

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

**FISH AND WILDLIFE CONSERVATION
 COMMISSION**

Freshwater Fish and Wildlife

RULE NO.: **RULE TITLE:**

68A-6.016 Public Contact with Captive Wildlife

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify rule language and increase public safety during contact with captive wildlife. The effects of the proposed draft rule will be clarified rules, improved enforcement, and increased public safety.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in the proposed rules includes the regulations governing public contact with captive wildlife.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bridget McDonnell, Assistant General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

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

Section II
Proposed Rules

DEPARTMENT OF EDUCATION

Office of Early Learning

RULE NOS.: **RULE TITLES:**

6M-4.740 Program Assessment Requirements for the School Readiness Program

6M-4.741 Program Assessment Threshold Requirements for the School Readiness Program

PURPOSE AND EFFECT: To describe the process and requirements for program assessments for the School Readiness Program.

SUMMARY: The proposed rules establish the process and requirements for program assessments for the School Readiness Program.

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 office's economic analysis of the adverse impact or potential regulatory costs of the proposed rule does not exceed any of the criteria established in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.213(2), FS; 1002.82(2)(n), FS.

LAW IMPLEMENTED: 1002.82(2)(n) FS.

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

DATE AND TIME: Monday, December 16, 2019, 11:00 a.m. – 12:00 p.m. ET, or at the conclusion of business whichever is earlier.

PLACE: via GoToWebinar only. To register for the webinar, please visit: <http://www.floridaearlylearning.com/statewide-initiatives/proposed-rules>

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: Katerina Maroney (850)717-8614; Katerina.maroney@oel.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Katerina Maroney, Deputy Director of Programs and Policy, Office of Early Learning, 250 Marriott Dr., Tallahassee, Florida 32399, (850)717-8614; Katerina.maroney@oel.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

6M-4.740 Program Assessment Requirements for the School Readiness Program

(1) Definitions. The following definitions are applicable to all rules under chapter 6M-4, F.A.C.

(a) “Care Levels” refers to the age of the majority (51% or more) of enrolled children in a classroom. Three care levels are used to meet the required observation quota: Infant (ages 0-18 months), Toddler (ages 19-35 months), and PreK (ages 36 months-kindergarten entry.)

(b) “Classroom” refers to any well-defined room in which care is provided or classes are held; a room arranged with materials and equipment and set up as a learning space with intent to implement a plan of activities for the School Readiness program. The classroom provides a space where learning can take place uninterrupted by outside distractions. If floor to ceiling walls are not present, the classroom walls must be defined by stable barriers, and must adhere to the requirements for such barriers as established in Forms OEL-SR-6202, OEL-SR-6204, and OEL-SR-6206 as incorporated by reference in rule 6M-4.620, F.A.C. Any classroom that is eligible to receive a School Readiness child enrollment at any time, is considered under this definition. Any classroom that serves children in the School Readiness program for less than two hours a day is not considered a “classroom” per this definition.

(c) “Composite Classroom” means a School Readiness provider classroom randomly selected through the OEL-defined system to meet the composite score calculation requirements of 50% of classrooms at each care level served by the provider.

(d) “Composite Program Assessment Score” means an average of all OEL-adopted program assessment tool

dimension scores, omitting the negative climate score, if included in the dimensions of the tool received by composite classrooms in a School Readiness Provider.

(e) “Contract Minimum Threshold” means the minimum score pursuant to section 1002.82(2)(n), F.S., and defined in rule 6M-4.741, F.A.C., that a provider must achieve on the program assessment tool to be eligible to contract for the School Readiness Program.

(f) “Early Learning Coalition” or “coalition” refers to the entity charged with administering school readiness program services pursuant to sections 1002.83 and 1002.84, F.S. “Early Learning Coalition” or “coalition” includes applicable OEL contractors.

(g) “Negative Climate Score” means the measure of the level of expressed negativity shown by teachers and/or children in a classroom.

(h) “Observer” means a certified reliable observer for the age group of the classroom being observed, that meets the requirements of Form OEL-SR 740.

(i) “Personnel” is defined as the director and teachers entered into the QPS on the Class Roster and includes instructional staff assigned to classrooms as lead and assistant teachers.

~~(j)(4)~~ “Program Assessment” refers to the measurement of the quality of teacher-child interactions, including responsive caregiving, emotional and behavioral support, engaged support for learning, classroom organization, and instructional support for children using the assessment adopted by the Office.

~~(k)(4)~~ “Quality Improvement Plan” refers to a targeted 12-month plan to improve program quality using performance goals and strategies.

