

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-1.003 Screening and Application

PURPOSE AND EFFECT: The Department intends to amend Rule 65C-1.003, F.A.C., to update a form that is incorporated by reference.

SUMMARY: The “Adult Services Screening for Consideration for Community-Based Programs” form will be updated, and the “Due Process Rights” form, which is referenced in the “Adult Services Screening for Consideration for Community-Based Programs” form, will be incorporated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 410.033, FS.

LAW IMPLEMENTED: 410.033, FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-1.003 Screening and Application.

(1) No change.

(2) If funding is not available to move an individual into the Home Care for Disabled Adults Program, the individual is screened by departmental staff using the Adult Services Screening for Consideration for Community-Based Programs, CF-AA 1022, ~~October 2014 August 2004~~, and placed on the Home Care for Disabled Adults Waiting List or other Adult Services programmatic waiting list for the appropriate service that meets the need of the individual. The focus of the Adult Services Screening for Consideration for Community-Based Programs shall be on individuals who are at risk of nursing home placement and at risk of abuse, neglect, and exploitation. The Adult Services Screening for Consideration for Community-Based Programs is incorporated by reference and is available at www.flrules.org/Gateway/reference.asp?No=Ref-XXX. ~~Form CF/PI 140-43, Due Process Rights, July 2014, which is referenced in form CF-AA 1022, is incorporated by reference and is available at www.flrules.org/Gateway/reference.asp?No=Ref-XXX;~~ without cost, from the Adult Services Program Office, 1317 ~~Winewood Boulevard, Tallahassee, Florida 32399-0700.~~

(3) through (4) No change.

Rulemaking Authority 410.033 FS. Law Implemented 410.033 FS. History--New 5-3-81, Formerly 10A-9.03, Amended 6-11-91, Formerly 10A-9.003, Amended 8-13-00, 1-23-05. Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Robert Anderson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 6, 2019

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-13.022	Definitions
65C-13.023	Background Screening Requirements
65C-13.024	Parent Preparation Pre-service Training
65C-13.025	Initial Licensing and Unified Home Study
65C-13.026	Continuing Education
65C-13.027	Changes During the Licensed Year
65C-13.028	Re-Licensing
65C-13.030	Standards for Licensed Out-of-Home Caregivers
65C-13.031	Terms of a License
65C-13.032	Over-Capacity Assessments and Exceptions
65C-13.033	Babysitting, Overnight Care, Extended Overnight Care, and Other Supervision Arrangements
65C-13.034	Foster Care Referrals and Investigations
65C-13.035	Administrative Actions, Appeals and Closures

PURPOSE AND EFFECT: The Department intends to repeal Rule Chapter 65C-13, Foster Care Licensing. The content of the rules will be transferred to a new Rule Chapter 65C-45, Levels of Licensure.

SUMMARY: Rules 65C-13.002-.028, and .030-.035, F.A.C., will be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.4091(4), 409.145(5), 409.175(5)(a), 435.01(2) FS.

LAW IMPLEMENTED: 39.0121, 39.0138, 39.4091(2),

409.145(2), 409.175(3)(b), (c), (5)(a), (f), (6)(a), (b), 435.05 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

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

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-13.022 Definitions.

Rulemaking Authority 409.175(5)(a) FS Law Implemented 409.175 FS. History–New 4-6-08, Amended 3-6-18. Repealed.

65C-13.023 Background Screening Requirements.

Rulemaking Authority 39.012, 39.0121, 409.175(5)(a), 435.01(2) FS. Law Implemented 39.0121, 39.0138, 409.175(5)(f), 435.04, 435.05 FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.024 Parent Preparation Pre-service Training.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.025 Initial Licensing and Unified Home Study.

Rulemaking Authority 409.145(5), 409.175(5)(a), 435.01(2) FS. Law Implemented 409.145(2), 409.175(5)(a), (f), (6)(a), (b), 435.04 FS. History–New 4-6-08, Amended 3-6-14, 3-6-18, 1-7-19. Repealed.

65C-13.026 Continuing Education.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.027 Changes During the Licensed Year.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.028 Re-Licensing.

Rulemaking Authority 409.145(5), 409.175(5)(a) FS. Law Implemented 409.145(2), 409.175(5)(a), (6)(b) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.030 Standards for Licensed Out-of-Home Caregivers.

Rulemaking Authority 409.145(5), 409.175(5)(a) FS. Law Implemented 409.145(2), 409.175(5)(a) FS. History–New 4-6-08, Amended 7-21-10, 3-6-14, 3-6-18. Repealed.

65C-13.031 Terms of a License.

Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.032 Over-Capacity Assessments and Exceptions.
 Rulemaking Authority 409.175 FS. Law Implemented 409.175(3)(a), 409.175(3)(b), (c), 409.175(5)(a)4. FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.033 Babysitting, Overnight Care, Extended Overnight Care and Other Supervision Arrangements.
 Rulemaking Authority 39.4091(4), 409.175(5)(a) FS. Law Implemented 39.4091(2), 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.034 Foster Care Referrals and Investigations.
 Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

65C-13.035 Administrative Actions, Appeals and Closures.
 Rulemaking Authority 409.175(5)(a) FS. Law Implemented 409.175(5)(a), (6) FS. History–New 4-6-08, Amended 3-6-14, 3-6-18. Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Courtney Smith
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 18, 2019

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-45.001	Background Screening Requirements for all Levels of Licensure
65C-45.002	Parent Preparation Pre-service and Inservice Training for all Levels of Licensure
65C-45.003	Foster Home Initial Licensing Requirements for all Levels of Licensure
65C-45.004	Summary, Recommendations, and Process for Submission of Initial Levels of Licensure
65C-45.005	Level I-Waivable Requirements
65C-45.006	Level II-Non-Child-Specific Foster Home Initial Licensing Requirements
65C-45.007	Level III-Safe Foster Home for Victims of Human Trafficking Initial Licensing Requirements
65C-45.008	Level IV Therapeutic Foster Home and Level V Medical Foster Home Initial Licensing Requirements
65C-45.009	Changes During the Licensed Year for all Levels of Licensure
65C-45.010	Standards for all Licensed Out-of-Home Caregivers
65C-45.011	Supports for all Levels of Licensure
65C-45.012	Relicensing Requirements for all Levels of Licensure
65C-45.013	Conflict of Interest for all Levels of Licensure
65C-45.014	Terms of a License for all Levels of Licensure
65C-45.015	Over-Capacity Assessments and Exceptions for all Levels of Licensure
65C-45.016	Babysitting, Overnight Care, Extended Overnight Care, and Other Supervision Arrangements for all Levels of Licensure
65C-45.017	Foster Care Referrals and Investigations for all Levels of Licensure
65C-45.018	Administrative Actions, Appeals and Closures for all Levels of Licensure

PURPOSE AND EFFECT: The Department intends to create a new Rule Chapter, 65C-45, F.A.C., which will include (1) a restructuring of the rules currently in Chapter 65C-13, F.A.C., and (2) levels of care and associated licensure requirements for each level.

SUMMARY: The rules accomplish the following for licensed care: (1) set forth background screening requirements; (2) require parent preparation pre-serve and inservice training; (3) establish licensing and relicensing requirements for all levels of licensed care; (4) establish the process for submission of licensing applications; (5) specify Level 1 waivable requirements; (6) specify supports available to and standards for out-of-home caregivers; (7) establish terms of licensure; (8) establish procedures when there are changes made during the

licensed year; (9) set forth procedures for conflicts of interest in becoming an out-of-home caregiver; (10) establish procedures for over-capacity assessments and exceptions; (11) specify normalcy provisions; and (12) establish a process for foster care referrals, investigations, administrative actions, appeals and closures.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121, 39.4091(4), 409.145(5), 409.1678(2)(c)7., (2)(e), 409.175(5), 435.01(2), FS.

LAW IMPLEMENTED: 39.0121, 39.0138, 39.4091(2)-(3), 409.145(2), 409.1678, 409.175(5), 435.04, 435.05, FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-45.001 Background Screening Requirements for all Levels of Licensure

(1) The Department shall conduct background screenings for all persons considered by the Department for initial licensure, re-licensure, or re-screenings for 3-year licensure for out-of-home caregivers and all adult household members age 18 and older, pursuant to sections 409.175 and 39.0138, F.S.

(2) These screenings shall include:

(a) Statewide criminal records check through the Florida Department of Law Enforcement to be obtained through fingerprinting;

(b) Federal criminal records check through the Federal Bureau of Investigation to be obtained through fingerprinting;

(c) Local criminal records check through local law enforcement agencies, including records of any responses to the home by law enforcement that did not result in criminal charges;

(d) Records check of the Florida Sexual Offenders and Predators registry;

(e) Abuse and neglect records check through the Department's Florida Safe Families Network (FSFN) which shall be documented on the "Central Abuse Hotline Record Search" form, CF 1651, Nov 2008, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>;

1. Only abuse and neglect reports in which the applicant or any other household member was named as the caregiver responsible for the abuse or neglect shall be used for initial licensing recommendations by the community-based care agency (CBC).

2. When the applicant or any other household member was named as caregiver responsible in a report verified for sexual abuse, this shall be an automatic disqualifier for licensure.

3. The Department's Regional Family Safety Office shall review the following reports to determine whether a license shall be issued:

a. When the applicant or any other household member was named in any capacity in three (3) or more reports within a five (5) year period, regardless of classification; and

b. When the applicant or any other household member was named as caregiver responsible in a report not substantiated for sexual abuse.

4. For homes being considered for licensure for longer than one (1) year under section 409.175(6)(j), F.S., all abuse reports with any findings shall be considered.

5. Determinations made based on abuse and neglect reports shall be made in accordance with the standards set forth in Rule 65C-38.002, F.A.C.

(f) Civil court records check regarding domestic violence complaints and orders of protection.

(3) If the applicant or any other adult household member has resided in any other state during the past five (5) years, requests for abuse and neglect histories and the results of such requests shall be included with the application file.

(4) Each applicant and adult household member being screened shall sign an "Affidavit of Good Moral Character," CF 1649, January 2015, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and a "Release of Information," CF-FSP 5090, February 2013,

incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(5) Each applicant and household member being screened under this rule shall provide all the names under which he or she has been known.

(6) The following screenings shall be completed for household members 12-17 years of age:

(a) Juvenile records check through the Florida Department of Juvenile Justice; and

(b) Abuse and neglect records check through the FSFN.

1. Only abuse and neglect reports in which the household member was named responsible for the abuse or neglect shall be used for initial licensing recommendations by the CBC.

2. When the household member was named in a report verified for sexual abuse, this shall be an automatic disqualifier for licensure.

3. The Department's Regional Family Safety Office shall review the following reports to determine whether a license shall be issued:

a. When the household member was named in any capacity in three (3) or more reports within a five (5) year period, regardless of classification; and

b. When the household member was named in a report not substantiated for sexual abuse.

4. For homes being considered for licensure for longer than one (1) year under section 409.175(6)(j), F.S., all abuse reports with any findings shall be considered.

5. Determinations made based on abuse and neglect reports shall be made in accordance with the standards set forth in Rule 65C-38.002, F.A.C.

(7) When the individual who is being screened is a former dependent child under 23 years of age and the security background screening reveals a disqualifying offense which was committed during or prior to the time that the child was dependent, that offense shall not automatically affect the licensure of the out-of-home caregivers. Exemptions for disqualifying offenses under section 435.07, F.S., may be sought.

(8) All records obtained as a part of the background screening shall be considered in the process of determining whether to issue a foster care license or, if there is a current license, whether the license should be revoked. Such records shall include findings of delinquency; any misdemeanor or felony criminal arrests resulting in a conviction or withhold of adjudication; any criminal traffic offenses resulting in a conviction or withhold of adjudication, and any civil cases of domestic violence and orders for protection. Crimes perpetrated in other states that are misdemeanors in that state but would be felonies listed under section 435.04, F.S., if committed in Florida shall be considered as disqualifying offenses by the Department for licensing decisions. Crimes identified as

disqualifying offenses under Section 39.0138, F.S., are automatic disqualification for licensure.

(9) Screenings identified in 65C-45.001(2)(a)-(b) are valid for five years. Screenings identified in 65C-45.001 (2)(c)-(f) and 65C-45.001(6)(a)-(b) are valid for 1 year. All screenings must be valid within 60 days of re-licensure or rescreening for three-year licensure.

(10) Fingerprint exemptions as referenced in section 39.0138, F.S., can be granted for household members if the criteria in Rule 65C-28.020, F.A.C., is met.

Rulemaking Authority 39.012, 39.0121, 409.175(5), 435.01(2) FS. Law Implemented 39.0121, 39.0138, 409.175(5), 435.04, 435.05 FS. History--New

65C-45.002 Parent Preparation Pre-service and Inservice Training for all Levels of Licensure

(1) Parent preparation pre-service and in-service training shall meet the requirements of section 409.175(14)(b), F.S.

(2) Applicants who have previously completed a Department-approved pre-service training curriculum in the past five (5) years, and who can provide proof of completion, shall not be required to complete pre-service training except portions of the training curriculum that have been updated since their previous completion. Applicants who completed pre-service training in another state shall be exempt from pre-service training if the curriculum meets the content requirements established in section 409.175(14)(b), F.S., for pre-service training offered in Florida. Supervising agencies shall submit a copy of the curriculum to the Office of Child Welfare for review and approval if the previously completed training is not an approved curriculum in Florida. The Office of Child Welfare shall approve training curriculum that meets the required hours and content requirements specified in section 409.175(14)(b)1.-7., F.S.

(3) Pre-service training shall include the following:

(a) The reasonable and prudent parenting standards, pursuant to sections 39.4091 and 409.145, F.S., and the balance of normalcy for children in care and their safety;

(b) Legal rights, roles, responsibilities, and expectations of foster parents;

(c) The social and emotional development of children and youth;

(d) Agency policies, services, laws, and regulations;

(e) Development of life skills for teens in care;

(f) The caregiver's role in supporting and promoting the educational progress of the child;

(g) Trauma-informed care, including recognizing the signs, symptoms, and triggers of trauma;

(h) The Multiethnic Placement Act and the Americans with Disabilities Act; and

(i) For individuals being licensed as a level II-V, training must also include the administration of psychotropic medication, including the use of psychotropic medications to treat children, the proper dosage of medication, the importance of monitoring for possible side effects, and the timely reporting of side effects and adverse reactions. Training on psychotropic medications shall also include an overview of section 39.407, F.S., and Rule Chapter 65C-35, F.A.C., which govern the administration of psychotropic medication.

(4) In-service training must be completed annually prior to re-licensure. The types of in-service training shall be based upon the needs of the family and any previous or current children in the home.

