimbursement for the initial month must be combined with the Claim for Reimbursement for the subsequent month;

(b) If the Sponsor operated the program for ten (10) operating days or less in their final month of operations, the Claim for Reimbursement for the final month must be combined with the with the Claim for Reimbursement for the preceding month.

(6) One-Time Exception. Claims for Reimbursement and any adjustments made to Claims for Reimbursement not filed within the prescribed timeframes will not be paid by the department unless otherwise authorized by USDA's Food and Nutrition Service (FNS) or as provided in paragraph (a) of this subsection.

(a) A Sponsor may only request a one-time exception for late submission of Claims for Reimbursement every thirty-six (36) months. To be granted an exception, Sponsors must submit a corrective action plan online at <https://fans.freshfromflorida.com> or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399.

(b) The corrective action plan must include:

1. The reason(s) contributing to the late submission of the claim or upward adjustment of the claim;

2. An outline of the action(s) to be taken to avoid future late submissions;

3. A statement of understanding regarding the frequency of one-time exceptions in paragraph (a) of this subsection; and

4. The signature of an authorized representative.

(7) Inaccurate Claim for Reimbursement. The department's response to a Sponsor failing to submit an accurate Claim for Reimbursement will be governed by 7 CFR 225.12, incorporated in Rule 5P-3.001, F.A.C., except that the department will recover current fiscal year overpayments from a Sponsor by offsetting future Claims for Reimbursement.

(8) Excess Funds. Pursuant to 7 CFR 225.9(c)(5), previously incorporated in Rule 5P-3.001, F.A.C., Sponsors must repay any advance payments in excess of the total amount

filed in the Claims for Reimbursement for the current program year. The department will recover Excess Funds from a Sponsor through direct assessment using the following collection procedures:

(a) The department will make a written demand to the Sponsor for the return of Excess Funds via certified mail, return receipt requested, and will consider this demand received by the Sponsor five (5) calendar days following the date the notice was sent.

(b) If after thirty (30) calendar days from receipt, the Sponsor fails to remit full payment or agree to a satisfactory repayment schedule, a second written demand for the return of Excess Funds shall be sent to the Sponsor by the department via certified mail, return receipt requested.

(c) If after sixty (60) calendar days following the original written demand, the Sponsor fails to remit full payment or agree to a repayment schedule, a third written demand for the return of improper payments shall be sent to the Sponsor by the department via certified mail, return receipt requested. This third demand will contain a due date of ninety (90) calendar days from the date of original debt.

(d) If after ninety (90) calendar days following the original written demand, the Sponsor fails to remit full payment or agree to a repayment schedule, all information pertaining to the debt will be forwarded by the department to the Department of Financial Services for collection.

(9) Unused Reimbursement. If a Sponsor receives more reimbursement than is expended on allowable costs, the Sponsor must use this unused reimbursement as prescribed in 7 CFR 225.9(g), previously incorporated in Rule 5P-3.001, F.A.C. Sponsors with unused reimbursement remaining at the end of the program year must submit a statement to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, not later than December 31 of each year, using the form entitled "Summer Food Service Program Unused Reimbursement Certificate", FDACS-01974 Rev. 10/18, which is hereby incorporated by reference and available online at <https://www.flrules.org/gateway/refernece.asp?no=ref-XXXXX>, certifying that all unused reimbursement will be used either as startup funds or for improving the Summer Food Service Program services the subsequent year.

(a) If the Sponsor does not submit the Summer Food Service Program Unused Reimbursement Certificate, FDACS-01974 Rev. 10/18, the Sponsor's application for the subsequent year's Summer Food Service Program will not be approved until it is received.

(b) Sponsors may not transfer unused reimbursement to operations that are not related to the Child Nutrition Programs or increase salary or fringe benefit costs when the sole purpose

of the increase is to reduce the Summer Food Service Program balance.

(c) If the Sponsor will not be participating in Summer Food Service Program in the next year, unused reimbursement must be used towards the Sponsor's provision of other Child Nutrition Programs.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10) FS. Law Implemented 595.404 FS. History-New _____.

5P-3.005 Administrative Reviews

(1) Administrative Review. The department will conduct Administrative Reviews of Sponsors participating in the Summer Food Service Program in accordance with 7 CFR 225.7(d)(2)(ii), incorporated in Rule 5P-3.001, F.A.C., and the 2017 USDA Summer Food Service Program State Agency Monitor Guide, which is hereby adopted and incorporated by reference and available online at: <https://www.flrules.org/gateway/reference.asp?no=ref-XXXXX>.

(2) Audits. The department will include currently applicable deficiencies from federally-required audit activity or from any state-imposed audit requirements in the Administrative Review to prevent duplication of effort when or if findings pertain to the reviewed Sponsors or the overall operation of the Summer Food Service Program and are relevant to the review period.

(3) Overpayment. In conducting Administrative Reviews for any fiscal year, the department will disregard overpayment which does not exceed \$100, in accordance with 7 CFR 225.10(c), incorporated in Rule 5P-3.001, F.A.C.

(4) State Site Reviews. The department will review food service operations at each site included in the Administrative Review using the form entitled "Summer Food Service Program State Site Review", FDACS-01947 Rev. 06/18, previously incorporated in subsection 5P-3.003(11), F.A.C. Should any meals be disallowed at a site for reasons outlined in the 2017 USDA Summer Food Service Program State Agency Monitor Guide, previously incorporated in this rule, the Sponsor must provide documentation showing the disallowed meals were deducted from the Claim for Reimbursement to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within seven (7) calendar days of the Site Review and prior to receiving payment on the Claim for Reimbursement.

(5) Program Records. The Sponsor has a duty to maintain program records as required in the Child Nutrition Programs Agreement, FDACS-01716 Rev. 04/16, incorporated in subsection 5P-2.001(7), F.A.C. The Sponsor must make available to the department all required program records no later than the last day of the scheduled Administrative Review period and upon request by the department. The department

may grant a one-time extension, per Administrative Review, to the timeframe to provide all required program records by seven (7) calendar days upon written request by the Sponsor when extraordinary circumstances arise, such as temporary site closures, natural disasters, extreme weather conditions, or other circumstances beyond the Sponsor's control. Documentation will not be accepted for review beyond the date established between the Sponsor and the department. "Program records" means all invoices, receipts, accounting records, bank statements, check ledgers, credit card statements, meal count records, meal delivery receipts, budgets, and any other records generated by a Sponsor or vendor during the operation of the Summer Food Service Program.

(6) Meal Validation. During the Administrative Review, meal counts submitted with the Claim for Reimbursement will be validated using a two-part review process that includes reviewing meal counts taken at the point of service and analyzing program invoices and receipts for an accurate number of meals eligible for reimbursement unless the Sponsor can provide the following:

(a) Beginning and ending inventory for each claim period (month); and

(b) Production records for each meal service provided during the claim period.

(7) Exit Conference. The department will hold an exit conference at the close of the Administrative Review to discuss overall program operations, any program deficiencies observed, the extent of the program deficiencies and the actions needed to correct the program deficiencies. The department will set an appropriate deadline(s) for completion of corrective action based on the type of corrective action to be completed.