~~(l)(4)~~ “Quality Improvement Threshold” means the score as adopted by the Office under section 1002.82(2)(n), F.S., and defined in rule 6M-4.741, F.A.C., under which a provider is eligible to contract for the School Readiness Program but must be on a Quality Improvement Plan.

(l) “School Readiness Child Care Slots” refers to the number of School Readiness paid child care slots filled during a month of service. ~~If a slot has multiple children enrolled that do not attend on the same day for any day of that month, this slot shall be counted as one School Readiness child care slot.~~

(2) Program Assessment Requirements. Beginning with the 2019-20 School Readiness Contract year and subsequent years, all School Readiness providers serving children from birth to kindergarten entry must have a program assessment conducted and meet the Contract Minimum Threshold to be eligible to participate in the School Readiness Program. A coalition shall waive the Contract Minimum Threshold if the coalition determines that a provider is essential to meet local child care capacity needs as defined in the coalition’s ~~Coalition’s~~ School Readiness Plan, pursuant to rule 6M-9.115,

F.A.C. Providers that have had the Contract Minimum Threshold waived must be on a Quality Improvement Plan. Providers that meet the minimum score for contracting but do not meet the Quality Improvement Threshold shall be placed on a Quality Improvement Plan.

(a) Form OEL-SR 740, Program Assessment Requirements Handbook, dated ~~(February 2020)~~ November 2018, is hereby incorporated by reference and may be obtained at the office website at www.floridaearlylearning.com or by contacting the Office of Early Learning, Department of Education, 250 Marriott Drive, Tallahassee, FL 32399. The incorporated form is also available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-10022>.

(b) Providers must electronically report in the OEL-defined system a director, the number of classrooms as well as teachers ~~instructors~~ and care levels assigned to those classrooms as outlined in Form OEL-SR 740, Program Assessment Requirements Handbook.

(c) Providers must give consent in the OEL-defined system to coalition staff or a third-party contractor to administer a program assessment for each selected classroom.

(d) Providers that fail to comply with paragraphs (2)(b) and (c) of this rule will not have a program assessment conducted and will not be eligible for a contract to provide School Readiness services.

(e) Program assessments will be provided by the coalition annually.

1. Providers that have been determined ineligible to contract based on program assessment scores may request a second one additional assessment that meets the requirements in Form OEL-SR 740 for selected classrooms to be conducted at the provider's expense by an observer. The new Composite Program Assessment Score must meet the Contract Minimum Threshold for the provider to be eligible for a School Readiness contract.

2. Providers currently on a Quality Improvement Plan may request a second assessment that meets the requirements in Form OEL-SR 740 for selected classrooms to be conducted at the provider's expense by an observer to satisfy the requirements of the Quality Improvement Plan prior to scheduled assessment to conclude the 12 month Quality Improvement Plan.

~~a. Only previously assessed classrooms are eligible for reassessments.~~

~~3.b.~~ A single classroom will be reassessed if the teacher previously assessed is still actively teaching in the classroom being reassessed. If the previously assessed teacher is not active in the classroom and the newly assigned teacher is hired after the previous assessment was completed, the single classroom will be reassessed and its score combined with the previously assessed classroom scores to calculate a new composite. If the

previously assessed teacher is not active in the classroom and the newly assigned teacher was moved from a different classroom, every classroom will be reassessed for the new scores to replace the previous assessment scores.

4. If at the time of the provider's request for a second program assessment, there are less than 50% of the original classrooms in the program assessment baseline or teachers remaining active, new observations shall be made on the randomly selected rooms identified by the OEL-defined system. If the provider adds any new classrooms when its registration is reset, all classrooms selected by the OEL-defined system (50% by care level) must be observed for the second assessment.

~~2. Providers currently on a Quality Improvement Plan may request one additional assessment that meets the requirements in Form OEL-SR 740 for selected classrooms to be conducted at the provider's expense by an observer to satisfy the requirements of the Quality Improvement Plan prior to scheduled assessment to conclude the 12 month Quality Improvement Plan.~~

(f) Coalitions shall notify providers of their program assessment score within 14 calendar days after the composite program assessment score is generated ~~observation is completed.~~

(g) Providers currently on a Quality Improvement Plan will have a program assessment completed within ~~60~~ 30 calendar days prior to the end of the 12-month Quality Improvement Plan term, ~~when the plan term ends on the School Readiness contract end date. When a Quality Improvement Plan ends during the contract year, a program assessment will be completed within 30 days of the end of the Quality Improvement Plan.~~

(h) For providers not on a Quality Improvement Plan who score below the Quality Improvement Threshold, the coalition shall place the provider on a Quality Improvement Plan within five calendar days after the provider is notified of the composite program assessment score.