(5) Each parent preparation pre-service training class shall be led by a child protection professional certified pursuant to section 402.40, F.S., who has a bachelor's degree or a master's degree from an accredited college or university, and who has successfully met any curriculum-specific requirements to train the Department-approved parent preparation pre-service training curriculum. An online training approved by the Department may also be provided. The Department shall review all parent preparation pre-service training curriculum to ensure that it meets the required hours and content requirements specified in section 409.175(14)(b)1.-7., F.S. If the required hours and content requirements are met, the Department shall approve the curriculum. Each parent preparation pre-service training class shall follow the recommendations of the curriculum designer regarding the number and type of facilitators involved in the training process. If the child-placing agency is the designer of the curriculum, the number and types of facilitators to be involved in the training process must be clearly defined.

(6) The community-based care lead agency is authorized to approve the completion of pre-service training. If individualized training is done, the certified child welfare professional is responsible for complying with the requirements set forth for parent preparation pre-service training in section 409.175, F.S., and the requirements set forth in this rule.

(7) Anyone who wishes to become a licensed out-of-home caregiver shall attend parent preparation pre-service training, as defined in subsections (1) and (2) of this rule, offered by any licensed child-placing agency. Agencies shall work cooperatively with each other and prospective licensed out-of-home caregivers to ensure the ongoing availability of such training.

(8) When prospective out-of-home caregivers successfully complete the parent preparation pre-service training but do not continue the licensing process or commence but fail to complete the parent preparation pre-service training, the supervising agency staff shall document the reason the process was discontinued in Florida Safe Families Network (FSFN).

(9) The completed parent preparation pre-service training is valid for five (5) years from the date of verified curriculum completion.

(10) The community-based care lead agency will utilize culturally and linguistically appropriate competency and awareness when recruiting out-of-home caregivers. The agency will provide prospective out-of-home caregivers with cultural competency training to address a variety of cultural backgrounds, values, customs, and beliefs.
Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5), (14) FS. History—New

65C-45.003 Foster Home Initial Licensing Requirements for all Levels of Licensure

(1) General.

(a) Each applicant wishing to become a licensed out-of-home caregiver shall complete the following:

1. An "Application for License to Provide Out-of-Home Care for Dependent Children," CF-FSP 5007, July 2017, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. Persons living together in a caretaking role must both sign the application;

2. A "Release of Information" form, incorporated by reference in Rule 65C-45.001, F.A.C.;

3. A "Partnership Plan for Children in Out-of-Home Care," CF-FSP 5226, January 2015, incorporated by reference and available [at https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX](https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX);
and

4. A "Confidentiality Agreement," CF-FSP 5087, February 2015, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(b) The child-placing agency completing the Unified Home Study shall, at a minimum, conduct one (1) visit to the applicant's home, inspect the entire indoor and outdoor premises, document the conditions, and conduct face-to-face interviews with all household members. The dates, names of persons interviewed, and summary of these interviews shall be documented in the Unified Home Study.

(c) The supervising agency is responsible for advising the applicant of all rules, regulations, and standards that apply to the applicant if a license is issued.

(2) Attestation may be used during the initial licensure and re-licensure of a family foster home. The Department issues the license based on the community-based care lead agency's attestation that the licensure or re-licensure file complies with state law and rule. If the child-placing agency is not contracted with a community-based care lead agency, it may submit its attestation directly to the Department.

(a) “Attestation for Foster Home Licensure,” CF-FSP 5357, (insert date), is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(b) Community-based care lead agencies participating in the attestation model for licensure must enter into a Memorandum of Agreement with the Regional Licensing Office. The “Memorandum of Agreement for Adoption of Attestation Model for Family Foster Home Licensing,” CF-FSP 5356, (insert date), is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(3) Initial Licensing Unified Home Study. A staff person, certified pursuant to section 402.40, F.S., from the supervising agency shall perform a thorough assessment of each prospective licensed out-of-home caregiver and document this assessment in the Unified Home Study section of Florida Safe Families Network (FSFN). The assessment shall include:

(a) Demographics, including:

1. Names, dates of birth, addresses, and contact numbers for the caregiver(s), other household members, including biological children, and non-resident children of caregivers;

2. Verification of Social Security information; and

3. Names, dates of birth, and types of placement of all children who are currently placed in the home (by the Department or another agency) and who exited the home within one (1) year from initiation of the UHS.

(b) Verification of background checks.

(c) Employment. Description of the current employment status for each parent, including occupation, place of employment, work hours, and flexibility of schedule in case of emergencies, medical, or school appointments for children.

(d) Financial Capacity and Income. Description and documentation of the applicant’s current financial capacity and how the impact of the additional children in the home will be addressed.

(e) Child Care. Description of child care arrangements, including transportation to and from the child care provider, if applicable.

(f) Assessment and Unified Home Study details, including the following:

1. Current or past experiences with child abuse or neglect, alcohol and/or substance abuse, alcohol and/or substance abuse treatment, and domestic violence;

2. Any health or mental health conditions, including medication(s);

3. How the caregiver(s) is (are) able to participate in a professional team supporting the child by sharing necessary information with other professionals on the team and maintaining the confidentiality of the child and caregiver as required by law, regulation, and professional ethics; participating in planning activities, court hearings, staffings, and other key meetings; and

4. How the caregiver(s) is (are) willing and able to make a loving commitment to the child(ren)’s safety and well-being by:

a. Providing supervision and positive methods of discipline;

b. Encouraging the child in his or her strengths and respecting the child’s individuality and likes and dislikes;

c. Providing opportunities to develop the child’s interests and skills;

d. Maintaining awareness of the impact of trauma on behavior;

e. Involving the child in family and community activities;

f. Providing transportation to child care, extracurricular activities, and school (if requested by the community-based care lead agency. This request shall not be made to circumvent the requirements of the Every Student Succeeds Act (ESSA), 129 Stat. 1802 (2015)); and

g. Ensuring the child’s safety by employing safety measures, including in the household, for transportation, and with pets.

(I) Transportation. The licensed out-of-home caregiver shall have transportation available 24 hours a day. All vehicles used to transport children shall be in safe condition and equipped with seat belts for each child transported as required by section 316.614, F.S., and car seats as required by section 316.613, F.S. The licensed out-of-home caregiver shall not knowingly allow children to be transported in an uninsured vehicle. Vehicles shall be smoke free, including e-cigarettes and vapor smoke, when children are being transported. The licensed out-of-home caregiver shall ensure safety equipment is utilized.

(II) Animals. Provide a description of any household pets, exotic pets, or livestock residing on the premises. Descriptions shall include observations of the care, behavior, and/or maintenance and safety plan relating to each animal. The applicant shall have measures in place to assure safety of children from any potentially dangerous animals, and this information shall be documented in the home study, if applicable;

5. How the caregiver(s) is (are) willing and able to respect and honor any child’s culture, religion, and ethnicity; meet any child’s special physical or psychological needs; support any child’s individual situation. If the caregiving family’s religion, culture, or other factors will impair their ability to meet the needs of certain children, an explanation of what the family’s limitations are, and how limitations could impact children placed in their home.

6. How the caregiver(s) is (are) willing and able to commit to maintaining any child they accept in their home until it is in the child’s best interest to leave the home. An explanation of any problems a long-term commitment may present for the caregiver.

7. How the caregiver(s) will address challenges in caring for a child, including available supports and resources. These challenges may include, for example, fire setting, sexual reactive behaviors, mental health, substance abuse, and reactive attachment behaviors, and may potentially require a Child Placement Agreement. The "Child Placement Agreement," CF-FSP 5414, Jan 2017, is incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

8. How the caregiver(s) is (are) willing and able, when applicable, to participate in transition planning for any child, and maintaining a relationship with any child after he or she leaves the home.

9. How the caregiver(s) is (are) willing and able to assist the caregiver(s) from which the child was removed in improving their ability to care for and protect the child and to provide continuity for the child after reunification.

10. How the caregiver(s) is (are) willing and able to assist any child in family time/visitation and other forms of communication with family members, when applicable.

11. How the caregiver(s) will:

a. Maintain records that are important to any child's well-being, including child resource records, medical records, school records, photographs, and records of special events and achievements.

b. Ensure that these records are made available to other partners in the child welfare system and to the child and family, as applicable.

12. How the caregiver(s) is (are) willing and able to advocate for children in their care, as needed, with the child welfare system, the court, and community agencies, including schools, child care, health and mental health providers, and employers.

13. A description of previous parenting experience, if applicable.

14. How the caregiver(s) is (are) willing and able to participate fully in any child's medical, psychological, and dental care, including providing transportation to and from, attending appointments, and communicating with professionals.

15. How the caregiver(s) is (are) willing and able to support any child's school success by:

a. Participating in school activities and meetings, including disciplinary and/or Individualized Education Plan (IEP) meetings;

b. Assisting with school assignments, supporting tutoring programs, meeting with teachers and working with an Educational Surrogate, if one has been appointed, and encouraging any child's participation in extra-curricular activities;

c. For any child who has a disability or is suspected of having a disability, attending Educational Surrogate Parent training, if needed or recommended by the court, and thereafter advocating for the child(ren) in the school system; and

d. Maintaining any child(ren) in the school of origin, unless it is not in the child(ren)'s best interest to do so, or maintaining any child(ren) in the school of origin until a logical juncture in the academic year, if it is not possible or not in the child(ren)'s best interest to remain in the school of origin for the remainder of the school year.

(g) Applicant's motivation to foster and his or her commitment to the foster care experience, including how other family members and extended family feel about the decision to foster.

(h) Attendance and/or completion of any training related to licensure, including pre-service training, and home interview dates.

(i) Other Adult Household Members. The responsibilities the applicant(s) will expect the other adults in the household to have with children placed in the home.

(j) Temporary Backup Caregivers.

(k) Social History. A description of the following shall be included:

1. Background and Family History. Background and family history, including education, types of discipline used in the family, the family's willingness and ability to use appropriate discipline as described in the "Partnership Plan for Children in Out-of-Home Care," incorporated by reference in subsection (1) of this rule, family values, and any prior residences in or out of Florida.

2. Marital Status and Other Significant Relationships.

3. Health. Applicants will be required to fully disclose health history for themselves and each member of the household, to include current physical, mental, or emotional health status, any condition that is progressive and debilitating in its course, and any past and current treatment and services received for such condition. A current physical shall not be required unless the applicant has disclosed a physical, mental, or emotional condition that jeopardizes the safety and permanency of the child's placement.

4. Parenting experience of each applicant. All of the applicant's children, including adult children, shall be identified whether they reside in the home or not. If the applicant has parenting experience with children other than their biological or adopted children, circumstances under which this experience was acquired shall be discussed. This section should also include a description of the experience, as opposed to just listing the identities of the applicant's children or the children they may have parented.

5. Family Life. Document observations of family members' personalities and their interpersonal relationships. Describe family activities, hobbies and interests, and civic involvement, including how children placed in the home will participate in these activities, as well as family vacations. For each child living in the home, describe the child's school, grades, achievements, and interests. Describe each child's relationship with the applicant(s) and siblings in the home, as well as his or her feelings about having a foster child in the home.

6. Religion. Assess and document the family's attitudes regarding seeking medical treatment, celebrating holidays or birthdays, and respecting the religious beliefs of the child's family of origin.

(1) Home and Neighborhood:

1. Physical description of the home, including the number of bedrooms and bathrooms, type and number of available beds and current sleeping arrangements, storage space for children's personal belongings, living area, dining area, and other interior space. Interior and exterior photographs must be included. Interior photographs shall include all common living areas, the child's bedroom and bathroom, the storage space for the child's personal belongings, and any other area to which the child may have access.

2. A description of safety precautions in the home, including location and verification of operating fire extinguishers and smoke detectors, storage of medications, cleaning supplies, toxins, and safety nets for trampolines. The description shall also include the storage of alcoholic beverages, location of burglar bars, fireplaces, handrails on stairways, and space heaters, if applicable.

3. Water Safety. A description of the outdoor area, including swimming pools, canals, ponds, lakes, streams, septic tanks, and other potential water hazards, and documentation of the counselor's discussion with the applicant regarding the requirements for supervision and how the applicant will ensure safety and adequate supervision.

4. A completed "Foster Home Inspection Checklist," CF-FSP 5397, October 2017, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. Rulemaking Authority 409.145(5), 409.175(5), 435.01(2) FS. Law Implemented 409.145(2), 409.175(5)(a)-(b), (6)(a)-(b), 435.04 FS. History—New

65C-45.004 Summary, Recommendations, and Process for Submission of Initial Licensure

(1) Summary and Recommendations.

(a) Recommendation for licensure shall describe the characteristics of children most appropriate for placement in the home. These characteristics shall include level of licensure,

number of children, age, gender(s), types of behaviors, and special needs. Explore and address any limitations or concerns and under what conditions the prospective family would not be willing or able to accept a child.

(b) If recommending denial of licensure, the summary shall specify the licensing standards the applicant is unable to meet and attach all supporting documentation. The Department must notify the applicant regarding the appeal process pursuant to Chapter 120, F.S.

(c) The Unified Home Study shall be reviewed and signed by the applicant, child welfare professional and his or her supervisor. A copy of the Unified Home Study shall be provided to the applicant.

(2) The complete application file shall be submitted in accordance with the traditional or attestation model for licensure.

(a) A request for additional information shall be submitted by the Regional Licensing Authority within 10 business days of receipt of the file.

(b) A licensing application file shall consist of the following documentation:

1. "Application for License to Provide Out-of-Home Care for Dependent Children," incorporated by reference in Rule 65C-45.003, F.A.C.;

2. Licensing Unified Home Study;

3. Proof of income, including:

a. If the applicant is self-employed, verification of income and length of employment shall be obtained through the applicant's business license, date of incorporation, or IRS Form 1099;

b. If the applicant is not self-employed, verification shall be obtained via a letter of reference or other documentation from the applicant's employer that indicates the applicant's current employment and income. If current employment is less than two (2) consecutive years in duration, secondary employment references shall be obtained;

c. Documentation of any other legal verifiable income;

4. Parent Preparation Pre-service Training certificate;

5. Documentation of water safety training, if applicable.

As a prerequisite to licensure, potential licensed out-of-home caregivers who have swimming pools or whose homes are adjacent to bodies of water unprotected by a barrier of at least four (4) feet high will be required to complete a basic water safety course administered by the American Red Cross, YMCA, or a trainer certified in water safety training. This requirement does not apply to homes with temporary wading pools or portable pools with a depth of less than two (2) feet;

6. Verification of criminal history screening for applicant and all household members as specified in Rule 65C-45.001, F.A.C., including:

a. "Affidavit of Good Moral Character," incorporated by reference in Rule 65C-45.001, F.A.C.;

b. Local law enforcement check;

c. Civil court records check;

d. Florida Department of Law Enforcement records check;

e. Federal Bureau of Investigation clearance letter;

f. Abuse history background check through the Florida Safe Families Network (FSFN) which shall be documented on the "Central Abuse Hotline Record Search" form, incorporated by reference in Rule 65C-45.001, F.A.C.;

g. Requests for abuse and neglect histories from any other state in which the applicant or any other adult household member has resided during the past five (5) years; and

h. Records check of the Florida Sexual Offenders and Predators registry.