(8) Report. The department will provide the Sponsor with an Administrative Review Report.

(a) The Administrative Review Report will include the program deficiencies observed, the needed corrective actions, the deadlines for completion of the corrective action, and the potential fiscal action and accompanying appeal rights.

(b) If the program deficiencies observed include those described in sub-subparagraphs 5P-1.004(1)(a)1.a.-k., F.A.C., the Sponsor will be declared Seriously Deficient.

(c) A preliminary and tentative report will be sent via email, not later than the next business day following the Exit Conference. Upon completion, the Administrative Review Report will be sent via email and certified mail, return receipt requested and will be considered received by the Sponsor five (5) calendar days following the date the notice was sent.

(9) Corrective Action. For any program deficiencies identified by the department through an Administrative Review, Sponsors must submit a corrective action plan with supporting documentation to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun

Street (H2), Tallahassee, FL 32399, within thirty (30) calendar days of the date of receipt of the Administrative Review Report. The corrective action plan must include:

(a) Each identified program deficiency;

(b) The corrective action required;

(c) The timeframe by which the corrective action will be, or was completed; and

(d) Documentation to demonstrate corrective action was completed as applicable and as prescribed in the Administrative Review Report.

(10) Extension Requests. The department may extend the timeframe(s) specified to complete the required corrective action(s) upon the written request of Sponsor when extraordinary circumstances arise, such as temporary closures, natural disasters, extreme weather conditions, or other circumstances beyond the Sponsor's control.

(a) A request to extend the timeframe(s) to complete the required corrective action(s) must be submitted to the department online at <https://fans.freshfromflorida.com>, or by mail to 600 S. Calhoun Street (H2), Tallahassee, FL 32399, within seven (7) calendar days of the date of receipt of the Administrative Review Report.

(b) This request must include the following:

1. A justification that demonstrates good cause beyond the Sponsor's control for why the corrective action plan cannot be submitted by the original completion date. Good cause includes unexpected, temporary closures, natural disasters, extreme weather conditions, or other circumstances beyond the Sponsor's control, and

2. Specify the new desired completion date.

(11) Seriously Deficient. If after thirty (30) calendar days of the date of notification, the Sponsor fails to respond to the department regarding the required corrective actions or fails to request an extension of the timeframe in which the corrective actions can be completed, the Sponsor will be deemed Seriously Deficient and subject to suspension, pursuant to paragraph 5P-1.004(1)(a), F.A.C.

(12) Follow-up Reviews. Follow-up reviews of Sponsors and sites will be conducted if:

(a) The Sponsor is declared Seriously Deficient;

(b) A food safety deficiency is noted during the Administrative or Site Review; or

(c) When the number of meals served as observed by the department is significantly lower than the number of meals claimed by a site on a prior day of the current year; and

(d) To ensure that corrective action has been taken as prescribed by the department in the Administrative Review Report.

(13) Food Preparation Facility Inspections. In accordance with 7 CFR 225.7(e), incorporated in Rule 5P-3.001, F.A.C., the department, through an agreement with state or local health

departments or other governmental agencies charged with health inspection functions, will conduct meal quality tests, inspections of self-preparation and vended Sponsors' food preparation facilities, and inspections of food service sites. If these agencies cannot perform such inspections or tests, the department will contract with an independent agency to perform these services.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10), FS. Law Implemented 595.404, 595.501 FS. History-New _____.

5P-3.006 Fiscal Action

(1) Fiscal Action. Fiscal Action is defined as the recovery of overpayment through direct assessment or offset of future Claims for Reimbursement, disallowance of any portion of a Claim for Reimbursement, disallowance of overclaims as reflected in unpaid Claims for Reimbursement, submission of a revised Claim for Reimbursement, and correction of program records to ensure that unfiled Claims for Reimbursement are corrected when filed. Fiscal action also includes disallowance of funds for failure to take corrective action to meet the meal requirements in 7 CFR 225.16(d), incorporated in Rule 5P-3.001, F.A.C., and restoration of the nonprofit food service account from a nonfederal source for unallowable costs pursuant to 2 CFR 200, incorporated in Rule 5P-3.001, F.A.C.

(2) Assessment of Fiscal Action. Fiscal Action must be assessed when program deficiencies include:

(a) Inaccurate meal counting and claiming identified during the Administrative Review occurring at the site or sponsor-level;

(b) Meals that were counted as reimbursable meals, but were ineligible for reimbursement, such as second meals exceeding the two percent (2%) limit and adult meals;

(c) Meals served that were counted as reimbursable meals but were observed to be missing meal components;

(d) Meals that were not supported by program records (e.g., no records or insufficient records were provided);

(e) Meals served at unapproved sites;

(f) Meals served that cannot be validated, or

(g) Identified unallowable costs to the program, embezzlement, willful misapplication of funds, theft, or fraudulent activity.

(3) Recovery of Payment. The department will recover any fiscal action assessed pursuant to subparagraph (2) of this rule, per the collection procedures outlined in 7 CFR 225.12(b), incorporated in Rule 5P-3.001, F.A.C., and the following procedures:

(a) The department will make a written demand to the Sponsor stating the Fiscal Action assessed via certified mail, return receipt requested.

(b) If after thirty (30) calendar days, the Sponsor has failed to remit full payment or agree to a repayment schedule, the

Sponsor will be declared Seriously Deficient pursuant to subsection 5P-1.004(1)(a), F.A.C.

(4) Penalties. Failure to comply with the requirements of this rule chapter will result in the penalties prescribed in Rule 5P-1.004, F.A.C. and 7 CFR 225.11(c) and 7 CFR 225.11(f), incorporated in Rule 5P-3.001, F.A.C.

Rulemaking Authority 570.07(23), 595.404(4), 595.404(10), FS. Law Implemented 595.404, 595.501 FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lakeisha T. Hood, Division Director

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2018

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: RULE TITLES:

68B-32.004 Restrictions on Possession of Tarpon;
Commercial Harvest Prohibited

68B-32.009 Tarpon Tag Specifications

PURPOSE AND EFFECT: The purpose of this rule amendment is to update and clarify rules related to allowable uses of a tarpon tag by modifying the regulations found in Chapter 68B-32, Florida Administrative Code (F.A.C.), which allow anglers to harvest or possess a single tarpon per year when pursuing a state or world saltwater fishing record.

The effect of this rule amendment will be to modify the tarpon tag rule to specify that the state saltwater fishing records program, previously administered by International Game Fish Association, is now administered by the Florida Fish and Wildlife Conservation Commission (Commission). This rule will also clarify that no tarpon measuring greater than 40 inches fork length may be removed from the water unless being harvested in pursuit of a state or world record with a Commission-issued tarpon tag.

SUMMARY: This rule will clarify the current tarpon tag rules to continue to allow an angler to harvest or possess a single tarpon per year for the sole purpose of pursuing a state or world record. It will also clarify that removing tarpon measuring greater than 40 inches from the water for any reason other than to pursue a state or world record is not an allowable use of the Commission-issued tarpon tag.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

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: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-32.004 Restrictions on Possession of Tarpon; Commercial Harvest Prohibited.

(1) Except as provided in Rule 68B-32.009, F.A.C., a person may not harvest or unnecessarily destroy a tarpon within or without Florida Waters.