~~(i)(h)~~ For contracted School Readiness providers that ~~fall~~ score below the Contract Minimum Threshold, the coalition shall terminate the current contract and may revoke the provider's eligibility for up to five years. Written notice of termination will be sent to the provider from the coalition at least thirty (30) calendar days before the termination date. Written notification must include a reason and identify the contract revocation period.

(3) Exemptions.

(a) Providers meeting one of the following shall be exempt from the annual program assessment requirement:

1. A provider that has not received one Class I or more than three of the same Class II School Readiness health and safety violations as cited by the Department of Children and Families

or local licensing agency, as applicable, in ~~the~~ a two year period prior to contract execution and is a:

a. Child care center with 20 percent or less of all filled School Readiness child care slots out of the maximum capacity as defined in Forms OEL-SR-6202, OEL-SR-6204, and OEL-SR-6206 as incorporated by reference in rule 6M-4.620, F.A.C.

b. Family child care homes with two or fewer of filled School Readiness child care slots out of maximum capacity as defined in Forms OEL-SR-6202, OEL-SR-6204, and OEL-SR-6206 as incorporated by reference in rule 6M-4.620, F.A.C.

2. Providers that offer only overnight School Readiness services.

~~3. Providers with no enrollment that have been determined by the coalition to be essential in meeting local child care capacity needs.~~

(b) When a provider's violations cited by the Department of Children and Families or local licensing agency, as applicable, or filled School Readiness child care slots meet or exceed the exemption threshold in paragraph (3)(a) of this rule, during the operating hours from 7:00 a.m. to 6:00 p.m., per its provider type, the provider shall no longer be exempt under this section. A coalition shall monitor violations cited by the Department of Children and Families or local licensing agency, as applicable, and filled School Readiness child care slots monthly and notify a provider within 21 calendar days if the provider's filled slots meet or exceed the exemption threshold in paragraph (3)(a) of this rule or if disqualifying licensing violations have occurred. A provider must receive a program assessment pursuant to subsection (2) of this rule within 30 calendar days of notification to continue contracting for School Readiness services.

~~(c) During the 2018-19 School Readiness contract, the providers' School Readiness child care slots will be reviewed by the coalition upon the effective date of this rule and prior to contracting for the 2019-20 School Readiness contract to determine exemptions.~~

~~(c)(d)~~ Exempt providers may opt to participate in program assessment requirements by submitting a request in writing to the coalition at least 60 days prior to contracting for the School Readiness Program. The coalition shall coordinate a program assessment within 60 ~~30~~ calendar days of receipt of the notice. The request to participate in program assessment shall constitute a waiver of the exemption and subjects the provider to all of the requirements of this rule.

~~(d)(e)~~ If a school-age only provider changes the current care levels served to include any children ages birth-kindergarten entry, and does not require a new contract to be executed, they are exempt from the program assessment requirement until they cross the enrollment threshold of paragraph (3)(a) of this rule. Once this threshold is met or

exceeded, the program assessment must be conducted in accordance to paragraph (3)(b) of this rule.

(4) Frequency.

(a) Upon the effective date of this rule, all participating School Readiness Program providers shall receive an annual program assessment prior to executing a School Readiness Contract ~~for the 2019-20 fiscal year~~.

~~(b) For all new providers that request participation in the SR Program for the 2019-20 contract year and subsequent years that have not previously provided SR Program services or have had a one year lapse in providing SR Program services, a program assessment must be conducted prior to the execution of the School Readiness Contract. The provider must meet the contract minimum threshold on the program assessment to be eligible to participate in the School Readiness Program.~~

~~(b)(c)~~ In the event of a change where transfer in ownership, the provider is ~~will be~~ considered a new provider and must execute a new School Readiness Contract per subsection 6M-4.610(4), F.A.C., ~~the~~ The new provider must have a program assessment conducted meeting the contract minimum threshold within 90 days of the transfer of ownership and the execution of a new School Readiness Contract. 1. The new provider may request, prior to executing a new contract, to retain the most recent program assessment score without having to conduct a new assessment if the provider can provide documentation to the coalition that it has retained 80% of personnel listed in the OEL-defined system and as defined in Forms OEL-SR-6202, OEL-SR-6204, and OEL-SR-6206 as incorporated by reference in rule 6M-4.620, F.A.C., and there is no change in capacity or classrooms from when the previous assessment was conducted for the remainder of the contract period, prior to scheduling a program assessment or when contacted by the early learning coalition to schedule the program assessment. Examples of acceptable documentation include current payroll time sheets and evidence in CARES of monitored personnel during the pre-contractual health and safety inspection, classroom rosters, or attendance documentation.