7. References for Level I caregivers shall include a minimum of two references regarding the family's ability to meet the needs of the child;

8. References for Levels II-V caregivers shall include:

a. Three (3) personal references who are not related to the applicant(s) and who have known the applicant(s) for at least two (2) years. Each of the three (3) personal references must provide information related to the applicant's parenting skills. References must be verified either verbally or in writing by the supervising agency staff and documented in the Unified Home Study in FSFN.

b. References from the adult children of each applicant. These references shall address the applicant's suitability to become a licensed out-of-home caregiver. All unsuccessful attempts to solicit information shall be documented in FSFN, and the overall impact of the missing information considered as a part of the recommendation to grant or deny a license.

c. References from school personnel of each school-age child residing in the home. References shall be documented in the Unified Home Study in FSFN.

d. References from the child care provider of any preschool-age child residing in the home who is enrolled in a child care program. References shall be documented in the Unified Home Study in FSFN.

e. References and documentation regarding any previous licensure as out-of-home caregivers.

9. Family Documents:

a. Driver's license(s) reflecting a current address and complete driving records for any household members or other persons identified who may transport children; and

b. Proof of vehicle insurance.

10. Family Foster Home Safety Documentation:

a. Fire inspection report (where required by local zoning laws); and

b. Floor plan.

11. All prospective licensed out-of-home caregivers must complete the "Acknowledgement of Firearms Safety Requirements," form CF-FSP 5343, July 2017, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(3) Unless otherwise outlined in a "Memorandum of Agreement Adoption of the Attestation Model for Family Foster Home Licensing," incorporated by reference in Rule 65C-45.003, F.A.C., the Regional Licensing Authority is responsible for ensuring that the licensing application file is complete and that all licensing requirements are met for the issuance of the license. If the child-placing agency is contracted with a community-based care lead agency, the licensing application file shall contain documentation of a review by the community-based care lead agency and the Regional Licensing Authority and a recommendation for approval or denial by the community-based care lead agency.

(4) If the application file is approved, a license shall be issued to the applicant(s). The license shall include the name and address of the caregiver(s), the name of the supervising agency, the licensed capacity, and the dates for which the license is valid. The Regional Managing Director or designee within upper level management shall sign the license. Any limitations shall be displayed on the license.

(5) A copy of the license shall be provided by the Regional Licensing Authority to the community-based care lead agency or supervising agency. The community-based care lead agency or supervising agency is responsible for ensuring the license is sent to the foster parent.

(6) When the Department determines that the application shall be denied, the Department shall within 10 business days notify the applicant by certified mail and supervising agency in writing, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S. The denial and reason(s) for denial shall be recorded in FSFN by the supervising agency.

(7) Voluntary withdrawal of an application by an applicant shall be documented in FSFN and does not require formal action by the Department.

Rulemaking Authority 409.145(5), 409.175(5), 435.01(2) FS. Law Implemented 409.145(2), 409.175(5), (6), 435.04 FS. History-New

65C-45.005 Level I Waivable Requirements

(1) Initial Licensure

(a) Pursuant to section 409.175(5)(a)1.b., F.S., items not related to safety can be waived for Level I licensure requirements.

(b) Items deemed waived will not be required for an applicant to obtain a Level I-Child Specific License through the Department;

(c) The waiving of items not related to safety must be approved in writing by the Regional Managing Director or designee;

(d) Non-Safety Related Waivable requirements:

1. A licensing specialist who has been trained by the Department or other state entity, such as the local health department, in the areas of water supply, food holding temperature, plumbing, pest control, sewage, and garbage disposal, shall complete the "Foster Home Inspection Checklist," incorporated by reference in Rule 65C-45.003, F.A.C.;

2. Radon testing results;

3. Evacuation and disaster preparedness plans; and

4. Child care. Child care for children in licensed out-of-home care shall be in a licensed early education or child care program chosen by the caregiver(s). These providers must be participating in the school readiness program through the local early learning coalition. Examples of licensed early education or child care programs include:

a. Gold Seal accredited child care providers or providers participating in a quality rating system;

b. Licensed child care providers;

c. Public school providers; and

d. License exempt child care providers, including religious exempt, registered, and non-public schools.

5. The home shall have space and furnishings to accommodate the number of people living in the home and be accessible to all members of the family.

6. Each family foster home shall have a working telephone in the home that is accessible at all times. Emergency telephone numbers shall be displayed prominently in the home. Licensed out-of-home caregivers shall notify the supervising agency within one (1) business day if their telephone number changes.

7. Each child shall be provided with a clean, permanent bed and mattress of his or her own. The bed shall be of sufficient size to accommodate the child.

8. Infants shall have their own crib which shall be maintained in good and safe condition and have a clean mattress that fits snugly in the crib frame. Cribs shall not have drop sides or be placed close to windows with curtains or cords in which the child might become entangled.

9. Bunk beds shall be safe and sturdy. Bunk beds shall be equipped with safety rails on the upper tier for a child under the age of 10 or for any child whose physical, mental, or emotional condition indicates the need for such protection. Beds bunked higher than two (2) tiers must have a manufacturer sticker of safety and must not be placed under or near ceiling fans. Children five (5) years old and younger may not sleep on the third tier of a three-tiered bunk bed.

10. Each child shall be provided with clean linens. Waterproof mattress covers should be provided for all beds and cribs as developmentally appropriate and necessary.

11. The entry to a child's bedroom shall not be located so as to require the child to pass through another bedroom or bathroom in order to enter their bedroom.

12. A child shall never share a bed with an adult or other child, regardless of age.

13. Children over 36 months of age shall not share a bedroom with a child of the opposite gender unless efforts are being made to maintain a sibling group. In instances where efforts are being made to maintain a sibling group, the foster family, licensing agent, and case manager shall work together in determining arrangements for the safety and best interests of the children involved. Rationale for any decision made for children over the age of 36 months to share a bedroom shall be documented in the Florida Safe Families Network (FSFN).

14. Children over the age of 12 months shall not share a bedroom with an adult, except in the following circumstances:

a. When one of the children sharing a bedroom reaches his or her 18th birthday and the out-of-home caregiver and the supervising agency approve the sleeping arrangement;

b. When it is deemed to be medically necessary as documented by a health care provider;

c. When a teen parent is sharing a bedroom with his or her child;

d. When a child is transitioning past his or her first birthday; or

e. When the adult is a former dependent child who is sharing a room with a sibling.

15. Each licensed home shall have a first aid kit available and accessible to all caregivers.

16. Each floor in the home shall have a fully charged, unexpired 2A10BC fire extinguisher. One (1) of the fire extinguishers shall be adjacent to the kitchen. There shall also be at least one (1) operating smoke alarm on each floor. There shall be a smoke alarm in each bedroom area.

17. The home shall not be heated by unvented gas-fired space heaters or oil heaters unless they are equipped with an oxygen depletion sensor and the home has a carbon monoxide alarm. All gas-fired devices shall be equipped with an automatic pilot gas shut-off control. All electrical wiring shall meet required building codes.

18. All fireplaces, space heaters, steam radiators, and hot surfaces shall be shielded against accidental contact. Access by children under six (6) years of age shall be restricted by a barrier.

19. Extension cords shall not extend from one room to another except for situations involving emergency loss of

power. Multiple electric outlet adapters shall not be used for more than two (2) extensions at one (1) time.

20. Each licensed out-of-home caregiver shall have a current written plan for evacuation in the event of a natural or man-made disaster. The plan shall include where the family intends to go and information as to how the family may be reached and must be shared with the supervising agency.

(2) Re-licensure.

(a) The licensing specialist shall request a home environmental health inspection report to be completed by a licensing specialist who has been trained by the Department or other state entity, such as the local health department.

(b) Health inspections completed by the Department of Health shall be requested 60 days in advance of the home's relicensing due date to facilitate the receipt of an environmental health inspection report that indicates the home complies with the requirements specified in the "Foster Home Inspection Checklist," prior to the expiration of the license. The "Foster Home Inspection Checklist," is incorporated in Rule 65C-45.003, F.A.C.

(c) For the homes that are issued a three (3) year license, the health inspection is not required annually; however, the home health inspection must be completed before the end of the three (3) year licensure period.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5)(a) FS. History—New

65C-45.006 Level II-Non-Child-Specific Foster Home Initial Licensing Requirements

(1) Individuals applying for a Level II-Non-Child Specific Foster Home License shall meet all licensing requirements in Rule 65C-45.003, F.A.C., as well as all items identified in paragraph 65C-45.005(1)(b), F.A.C.

(2) The licensing counselor shall complete one (1) additional licensing home study visit to the applicant's home to inspect the entire home.

(3) A Parent Preparation Pre-service or family biographical profile must be submitted as a part of the application packet and shall include the demographic and narrative portions of the Unified Home Study as completed by the applicant(s).

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5)(a) FS. History—New

65C-45.007 Level III-Safe Foster Home for Victims of Human Trafficking Initial Licensing Requirements

(1) Certification of Safe Foster Homes

(a) Certification Standards. The child-placing agency must submit a letter of recommendation to the Regional Licensing Authority that the licensed foster home be certified as a safe foster home. The letter of recommendation must be accompanied by the following:

1. An "Application for Certification as a Safe Foster Home or Safe House," CF-FSP 5403, February 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>;

2. A copy of the applicant's current foster home license and the applicant's licensing history, placement capacity, and gender to be served;

3. A signed "Prudent Parenting Partnership Plan for Sexually Exploited Children or Young Adults," CF-FSP 5404, February 2015, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>;

4. A description of child caring arrangements and sleeping arrangements;

5. Documentation of completed pre-service training, including specialized training in sexual exploitation, pursuant to subsections 65C-43.004(1)-(2), F.A.C., and continuing educational training hours, if applicable;

6. Documentation of compliance with the requirements applicable to safe foster homes set forth in paragraphs 409.1678(2)(c)-(d), F.S.;

7. Documentation of compliance with the licensing requirements in Rules 65C-45.002, and 65C-43.003, F.A.C.;

8. A treatment plan that outlines the plan to address the child or young adult's individualized needs and progress reports;

9. A recent photograph of the child or young adult; and

10. The discharge summary.

(b) Security. Each safe foster home shall establish and maintain a security design that promotes ongoing supervision for the oversight of youth or young adults placed in the home as prescribed in subparagraph 409.1678(2)(c)6., F.S.

(2) Approval Process for Certification of Safe Foster Homes.

(a) The CBC shall have 30 business days to provide the supporting documentation to the Regional Licensing Authority. If no additional information is provided, or if it is provided after 30 business days, the certification application shall be denied.

(b) The Regional Licensing Authority shall have 30 business days following receipt of a certification application packet to approve or deny the application.

Rulemaking Authority 409.1678(2)(c)7., (2)(e), 409.175(5) FS. Law Implemented 409.1678, 409.175(5)(a) FS. History—New

65C-45.008 Level IV Therapeutic Foster Home and Level V Medical Foster Home Initial Licensing Requirements

(1) Individuals seeking level IV or V licensure, must meet all Level II licensure requirement pursuant to 65C-45.003;

(2) The licensing counselor shall complete one (1) additional licensing home study visit to the applicant's home to inspect the entire home;

(3) Homes shall meet all licensing standards required by the Agency of Health Care Administration.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5)(a) FS. History–New

65C-45.009 Changes During the Licensed Year for all Levels of Licensure

(1) Law Enforcement Involvement. The licensed out-of-home caregiver shall report any household member's involvement with law enforcement to the supervising agency within one (1) business day of the occurrence. Law enforcement involvement includes arrests, incidents of domestic violence, driving infractions, and any local law enforcement response to the home over the course of the licensed year.

(2) Household Circumstance Changes. In addition, the caregiver shall report to the community-based care lead agency within one (1) business day:

(a) A change in marital or relationship status, including reconciliation or separation;

1. When a licensed out-of-home caregiver marries, moves in with, or reconciles with an unlicensed spouse or partner, the unlicensed spouse or partner shall submit fingerprints for background screening prior to moving into the residence, unless previously completed.

a. The unlicensed spouse or partner shall also attend parent preparation pre-service training if not previously completed within the last five (5) years and meet all licensing requirements. The unlicensed spouse or partner shall have six (6) months from the date of marriage, moving in together, or reconciliation to complete pre-service training.

b. Upon completion of pre-service training, the unlicensed spouse or partner shall complete and submit an "Application for License to Provide Out-of-Home Care for Dependent Children," incorporated by reference in Rule 65C-45.003, F.A.C. Failure to meet the licensing and background screening provisions which may threaten the safety of any child in care or place the home in violation of the licensing standards is grounds for denial or revocation of an application or license.

c. Pending approval of the application, the home remains licensed and previously placed children may remain in the home pending the outcome of the assessment.

(I) No new children shall be placed in the home until the application has been completed and approved.

(II) The supervising agency will update the Unified Home Study, including interviews with all children in the home, verification of satisfactory background screening, and verification of income and expenses, and submit to the community-based care lead agency within 30 calendar days of marriage, moving in together, or reconciliation.

2. In cases of separation, divorce, or death of a spouse or partner, the supervising agency shall update the Unified Home

Study summary and assess its impact upon the children placed in the home.

a. The Unified Home Study shall summarize the satisfaction of licensing requirements and shall include interviews with the children, if age appropriate, verification of income and expenses, and the remaining caregiver's plan to meet all financial obligations.

b. The updated Unified Home Study shall be completed in the Florida Safe Families Network (FSFN) and submitted to the Regional Licensing Authority within 30 calendar days of the change of status for issuance of an amended license.

(b) A change in household composition, including plans for changes in sleeping arrangements;

(c) A change of physical address;

(d) Changes in financial situation, such as bankruptcy, repossessions, and evictions;

(e) A physical or mental health issue that impacts the ability to provide care for the child;

(f) A change in contact information; and

(g) A change in employment or significant change in work or school schedule. A significant change is defined as one that impacts the ability to provide care for the child.

(3) The supervising agency shall assess and document the impact on the household within two (2) business days of learning one of these events has occurred or is likely to occur.

(4) All new household members age 18 and older shall be fingerprinted within five (5) business days of residence, and those fingerprints shall be submitted to the Florida Department of Law Enforcement within five (5) business days of the receipt of the fingerprints by the supervising agency. All household members shall meet the requirements for background screening.

(5) The supervising agency shall submit a new "Application for License to Provide Out-of-Home Care for Dependent Children," incorporated by reference in Rule 65C-45.003, F.A.C., to the Regional Licensing Authority for the issuance of an amended license.