(2) Temporary Possession by a Recreational Harvester –

(a) Except as provided in Rule 68B-32.009, F.A.C. and paragraph (2)(b), a recreational harvester may not possess a tarpon within or without Florida Waters.

(b) A person may temporarily possess a tarpon within or without Florida Waters only for the purposes of photography, measuring length and girth, and taking a scientific sample.

1. Except as provided in Rule 68B-32.009, F.A.C. a recreational harvester who temporarily possesses a tarpon pursuant to this subsection shall release the tarpon alive and unharmed, immediately after photographing, measuring, or taking a scientific sample.

2. Except as provided in Rule 68B-32.009, F.A.C. a recreational harvester who temporarily possesses a tarpon pursuant to this subsection shall release the tarpon in the immediate area where the tarpon was caught.

(3) Except for tarpon harvested or possessed with the intent to submit that tarpon for state record or world record in accordance with ~~pursuant to~~ subsection 68B-32.009(1), F.A.C. tarpon greater than 40 inches fork length may not be removed from the water.

(4) Possession for Commercial Purposes Prohibited – A commercial harvester may not harvest or possess a tarpon within or without Florida Waters.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 1-1-98, Formerly 46-32.004, Amended 3-28-04, 3-1-05, 9-1-13,_____.

68B-32.009 Tarpon Tag Specifications.

(1) Tags Required for Possession –

(a) A person may not harvest or possess a tarpon unless the person intends to submit that tarpon for an International Game Fish Association world record or Commission International Game Fish Association Florida state record.

(b) through (d) No change.

(2) through (6) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 9-1-13, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850) 487-0554.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 14, 2018

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NOS.:	RULE TITLES:
69I-5.003	Format of Schedule
69I-5.004	Types of State Financial Assistance
69I-5.008	Criteria for Identifying Major State Projects
69I-5.009	Criteria for Selecting State Projects for Audits Based on Inherent Risk

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule Chapter 69I-5, F.A.C., is to implement the legislative changes made to section 215.97, F.S., the Florida Single Audit Act.

SUMMARY: This rule chapter is being amended to reflect changes made to section 215.97, F.S., as well as the federal audit requirements regarding expenditures of state awards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency conducted an economic analysis of the potential impact of the proposed rule amendments and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 215.97(4)(a), FS.

LAW IMPLEMENTED: 215.97, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 8, 2019 1:30 p.m.

PLACE: J. Edwin Larson Building, Room 116, 200 East Gaines Street, Tallahassee, FL 32399

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: Mark Merry, telephone: (850)413-5510, email: Mark.Merry@myfloridacfo.com.. If you are hearing or speech

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Merry, Assistant Division Director, Division of Accounting and Auditing, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, FL 32399-0393, telephone: (850)413-5510, email: Mark.Merry@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69I-5.003 Schedule of Expenditures of State Financial Assistance Format of Schedule.

~~(1) A nonstate entity that receives or expends state financial assistance must, for the period covered by the entity's financial statements, prepare a Schedule of Expenditures of State Financial Assistance. If a nonstate entity also expends federal awards, the entity may, after considering federal presentation requirements, present the expenditures of state financial assistance and federal awards on combined or separate schedules. The Schedule of Expenditures of State Financial Assistance shall be included on the non state entity's Schedule of Expenditures of Federal Awards and State Financial Assistance. If a non state entity does not receive federal financial assistance, a Schedule of Expenditures of State Financial Assistance shall be prepared. At a minimum, the Schedule of Expenditures of State Financial Assistance shall be prepared. At a minimum, the Schedule of Expenditures of State Financial Assistance must shall:~~

~~(1)(a)~~ No change.

~~(2)(b)~~ For state financial assistance received as a subrecipient, list the name of the pass-through entity and the identifying contract or ~~grant~~ number assigned by the pass-through entity.

~~(3)(e)~~ Provide the total state financial assistance expended for each individual state project and the Catalog of State Financial Assistance (CSFA) number.

~~(4)(d)~~ Provide the total state financial assistance transferred to subrecipients for each state project.

(e) through (f) renumbered (5) through (6) No change.

~~(2) The Schedule of Expenditures of Federal Awards and State Financial Assistance shall be in a format similar to the sample presented below:~~

**NAME OF NON STATE ENTITY
SCHEDULE OF EXPENDITURES OF FEDERAL
AWARDS
AND STATE FINANCIAL ASSISTANCE
For the Fiscal Year Ended Month/Date/Year**

Federal/State Agency,	CFDA	Contract		Transfer to
Pass through	CSFA	Grant	Expendit	Subrecip

Entity	No.	No.	ures	ients
Federal Program/State Project			(in thousand s)	(in thousand s)
FEDERAL AGENCY NAME				
Direct Programs				
XXXXXX	XXX XX*	XXX XX	XXXXXX	XXXXXX
Indirect Programs				
Passed through (insert name of entity)				
XXXXXX	XXX XX	XXX XX	XXXXXX	XXXXXX
TOTAL FEDERAL AGENCY			XXXXXX	XXXXXX
TOTAL EXPENDITURES OF FEDERAL AWARDS			XXXXXX	XXXXXX
STATE AGENCY NAME				
Direct Projects				
XXXXXX	XXX XX*	XXX XX	XXXXXX	XXXXXX
Indirect Projects				
Passed through (insert name of entity)				
XXXXXX	XXX XX	XXX XX	XXXXXX	XXXXXX
TOTAL STATE AGENCY			XXXXXX	XXXXXX
TOTAL EXPENDITURES OF STATE FINANCIA			XXXXXX	XXXXXX

ASSISTAN CE *denotes major program/pro ject				
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Rulemaking Authority 215.97(4) FS. Law Implemented 215.97 FS. History--New 2-5-01, Formerly 3A-5.003, Amended 11-1-05,_____.

69I-5.004 Types of State Financial Assistance.

(1) State financial assistance is ~~financial assistance from~~ state resources provided to nonstate entities ~~non state organizations~~ to carry out a state project. It does not include federal financial assistance and state matching provided by state agencies for federal programs. State financial assistance must ~~shall~~ be categorized by the following classes or types of financial assistance:

- (a) No change.
- (b) Direct Appropriations – Financial assistance appropriated to state agencies to be provided directly to specified nonstate ~~non-state~~ entities per legislative proviso to encourage or subsidize particular activities.
- (c) through (k) No change.

(2) The following provisions are to be used in determining state financial assistance expended:-

(a) The determination of when state financial assistance is expended should be based on when the related activity occurs. Generally, the activity pertains to events that require the nonstate entity ~~non-state organization~~ to comply with laws, rules, and the provisions of contracts or grant agreements such as: expenditure and ~~expense~~ transactions associated with grants, cooperative agreements, and direct appropriations; the disbursement of funds passed through to subrecipients; the use of loan proceeds under loan and loan guarantee programs; the receipt of property or food commodities; the receipt of tax refunds; the application of tax credits against tax liabilities; and the period when insurance is in force.