~~(c)(d)~~ Providers that achieve a program assessment result as identified in subsection 6M-4.741(3), F.A.C., shall have a program assessment conducted biennially. The provider shall not receive one Class I or more than three of the same Class II School Readiness health and safety violations as cited by the Department of Children and Families or local licensing agency, as applicable, during the biennial period and must retain 80% of personnel listed in the OEL-defined system for the remainder of contract term to continue to have assessments conducted biennially.

~~(d)(e)~~ Providers that have had multiple program assessments conducted shall use the most recent program assessment data for contracting purposes.

~~(e)(f)~~ Program assessments conducted during participation in other quality initiatives that meet requirements as defined in Form OEL-SR 740, Program Assessment Requirements Handbook, shall be used for meeting Contract Minimum Threshold requirements.

~~(f)(g)~~ Providers that have a program assessment conducted on or after April 1, 2018 that meets requirements as defined in Form OEL-SR 740, may use that program assessment result for eligibility to contract for 2019-20 contract year if the result meets the Contract Minimum Threshold. Additionally, an assessment conducted for the Early Learning Performance Funding Project, during this timeframe may be used to meet this requirement.

(5) Program Assessment Composite Score Calculation.

(a) 50% of the classrooms in every care level (ages infant-PreK) served by the provider must be assessed to determine the program assessment composite score.

1. If there are an odd number of classrooms in a care level, the required number of classrooms shall be rounded up.

(b) Program assessment scores shall be calculated using the combined average of the dimension scores, excluding negative climate scores, from each selected composite classroom's assessment.

1. All composite classrooms scores must be assessed before a calculation can be made to determine the final composite program assessment score.

2. After the dimension scores have been averaged, final program assessment composite scores will be rounded to two decimal places.

(6) Quality Improvement Plans. The Quality Improvement Plan will include performance goals and quality improvement strategies as provided for in Form OEL-SR 20, incorporated by reference in rule 6M-4.610, F.A.C. Coalitions may choose quality improvement strategies as indicated in the coalition's approved School Readiness ~~Coalition~~ Plan pursuant to rule 6M-9.115, F.A.C., to develop Quality Improvement Plans for providers that need to increase program assessment scores.

(a) Providers that have been on a Quality Improvement Plan for 12 months and do not meet the Quality Improvement Threshold at the next annual program assessment will have their School Readiness contract terminated by the coalition ~~and will not be eligible for a subsequent School Readiness contract~~. The coalition shall terminate the contract and may revoke the provider's eligibility for up to five years ~~within 45 calendar days of the program assessment~~. Written notice of termination will be sent to the provider from the coalition at least thirty (30) calendar days before the termination date. Written notification must include a reason and identify the contract revocation period.

~~(b) Beginning with the 2019-20 School Readiness contract year and subsequent years, P~~ providers that have not previously been placed on a Quality Improvement Plan that have program assessment results that fall below the Quality Improvement Threshold will be placed on a Quality Improvement Plan for 12 months. Providers shall not be on a Quality Improvement plan for more than one consecutive 12-month period.

(c) Providers who were on a Quality Improvement Plan for the 2019-20 School Readiness contract year that do not meet the Quality Improvement Threshold but score above the Contract Minimum Threshold for the 2020-21 contract year are permitted to be on a Quality Improvement Plan for two (2) consecutive 12 month periods.

~~(d)(e)~~ Providers placed on a Quality Improvement Plan in the 2019-20 contract year and subsequent years, shall not have a Quality Improvement Plan for more than two years within a five-year period. Providers that surpass this number will not be eligible to contract for the School Readiness Program for a period of up to five years as determined by the coalition.

~~(e)(f)~~ Providers that have been determined to be essential to meeting child care capacity needs per subsection (2) of this rule and have an active Quality Improvement Plan shall not have a Quality Improvement Plan for more than three consecutive years. Providers that surpass this number will not be eligible to contract for the School Readiness Program for a period of up to five years as determined by the coalition.

Rulemaking Authority 1001.213, 1002.82 FS. Law Implemented 1002.82(2)(n) FS. History—New 11-29-18, Amended.

6M-4.741 Program Assessment Threshold Requirements for the School Readiness Program

(1) Contract Minimum Threshold.