(6) Change of Location. A licensed out-of-home caregiver shall notify the supervising agency no less than 30 calendar days prior to the expected date of the relocation. The supervising agency shall update the Unified Home Study summary for submission to the Regional Licensing Authority for issuance of an amended license within 30 calendar days of the relocation.

(a) Within Region.

1. Changing location within the region shall require a new "Application for License to Provide Out-of-Home Care for Dependent Children," incorporated by reference in Rule 65C-45.003, F.A.C., a new Unified Home Study for the new location, a satisfactory environmental health inspection of the new residence, the current floor plan, disaster plan, home

emergency evacuation plan, fire inspection where required by local zoning laws, and radon testing where applicable.

2. The supervising agency shall obtain all required documentation and submit it to the community-based care lead agency for review. The community-based care lead agency will submit all required documents to the Regional Licensing Authority to initiate the issuance of an amended license. Noncontracted supervising agencies shall obtain all required documentation and submit it directly to the Regional Licensing Authority.

3. The supervising agency shall complete at least one (1) home visit as part of the updated licensing home study.

4. If approved, an amended license shall be issued and shall expire on the same date as the previous license.

5. If licensure of the new home is not recommended and there are children currently placed in the home, the primary case manager shall assess whether alternative placement is necessary within four (4) hours of being notified by the supervising agency for licensing.

(b) Between Regions.

1. A licensed out-of-home caregiver who plans to move from one region to another and wishes to continue being licensed shall notify his or her current supervising agency at least 30 calendar days prior to the planned move. Coordination and responsibility for ensuring the transition of the license shall be as follows:

a. The supervising agency shall assist the licensed out-of-home caregiver in finding a supervising agency in the new region.

b. The current community-based care lead agency and supervising agency will work in partnership to secure a commitment from the receiving supervising agency in the new region to complete the requirements for licensing the new home.

2. The current supervising agency shall send the new supervising agency a copy of the licensed out-of-home caregiver's signed "Release of Information," incorporated by reference in Rule 65C-45.001, F.A.C. Upon receipt, the new supervising agency shall access the family's information in FSFN. If the new supervising agency does not have access to FSFN, the current supervising agency shall provide a complete copy of the licensing file, including the new contact information for the out-of-home caregiver, to the new supervising agency.

3. The new supervising agency will contact the licensed out-of-home caregivers within five (5) business days upon notification of the relocation to begin the licensing process.

4. When currently placed children are relocating with the out-of-home caregiver, the new supervising agency shall submit the home study and completed application file according to the regional licensing submission process within 30 calendar days of notification of relocation.

5. The Regional Licensing Authority in the new region shall request any additional documentation required to ensure that all minimum standards and out-of-home caregiver expectations are met within 10 business days of receipt of the application file. If no additional information is required, the new license shall be issued within 10 business days of receipt of the complete application file.

6. If the decision is made to deny the new application, the Regional Licensing Authority will notify the applicant and supervising agency by certified mail within five (5) business days of the decision to deny, identifying the reasons for the denial of the license, the statutory authority for the denial of the license, and the applicant's right of appeal pursuant to Chapter 120, F.S. The denial and reason(s) for denial shall be recorded in FSFN by the supervising agency. If there are any children who moved with the caregiver from the former region, the Regional Licensing Authority will notify the new supervising agency within 24 hours of the decision to deny the application. The new supervising agency shall notify the former supervising agency and the contracted service provider responsible for courtesy supervision within 24 hours of receiving the notice. All possible placement options, the possible risk to the children, and their best interest shall be considered, and a decision made regarding their placement within 24 hours of receipt of the notification. The removal and placement of the children is the responsibility of the former supervising agency and the contracted service provider with primary responsibility for supervision of the children.

(c) Out of State. The same process as outlined for a change between regions is to be followed. However, if the children are to move out of state with the licensed out-of-home caregiver, the primary case manager is required to initiate an Interstate Compact for the Placement of Children request pursuant to section 409.401, F.S.

(7) Change of Supervising Agency.

(a) A currently licensed out-of-home caregiver wishing to change providers shall notify in writing his or her current supervising agency.

(b) Within 15 calendar days of being notified of the requested change, the current supervising agency shall notify the Regional Licensing Authority. The desired supervising agency shall:

1. Request all information concerning the performance of the respective licensed out-of-home caregiver from the current supervising agency, including the agency's recommendation for licensure;

2. Consider the application and advise the applicant in writing of whether it does or does not find the family appropriate for transfer to its agency within 30 days of receipt of the application; and

3. Notify the sending agency and the Department of the determination.

4. If the family is found to be inappropriate for continued licensure, the supervising agency and Regional Licensing Authority shall deny the application, and the Department shall make the family aware of the appeal process. The denial and reason(s) for denial shall be recorded in FSFN by the supervising agency.

(c) Supervising agencies shall share all information concerning the performance of the licensed out-of-home caregiver, along with their recommendations, upon request.

(d) If the licensed out-of-home caregiver is accepted, the new supervising agency shall submit a new application packet according to the regional licensing submission process for issuance of the new license.

(e) If the request to change providers occurs during the licensure year, the new supervising agency need only submit a new "Application for License to Provide Out-of-Home Care for Dependent Children," incorporated by reference in Rule 65C-45.003, F.A.C., and letter of acceptance in accordance with the regional licensing submission process.

(f) Upon notification, the Regional Licensing Authority shall have 15 calendar days to notify the licensed caregiver's requested supervising agency of the request to amend the license.

(g) The Regional Licensing Authority will issue an amended license to reflect the new supervising agency for the remainder of the established licensure year. The new supervising agency assumes all responsibility for the annual re-licensure activities.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5) FS. History—New

65C-45.010 Standards for all Licensed Out-of-Home Caregivers

(1) Requirements.

(a) All licensed out-of-home caregivers shall comply with subsections 65C-28.003(1), (3), (4), 65C-28.009(2), 65C-28.018(1), and Rule 65C-28.019, F.A.C.

(b) Placement capacity requirements shall comply with section 409.175(3), F.S.

(c) Each licensed out-of-home caregiver shall sign a "Partnership Plan for Children in Out-of-Home Care," incorporated by reference in Rule 65C-45.003, F.A.C. The agreement shall be reviewed and discussed with a licensing counselor prior to initial licensure and again at each re-licensure. The document must be signed by a representative from the supervising agency, the potential or licensed out-of-home caregiver, and at placement by the case manager.

(d) The child's resource record (CRR) shall be maintained by the licensed out-of-home caregiver. The CRR is a

standardized record developed and maintained for every child entering out-of-home care that contains copies of the basic legal, demographic, available and accessible educational, and available and accessible medical and psychological information pertaining to a specific child, as well as any documents necessary for a child to receive medical treatment and educational services. Where medical or educational information is not available and accessible, written documentation of the efforts made to obtain the information must be in the file. The CRR shall be housed where the child is placed and shall accompany the child to every health encounter and shall be updated as events occur.

(2) Physical Environment.

(a) Outdoor Area.

1. The exterior of the home and premises shall be free from objects, materials, and conditions which constitute a danger to children. All garbage and trash shall be covered and removed regularly.

2. The home shall have a safe outdoor play area on the property or within walking distance. All outdoor play equipment shall be kept in good repair. If the home is located on a busy street, there shall be a safety plan for supervision. There shall not be large, potentially dangerous items stored in the safe outdoor play area, such as old refrigerators, stacks of lumber and unregistered vehicles or boats.

(b) Water Safety and Supervision.

1. The level of supervision for children in close proximity to any body of water, including swimming pools, shall be made by the licensed out-of-home caregiver pursuant to section 39.4091(2)(c), F.S.

2. Children who are placed in licensed homes which are adjacent to any body of water or that have swimming pools shall be instructed in water safety regardless of age or swimming capability.

3. Wading pools shall be set up and maintained according to the manufacturer's instructions. Wading pools shall be emptied and stored when not in use and shall be filled with clean water before each use.

4. All pools above or in ground shall be equipped with at least one of the following life-saving devices: ring buoy; rescue tube; flotation device with a rope; or shepherd's hook of sufficient length to cover the area.

(c) In Ground Swimming Pools.

1. Swimming pools shall contain the safety features outlined in the Residential Pool Safety Act, section 515.27, F.S. Homes with swimming pools licensed prior to the enactment of the Residential Pool Safety Act shall be considered to have met this requirement.

2. All access through the barrier shall have at least one of the following safety features: alarm, key lock, self-locking doors, bolt lock or another lock that is not accessible to children.

Any exterior door leading from the house to the pool area shall have at least two of the safety features.

3. When the swimming pool is not in use, all entry points shall be locked.

(d) Above Ground Pools.

1. If the sides of an above ground pool are at least four (4) feet tall, they may be used as the barrier for that pool.

2. Above ground pools with steps or ladders shall have them secured, locked, or removed when the pool is not in use.

3. If the pool cannot be emptied after each use, the pool shall have a working pump and filtering system.

4. Hot tubs and spas not adjoined to an in-ground pool shall be required to have a safety cover that is locked when not in use.

(e) Interior Environment.

1. The home shall have space and furnishings to accommodate the number of people living in the home and be accessible to all members of the family.

2. Each child shall be provided with storage space for personal belongings and a designated space for hanging clothes in or near the bedroom occupied by the child.

3. Bath and toilet facilities shall be clean and in good working order with a door for privacy.

4. The door of each bathroom shall have a lock.

5. The home shall be clean and free of hazards to the health and physical well-being of the family.

6. Each family foster home shall have a working telephone in the home that is accessible at all times. Emergency telephone numbers shall be displayed prominently in the home. Licensed out-of-home caregivers shall notify the supervising agency within one (1) business day if their telephone number changes.

7. All toys and equipment shall be in safe condition and kept clean and sanitary.

8. All rooms used by children shall be at a comfortable temperature. Rooms shall be dry and well ventilated.

9. All doors and windows used for ventilation shall be screened.

10. Rooms used by children shall be clean and well lit.

11. Homes shall be smoke free, including e-cigarettes and vapor smoke.

(f) Sleeping Arrangements and Personal Space.

1. All sleeping areas shall be in bedrooms separate from the public areas of the house. Children's bedrooms shall have space that allows for walking, personal storage, and sleeping for the number of children sleeping in the room.

2. An adult shall be accessible to the rooms where children under six (6) years of age are sleeping.

3. Each child shall be provided with a clean, permanent bed and mattress of his or her own. The bed shall be of sufficient size to accommodate the child.

4. Infants shall have their own crib which shall be maintained in good and safe condition and have a clean mattress that fits snugly in the crib frame. Cribs shall not have drop sides or be placed close to windows with curtains or cords in which the child might become entangled.

5. Children of any age shall not sleep on a living room sofa, cot or foldaway bed as a regular sleeping arrangement.

6. The entry to a child's bedroom shall not be located so as to require the child to pass through another bedroom or bathroom in order to enter their bedroom.

(g) Family Foster Home Safety.

1. All poisonous chemicals shall be in a locked location.

2. Each licensed home shall have a first aid kit available and accessible to all caregivers.

3. All medications shall be stored in a location that is locked and inaccessible to children.

4. Alcoholic beverages shall be stored in a location out of reach of children.

5. Storage of guns shall comply with the requirements of the "Acknowledgement of Firearms Safety Requirements," incorporated by reference in rule 65C-45.004, F.A.C.

6. All water heaters shall be set at a temperature of 120 degrees Fahrenheit or below.

(h) Fire Safety.

1. All homes shall comply with chapter 69A-41, F.A.C.

2. The home shall be safe from fire hazards. All combustible items shall be stored away from sources of heat. Exits, stairways and hallways shall be free of obstacles that would hamper an emergency evacuation. The home shall have at least two exits. All doors with locks shall be capable of being opened from the inside.

3. Heating and cooling units, washers, dryers, refrigeration systems, stoves and hoods shall be properly installed, vented and maintained, as determined during the assessment of the physical environment of the home or the health inspection.

4. Each bedroom shall have at least two means of exit in case of emergency. Bedrooms above ground level must have a means of escape that will allow for safe exit. If the child's bedroom is equipped with burglar bars, the caregiver shall demonstrate that the burglar bars can be released to allow exit. A key placed near a window does not qualify as an approved emergency release method. Age-appropriate training on opening of the burglar bars shall be provided to each child upon placement.

5. The licensed out-of-home caregiver shall have an evacuation plan posted in a conspicuous place in the home. The plan shall specifically provide for the safe exit of children who are incapable of understanding the plan or participating in drills. This plan should be shared with all children as appropriate to their age and level of understanding upon placement in the home.

6. Fire drills shall be conducted a minimum of two times per year. The licensed out-of-home caregiver shall maintain a log of fire drills conducted, including the date, beginning and ending time, specific location and participants' names.

7. Volatile materials shall not be stored where water heaters are located or near other sources of heat. Attic space shall not be used for the storage of volatile materials.

(i) Transportation Safety. The licensed out-of-home caregiver shall not transport children in truck beds, motorcycles, or any other high-risk method of transportation. The licensed out-of-home caregiver shall comply with chapter 316, F.S., related to transportation of children.

(j) Disaster Plans.

1. Each licensed out-of-home caregiver shall have a current written plan for evacuation in the event of a natural or man-made disaster.

2. The plan shall include where the family intends to go and information as to how the family may be reached and must be shared with the supervising agency.

(3) Food and Nutrition.

(a) Licensed out-of-home caregivers shall provide nutritionally balanced meals and age appropriate snacks daily.

(b) Licensed out-of-home caregivers are expected to provide for any special dietary needs of children placed in their home. The licensed out-of-home caregiver shall be sensitive to the parent's input regarding special dietary needs.

(c) Licensed out-of-home caregivers shall not withhold food as a means of discipline or punishment.

(4) Discipline.

(a) Licensed out-of-home caregivers shall discipline children with kindness, consistency, and understanding, and with the purpose of helping the child develop responsibility and self-control.

(b) Licensed out-of-home caregivers shall use positive methods of discipline. Acceptable methods of discipline include: reinforcing acceptable behavior, expressing verbal disappointment of the child's behavior, loss of privileges, grounding, restricting the child to the house or yard, sending the child out of the room and away from the family activity, and redirecting the child's activity.

(c) Licensed out-of-home caregivers shall not subject children to cruel, severe, or unusual forms of discipline.

(d) Licensed out-of-home caregivers shall not use corporal punishments of any kind.

(e) Licensed out-of-home caregivers shall not delegate discipline or permit punishment of a child by another child or by another adult not in a caregiver role.

(f) Licensed out-of-home caregivers shall not withhold meals, clothing, allowance, or shelter as a form of discipline.

(g) Licensed out-of-home caregivers shall not ridicule or punish a child for bed-wetting or other lapses in toileting.

(h) No child shall be mechanically restrained or locked in any enclosure, room, closet, bathroom, or area of the house or premises, for any reason.