(b) Loans and Loan Guarantees. Since the state is at risk for loans until the debt is repaid, the value of the state financial assistance expended under loan programs should include the value of new loans made or received during the nonstate entity's ~~non-state organization's~~ fiscal year; plus the balance of loans from previous years for which the state imposes continuing compliance requirements; plus any interest subsidy, cash, or administrative cost allowance received. Prior loans and loan guarantees, the proceeds of which were received and expended in prior years, are not considered state financial assistance expended when the laws, rules, and provisions of contracts or grant agreements pertaining to such loans impose no continuing compliance requirements other than to repay the loans.

(c) No change.

Rulemaking Authority 215.97(4) FS. Law Implemented 215.97 FS. History—New 11-1-05, Amended.

69I-5.008 Criteria for Identifying Major State Projects.

(1) The independent auditor must shall use a risk-based approach to determine which state projects are major state projects. This risk-based approach must shall include consideration of the amount of state project expenditures and the inherent risk of the state project. The process as determined in accordance with section 215.97(2)(a), F.S., and enumerated in subsections (2) through (6) below must shall be followed.

(2) The independent auditor must shall identify the larger state projects as Type A Projects according to the following criteria:

(a) For auditees with expenditures of state awards between \$750,000 \$300,000 and \$2,500,000 \$1,000,000, Type A Projects are defined as the larger of \$300,000 \$100,000 or thirty percent (30%) of total state awards expended.

(b) For auditees with expenditures of state awards exceeding \$2,500,000 \$1,000,000, Type A Projects are defined as the larger of \$750,000 \$300,000 or three percent (3%) of total state awards expended.

(3) State projects not identified as Type A Projects must shall be considered Type B Projects.

(4) The independent auditor must shall identify Type A Projects which are low-risk. For a Type A Project to be considered low-risk, it should have been audited as a major state project in at least one of the two most recent audit periods and, in the most recent audit period, it should have had no reportable audit findings. The auditor must shall consider the criteria enumerated in Rule 69I-5.009, F.A.C., the results of audit follow-up, and any significant changes in personnel or systems affecting a Type A Project, in applying professional judgment in determining whether a Type A Project is low-risk.

(5) The independent auditor must shall identify Type B Projects which are high-risk. The auditor must shall consider the criteria enumerated in Rule 69I-5.009, F.A.C., in applying professional judgment in determining whether a Type B Project is high-risk. However, the independent auditor is not expected to perform risk assessments on relatively small state projects. Therefore, the auditor is only required to perform risk assessments on Type B Projects as follows:

(a) For auditees with expenditures of state awards of \$750,000 \$300,000 to \$2,500,000 \$1,000,000, risk assessments will shall be required for Type B Projects that exceed the larger of \$100,000 \$50,000 or ten percent (10%) of total state awards expended.

(b) For auditees with expenditures of state awards that exceed \$2,500,000 \$1,000,000, risk assessments will shall be

required for Type B Projects that exceed the larger of \$250,000 \$100,000 or one percent (1%) of total state awards expended.

(6) At a minimum, the independent auditor must shall audit all of the following as major projects:

(a) and (b) No change.

(c) Additional projects as may be necessary to provide audit coverage of at least fifty percent (50%) of the auditee's expenditures of state awards. Wherever practicable, additional projects should be selected in accordance with the criteria enumerated in Rule 69I-5.009, F.A.C.

Rulemaking Authority 215.97(4) FS. Law Implemented 215.97 FS. History—New 11-1-05, Amended.

69I-5.009 Criteria for Selecting State Projects for Audits Based on Inherent Risk.

(1) The independent auditor's selection of state projects for audit must shall be based on an overall analysis and evaluation of the risk of noncompliance occurring which could be material to the state project. The auditor must, consistent with applicable governmental auditing standards, shall use professional judgment and consider criteria, such as enumerated described in subsections (2) through (4), below; to identify risk in state projects. Also, as part of the risk analysis, the auditor may wish to discuss a particular state project with auditee management and the awarding state agency.

(2) The independent auditor must shall consider current and prior audit experience.

(a) Weakness in internal controls over state financial assistance would indicate higher risk. Consideration should be given to the control environment over state financial assistance and such factors as the expectation of management's adherence to applicable laws, rules, and contract or grant provisions, and the competence and experience of personnel who administer the state financial assistance project.

(b) and (c) No change.

(3) The independent auditor must shall consider the extent of any oversight exercised by the state agencies and the results of any monitoring performed.

(4) When evaluating state projects, independent auditors must shall consider the inherent risk of the project, which includes the following:

(a) through (d) No change.

(5) The independent auditor must shall document in the working papers the risk analysis process used in determining major projects. State agencies may provide auditors guidance about the risk of a particular state project and the auditor must shall consider this guidance in determining major projects in audits not yet substantially completed.

Rulemaking Authority 215.97(4) FS. Law Implemented 215.97 FS. History—New 11-1-05, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Mark Merry, Assistant Division Director, Division of
 Accounting and Auditing, Department of Financial Services
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Jimmy Patronis, Chief Financial Officer,
 Department of Financial Services
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: September 5, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: June 22, 2018

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-41.001	Definitions
65C-41.003	Eligibility Requirements
65C-41.005	Discharge from Program

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. 202, October 16, 2018 issue of the Florida Administrative Register.

65C-41.001 Definitions.

(1) through (3) No change.

(4) “Extended Foster Care Agreement” means a document that contains the ~~youth’s young adult’s~~ or their legal guardian’s ~~guardians~~ informed consent to participate in the program.

(5) through (9) No change.

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 or activity.

(6) through (7) No change.

(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 39.6251(2), F.S., the young adult must continue to reside in an approved supervised living arrangement and, meet face to face in the home every month with designated staff. The young adult shall be encouraged to participate in ongoing transition and case planning, and shall be encouraged to participate in judicial review and permanency hearings.

(a) through (c) No change.

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, (insert date) May 2014, which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX05768>. 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) through (c) No change.

DEPARTMENT OF FINANCIAL SERVICES

Division of Accounting and Auditing

RULE NOS.:	RULE TITLES:
69I-5.003	Format of Schedule
69I-5.004	Types of State Financial Assistance
69I-5.008	Criteria for Identifying Major State Projects
69I-5.009	Criteria for Selecting State Projects for Audits Based on Inherent Risk

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 44 No. 176, September 10, 2018 issue of the Florida Administrative Register has been withdrawn.