(a) In accordance with rule 6M-4.740, F.A.C. providers must have a program assessment conducted and meet the Contract Minimum Threshold prior to executing a School Readiness Contract. The provider must receive a minimum program assessment composite score of 2.51 (rounding two decimals) to participate in the School Readiness Program for the 2019-20 School Readiness contract year.

(b) For the 2020-21 School Readiness contract year, providers must have a program assessment conducted and meet the Contract Minimum Threshold prior to executing a School Readiness Contract. The provider must receive a minimum program assessment composite score of 3.50 (rounding two decimals) to participate in the School Readiness Program.

(c) For the 2021-22 School Readiness contract year, providers must have a program assessment conducted and meet the Contract Minimum Threshold prior to executing a School Readiness Contract. The provider must receive a minimum

program assessment composite score of 4.00 (rounding two decimals) to participate in the School Readiness Program.

(2) Quality Improvement Threshold.

(a) In accordance with rule 6M-4.740, F.A.C. providers that meet the Contract Minimum Threshold score but do not meet the Quality Improvement Threshold shall be placed on a Quality Improvement Plan, in accordance with the School Readiness Contract, for 12 months. The Quality Improvement Threshold for the 2019-20 School Readiness contract year is a program assessment composite score of 3.00 (rounding two decimals)

~~(b) Providers that have been on a Quality Improvement Plan for 12 months and do not meet or exceed a 3.00 (rounding to two decimals) composite program assessment score at the next annual program assessment will have their School Readiness contract terminated by the coalition in accordance with rule 6M-4.740, F.A.C.~~

~~(b)(e) For Beginning with the 2020-212019-20 School Readiness contract year and subsequent years, providers who have not previously been placed on a Quality Improvement Plan that have program assessment results that fall below the Quality Improvement Threshold of a 4.00 3.00 (rounding to two decimals) composite program assessment score, as defined in rule 6M-4.740, F.A.C., but meet the contract minimum threshold will be placed on a Quality Improvement Plan for 12 months pursuant to rule 6M-4.740, F.A.C.~~

(c) Beginning with the 2021-22 School Readiness contract year, providers that have been on a Quality Improvement Plan for 12 months and do not meet or exceed the Contract Minimum Threshold of a 4.00 (rounding to two decimals) composite program assessment score at the next annual program assessment will have their School Readiness contract terminated by the coalition unless the provider is considered essential to meet local child care capacity needs pursuant to rule 6M-4.740, F.A.C.

(3) Program Assessment Scores and Annual Program Assessment Exemption.

(a) Providers that receive a composite program assessment score, as defined in rule 6M-4.740, F.A.C., of a 5.00 (rounding to two decimals) shall be considered exempt from the annual program assessment requirement, pursuant to rule 6M-4.740, F.A.C., and shall have a program assessment conducted biennially.

(b) If a provider falls below a composite program assessment score, as defined in rule 6M-4.740, F.A.C., of a 5.00 (rounding to two decimals) during the biennial program assessment, the provider will no longer be considered exempt and shall have a program assessment conducted annually.
 Rulemaking Authority 1001.213, 1002.82 FS. Law Implemented 1002.82(2)(n) FS. History—New 11-29-18, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Katerina Maroney, School Readiness Policy Supervisor
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shan Goff, Executive Director
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 27, 2019

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE NOS.:	RULE TITLES:
69L-31.002	Definitions
69L-31.003	Petition Form
69L-31.004	Carrier Response Form
69L-31.005	Petition Requirements
69L-31.006	Consolidation of Petitions
69L-31.007	Service of Petition on Carrier and Affected Parties
69L-31.008	Computation of Time
69L-31.009	Carrier Response Requirements
69L-31.010	Effect of Non-Response by Carrier
69L-31.011	Complete Record
69L-31.012	Joint Stipulation of the Parties
69L-31.013	Petition Withdrawal
69L-31.014	Overutilization Issues Raised in Reimbursement Dispute Resolution

PURPOSE AND EFFECT: The Department proposes rule amendments to clarify requirements and procedures for resolution of medical reimbursement disputes.

SUMMARY: Modification of the processes related to resolution of reimbursement disputes by the Florida Department of Financial Services pursuant to section 440.13(7)(e), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A preliminary economic analysis conducted by the Department indicated that the proposed rules will not have an adverse impact or result in regulatory costs in excess of \$1 million within five years, as established in section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 440.13(7), (7)(e), 440.591, FS.

LAW IMPLEMENTED: 440.13(7), (9), (11), FS.