(i) Licensed out-of-home caregivers shall not threaten a child with removal or with a report to authorities or prohibit visitation with family and significant others as consequences for unacceptable behavior.

(j) Licensed out-of-home caregivers will seek the assistance of the child's case manager or therapist for behavior problems.

(5) Placement of a child in a home licensed by the Agency for Persons with Disabilities (APD) shall be approved by the APD prior to placement. A home licensed by the APD may be utilized for placement of children eligible for both programs without obtaining a separate license if the child is receiving Supplemental Security Income (SSI).

(6) Licensed Out-of-Home Caregivers Providing Child Care.

(a) Licensed out-of-home caregivers contracting with a community-based care lead agency are authorized by subsection 409.988(2)(c), F.S., to provide child care as a Licensed Family Day Care Home, as defined in section 402.302, F.S., and may be dually licensed.

(b) All licensing standards and requirements for family foster homes and family day care homes shall be met and maintained.

(c) Licensed out-of-home caregivers shall limit their hours of operation as a Family Day Care Home to between 6:00 a.m. and 7:00 p.m.

(d) The out-of-home caregiver shall not be paid both the foster care board rate and child care subsidy for the same child.

(e) A family foster home providing child care under this section shall be inspected a minimum of twice per year, at least once by daycare licensing staff and once by the supervising agency's licensing specialist. The inspection is to assess the impact of the child care operation on the children in care.

(f) Where family foster homes are also licensed as a Family Day Care Home, the Department shall coordinate inspections with a licensing counselor from the childcare licensing program.

(g) Complaint investigations shall be conducted in conjunction with a representative from child care licensing.

(7) Caregiver Standards.

(a) A licensed out-of-home caregiver shall be a stable, responsible, and mature individual who is at least 21 years of age.

(b) At least one (1) licensed out-of-home caregiver in the home shall be able to effectively communicate with any children placed in the home.

(c) A licensed out-of-home caregiver shall not operate the home as an adult boarding or rooming home or an adult daycare facility.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5) FS. History—New

65C-45.011 Supports for all Levels of Licensure

(1) Community-based care lead agencies and their contracted providers will provide ongoing support to licensed out-of-home caregivers. Support can include but is not be limited to:

- (a) Access to foster parent support groups;
- (b) Service resources for children placed in the home;
- (c) Foster Parent mentors; and
- (d) Service resources for caregivers.

(2) Contact shall be made to the licensed caregiver at least quarterly.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5) FS. History—New

65C-45.012 Relicensing requirements for all Levels of Licensure

(1) Requirements.

(a) Relicensing procedures shall be initiated by the supervising agency and the relicensing file shall be submitted to the licensing authority at least 30 calendar days prior to expiration of the current license. However, if the attestation model is used, the relicensing file shall be submitted to the licensing authority at least 10 business days prior to expiration of the current license. The relicensing process shall not be initiated more than 90 calendar days prior to the expiration of the current license.

(b) Out-of-home caregivers requesting to be relicensed shall complete the “Application for License to Provide Out-of-Home Care for Dependent Children,” incorporated by reference in Rule 65C-45.003, F.A.C.

1. Persons living together in a caretaking role, as determined by the supervising agency, shall both sign the application.

2. Persons shall be considered living together in a caretaking role if:

a. The person living in the home is the partner (paramour) of the primary caregiver; or

b. The person living in the home will have responsibility for caring for the children in the home and addressing their needs.

(c) An applicant shall sign all required relicensing documentation.

1. A home environmental health inspection report shall be completed by a licensing specialist who has been trained by the Department or other state entity, such as the local health

department. Health inspections completed by the Department of Health shall be requested 60 days in advance of the home’s re-licensing due date to facilitate the receipt of an environmental health inspection report that indicates the home complies with the requirements specified in form CF-FSP 5397 prior to the expiration of the license. Form CF-FSP 5397, Foster Home Inspection Checklist, is incorporated in rule 65C-45.003, F.A.C. For the homes that are issued a three (3) year license, the health inspection is not required annually; however, the home health inspection must be completed before the end of the three (3) year licensure period.

2. The supervising agency shall direct the licensed out-of-home caregivers to obtain a radon test at the fifth year for licensing purposes, if required by section 404.056, F.S. After two radon measurements with negative results, no further testing is required unless the home has significant structural changes.

(d) The supervising agency shall ensure that all required background screening has been completed pursuant to Rule 65C-45.001, F.A.C.

(e) The supervising agency responsible for completing the relicensing home study shall obtain and review information about the home from the “Case Manager/Case Worker Review of Foster Parent,” CF-FSP 5223, February 2015, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and the “Quality of Licensed Caregiver’s Home – Community Input,” CF-FSP 5225, March 2007, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. The “Case Manager/Case Worker Review of Foster Parent” and at least one “Quality of Licensed Caregiver’s Home – Community Input” shall be completed for every child who has been placed for a minimum of 30 calendar days. The supervising agency and case manager must staff and address in the Florida Safe Families Network (FSFN) any issues raised by the case manager in the relicensing home study.

(f) The supervising agency shall obtain the completed “Exit Interview about Foster Parents” form, CF-FSP 5353, (insert date), incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. This form must be completed for every child over the age of five (5) who exits the home following a placement of 30 calendar days or longer. The supervising agency will review the exit interviews and must address issues raised in the exit interviews in the relicensing summary. The relicensing file must contain all applicable exit interviews. If exit interviews are not provided with the relicensing file, the supervising agency must document efforts made to secure the exit interviews, and the proper administrator of the community-based care lead agency and supervising agency shall be notified.

(g) The supervising agency shall obtain from the licensed out-of-home caregiver a completed “Foster Parent’s Review of the Case Worker/Care Manager” form, CF-FSP 5224, (insert date), incorporated by reference and <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and review information from case managers who supervised children in the home during the previous licensing year. The supervising agency must address any issues raised by the licensed out-of-home caregiver with the case management staff and in the relicensing home study.

(h) Applicants for renewal shall provide the agency with:

1. Documentation of at least eight (8) hours of continuing education annually; and

2. A current driver’s license, driving record, and auto insurance coverage information, as applicable.

(2) Relicensing Procedures.

(a) The supervising agency shall conduct a minimum of one (1) face-to-face visit in the home and interview all household members prior to re-licensure.

(b) The supervising agency shall review and discuss the “Partnership Plan for Children in Out-of-Home Care,” incorporated by reference in Rule 65C-45.003, F.A.C., with the applicants, and document the date of the discussion in FSFN.

(c) The licensing counselor shall inspect the entire premises of the home, including all interior and exterior areas, for continued compliance with licensing standards. A narrative shall be included in the Physical Environment section of the Unified Home Study.

(d) Vehicles used for transporting children shall be observed for seatbelt compliance and any obvious safety hazards documented and addressed in a corrective action plan, if necessary. Observations, including compliance, shall be included in the Unified Home Study.

(e) Fire drill logs shall be reviewed and discussed to ensure continued compliance with licensing standards. The evacuation plan and disaster preparedness plan shall be reviewed and discussed.

(3) Relicensing Unified Home Study. As a part of the relicensing application file, the supervising agency shall make a thorough assessment and evaluation of each licensed out-of-home caregiver and document this evaluation using the Unified Home Study module in FSFN.

(a) The updated home study shall include all of the assessments required for an initial licensing home study as specified in Rule 65C-45.003, F.A.C. In addition, the updated home study shall include an assessment of fostering experiences over the past licensing year, including:

1. Youth exit interviews, case manager reviews, and foster parent reviews;

2. Documentation of at least eight (8) hours annually of continuing education;

3. Documentation of updated water safety training, if applicable;

4. Background screening, pursuant to Rule 65C-45.001, F.A.C.;

5. Documentation of driver’s license(s) and vehicle insurance;

6. Updated evacuation and disaster preparedness plan if changes in the layout of the home or means of egress have occurred;

7. Description of how the licensed out-of-home caregiver has managed behavior with children placed in the home;

8.a. Documentation of the licensed out-of-home caregiver’s support and integration of children into the family, such as attendance at and involvement with children’s activities, ensuring children have reliable transportation to school, social events, medical appointments, and inclusion in other family activities. The supervising agency will describe the licensed out-of-home caregiver’s attentiveness to the provision of clothing and allowances to the children in his or her care.

b. Documentation of the level of cooperation of licensed out-of-home caregivers with the children’s families, including visitation for children placed in the home during the previous licensing year. The supervising agency will describe how the family has worked with the supervising agency and other service providers.

c. Documentation of the licensed out-of-home caregiver’s compliance with proper administration and monitoring of medication, and cooperation with medical directives and appointments.

d. Documentation of the maintenance of school and resource records for each child in placement.

9. History of Placement Activity. Placement activity during the previous licensing year shall be identified and discussed. If the family requested that a child be moved, the reasons and circumstances must be addressed. The narrative must provide detail about each child who has left the home and address how the family has worked with each child;

10. Staff Feedback. A summary of feedback from lead and/or supervising agency staff members as it relates to the family’s continued suitability and performance as a licensed out-of-home caregiver;

11. Investigations, Special Condition Referrals, Concerns or Complaints. A summary assessment of investigations and special condition referrals, incident reports, accidents and complaints during the previous licensing period; and

12. Summary. All forms and information obtained as a part of the relicensing process shall be summarized in a written narrative. The narrative should include the characteristics of children for whom the family is most appropriate, including number of children, age, gender, special needs and behaviors.

(b) The Unified Home Study shall be completed, reviewed, and approved in FSFN. The home study shall also be signed and dated by the counselor responsible for completing the study and the counselor's supervisor. The licensed out-of-home caregiver shall be offered an opportunity to sign the home study and must be provided a copy. The signature pages shall be uploaded as an attachment to the Unified Home Study in FSFN.

(4) Relicensing Process.

(a) A supervising agency shall conduct an annual relicensing evaluation of the agency's licensed homes in order to make a recommendation, prior to licensing expiration, to the Department regarding renewal of the family's license.

(b) If the region does not participate in the attestation model for license, the Regional Licensing Authority shall determine if the relicensing application file is complete and notify the community-based care lead agency in writing of the need for any additional materials or information within 10 business days of receipt of the relicensing list. The community-based care lead agency must submit the necessary materials or information to the Regional Licensing Authority within 10 business days of receipt of the written notice. A license cannot be issued until all information has been received.

(c) If approved, a license shall be issued to the applicant no later than 10 business days from receipt of the complete relicensing file.

(d) If the completed file of materials was received prior to the expiration of the existing license, upon approval the renewal date of licensure shall begin on the day the existing license expires.

(e) If the submitted application file is not complete at the time the existing license expires, the renewal date of licensure shall be the actual date of approval by the Regional Licensing Authority. No child shall be placed or remain in an unlicensed setting.

(f) A copy of the license shall be provided by the Regional Licensing Authority to the community-based care lead agency for dissemination to the supervising agency or directly to the supervising agency if the agency does not contract with the community-based care lead agency. The supervising agency is responsible for sending the license to the family.

(g) If the supervising agency or Regional Licensing Authority determines that the out-of-home caregivers have not met the standards for continued licensure, the licensing authority shall consult with the regional legal counsel, community-based care lead agency, and supervising agency concerning the appropriate course of action.

(h) If the Regional Licensing Authority denies the application for re-licensure, the applicant shall be notified in writing within 10 business days of the determination, identifying the reasons for the denial, the statutory authority for

the denial and the applicant's right of appeal pursuant to Chapter 120, F.S. The applicant shall be afforded the opportunity to withdraw the application. If the applicant elects to withdraw the application, this must be documented in FSFN.

(5) Three-Year License. A family foster home shall not be issued a 3-year license unless the following criteria are met:

(a) The family has been licensed for at least the three (3) previous consecutive years.

(b) The family has not been the subject of a report of child abuse or neglect with verified findings of maltreatment or a foster care referral leading to a corrective action plan.

(c) The family is in good standing with the Department as evidenced by the following:

1. The family has not been placed on a performance improvement plan/corrective action plan during the last three (3) years.

2. The family has clear background checks. An exemption from disqualification pursuant to section 435.07, F.S., shall not be considered a clear background check.

(6) Applicants Previously Licensed or Approved in another State or Region.

(a) If the applicants were licensed previously in another state or outside the region in which they are seeking licensure, the supervising agency shall make a written request to the previous licensing agency for a reference, copies of the initial and previous licensing studies, closing summaries, information about any complaints, foster care referrals or concerns expressed regarding the prospective family's parenting ability, reason for closure, and the results of their background screening and abuse history check.

(b) The written request and all information received from the originating state or region shall be included in the application file. All attempts to obtain the information shall be documented.

Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5), (6)(b) FS. History--New

65C-45.013 Conflict of Interest for all Level of Licensure Employees, Relatives and Sub-Contractors as Licensed Out-of-Home Caregivers. Licensing of employees of the Department, county sheriff's offices, community-based care lead agencies and their subcontracted providers or their relatives who desire to become out-of-home caregivers is allowable if the following conditions are met:

(1) No actual or perceived conflict of interest exists that could result in preferential treatment concerning the licensing process or the placement and movement of children placed in the potential licensed family foster home.

(2) The licensing study is completed by a licensed child-placing agency outside of the employee's service area and submitted to the Regional Licensing Authority for approval.

(3) The executive director or designee in upper level management of the community-based care lead agency or supervising agency responsible for submitting the employee, relative, or subcontractor licensing file to the Department has reviewed and approved the submission of the application to the Department.

(4) The Regional Licensing Authority obtains approval of the application from the Regional Managing Director or designee prior to issuing a family foster care license for an employee, relative, or subcontractor.
Rulemaking Authority 409.145(5), 409.175(5) FS. Law Implemented 409.145(2), 409.175(5) FS. History–New

65C-45.014 Terms of a License for all Levels of Licensure

(1) The Regional Licensing Authority shall request in writing any additional information required for the purposes of making a licensing determination within 10 business days of receipt of an application file. The Regional Licensing Authority shall grant or deny an initial license application within 10 business days of receipt of a complete application file. The decision on whether to grant or deny the initial license application shall be based on whether the applicant has submitted a completed application file or attestation and has a favorable home study in accordance with Rules 65C-45.004 and 65C-45.012, F.A.C.

(2) Offices, conference rooms, and other non-home-like settings shall not be licensed for placement of children in care.

(3) The license shall reflect the name of the licensee, the licensee’s physical address, city and county, the name of the supervising agency, and the license number along with its beginning and expiration dates.

(4) If the Regional Licensing Authority determines that a reduction in the licensure period of a three (3) year license is warranted based on a licensing violation, it shall notify the supervising agency and the applicant in writing, identifying the reasons for the reduction in the licensure period and the statutory authority for the reduction.