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 December 3, 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 Country Comfort Care, Inc. 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 December 3, 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 Country Comfort Care II, Inc. 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 December 3, 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 ARHC BHPALF01 TRS, LLC d/b/a Princeton Village of Palm Coast. 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
The Florida Department of Elder Affairs hereby gives notice: On 12/14/2018, the Department issued a Final Order granting The Cabana at Jensen Dunes a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, as requested in its petition filed on 11/16/2018, and noticed in FAR Volume 44, Number 228. Petitioner demonstrated that its current temperature control measures and evacuation plan are sufficient to ensure the health, safety, and comfort of its residents in the event of a loss of primary electrical power and that application of the Rule would create a substantial hardship and/or violate principles of fairness.
A copy of the Order or additional information 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 December 12, 2018, the Florida Department of Elder Affairs, received a petition for emergency waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from Eastside Active Living, LLC. Any interested person or other agency may submit written comments on the petition within 5 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.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from 2600 Highlands Boulevard, North, LLC d/b/a Bay Tree Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018176. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com. A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from 3865 Tampa Road, LLC d/b/a West Bay of Tampa, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018178. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com. A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Huntington Place Limited Partnership d/b/a Huntington Center, seeking additional time

beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018180. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from 1980 Sunset Point Road, LLC d/b/a Sunset Point, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018181. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from 4602 Northgate Court, LLC d/b/a Springwood Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018182. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Key West Health and Rehabilitation, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018183. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Key West Health and Rehabilitation, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018183. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from 1501 S.E. 24th Road, LLC d/b/a Oakhurst Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number

2018018185. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Hacienda Care VI, LP d/b/a West Gables Health Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018265. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NO.: RULE TITLE:

62B-56.090 Financial Assurances

The Department of Environmental Protection hereby gives notice:

that on December 10, 2018, an order was issued granting Shyam Paryani, PV Beach LLC, and Frank Schiavone Trust's Petition for a Variance. Notice of Receipt of this Petition was published in the Florida Administrative Register on November 16, 2018. The petition requested a variance to allow for an escrow agreement naming the State of Florida, Department of Financial Services, Division of Treasury (DFS) as the Escrow Agent as a permissible method of financial assurance under subsection 62B-56.090(2), F.A.C. No public comments were received. The Order, file number SJ-1556-GT V; OGC Case No. 18-1384, granted the Petition to subsection 62B-56.090(2), F.A.C., based on showing that Petitioner demonstrated that a strict application of the rule would result in substantial economic hardship to the Petitioner and the underlying purpose of the statute will be met, and because the Petitioner demonstrated that they have met the requirements for a variance

to the strict application of subsection 62B-56.090(2), F.A.C. A copy of the Order or additional information may be obtained by contacting: Avery Lehmann, Department of Environmental Protection, MS 3511, 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-7534; during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Beaches and Coastal Systems
RULE NO.: RULE TITLE:
62B-56.090 Financial Assurances

The Department of Environmental Protection hereby gives notice:

that on December 10, 2018, an order was issued granting Cynthia B. Walls Trust, Earle Harbison Trust, John Shields, Ken Kovacs, and Scott Phillips Petition for a Variance. Notice of Receipt of this Petition was published in the Florida Administrative Register on November 16, 2018. The petition requested a variance to allow for an escrow agreement naming the State of Florida, Department of Financial Services, Division of Treasury (DFS) as the Escrow Agent as a permissible method of financial assurance under subsection 62B-56.090(2), F.A.C. No public comments were received. The Order, file number SJ-1554 GT V; OGC Case No. 18-1383, granted the Petition to subsection 62B-56.090(2), F.A.C., based on showing that Petitioner demonstrated that a strict application of the rule would result in substantial economic hardship to the Petitioner and the underlying purpose of the statute will be met, and because the Petitioner demonstrated that they have met the requirements for a variance to the strict application of subsection 62B-56.090(2), F.A.C.

A copy of the Order or additional information may be obtained by contacting: Avery Lehmann, Department of Environmental Protection, MS 3511, 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-7534; during normal business hours, 8:00am-5:00pm., Monday through Friday, except legal holidays.

FLORIDA HOUSING FINANCE CORPORATION
RULE NO.: RULE TITLE:
67-21.003 Application and Selection Process for Developments

The Florida Housing Finance Corporation hereby gives notice: On December 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraphs 67-21.003(8)(j) and 67-48.004(3)(j) for SP HK Apartments, LLC, permitting the reduction in the Development's set-aside percentage for both SAIL funding and Non-Competitive

Housing Credits from 100% to 97% so that Petitioner will be able to continue renting two units to tenants with incomes over 60% AMI. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on October 02, 2018 and notice of the receipt of petition was published on October 03, 2018 in Vol. 44, Number 193, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

FLORIDA HOUSING FINANCE CORPORATION
RULE NO.: RULE TITLE:
67-21.003 Application and Selection Process for Developments

The Florida Housing Finance Corporation hereby gives notice: On December 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-21.003(8)(j) F.A.C. for Trinity Towers East Preservation Associates, LLLP, permitting the reduction in the Development's set-aside percentage for the 4% Non-Competitive Housing Credits from 90% @ 60% AMI to 85% @ 60% AMI. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on October 09, 2018 and notice of the receipt of petition was published on October 16, 2018 in Vol. 44, Number 202, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

FLORIDA HOUSING FINANCE CORPORATION
RULE NO.: RULE TITLE:
67-48.010 Terms and Conditions of SAIL Loans

The Florida Housing Finance Corporation hereby gives notice: On December 14, 2018, the Florida Housing Finance Corporation issued an order granting waiver of subsection 67-48.010(7) F.A.C. (2002) for In the Pines, Inc., forgiving all deferred interest on the SAIL loan and to extend payment of the outstanding principal balance of the SAIL loan over an additional 15 years consistent with the terms of this Order. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on October 16, 2018 and notice of the receipt of petition was published on

October 17, 2018 in Vol. 44, Number 203, F.A.R.
 A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Suite 5000, Tallahassee, Florida 32301-1329. The Order has also been posted on Florida Housing's website at floridahousing.org.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LAW ENFORCEMENT
 The Florida Law Enforcement Officers' Hall of Fame Selection Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 16, 2019, 9:00 a.m.
PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Room B1055, Tallahassee, FL, 32308.
GENERAL SUBJECT MATTER TO BE CONSIDERED: Nominations for consideration for induction into the Florida Law Enforcement Officers' Hall of Fame for 2019 pursuant to Rule 11D-10.003, F.A.C. If a person decides to appeal any decision made by the Selection Committee with respect to any matter considered at this meeting, such person is responsible for ensuring that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: Vickie Koenig, Chief of Policy and Special Programs, Criminal Justice Professionalism, Post Office Box 1489, Tallahassee, FL, 32302, (850)410-8600.

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: Vickie Koenig, Chief of Policy and Special Programs, Criminal Justice Professionalism, Post Office Box 1489, Tallahassee, FL, 32302, (850)410-8600. 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 LAW ENFORCEMENT
 The Medical Examiners Commission announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, January 18, 2019, 10:00 a.m. CT
PLACE: Hilton Sandestin Beach Golf Resort and Spa, 4000 Sandestin Boulevard South, Coral A Meeting Room, Miramar Beach, Florida, 32550-4214; (850)267-9500.
GENERAL SUBJECT MATTER TO BE CONSIDERED: A

Disciplinary Hearing to be followed a Business meeting. The Disciplinary hearing will present the findings of two probable cause panels. The Business meeting will discuss medical examiner issues.

A copy of the agenda may be obtained by contacting: Ms. Vickie Koenig, Chief of Policy & Special Programs, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida, 32302, (850)410-8600.

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: Ms. Vickie Koenig, Chief of Policy & Special Programs, Criminal Justice Professionalism Program, Post Office Box 1489, Tallahassee, Florida, 32302, (850)410-8600. 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.

AGENCY FOR HEALTH CARE ADMINISTRATION
 Health Facility and Agency Licensing
 The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.
DATE AND TIME: Tuesday, December 18, 2018, 11:00 a.m. – 12:30 p.m.