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

DATE AND TIME: Wednesday, January 8, 2020, 9:30 a.m. Eastern Time

PLACE: Room 155, 1579 Summit Lake Drive, Tallahassee, FL 32317

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Theresa Pugh, telephone: (850)413-1721, email: Theresa.Pugh@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Theresa Pugh, Program Administrator – Medical Services Section, Bureau of Monitoring and Auditing (please see contact information in paragraph above).

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-31.002 Definitions.

The definitions that follow and those in section 440.13(1), F.S., apply to capitalized terms used in this rule chapter:

(1) “Notice of Disallowance or Adjustment” means a document that identifies the amount of disallowance or adjustment of payment that corresponds with the medical bill submitted by the Health Care Provider;

(2) “Petitioner” means the Health Care Provider, or entity acting on behalf of the Health Care Provider, submitting a Petition Form to contest Carrier disallowance or adjustment of payment.

(3) “Petition Form” means the Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC-3160-0023, incorporated in Rule 69L-31.003, F.A.C.

(4) “Response Form” means the Carrier Response to Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC 3160-0024, incorporated in Rule 69L-31.004, F.A.C. Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) FS. History–New.

69L-31.003 Petition for Resolution of Reimbursement Dispute Form and Requirements.

(1) The Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC-3160-0023, revised MM/YYYY, (DFS Form 3160-0023, effective September 8, 2006) is hereby incorporated by reference herein. This form may be obtained on the Department’s website ~~Internet~~ at

<https://www.myfloridacfo.com/Division/WC/Publications/FormsManualsReports/Forms/Default.htm> <http://www.myfloridacfo.com/wc/forms.html> or by contacting the Department at (850)413-1613.

(2) A petition to contest Carrier disallowance or adjustment of payment pursuant to section 440.13(7)(a), F.S., must be made on the Petition for Resolution of Reimbursement Dispute Form. The Department will not accept any other form or document in lieu of the Petition Form. Instructions for submission of the Petition Form are included on the bottom of the Petition Form. Any submission seeking to contest the disallowance or adjustment of payment by a carrier pursuant to section 440.13(7)(a), F.S., must include a completed Petition for Resolution of Reimbursement Dispute Form.

(3) The Petitioner must submit the Petition Form to the Department within the timeframe set forth in section 440.13(7)(a), F.S., and must include with the Petition Form the documents listed below that support the allegations contained in the Petition Form:

(a) A copy of each Notice of Disallowance or Adjustment received from the Carrier and, if applicable, proof of the date of receipt, as required by subsection 69L-31.008(1), F.A.C.;

(b) A copy of all medical bill(s) or request(s) for reimbursement sent to the Carrier for which payment was disallowed or adjusted by the Carrier on each Notice of Disallowance or Adjustment;

(c) A copy of all documentation submitted to the Carrier in support of the medical service(s), bill(s), or request(s) for reimbursement that are subject to the dispute;

(d) If the services in the Notice of Disallowance or Adjustment were provided pursuant to a contract, documentation substantiating the contract was in effect for the line item(s) in dispute and the provision which governs reimbursement for the services;

(e) If the Medical Necessity of the services in the Notice of Disallowance or Adjustment are being disputed, any relevant section(s) of evidence-based practice guidelines the Petitioner relied upon to support the Medical Necessity of the services in the contested line item(s) (in the absence of, or deviation from, the evidence-based practice guidelines, the Petitioner may provide a signed document from the Health Care Provider who provided the services in the contested line item(s) in the Notice of Disallowance or Adjustment describing the Medical Necessity of the services);

(f) If the authorization for the services in the Notice of Disallowance or Adjustment are being disputed, all of the Petitioner's documentation, records, and correspondence related to the authorization or request for authorization; and

(g) Any additional documents or records that support the allegations contained in the Petition Form.

(4) If the Petitioner does not submit a completed Petition Form, accompanied by all of the required items, the Department will notify the Petitioner of the deficiency in submission. The Petitioner will have twenty (20) calendar days from receipt of the notice of deficiency to cure the deficiency by providing to the Department the items specified in the Department's notice along with proof of proper service of the curative documentation upon the Carrier. If the Department does not receive the curative documentation and proof of service of the curative documentation upon the Carrier within twenty (20) calendar days after Petitioner's receipt of the notice of deficiency, the petition will be dismissed with prejudice.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) 440.13(7)(a), 440.13(11) FS. History—New 11-28-06, Formerly 59A-31.003, Amended .

69L-31.004 Carrier Response to Petition for Resolution of Reimbursement Dispute Form and Requirements.