(5) Authorized licensing staff of the Regional Licensing Authority or supervising agency may make unannounced inspections of a licensed family foster home. The inspection may include examination of all rooms and areas on the property and interviews of all household members.

(6) All licenses shall be signed by the regional managing director or designee in upper level management.

(7) License Modifications.

(a) Modifications shall be made to a license at the request of the licensed out-of-home caregiver following assessment of licensing staff, or as a result of corrective measures.

(b) Modifications which alter information set forth on the existing license shall result in the issuance of a new license.

This new license shall expire on the same date as on the existing license.

(c) If a request for modification occurs within (90) days of the expiration of the license, the supervising agency shall conduct all activities consistent with re-licensure. The new license shall be valid for one (1) year from the new date of issuance.

(8) File Retention.

(a) The supervising agent shall retain a central file in the region for every family foster home licensed. The file shall include:

1. All initial and subsequent licensing documentation, as well as all other licensing related activities, including documentation of background screening requirements;

2. Complaint investigation information;

3. Waivers and exceptions;

4. Other additional documentation obtained regarding the licensed home; and

5. A termination summary for homes which are closed and the reason for closing. The termination summary should be entered into a Provider Note in the Florida Safe Families Network (FSFN).

(b) Central files must be maintained in a secure location and made available for monitoring or auditing purposes.

(c) An electronic version of the licensing file shall be maintained by the supervising agency in the electronic filing cabinet located in FSFN. The supervising agency shall develop a policy that addresses the destruction of paper files; this policy must be reviewed and approved by Regional Licensing Authority.

(d) Central files of prospective licensed out-of-home caregivers who do not become licensed shall be retained by the supervising agency for a period of five (5) years.

(e) Central files of licensed out-of-home caregivers shall be maintained for 20 years after closure.

(f) Central files of applicants who are denied licensure shall be maintained for a period of 20 years after the issuance of the denial or final denial order date, whichever is later.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5) FS. History–New

65C-45.015 Over-Capacity Assessments and Exceptions for all Levels of Licensure

(1) Capacity.

(a) A recommendation shall be made by the supervising agency for the licensed capacity in each family foster home based on:

1. An evaluation of the skills, experience, and support network of the prospective licensed out-of-home caregiver;

2. The physical space in the home; and

3. The needs of the children served.

(b) The total number of children in the home shall not exceed five (5) children, including the out-of-home caregiver's own children, unless an assessment was completed, and approval was given pursuant to section 409.175(3)(b), F.S., and in accordance with subsection (2), of this rule.

(c) There shall be no more than two (2) infants under 24 months in a licensed home, including the out-of-home caregiver's own children, unless an assessment was completed, and approval was given in accordance with subsection (2), of this rule.

(2) Approval of Over-Capacity Assessments for Over Five (5) Children or More than Two (2) Infants.

(a) Assessment approvals for more than five (5) children or more than two (2) infants under 24 months of age shall be given by the supervisor in writing or via electronic method prior to placement and shall be approved personally and in writing the next business day by the Regional Managing Director or their designee.

(b) The assessment of each child in the home and of the child being placed in the home shall be completed by the placement staff.

1. The assessment shall include:

a. The medical, mental, physical, and behavioral needs of each child;

b. A clear, concise explanation of why the over-capacity waiver should be approved including the reason it has been determined that this is the most appropriate available placement;

c. A description of any special services or support systems which may be necessary to assure the well-being of the child being placed;

d. A description of how the home can physically accommodate the additional child. Accommodations shall include a bed, adequate closet space and room for personal possessions, and adequate privacy;

e. Information concerning how the needs of any particularly vulnerable child currently in placement can be adequately protected;

f. Placement needs and risk factors for children who have been sexually victimized or who are sexually aggressive;

g. Verification that there are no active complaints, licensing standards in violation, active abuse reports, or foster care referrals for the proposed placement; and

h. The duration of the waiver; the initial assessment approval shall not exceed 30 days. Subsequent approvals for the same child or children may be approved for 90-day extensions personally and in writing by the Regional Managing Director or their designee.

2. Requirements for the Assessment.

a. The placement staff shall provide to the case manager a copy of the completed assessment within five (5) business days of the child's placement.

b. The written and approved assessment shall be placed in the licensing file of the out-of-home caregiver.

c. The licensing counselor shall conduct a home visit with the licensed out-of-home caregiver within seven (7) calendar days of a child's placement to ensure that all services identified by the case manager are in place to support the out-of-home caregiver.

(3) Over-Capacity Exception and Age Differential Approvals.

(a) Written approval of the exception shall be obtained prior to placement when the licensed capacity and recommended ages of children are exceeded. The exception shall be approved by the supervisor in writing or via electronic method and shall be approved personally and in writing the next business day by the Regional Managing Director or their designee.

(b) An initial approval shall not exceed 90 calendar days. Subsequent approvals for the same child may be approved for 180-day extensions.

(c) The approval for the over-capacity exception shall automatically expire when the total number of children in the home is at or below the licensed capacity.

(d) All child placements shall be recorded in the Florida Safe Families Network (FSFN) by the supervising agency within 48 hours of placement. When such a placement causes a home to exceed a total of five (5) children, the approval shall be recorded as a provider licensing screen note in FSFN.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(3) FS. History—New

65C-45.016 Babysitting, Overnight Care, Extended Overnight Care, and Other Supervision Arrangements for all Levels of Licensure

(1) The licensed out-of-home caregiver is responsible for ensuring that individuals providing babysitting are suitable for the age, developmental level, and behaviors of the children. The licensed out-of-home caregiver shall use a reasonable and prudent parent standard, as defined in section 39.4091(2)(c), F.S., in choosing the babysitters or assessing a child's ability to stay home alone.

(2) The licensed out-of-home caregiver is responsible for ensuring babysitters receive instructions that cover protocol for handling emergencies, including telephone numbers for the licensed out-of-home caregiver, case manager, and physician. The discipline policy and confidentiality policy shall be clearly explained.

(3) Babysitting does not have to occur in a licensed setting.

(4) If the alternate care being provided for the child meets the definition of "child care" as defined in section 402.302, F.S., the child care personnel must meet the standards set forth in section 402.305(2), F.S.

(5) Extended overnight care.

(a) Families shall take children in their care on family vacations and trips whenever possible. Caregivers shall notify the child welfare professional in advance of all overnight stays exceeding three (3) nights.

(b) The following procedures apply when the caregiver must be absent for more than three (3) nights and the child cannot accompany him or her:

1. Foster parents will be allowed to select families or individuals who are well known to them to care for the children in their absence. At the time of licensing and relicensing, licensed caregivers shall identify the families or individuals who provide temporary alternate care for the children in their care.

2. Except in emergency circumstances, the adults in these families must have criminal and child abuse background checks including fingerprinting. In emergency circumstances, a full background screening will be initiated the next business day. Such persons shall be recorded in the Unified Home Study module in the Florida Safe Families Network (FSFN).

Rulemaking Authority 39.4091(4), 409.175(5) FS. Law Implemented 39.4091(2)-(3), 409.175(5) FS. History—New

65C-45.017 Foster Care Referrals and Investigations for all Levels of Licensure

(1) The Regional Licensing Authority maintains responsibility for ensuring follow-up actions are taken on all foster care referrals and investigations. The supervising agency shall ensure that all licensed out-of-home caregivers are notified of foster care referrals. Licensed out-of-home caregivers shall be notified of investigations by the child protective investigator.

(2) The Regional Licensing Authority, community-based care lead agency, and supervising agency have the right to inspect the entire premises of the licensed out-of-home caregiver at any time.

(3) Foster Care Referrals. Upon receipt by the child protection investigation unit of a foster care referral regarding a foster home, the foster care referral shall be immediately forwarded to the appropriate supervising agency licensing staff. The licensing staff receiving the foster care referral shall:

(a) Respond to the foster care referral and document any needed actions within 48 hours;

(b) Prepare a written corrective action plan to correct the deficiencies that are a result of a foster care referral. The plan shall be developed by the supervising agency in conjunction

with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority; and

(c) Make a call to the Abuse Hotline if there are suspicions of abuse or neglect.

(4) Investigations. When the supervising agency or Regional Licensing Authority is notified of an investigation, a staffing shall be coordinated according to local protocol. If licensing violations are found which do not pose an immediate threat to the health, safety, or well-being of the child, the supervising agency shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5), (8) FS. History—New

65C-45.018 Administrative Actions, Appeals and Closures for all Levels of Licensure

(1) General Information. The Department is the Regional Licensing Authority for all family foster homes and has final authority to approve or deny any license.

(a) The denial or revocation of a license shall be recorded in the Florida Safe Families Network (FSFN) by the Regional Licensing Authority.

(b) The Regional Licensing Authority shall notify the community-based care lead agency and supervising agency within 10 business days of negative action taken regarding a license.

(2) Documentation Requirements Prior to Administrative Action.

(a) Before making a determination that a license shall be denied or revoked, the following shall be documented in the licensing file:

1. All qualifying abuse reports and all reports of licensing violations and the outcome of the investigation;

2. List of all deficiencies or conditions, other than abuse or neglect of the children, which compromise the safety or well-being of the children;

3. The length of time and frequency of the noncompliance with the licensing requirements or deficiencies in caring for children;

4. The date of written notification to the licensee as to the deficiency and time given to the licensee to correct the deficiency;

5. The licensing staff's efforts to help the licensee come into compliance; and

6. Any barriers which prohibit the licensee from correcting the deficiencies;

(b) All license revocations and denials shall comply with requirements of Chapter 120, F.S.

(c) All documentation shall be reviewed with the Department's legal counsel. The notice of revocation or denial shall not be sent to the out-of-home caregiver without approval of both the Department's legal counsel and the Regional Licensing Authority.

(3) Denial of Initial Licensure.

(a) The Regional Licensing Authority shall have 30 business days following receipt of a complete application packet to grant or deny the application in accordance with section 120.60, F.S., and notify the supervising agency of the decision.

(b) If the Regional Licensing Authority determines that the applicant should not be licensed, the supervising agency shall notify the applicant in writing within 10 business days of the determination, identifying the reasons for the denial, the statutory authority for the denial, and the applicant's right of appeal pursuant to Chapter 120, F.S. The applicant shall be afforded the opportunity to withdraw the application. If the applicant elects to withdraw the application, it must be documented in writing in the licensing file.

(c) If the applicant does not withdraw the application, the supervising agency shall provide to the Regional Licensing Authority information to support the recommendation of the denial. When the Regional Licensing Authority determines that the license should be denied, they shall notify the applicant in writing within 10 business days of the decision, identifying the reasons for the denial, the statutory authority for the denial, and the applicant's right of appeal pursuant to Chapter 120, F.S.

(4) Administrative Action for Existing Family Foster Homes.

(a) If licensing violations are found such that the child's physical, mental, or emotional health is or has been adversely impacted as a result of the violation or is in danger of being adversely impacted, the licensing counselor shall consult with his or her supervisor and the child's case manager for an immediate review of the safety of any children in the home and a call shall be made to the Abuse Hotline.

(b) If licensing violations are found which do not pose an immediate threat to the health, safety, or welfare of the children, the supervising agency shall prepare a written corrective action plan to correct the deficiencies. The plan shall be developed by the supervising agency in conjunction with the licensed out-of-home caregivers and shall be approved by the Regional Licensing Authority.

(c) Written notification shall be sent to the licensed out-of-home caregiver that specifies the deficiency, expected corrective action, time frame for completion, and that failure to comply within the time frame specified shall result in the license being revoked. The approved corrective action plan shall be put in writing by the supervising agency and signed by the licensed out-of-home caregiver.

(d) Corrective action plans are created for licensed out-of-home caregivers who have the ability to understand and correct the infraction. Corrective action plans are not created for licensed out-of-home caregivers who have previously committed licensing violations and were unable to benefit from remedial efforts. In these cases, the supervising agency shall work with the licensing authority, the Department's legal counsel, and community-based care lead agency to determine whether action should be taken to revoke the license.

(e) Failure of the licensed out-of-home caregiver to timely comply with the corrective action plan shall result in denial of re-licensure and/or revocation of the license.

(f) The licensed out-of-home caregiver shall be given notice if the supervising agency determines that it cannot recommend re-licensure.

(g) If the licensed out-of-home caregiver disagrees with the supervising agency's recommendation, he or she may still request renewal of the license. The supervising agency shall accept the application and refer the licensed out-of-home caregiver's file to the Regional Licensing Authority with a recommendation for denial.

(h) A decision to revoke or deny further licensure is made after a review is done in conjunction with the Department's legal counsel, supervising and lead agencies. The notice must be delivered via personal service or certified mail. The notice shall include the statutory and rule violations that were found and advise of the action to be taken and the right to challenge the action through an administrative proceeding as provided in Chapter 120, F.S.

(5) Voluntary Closures.

(a) The supervising agency shall conduct an exit interview with licensed out-of-home caregivers who are closing. This interview is an opportunity to explore any recommendations for improvement that the licensed out-of-home caregiver may be willing to share.

(b) The supervising agency shall document the reason for closure and whether relicensing would be recommended in FSFN.

(c) If relicensing would not be recommended, the licensing file shall document the reasons relicensing would not be recommended.

(d) If the closure is voluntary and in lieu of revocation or denial of a license, the supervising agency shall document the reason for the denial in FSFN.

Rulemaking Authority 409.175(5) FS. Law Implemented 409.175(5), (9) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Teanna Houston

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 1, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 6, 2019

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:
 65E-16.004 Sanctions

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. 45 No. 123, June 25, 2019 issue of the Florida Administrative Register.

65E-16.004 Sanctions

(1) If an IPMP provider is not in compliance with the requirements in Chapter 65E-16 F.A.C. and Chapters 465 and 499, Part I, F.S., and the violation does not present a threat to the health, safety, or welfare of an individual or the public, the Department shall:

(a) No change.

(b) Require a corrective action plan from the Managing Entity and the IPMP provider within 10 business days from receipt of the notice of noncompliance. ~~The corrective action plan is subject to approval by the contracted Managing Entity.~~ The severity of the noncompliance may affect the period of time allowed for correction, but in no event shall the corrective action period exceed 90 days.

(2) through (5) No change.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
 69O-156.0086 Standard Medicare Supplement Benefit Plans for 2020 Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery to Newly Eligible Medicare Beneficiaries with an Effective Date for Coverage on or After January 1, 2020.

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 45 No. 152, August 6, 2019 issue of the Florida Administrative Register.

This Notice of Proposed Rule incorrectly listed the rule title as “Standard Medicare Supplement Benefit Plans for 2020 Standardized Medicare Supplement Benefit Plan Policies or

Certificates Issued for Delivery to Newly Eligible Medicare Beneficiaries and with an Effective Date for Coverage on or After January 1, 2020.” The correct rule title is “Standard Medicare Supplement Benefit Plans for 2020 Standardized Medicare Supplement Benefit Plan Policies or Certificates Issued for Delivery to Newly Eligible Medicare Beneficiaries with an Effective Date for Coverage on or After January 1, 2020.”