PLACE: 1(888)585-9008, Conference Room #: 998-518-088
GENERAL SUBJECT MATTER TO BE CONSIDERED: PLEASE NOTE: THIS MEETING HAS BEEN CANCELLED AND WILL BE RESCHEDULED AT A LATER DATE

This is a meeting of the Governor's Panel on Excellence in Long-Term Care Stability and Staffing/Workforce subgroup to which all interested parties are invited. The subgroup will review the Gold Seal Award nursing home criteria. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES
 Commission on Human Relations
 The Florida Commission on Human Relations announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, January 17, 2019, 10:00 a.m.
PLACE: Call 1(888)585-9008, and when prompted enter conference room number 772425480, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Stanley Gorsica at (850)907-6809 or Stanley.Gorsica@fchr.myflorida.com.

ACCESS POINT: The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

For more information, you may contact: Stanley Gorsica at (850)907-6809 or Stanley.Gorsica@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The The Department of Business and Professional Regulation, Division of Hotels and Restaurants announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2019, 9:00 a.m. – 12:00 Noon

PLACE: Hotels and Restaurants Conference Room, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, FL, or by conference call to 1(888)670-3525, conference code 5878489730#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Hotels and Restaurants Advisory Council meeting.

A copy of the agenda may be obtained by contacting: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, FL 32399; (850)717-1274.

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: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, FL 32399; (850)717-1274. 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: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, FL 32399; (850)717-1274.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners Deputy Pilot Advancement Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 4, 2019, 10:00 a.m.

PLACE: Toll free phone number 1(888)585-9008, conference room number: 241-687-833

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancements.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

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: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Florida Real Estate Appraisal Board Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 4, 2019, 9:00 a.m., Eastern Time

PLACE: Zora Neale Hurston Building, 400 West Robinson Street, Suite N901, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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 ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, State Revolving Fund Program announces a public meeting to which all persons are invited.

DATE AND TIME: February 13, 2019, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Room A, Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting will commence at 2:00 p.m. until not later than 4:00 p.m., to discuss the issues and recommendations for management of the FY 2019 Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF) priority lists of projects to be funded with loans under Chapter 62-503 and Chapter 62-552, Florida Administrative Code, respectively.

A copy of the agenda may be obtained by contacting: Michael Isaacson, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000, (850)245-2928, michael.isaacson@dep.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 5 days before the workshop/meeting by contacting: Michael Isaacson. 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: Michael Isaacson, (850)245-2928, michael.isaacson@dep.state.fl.us, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000.

DEPARTMENT OF HEALTH

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

DATE AND TIME: February 21, 2019, 10:00 a.m.

PLACE: 6101 Lade Ellenor Dr., Orlando, FL 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Biomedical Research Advisory Council (BRAC) will meet to discuss the peer review panel results from the FY 2018-2019

Bankhead-Coley, James and Esther King, and Live Like Bella funding cycle. They will review peer review scores and finalize a funding recommendation list to be presented to the State Surgeon General. They will also finalize changes to the FY 2019-2020 Funding Opportunity Announcements.

A copy of the agenda may be obtained by contacting: Teresa Mathew at Teresa.Mathew@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention announces a public meeting to which all persons are invited.

DATE AND TIME: January 4, 2019, 11:00 a.m. – 12:30 p.m.

PLACE: Capital Circle Office Complex (CCOC), 4025 Esplanade Way, Room 301, Tallahassee, FL 32311, Conference Call: 1(866)899-4679, Access Code: 367-499-397. To attend via webinar, please use this link: <https://global.gotomeeting.com/join/367499397>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Health is designated as the principal state agency for the allocation and administration of the Preventive Health & Health Services Block Grant within the State of Florida. As established by the Public Health Service Act, Section 1905(d), the PHHSBG Advisory Committee makes recommendations regarding the development and implementation of the Annual Application/State Plan (Work Plan). Committee members must meet annually to review funding, programs, and to recommend sustainability plans as a requirement of continued federal funding. The public has an opportunity to comment during this meeting.

A copy of the agenda may be obtained by contacting: Sadé Collins, (850)901-6651.

For more information, you may contact: Sadé Collins, Program Administrator, (850)901-6651.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: January 10, 2019, 10:00 a.m. – 11:30 a.m. (Central Time)

PLACE: Panhandle Area Educational Consortium, 753 West Boulevard, Chipley, Florida 32428

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 14 Community Alliance provides a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those that cannot attend in person, the following conference call number is being provided for their convenience: 1(888)585-9008, Participant Code: 423165566. Agenda:

Department of Children and Families Update, Big Bend Community Based Care Update, Mental Health Governing Council Update, Assisted Living Facilities Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

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

For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Fire & Emergency Incident Information System Technical Advisory Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 24, 2019, 1:00 p.m.

PLACE: Fire Rescue East, Ocean Center, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting. Topics to include but not limited to a Division update, FFIRS update, and EMS update.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@MyFloridaCFO.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 10 days before the workshop/meeting by contacting: MaryAnn.Benson@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).

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Firefighters Employment, Standards and Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 24, 2019, ten minutes after the adjournment of the FFIRS meeting which begins at 1:00 p.m.

PLACE: Fire Rescue East, Ocean Center, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting. Topics to include but not limited to a Division and Bureau update.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@MyFloridaCFO.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 10 days before the workshop/meeting by contacting: MaryAnn.Benson@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).

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has received the petition for declaratory statement from Mila Simkin. The petition seeks the agency's opinion as to the applicability of subparagraph 718.112(2)(d)2. as it applies to the petitioner.

1. Whether subparagraph 718.112(2)(d)2., Florida Statutes, applies to the board of directors and includes years of service prior to the effective date of the amendment to subparagraph 718.112(2)(d)2., Florida Statutes. 2. Whether subparagraph 718.112(2)(d)2., Florida Statutes, will prevent the Directors from running for re-election and serving more than eight consecutive years, unless there are not enough eligible candidates to fill vacancies on the board.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030; (850)488-1631; lscmhpublicrecords@myfloridalicense.com.

Please refer all comments to: Chevonne Christian, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202.

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
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT
SERVICES
DIVISION OF REAL ESTATE DEVELOPMENT AND
MANAGEMENT
PUBLIC ANNOUNCEMENT FOR PROFESSIONAL
SERVICES
CONTINUING CONTRACTS FOR ASBESTOS, LEAD,
INDOOR AIR QUALITY, MOLD
AND INDUSTRIAL HYGIENE CONSULTING SERVICES
SOUTH FLORIDA REGION
December 18, 2018
RFQ-Number: RFQ-REDM18/19-18
Project Number: N/A

Project Name: Asbestos, Lead, Indoor Air Quality, Mold and Industrial Hygiene Consulting Services, Continuing Contracts
Location: South Florida

The State of Florida, Department of Management Services (DMS), Division of Real Estate Development and Management, requests qualifications from asbestos licensed consulting firms that are also accredited to provide lead, indoor air quality, mold and industrial hygiene consulting services primarily in the South Florida Region. These services may be used for projects anywhere in the State of Florida, however, it is anticipated that the firms selected during this process will be activated for projects in the South part of the State. The South Florida Region is defined as all counties south of and including Charlotte, Glades, Palm Beach, and St. Lucie County. A minimum of (2) firms for the South Florida Region may be selected under this Continuing Contract and will be responsible for assigned projects having estimated construction costs, planning or study fees not exceeding the threshold amounts of \$2,000,000.00 (construction) and \$200,000.00 (planning or study fees) respectively, provided for in Section 287.055, Florida Statutes. This contract will be for an initial period of two (2) years with an option to renew for an additional two-year period.