(1) The Carrier Response to Petition for Resolution of Reimbursement Dispute Form, DFS-F6-DWC-3160-0024, revised MM/YYYY, (~~DFS Form 3160-0024, effective September 8, 2006~~) is hereby incorporated by reference herein. This form may be obtained on the Department's website Internet

at <https://www.myfloridacfo.com/Division/WC/PublicationsFormsManualsReports/Forms/Default.htm> ~~<http://www.myfloridacfo.com/wc/forms.html>~~ or by contacting the Department at (850)413-1613.

(2) The Carrier Response to Petition for Resolution of Reimbursement Dispute Form shall be considered a required element of the requested documentation to the Department under section 440.13(7)(b), F.S. The Carrier Response to Petition for Resolution of Reimbursement Dispute Form is shall be the only form accepted by the Department upon which a Carrier may submit to the Department its response, pursuant to section 440.13(7)(b), F.S., to a Petition Form for Resolution of Reimbursement Dispute. Instructions for submission of the Response Form are included on the bottom of the Response Form.

(3) The Carrier must submit the Response Form, accompanied by all supporting documentation, to the Department in accordance with the timeframe set forth in section 440.13(7)(b), F.S.

(a) If EOBR code 10 or 11 (used to deny payment because the service rendered is for a non-compensable injury or illness)

was used as a reason to deny payment for the line item(s) the Petitioner contends was improperly denied, a copy of the Form DFS-F2-DWC-12, Notice of Denial, adopted in Rule 69L-3.025, F.A.C., that was sent to the injured worker and Health Care Provider pursuant to Rule 69L-56.4012, F.A.C., must be included as part of the supporting documentation.

(b) If the Carrier relied upon evidence-based practice guidelines to support the disallowance of payment for the Medical Necessity of services in the Notice of Disallowance or Adjustment, the Carrier may submit the relevant section(s) of the evidence-based practice guidelines, along with a signed document from the Carrier's medical director confirming that the relevant section(s) of the evidence-based practice guidelines is the reason for the disallowance or adjustment of payment. Absent any relevant section(s) of evidence-based practice guidelines, the Carrier may provide a Peer Review to support the disallowance of payment for the Medical Necessity of services in the contested line item(s) in the Notice of Disallowance or Adjustment.

(c) If the Carrier disallowed or adjusted the payment in the Notice of Disallowance or Adjustment because the Petitioner was not authorized to provide the services, all of the Carrier's documentation, correspondence, and records evidencing authorization was not given to the Health Care Provider prior to the dates of service(s) or all of the Carrier's documentation, records, and correspondence evidencing the Carrier responded to the request for authorization in accordance with paragraphs (3)(d) or (3)(i) of section 440.13, F.S.

(4) Using a delivery method that provides confirmation of the date of delivery, the Carrier must provide to the Petitioner, at the Petitioner's mailing address provided on the Petition Form, a copy of the Response Form and all supporting documentation submitted to the Department in response to the Petition Form. The Carrier must document the delivery tracking information in such detail that the Department can verify the Petitioner's receipt of the Response Form and supporting documentation.

(5) Any submission by a Carrier pursuant to section 440.13(7)(b), F.S., that does not include a completed Carrier Response to Petition for Resolution of Reimbursement Dispute Form, accompanied by all required items, will shall result in the issuance of a notice of deficiency by the Department. The A Carrier will shall have twenty (20) ~~ten (10)~~ calendar days from receipt of the notice of deficiency to cure the deficiency by providing to the Department the items specified in the Department's notice along with proof of proper service of the curative documentation upon the Petitioner identified in the Department's notice of deficiency. Failure to timely cure the deficiency and provide proof of service of the curative documentation upon the Petitioner will shall constitute failure to submit requested documentation to the Department.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7), 440.13(7)(b), 440.13(11) FS. History—New 11-28-06, Formerly 59A-31.004, Amended.

Substantial rewording of Rule 69L-31.005 follows. See Florida Administrative Code for present text.

69L-31.005 Written Determinations Petition Requirements.

(1) The Department will render a written determination on whether the Carrier properly adjusted or disallowed payment by relying upon the applicable reimbursement schedules, practice parameters, protocols of treatment, and standards and policies set forth in chapter 440, F.S. (and the rules promulgated therefrom), along with the Petition Form, and Response Form, and all supporting documentation submitted to the Department by the Petitioner and the Carrier to support their respective positions. The Department will use an Expert Medical Advisor, in accordance with section 440.13(9)(b), F.S., to resolve Reimbursement Disputes associated with the disallowance or adjustment of payment based upon: 1) overutilization; or 2) Medical Necessity of the services in the Notice of Disallowance or Adjustment when both the Petitioner (pursuant to paragraph 69L-31.003(3)(e), F.A.C.) and Carrier (pursuant to paragraph 69L-31.004(3)(b), F.A.C.) have provided documentation to support their respective decisions on the Medical Necessity of the services.