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-36.025 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on July 3, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 58A-5.036, F.A.C., from Arden Courts-Lely Palms of Naples FL, LLC d/b/a Arden Courts of Lely Palms to implement the Detailed Emergency Environmental Control Plan. The petition was assigned case number 2019010387. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing assistedliving@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Chequita Byrd, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #30, Tallahassee, Florida 32308 or e-mailing assistedliving@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-312.430 Permitting Requirements for Marinas

The Department of Environmental Protection hereby gives notice: That it has issued an order on August 6, 2019, granting Kings Kamp, LLLP, Captain Jax, LLLP and Black Water Sound Holdings, LLLC’s Petition for a Waiver. The Petition was received on February 27, 2019. Notice of receipt of this Petition was published in the Florida Administrative Register on March 12, 2019. The petition requested a waiver from subsection 62-312.430(8), F.A.C., which prohibits locating boat mooring sites over a seagrass bed community or coral reef

regardless of water depth. Petitioners desire to construct and operate a 44-slip marina with mooring locations over a seagrass bed community. No public comment was received. The Order, file number 19-0179, granted the Petition to subsection 62-312.430(8), F.A.C., based on a showing that Petitioner demonstrated that a strict application of the rule would result in substantial hardship to Petitioner and because Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Katie Teyshak, South District Marathon Office, Department of Environmental Protection, 2796 Overseas Highway Suite 221, Marathon, Florida 33050, (305)289-7070; Katie.Teyshak@FloridaDEP.gov or at SouthDistrict@FloridaaDEP.gov; during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on August 2, 2019, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Todd Cielo, DC, regarding the requirement of paragraph 64B2-13.004(3)(d), F.A.C., which specifies the required criteria for online continuing education courses. Petitioner wishes to fulfill all required hours via online attendance. Comments on this petition should be filed with the, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Chiropractic Medicine, at the above address.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

NOTICE IS HEREBY GIVEN that on August 01, 2019, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Solomon Lallouz, D.C., DACBSP. Although no specific rule is mentioned in the petition, it appears that the Petitioner is seeking a variance or waiver of Rule 64B2-13.004, F.A.C., which requires that for the purpose of renewing a license, only those contact classroom hours earned at Board approved continuing education courses or which comply with

the provision of this rule are acceptable. Petitioner seeks approval for 12 hours completed through American College of Sports Medicine. Comments on this petition should be filed with the, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850)488-0595, or by electronic mail – Anthony.Spivey@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Chiropractic Medicine, at the above address.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that on July 8, 2019, the Board of Physical Therapy Practice, received a petition for Variance or Waiver filed by Åsa Höglund-Berghan. Petitioner seeks a permanent variance or waiver of paragraph 64B17-3.001(3)(c), F.A.C., with regards to an applicant for licensure without examination who has been educated in a foreign country that demonstrates the minimum educational requirements.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov, within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that on June 25, 2019, the Board of Physical Therapy Practice, received a petition for Variance or Waiver filed by Teresa Jamrych. Petitioner amended her petition on July 2, 2019, for the purpose of identifying the rule. Petitioner seeks a permanent variance or waiver of Rule 64B17-3.001, F.A.C., with regards to her qualifications for licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov, within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that on June 25, 2019, the Board of Physical Therapy Practice, received a petition for Variance or Waiver filed by Tamer Gad. Petitioner did not identify a rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov, within 14 days of publication of this notice.

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 August 2, 2019, the Florida Housing Finance Corporation issued an order granting waiver of paragraph 67-21.003(8)(g) F.A.C. from Federation Gardens Preservation, LP, allowing Petitioner to change the Development Type from "High Rise" to "Mid-Rise 4-stories". 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 July 12, 2019 and notice of the receipt of petition was published on July 15, 2019 in Vol. 45, Number 136, 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., Ste. 5000, Tallahassee, FL 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.0072 Credit Underwriting and Loan Procedures

The Florida Housing Finance Corporation hereby gives notice: On August 2, 2019, the Florida Housing Finance Corporation issued an order granting waiver of subsection 67-48.0072(17) F.A.C. from Sailboat Bend II, Ltd., allowing Petitioner to use an Affiliate subcontractor, Step-Up, for the cabinet manufacturer and installer since Step-Up agreed to match the bid of the next lowest bidder and provided that the General Contractor does not charge a general contractor fee on the scope of work performed by Step-Up. 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 July 10, 2019 and notice of the receipt of petition was published on July 11, 2019 in Vol. 45, Number 134, 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., Ste. 5000, Tallahassee, FL 32301-1329.

DEPARTMENT OF FINANCIAL SERVICES

Finance

The Florida Office of Financial Regulation hereby gives notice: "On 8/6/2019 Klarna Inc. withdrew their Petition for Variance from paragraphs 69V-560.703(2)(a) and (c). The original petition (Published on 6/7/2019 Issue 45/111) was received on 5/9/2019 and sought a variance from the record collection and retention requirements under subsection 69V-560.703(2), Florida Administrative Code."

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATES AND TIMES: Thursday, August 15, 2019, 1:00 p.m.; August 15, 2019, 2:00 p.m.

PLACE: Florida Agricultural Museum; 7900 Old Kings Rd. N; Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1:00 p.m., Nominating Committee meeting; 2:00 p.m., Board of Trustees meeting

These meetings are to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630 or email at kara.hoblick@floridaagmuseum.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kara Hoblick at (386)446-7630 or email at kara.hoblick@floridaagmuseum.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

State Board of Education

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

DATE AND TIME: August 14, 2019, 1:00 p.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Room 1703, Tallahassee, Florida 32399-0400.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Special Facilities Construction Committee will consider and rank requests for special facilities construction funding for the 2020 legislative session, pursuant to subsection 1013.64(2), Florida Statutes. Proposed projects include: Bradford County

School District - proposed new pre-kindergarten through Grade 7 school; Baker County School District - proposed new kindergarten through Grade 5 elementary school; and Levy County School District - proposed new middle-high school.

A copy of the agenda may be obtained by contacting: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Suite 814, Tallahassee, Florida 32399-0400, (850)245-0405.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIMES: Thursday, August 15, 2019. Open house, 5:30 p.m.; formal presentation, 6:00, followed by a public comment period

PLACE: NOW Church, 6405 South Pine Avenue, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Project ID Number: 439238-1 goes with 435686-1
 Project Description: State Road (S.R.) 25/U.S. 441 from S.R. 35 to S.R. 200, Marion County, Florida

The Florida Department of Transportation (FDOT) invites all persons to a public workshop for a resurfacing project on S.R. 25/U.S. 441 from S.R. 35 (Baseline Road) to S.R. 200 (SW 10th Street).

The existing typical sections on U.S. 441, within the project limits, will be modified to extend left and right turn lanes at various locations, remove some of the existing on street parking, provide bicycle facilities within the right of way where possible, update and provide pedestrian features to meet current FDOT and Americans with Disabilities Act specifications, connect existing sidewalk including a 6-mile portion from SE 100th Place to just north of SE 17th Avenue, and make other drainage and safety improvements, as needed.

The project also includes constructing a southbound left turn lane to SE 100th Place by means of a directional median opening and shifting the existing northbound left turn lane to the south to maintain storage length. The existing median opening just east of SE 100th Place, in front of the Moose Lodge, will be removed. The project will incorporate the construction of southbound and northbound left turn lanes at SE 98th Lane by changing the existing median opening. Drainage improvements will also be addressed within the grassed median.

The public hearing will be Thursday, Aug. 15, 2019, at the NOW Church, 6405 South Pine Avenue, Ocala, FL 34480. The hearing will begin as an open house at 5:30 p.m. A formal presentation will begin at 6 p.m., followed by a public comment period. A court reporter will prepare a verbatim transcript of the proceedings. In the event the public hearing cannot be held on

Aug. 15, due to severe weather or other unforeseen conditions, it will be held on the alternate date of Thursday, Aug. 29, 2019 at the same time and place.

Persons wishing to submit written statements or other exhibits, in place of or in addition to oral statements, may do so at the hearing or by sending them to Daniel Simpson, FDOT project manager, by phone at (386)943-5394, via email at daniel.simpson@dot.state.fl.us, or by U.S. Mail to 719 South Woodland Boulevard, DeLand, Florida 32720. All exhibits or statements postmarked on or before Aug. 26, 2019 will become part of the public hearing record.

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

A copy of the agenda may be obtained by contacting: Daniel Simpson, FDOT project manager by phone at (386)943-5394 or by email at daniel.simpson@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Daniel Simpson, FDOT project manager by phone at (386)943-5394 or via email at daniel.simpson@dot.state.fl.us. Persons who require translation services (free of charge) should also contact Daniel Simpson, FDOT project manager by phone at (386)943-5394 or via email at daniel.simpson@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Daniel Simpson, FDOT project manager (see contact information above). Information about this project is also available online at www.cflroads.com. Simply type 439238-1 or 435686-1 in the search box, and click on the project name in the search results.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council/LEPC District 9 announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2019, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 1400 Colonial Blvd, Suite 1, Fort Myers, FL 33907

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Southwest Florida Local Emergency Planning Committee (LEPC)

A copy of the agenda may be obtained by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfRPC.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Charles Kammerer, (239)938-1813, ext. 227, ckammerer@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF THE LOTTERY

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

DATE AND TIME: Wednesday, August 21, 2019, 2:30 p.m. ET

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Meeting of the Negotiation Team to discuss the recommendation of award in response to Invitation to Negotiate (ITN), Project Number 032-18/19: Banking Services and Related Commodities and Services.

For more information, please visit the Vendor Bid System (VBS) at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

A copy of the agenda may be obtained by contacting: Audrey Gregory at (850)487-7710 or by going to the Department of the Lottery's website, www.flalottery.com.

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

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The State Child Abuse Death Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2019, 1:00 p.m. – 5:00 p.m.

PLACE: JW Marriot Grande Lakes Orlando, Meeting Room: Brava, 4040 Central Florida Parkway, Orlando, FL 32837

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will focus on ways to reduce preventable child abuse deaths in Florida. The Committee makes policy and program recommendations to improve child health, safety and protection.

A copy of the agenda may be obtained by contacting: Joshua Thomas: Joshua.Thomas@flhealth.gov.

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

For more information, you may contact: Joshua Thomas: Joshua.Thomas@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

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

DATE AND TIME: Tuesday, August 27, 2019, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Children and Families, Main Auditorium – Room 807, 9393 N. Florida Ave., Tampa, FL 32612

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

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

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

For more information, you may contact: Janet Blair at 1(813)545-1716 or David Draper at (407)317-7335.

FLORIDA ASSOCIATION OF CENTERS FOR INDEPENDENT LIVING

The Florida Association of Centers for Independent Living announces a public meeting to which all persons are invited.

DATE AND TIME: September 6, 2019, 11:00 a.m. – 3:00 p.m.

PLACE: 4075 Esplanade Way, Conference Room 171 Tallahassee, FL 32399, Call in: 1(888)853-9372 PIN #267511

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters related to the James Patrick Memorial Work Incentive

Personal Attendant Services and Employment Assistance Program.

A copy of the agenda may be obtained by contacting: Kristen Herron at (850)575-6004.

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: Kristen Herron at (850)575-6004. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a public meeting to which all persons are invited.

DATES AND TIMES: Full Council Meeting, Monday, September 9, 2019, 9:00 a.m. – 5:00 p.m.; Full Council Meeting, Tuesday, September 10, 2019, 9:00 a.m. until completion of the agenda; State Plan for Independent Living Public Forum Meeting, Tuesday, September 10, 2019, 1:00 p.m. – 3:00 p.m.

PLACE: CIL Disability Resource Center, 3600 North Pace Blvd., Pensacola, FL 32505

CALL IN #: 1(888)585-9008 **CONFERENCE ID:** 605-155-637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of the Council.

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at jenny@floridasilc.org.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308, (850)488-5624 or Toll Free 1(877)822-1993.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow 5 business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

FLORIDA DEVELOPMENT FINANCE CORPORATION

The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 14, 2019, 2:30 p.m.

PLACE: Florida Development Finance Corporation, 156 Tuskawilla Road, Suite 2340, Winter Springs, FL 32708

- OR -

Via Tele-Conference: Dial-In Number: (646)741-5292, Meeting ID: 112 648 6866

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss the following:

- Meeting Minutes: June 14, 2019
- Resolution No. 19-17: Live Oak Bank as a C-PACE Provider
- Resolution No. 19-18: Hall Structured Finance as a C-PACE Provider
- Resolution No. 19-19: Shands Jacksonville Medical Center, Inc.

A copy of the agenda may be obtained by contacting: Jennifer Jenkins, FDFC Administrative Coordinator, (407)712-6351.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Jennifer Jenkins, FDFC Administrative Coordinator, (407)712-6351. 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: Jennifer Jenkins, FDFC Administrative Coordinator, (407)712-6351.

SAM SCHWARTZ ENGINEERING

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

DATE AND TIMES: Thursday, August 15, 2019, 5:00 p.m.; Formal Presentation, 6:00 p.m.

PLACE: Robert L. Taylor Community Complex building at 1845 34th Street, Sarasota, Florida, 34234.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District One Office has scheduled a public hearing regarding proposed improvements to, and between, the intersections of US 41 at Dr. Martin Luther King (MLK) Jr. Way and US 41 at Myrtle Street in the City of Sarasota, Florida.

The public hearing is being held to allow interested persons an opportunity to be informed and provide comments concerning the location, conceptual design, and the social, economic, and environmental effects of the proposed improvements. The purpose of this project is to enhance safety, non-motorized connectivity, and access, as well as vehicular traffic flow and operations along the corridor. The proposed improvements consist of partial two-lane roundabouts at the intersections of US 41 at Dr. MLK Jr. Way and US 41 at Myrtle Street with

buffered bicycle lanes and 8-foot sidewalks along US 41 between the intersections.

Additional information may be obtained by contacting the FDOT Project Manager, David C. Turley, PE at 1(863)519-2255, by e-mail to david.turley@dot.state.fl.us or by writing to Florida Department of Transportation, Attn: David C. Turley, 801 North Broadway Avenue, Bartow, Florida 33830. Draft project reports and conceptual plans will be available for public review 21 days prior to the hearing and 10 days after the close of the hearing at the North Sarasota Public Library at 2801 Newton Blvd., Sarasota, FL 34234 (Please call the library at (941)861-1360 for hours of operation). An additional location is available at the Florida Department of Transportation Office in Bartow, Florida (Monday through Friday, 8:00 a.m. – 5:00 p.m.). Please contact FDOT Project Manager, David C. Turley, P.E. by phone or email to make an appointment to review the materials at this location.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried-out by FDOT pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016, and executed by FHWA and FDOT.