NOTE: If your firm has been selected for a continuing contract for this project within the State of Florida in which your business has an office, you do not need to reapply.

QUALIFICATIONS SELECTION CRITERIA: Firms must be properly licensed in the State of Florida at the time of submittal, must be licensed as an Asbestos Consultant firm, must have a licensed Certified Industrial Hygienist (CIH) on staff and have current Lead Accreditation Credentials from the U.S. Environmental Protection Agency (EPA). Additionally, staff performing mold assessment and related inspection, design and testing work must be accredited and licensed through the Florida Department of Business and Professional Regulation (DBPR) with MRSA designation (Mold Related Services Assessor). Representative samples of related work may be submitted in a separate binder. Firms are advised that plans and specifications for Architect Engineer projects may be reused. Selections will be made in accordance with Chapter 287.055, Florida Statutes.

Scope of services may include (Asbestos): Bulk sampling, laboratory analysis, facility surveys, development of management plans, abatement specifications, project management, air monitoring, TEM and PCM sampling and analysis, final abatement report, and project close out documents.

Scope of services may include (Lead): Bulk sampling, laboratory analysis, XRF scanning, facility surveys, risk assessment, abatement specifications, TCLP analysis, project

management, air monitoring, wipe samples and analysis, final abatement report and project close out documents.

Scope of services may include (Indoor Air Quality & Mold): Air sampling, assessment and sampling of HVAC systems, source contaminant assessment, indoor air quality modeling, moisture and water intrusion assessment/moisture mapping; pollutant pathway investigation and modeling, bio-aerosol sampling and analysis, building pressurization gradient surveys, radon measurement and mitigation, vibration assessment, bio-aerosol sampling (viable and non-viable), building envelop assessment, boroscopic inspection, infrared thermography, mycometer protocol, abatement/migration final abatement report and project close out documents.

Scope of Services may include (Industrial Hygiene Services): Drinking water studies, noise studies and mitigation, radiation exposure evaluation and mitigation, lighting assessments, heat stress evaluations, development of occupational safety and health programs, respiratory protection program, chemical assessment evaluation, toxic metals, solvents and particulates characterization, and assessment.

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 relevant asbestos, lead, indoor air quality, mold and industrial hygiene consulting experience, and ability of professional personnel, location, billable staff, recent, current and projected workloads of the firms, Florida licensed staff, and volume of DMS and other State Agency work. The list of firms selected for interview by the Selection Committee will be posted on the 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, 201 West Broward Blvd., Fort Lauderdale, Florida 33301.

REDACTED COPY:

All materials submitted as part of this solicitation will be a public record subject to the provisions of Chapter 119, Florida Statutes. If a Respondent considers any portion of the documents, data or records submitted in its Qualifications to this solicitation to be confidential, proprietary, trade secret or otherwise not subject to disclosure pursuant to Chapter 119, Florida Statutes, the Florida Constitution or other authority, a Respondent must mark the document as "Confidential" and simultaneously provide the Department with a separate .pdf redacted copy of its Qualifications and briefly describe in writing the grounds for claiming exemption from the public

records law, including the specific statutory citation for such exemption. This redacted copy shall contain the Department's solicitation name, number and the Respondent's name on the cover and shall be clearly titled "Redacted Copy." The Redacted Copy should only redact those portions of material that the Respondent claims is confidential, proprietary, trade secret or otherwise not subject to disclosure pursuant to Chapter 119, Florida Statutes, the Florida Constitution or other authority. In the event of a request for public records pursuant to Chapter 119, Florida Statutes, the Florida Constitution or other authority, to which documents that are marked as confidential are responsive, the Department will provide the Redacted Copy to the requestor. If the Respondent fails to submit a redacted copy of information it claims is confidential, the Department is authorized to produce the entire documents, data or records submitted to the Department in answer to a public records request for these records.

RESPONSE INSTRUCTIONS: On or before the response due date listed below, firms interested in being considered for this project must submit five (5) printed copies, (1) one scanned copy, and (1) one scanned redacted copy (if applicable) of the entire response in Adobe (.pdf) on a thumb drive of their submittals with a table of contents and tabbed sections in the following order:

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.

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.

A copy of the firm's current Florida Department of Business and Professional Regulation License. (Firms considered for selection must have a Certified Industrial Hygienist (CIH) licensed to do business in Florida on staff).

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.

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 your information only, you may download the Professional Services Evaluation Form and the Selection of Design Professional

booklet for selection criteria information. (These revised 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 Tammy Brannon by email at tammy.brannon@dms.myflorida.com no later than 5:00 p.m. on Friday, December 28, 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	EVENT TIME (ET)	EVENT DATE
RFQ posted to Florida Administrative Register and the VBS website.		12/18/2018
Question Period Ends.	By 5:00 p.m.	12/28/2018
Answers to Questions posted to the VBS website.	By 5:00 p.m.	1/7/2019
Responses from Vendors due.	By 4:00 p.m.	1/25/2019
Responses reviewed for responsiveness.		1/28/2019
Post shortlist results to the VBS website.		2/11/2019
72-hour protest period ends.		2/14/2019
Interview/Presentations of shortlisted firms.		2/26/2019
Anticipated Posting of final results to the VBS website.		3/4/2019
72-hour protest period ends.		3/7/2019

Anticipated contract start date.	TBD
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RESPONSE DUE DATE: Responses must be received by the Department, in accordance with the document delivery instructions below on, or before January 25, 2019 by 4:00 p.m. Eastern Time.

DOCUMENT DELIEVERY: Responses are to be submitted to: Ms. Tammy Brannon, Department of Management Services, Real Estate Development and Management, 4050 Esplanade Way, Suite 315.4y, Tallahassee, Florida 32399.

The time/date stamp/clock in the Department shall serve as the official authority to determine timeliness of the responses. Responses, which for any reason are not timely received, will not be considered. Late responses will be declared non-responsive and will not be further evaluated. Unsealed and/or unsigned responses received by telegram, facsimile transmission or other similar means are not acceptable, and will be declared non-responsive and will not be further evaluated. Submittals that do not comply with the requirements or instructions of this solicitation document will be declared non-responsive and will not be further evaluated.

DISABILITY ACCESS: Pursuant to the provisions of the Americans with Disabilities Act according to 286.26 Florida Statutes, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Tammy Brannon, (850)413-9525. 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 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.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Tuesday, December 11, 2018 and 3:00 p.m., Monday, December 17, 2018.

Rule No.	File Date	Effective Date
5C-4.005	12/14/2018	1/3/2019
60FF1-5.010	12/14/2018	1/3/2019

61DER18-1	12/14/2018	12/17/2018
61G3-21.001	12/17/2018	1/6/2019
64B-9.001	12/12/2018	1/1/2019
64B7-30.002	12/13/2018	1/2/2019
64B13-3.100	12/12/2018	1/1/2019
64B15-14.005	12/12/2018	1/1/2019
64B18-14.002	12/13/2018	1/2/2019
64B18-14.010	12/13/2018	1/2/2019
64B18-23.002	12/13/2018	1/2/2019
64B32-4.001	12/12/2018	1/1/2019
69A-37.039	12/12/2018	1/1/2019
69A-37.058	12/12/2018	1/1/2019
74-2.001	12/13/2018	1/2/2019
74-2.003	12/13/2018	1/2/2019
74-2.004	12/13/2018	1/2/2019
74-2.005	12/13/2018	1/2/2019
74-2.006	12/13/2018	1/2/2019
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	**/**/****
69L-3.009	12/5/2018	**/**/****

WATER MANAGEMENT DISTRICTS
 Northwest Florida Water Management District
NOTICE OF RIGHTS

NOTICE OF RIGHTS: On December 13, 2018, based on the findings of the 2018 Water Supply Assessment Update, the Governing Board determined: (1) the Regional Water Supply Plan for Region II (Okaloosa, Santa Rosa, and Walton counties) be continued; (2) the Regional Water Supply Plan for Region III (Bay County) be discontinued; and (3) no new regional water supply plans are required.

The following information addresses procedures to be followed if you desire an administrative hearing or other review of agency action.

DETERMINATION OF THE NEED FOR REGIONAL WATER SUPPLY PLAN

Any person whose substantial interests are or may be affected by the action described may petition for an administrative hearing in accordance with the requirements of Section 28-106.201, Florida Administrative Code, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Pursuit of mediation will not adversely affect the right to administrative proceedings in the event mediation does not result in a settlement. Petitions for an administrative hearing must be filed with the Agency Clerk of the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-4712 by no later than 21 days after the publication date of this notice. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action and who has exhausted available administrative remedies is entitled to judicial review in the District Court of Appeal pursuant to Section 120.68, Florida Statutes. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District
NOTICE OF AVAILABILITY OF FY 2019-2020 SPRINGS RESTORATION FUNDING
 Notice of Availability of FY 2019-2020 Springs Restoration Funding

The Northwest Florida Water Management District (District) announces the anticipated availability of grant funding for springs restoration and protection projects in northwest Florida. Applications are due at District Headquarters no later than Friday, March 1, 2019. The application form, guidelines and information on prior years' funding can be found on the District's website at www.nwfwater.com. For more information, please contact Christina Coger at (850)539-5999, 1(800)913-1518, Christina.Coger@nwfwater.com, or write the District at: Northwest Florida Water Management District, Attention: FY 2019-2020 Springs Restoration Funding, 81

Water Management Drive, Havana, Florida 32333. Note that any awards under this program are subject to the availability of state funding in the General Appropriation Act for FY 2019-2020 and the District’s FY 2019-2020 Adopted Budget. 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 ENVIRONMENTAL PROTECTION
 State Revolving Fund Program
 NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTICE
 Gateway Services Community Development District (GSCDD), Florida
 The Florida Department of Environmental Protection (DEP) has determined that the GSCDD’s proposed project in Lee County, which consists of the remediation of lake banks throughout the GSCDD by the installation of an anchored reinforced vegetation system, is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$8,320,300. This project may qualify for Clean Water State Revolving Fund (CWSRF) loans comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Pankaj Shah, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850)245-2962 or emailing Pankaj.Shah@dep.state.fl.us.

DEPARTMENT OF FINANCIAL SERVICES
 Division of Rehabilitation and Liquidation
 NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH SAWGRASS MUTUAL INSURANCE COMPANY.
 IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
 CASE NO.: 2018 CA 001810
 In Re: The Receivership of SAWGRASS MUTUAL INSURANCE COMPANY, a Florida corporation authorized to transact homeowner’s property and casualty insurance business.
 NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH SAWGRASS MUTUAL INSURANCE COMPANY.
 You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 28th day of November, 2018, the Department of Financial Services of the State of Florida was appointed as

Receiver of SAWGRASS MUTUAL INSURANCE COMPANY (hereinafter “the Department”) effective October 1, 2018, and was ordered to liquidate the assets of said company.
 Policyholders, claimants, creditors, and other persons having claims against the assets of SAWGRASS MUTUAL INSURANCE COMPANY shall present such claims to the Department as the Receiver on or before 11:59:59 p.m. EST, on Tuesday, May 28, 2019. It is intended that this deadline also be the date certain specified in subsection 631.181(5), Florida Statutes, after which no further claims may be filed.
 SAWGRASS MUTUAL INSURANCE COMPANY had no active policies at liquidation. All insurance policies issued by the company were cancelled on September 1, 2017. Replacement coverage was provided by HERITAGE PROPERTY & CASUALTY INSURANCE COMPANY.
 Information regarding the method for filing claims in the liquidation proceeding and other information regarding the receivership process is available on the Department’s website, <http://www.myfloridacfo.com/division/receiver>.

Section XIII
Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN
 DECEMBER 10, 2018 AND DECEMBER 14, 2018

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES				
Division of Animal Industry				
5C-4.005	12/14/2018	1/3/2019	44/127	44/181 44/214
DEPARTMENT OF MANAGEMENT SERVICES				
E911 Board				
60FF1-5.010	12/14/2018	1/3/2019	44/218	
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION				
Division of Pari-Mutuel Wagering				
61DER18-1	12/14/2018	12/17/2018	44/243	
DEPARTMENT OF HEALTH				
Division of Medical Quality Assurance				
64B-9.001	12/12/2018	1/1/2019	44/180	

Board of Chiropractic

64B2-18.002 12/10/2018 12/30/2018 44/147 44/188
44/214

Board of Massage

64B7-30.002 12/13/2018 1/2/2019 44/14 44/189
44/218

Board of Optometry

64B13-3.100 12/12/2018 1/1/2019 44/212

Board of Osteopathic Medicine

64B15-14.005 12/12/2018 1/1/2019 44/219

Board of Podiatric Medicine

64B18-14.002 12/13/2018 1/2/2019 44/222
64B18-14.010 12/13/2018 1/2/2019 44/222
64B18-23.002 12/13/2018 1/2/2019 44/222

Board of Respiratory Care

64B32-4.001 12/12/2018 1/1/2019 44/219

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-37.039 12/12/2018 1/1/2019 44/195
69A-37.058 12/12/2018 1/1/2019 44/195

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

73B-6.001 12/10/2018 12/30/2018 44/214

AGENCY FOR STATE TECHNOLOGY

74-2.001 12/13/2018 1/2/2019 44/183 44/219
74-2.003 12/13/2018 1/2/2019 44/183
74-2.004 12/13/2018 1/2/2019 44/183
74-2.005 12/13/2018 1/2/2019 44/183
74-2.006 12/13/2018 1/2/2019 44/183

**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

DEPARTMENT OF HEALTH

Board of Medicine

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

DEPARTMENT OF FINANCIAL SERVICES

Workers' Compensation Claims

69L-3.009 12/5/2018 **/**/**** 44/210

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.