A copy of the agenda may be obtained by contacting: David C. Turley, FDOT Project Manager, at 1(863)519-2250 or by email at david.turley@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disability Act, and person requiring special accommodations to participate in this hearing is asked to advise the agency at least seven (7) before the hearing by contacting David C. Turley, FDOT Project Manager, at 1(863)519-2255 or by email at david.turley@dot.state.fl.us.

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

If you have any questions about the project, please contact Mr. David C. Turley, FDOT Project Manager. You can also stay current with the project and share comments with the study team at: www.swflroads.com/us41/atmyrtlestreet&mlkjrway.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

FISH AND WILDLIFE CONSERVATION COMMISSION
 Manatee County South Waterway Marker Project
 ADVERTISEMENT FOR BIDS
 BID NO: FWC 19/20-03C
 BID NAME: MANATEE COUNTY SOUTH WATERWAY
 MARKER PROJECT
 PROJECT LOCATION: MANATEE COUNTY, FLORIDA
 The intent of this Invitation to Bid (ITB) is to obtain competitive pricing for the Manatee County South Waterway Marker Project, in accordance with the contract documents and Chapter 255 of the Florida Statutes.
 SEALED BIDS WILL BE PUBLICLY OPENED AND READ ALOUD
 BID OPENING DATE AND TIME: August 30, 2019, 2:00 p.m. ET

BID OPENING LOCATION: Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle East, Suite 100, Tallahassee, Florida 32301

To review the bid details for FWC 19/20-03C:

- Visit <http://www.myflorida.com/apps/vbs/vbs www.pui?pu=7700> to view a list of FWC’s formal solicitations and agency decisions.
- Choose the FWC 19/20-03C solicitation link to view the advertisement details.
- From the Advertisement Details page, you can download the PDF bid file for your reference.

If the link doesn’t take you directly to the project listing, you can manually search for it by:

- Visit <http://www.myflorida.com/apps/vbs/vbs www.main menu>.
- Select Search Advertisements.
- Choose FL Fish and Wildlife Conservation Commission from the Agency dropdown box.
- Click the Advertisement Search button.
- Choose the FWC 19/20-03C solicitation link to view the advertisement details.
- From the Advertisement Details page, you can download the PDF bid file for your reference.

NOTE: The Vendor Bid System (link provided above) is the posting location for all new and changing information regarding this solicitation. Interested bidders should continue to monitor this site for the entirety of the solicitation process.

DIRECT ALL QUESTIONS TO THE PROCUREMENT MANAGER: Ruth Heggen, Procurement Manager, Florida Fish & Wildlife Conservation Commission, Tallahassee Purchasing Office, 2590 Executive Center Circle, Tallahassee, Florida 32301, Phone: (850)212-7699, Email: Ruth.Heggen@myfwc.com.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 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., Wednesday, July 31, 2019 and 3:00 p.m., Tuesday, August 6, 2019.

Rule No.	File Date	Effective Date
5C-16.001	8/5/2019	8/25/2019
5C-16.021	8/5/2019	8/25/2019

5J-20.004	7/31/2019	8/20/2019
5J-20.022	7/31/2019	8/20/2019
5J-20.041	7/31/2019	8/20/2019
5J-20.080	7/31/2019	8/20/2019
6A-1.094121	7/31/2019	8/20/2019
6A-3.0121	7/31/2019	8/20/2019
6A-3.0141	7/31/2019	8/20/2019
53ER19-47	7/31/2019	8/1/2019
61G15-18.005	8/6/2019	8/26/2019
61G18-30.002	8/6/2019	8/26/2019
61J1-9.002	7/31/2019	8/20/2019
64B7-24.016	8/5/2019	8/25/2019

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	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Recreation World, Inc., d/b/a Giant Specialty Vehicles, Inc. for the establishment of ICON low speed vehicle

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Icon EV, LLC, intends to allow the establishment of Recreation World, Inc., d/b/a Giant Specialty Vehicles, Inc., as a dealership for the sale of low-speed vehicles manufactured by ICON EV, LLC (line-make ICON) at 14100 West Colonial Drive, Winter Garden, (Orange County), Florida 34787, on or after September 6, 2019.

The name and address of the dealer operator(s) and principal investor(s) of Recreation World, Inc., d/b/a Giant Specialty Vehicles, Inc., are dealer operator(s): Sean Courterier, 14100 West Colonial Drive, Winter Garden, Florida 34787-4205;

principal investor(s): Sean Courterier, 14100 West Colonial Drive, Winter Garden, Florida 34787-4205.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Roy F. Williams, Icon EV, LLC, 203 Kelsey Lane, Suite E, Tampa, Florida, 33619.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION
 Certificate of Need
 LETTER OF INTENT

The Agency for Health Care Administration received and accepted the following letter of intent for the September 4, 2019 application filing date for the Hospital Beds and Facilities batching cycle:

County: Alachua District: 3
 Date Filed: 08/05/2019 LOI #: H1908001
 Facility/Project: North Florida Regional Medical Center
 Applicant: North Florida Regional Medical Center, Inc.
 Project Description: Add 22 adult psychiatric bed

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after October 9, 2019, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on September 11, 2019.

FLORIDA HOUSING FINANCE CORPORATION
STATE APARTMENT INCENTIVE LOAN (SAIL)
PROGRAM 2019 NOTICE OF FUNDING AVAILABILITY
(NOFA)

The Florida Housing Finance Corporation (Florida Housing) announces the availability of funding for the State Apartment

Incentive Loan (SAIL) Program, pursuant to Section 420.5087, Florida Statutes, and Rule Chapter 67-48, Florida Administrative Code (F.A.C.) or a competitive solicitation, as applicable. The funding will be offered through one or more competitive solicitations.

In accordance with subsection 420.5087(1), Florida Statutes, program funds shall be made available in a manner that meets the need and demand for very low-income housing throughout the state. As determined by the most recent statewide low-income rental housing market studies, conducted in 2019, the need and demand are as follows: 53.8% for Large County; 36.2% for Medium County; and 10% for Small County designation developments.

In accordance with subsection 420.5087(3), Florida Statutes, for the six-month period beginning with the publication of this NOFA, program funds shall also be made available to designated tenant group categories at the percentages determined by using the 2016 statewide low-income rental housing market studies available.

Program funds shall be made available under this NOFA at the following percentages per tenant group: 5% for Commercial Fishing Worker/Farmworker; 10% for Homeless; 13% for Special Needs, 24.6% for Elderly [Note: This amount is subject to a 10% reduction of the 24.6% set-aside amount, with the funds being made available to applicants for the Elderly Housing Community Loan Program]; and 47.4% for Families. The funds made available to any demographic category may not be less than 10% of the funds available at that time, except for Commercial Fishing Worker/Farmworker which may not be less than 5% of the funds available.

Florida Housing currently anticipates the allocation of \$102,621,000 of SAIL funding for all competitive solicitations associated with the above tenant groups.

The geographic distribution has been adjusted to meet the requirements of Section 420.5087, Florida Statutes, and will be based upon an anticipated funding level of \$102,621,000. This amount is subject to change. The anticipated geographic funding distribution is as follows:

COUNTY DESIGNATION	FUNDING TARGET
Large	\$55,210,098
Medium	\$37,148,802
Small	\$10,262,100

An additional \$15,434,000 of SAIL funding will be made available for loans to construct workforce housing to serve primarily low-income persons throughout the state and, in the Florida Keys Area of Critical State Concern, to primarily serve moderate income persons when strategies are included in the local housing assistance plan to serve these households.

For more information on opening and closing dates of the competitive solicitations, or on how to submit an Application, please access Florida Housing's Website at:

<http://www.floridahousing.org/programs/developers-multifamily-programs/competitive> .

If you are hearing or speech impaired, please contact Florida Housing using the Dual Party Relay System at 1(800)955-8770 or 1(800)955-8771.

All Applications submitted in response to a competitive solicitation must be submitted to Florida Housing Finance Corporation in accordance with the requirements of the applicable Request for Applications, provisions of all applicable Florida Statutes, Rule Chapter 67-60, F.A.C., and Rule Chapter 67-48, F.A.C.

LEON COUNTY CLERK OF COURT



REQUEST FOR INFORMATION (RFI)

No. 19-01

Clerk of the Circuit Court and Comptroller, Leon County Florida

is soliciting information and qualifications for: Information Technology Services

Date of Issuance: August 5, 2019

Completed Forms Must Be Submitted to the Following Address:

Clerk of the Circuit Court and Comptroller, Leon County, 301 S. Monroe St. #100, Tallahassee FL, 32301

Any individual with a disability who would like to receive the information in this publication in another form may contact Darlene Green at (850)606-4005.

The purpose of this RFI is to solicit information about the products, services and capabilities of vendors offering Information Technology Services. This RFI is being issued by the Clerk of the Circuit Court and Comptroller, Leon County in her capacity as Clerk and Comptroller. All information submitted in response to this RFI is subject to the public records law in Chapter 119, Florida Statutes. Any material that a provider believes is exempt from public records must be clearly identified, with explicit notation of the applicable statutory exemption.

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SECTION I – Timetable

The anticipated schedule and deadline for the RFI are as follows:

The Clerk reserves the right to adjust this schedule.

Activity	Date/Time (Deadlines)	Location
RFI Available for Distribution	08/06/2019 12:00 Noon (ET)	https://cvweb.clerk.leon.fl.us/public/announcements/rfi_1901.pdf
Written Inquiries Deadline:	08/28/2019 5:00 p.m. (ET)	Email Address: DGreen@leoncountyfl.gov
RFI responses are to be sent via e-mail or mail to: Darlene Green:	09/13/2019 5:00 p.m. (ET)	Email: DGreen@leoncountyfl.gov or Mail to: Clerk of the Circuit Court & Comptroller Leon County 301 S. Monroe St #100 Tallahassee, FL 32301
Optional : On-site Oral Presentations, at Clerk’s Discretion	9/9/19 – 9/12/19	Clerk of the Court & Comptroller’s Office 300 S. Monroe St. #100 Tallahassee, Fl 32301

SECTION II – General Information

This Request for Information (“RFI”) is issued by the Office of the Clerk of the Circuit Court and Comptroller, Leon County, Florida (“Clerk”). The Clerk is an independent office created

pursuant to Article V and Article VIII of the Florida Constitution. Any person or business organization that submits a response to this RFI will be referred to as a “Responder.” The term Responder includes Responder’s employees, agents and subcontractors. A response to this RFI is referred to as a “Response” or “Reply.”

Responders acknowledge that this RFI is a request for information only and that it is in the Clerk’s sole discretion to choose to contract for any service that a Responder to this RFI may offer. If the Clerk does choose to contract for any service that a Responder to this RFI may offer, a formal solicitation process will be used. Any Responder may participate and will be required to respond in accordance with the specific requirements set forth in the formal solicitation. All costs involved with the presentation and submission of a Response to the Clerk, or any work performed in connection therewith, shall be borne by the responding party. No payment will be made for Responses received, or for any other effort required of or made by the Responders. By virtue of submitting a Response, Responders are acknowledging that the Clerk reserves the rights as outlined herein:

This process is for the benefit of the Clerk only and is intended to provide the Clerk with information to assist in identifying future desired services and the capabilities of potential providers. All materials submitted in response to this RFI become the property of the Clerk and will be a matter of public record subject to the provisions of Chapter 119 of the Florida Statutes.

A Responder waives and relinquishes any claim, cause, or suit against the Clerk of the Circuit Court & Comptroller, Leon County FL and all the agents and employees of the Clerk arising out of the administration of this RFI.

SECTION III – Instructions for Preparing and Submitting Responses

All responses should be in the same order and identified by section and number consistent with the outline of the RFI. All Responders are required to provide an email address for notification purposes. All questions concerning the RFI must be directed to: DGGreen@leoncountyfl.gov.

Responses received after the stated deadline will not be considered. All questions and answers will be posted on the Clerk’s website at https://cvweb.clerk.leon.fl.us/public/announcements/rfi_1901.pdf.

Clerk personnel will review and may substantiate all information and references requested in this document; therefore, please answer all questions thoroughly.

SECTION IV. – Requested Information

A. References

List all local governmental customers in Florida for which your firm has performed services similar to the statement of work/specifications described in your Reply, throughout the five-year period ending December 31, 2018.

Provide a list of up to 10 current Florida governmental customers of an account size similar to Leon County, FL that may be contacted as references. If your firm does not have 10 Florida governmental customers, please include private companies for whom your firm provides similar services. Please include name, contact person, telephone number and number of years as a client.

B. Scope of Services:

1) Identify and describe all of the various Information Technology related services your company provides as part of the development of an Information Technology Strategic Plan.

2) Provide a brief history of how long your company has been providing services related to an Integrated Information Technology Strategic Plan.

3) Does your company have experience interfacing customer court case management systems pursuant to the Supreme Court of Florida Integration and Interoperability Document Version 2.4 or later? If so, describe that experience. Link provided. <https://www.flcourts.org/content/download/219195/1981116/integration-interoperability-april2016version2-4.pdf>.

4) Does your company have experience developing customer compliance with Rule 1B-26.003 Florida Administrative Code? If so, describe that experience. Link provided. <http://flrules.elaws.us/fac/1b-26.003>

5) Does your company have experience developing customer compliance with Supreme Court of Florida Administrative Order No. AOSC19-23 regarding (PDF/A as the standard for court document storage? If so, describe that experience. Link provided.

6) <https://www.floridasupremecourt.org/content/download/525633/5839546/AOSC19-23.pdf>

7) Describe your company’s level of involvement and customer support with the various court case management processes offered within your platform.

8) Does your company have experience interfacing court case management software with other criminal justice agencies including the County Sheriff, State Attorney’s Office, Public Defender’s Office and the Courts in Florida with the Clerks court case management system? If so, describe that experience.

9) Does your company have court case management/maintenance software applications that enable the Clerk to conduct court functions and interface with other criminal justice agencies including the County Sheriff, State Attorney’s Office, Public Defender’s Office and the Courts in Florida.

10) Identify and provide an overview of the software/web-based court case management system that would support your company's integrated software.

- a. Hardware and software installation requirements
 - b. Web browser and configuration standards
 - c. Security measures
 - d. Authorization/administrative functions (internal controls)
 - e. Password management
 - f. Training and technical support (internal and external)
 - g. Reports available to your customers and their accessibility (i.e., reports are accessible through the internet and downloadable?)
 - h. Format of reports (PDF, Excel, Word, csv, txt, etc.)
 - i. Are the reports standardized or can customized reports be developed?
 - j. What is the records history retention period? Can your system differentiate various retention periods?
 - k. Are there specific system requirements to access the reports?
-

Section XIII
Index to Rules Filed During Preceding
Week

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