(2) In its written determination, the Department will only address the specific line item(s) in the Notice of Disallowance or Adjustment that the Petitioner contends were improperly disallowed or adjusted.

(3) If the Carrier has failed to meet the requirement set forth in paragraph 69L-31.004(3)(a), F.A.C., the Department, in its written determination, will only address the specific line item(s) in the Notice of Disallowance or Adjustment that the Petitioner contends were improperly denied.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7), 440.13(9), 440.13(11) FS. History—New 11-28-06, Formerly 59A-31.005, Amended.

69L-31.006 Consolidation of Petitions.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(e) FS. History—New 11-28-06, Formerly 59A-31.006, Repealed.

69L-31.007 Service of Petition on Carrier and All Affected Parties.

(1) The Ppetitioner must shall effectuate service on upon the Ccarrier and on all affected parties by serving a copy of the Ppetition Form, and all supporting documentation submitted to

the Department documents and records in support of the petition, by United States Postal Services (USPS) certified mail on the specific entity identified on the Notice of Disallowance or Adjustment Explanation of Bill Review as the entity the Ccarrier designates to receive service of the Petition Form and all supporting documentation on behalf of the Ccarrier and all affected parties. If the Explanation of Bill Review does not specifically identify the name and mailing address of the entity the carrier designates to receive service on behalf of the carrier and all affected parties, as required by paragraph 69L-7.602(5)(q), F.A.C., the petitioner may effectuate service of the petition upon the carrier and all affected parties by serving a copy of the petition and copies of all documents and records in support of the petition by United States Postal Service (USPS) certified mail upon the entity who issued the Explanation of Bill Review at the address from which the Explanation of Bill Review was issued.

(2) A Petition for Resolution of Reimbursement Dispute must be served upon the carrier and all affected parties by United States Postal Service (USPS) certified mail. Service upon the carrier shall include one copy set of all documents and records submitted to the Department in support of the petition.

(3) Service by certified mail means service by United States Postal Service (USPS) certified mail. Service by United States Postal Service (USPS) delivery other than USPS certified mail or service by common carrier does not constitute service by USPS certified mail, as required by section 440.13(7)(a), F.S., statute, even if the Carrier's carrier delivery and receipt of the documents is petition are confirmed.

(2) (4) If a Ccarrier has not been properly served in accordance with this rule subsection, the Ppetitioner will be notified by the Department of the deficiency in service. The Ppetitioner will shall have ten (10) calendar days from receipt of the notice of deficiency in service to provide the Department with proof the deficiency in service identified in the notice of deficiency has been cured by proper service. If the Department does not receive proof of proper service within ten (10) calendar days after Ppetitioner's receipt of the notice of deficiency, the petition will be dismissed with prejudice. For purposes of this rule, "proof of proper service" means that a copy of the Ppetition Form, and all supporting documentation submitted to the Department, one copy set of all documents and records in support of the petition have been sent by United States Postal Service (USPS) certified mail to the proper entity at the proper address as set forth in this rule; and a certified mail receipt number is provided to the Department to confirm mailing.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7), 440.13(7)(a), 440.13(11) FS. History—New 11-28-06, Formerly 59A-31.007, Amended.

Substantial rewording of Rule 69L-31.008 follows. See Florida Administrative Code for present text.

69L-31.008 Computation of Time.

(1)(a) The forty-five (45) day time period within which a Petition Form must be submitted to the Department begins upon receipt of the Notice of Disallowance or Adjustment by the Health Care Provider or by an entity designated by the Health Care Provider to receive such notice on behalf of the Health Care Provider.

(b) The Health Care Provider must document receipt of the Notice of Disallowance or Adjustment by either: 1) using a date stamp that clearly reflects the date of receipt of the Notice of Disallowance or Adjustment by the Health Care Provider; or 2) using a verifiable login process. A date-stamped Notice of Disallowance or Adjustment will be accepted as proof of the date of receipt. A copy of the applicable portion of the login roster showing the date of login of the Notice of Disallowance or Adjustment will be accepted as proof of the date of receipt through a verifiable login process.

(c) If receipt cannot be established through a date stamp or verifiable login process, the Petitioner may provide a copy of the envelope in which the Notice of Disallowance or Adjustment was sent that clearly and legibly shows the postmark date, in which case receipt will be deemed to be five (5) calendar days after the postmark date.

(d) If the Petitioner does not establish the date of its receipt of the Notice of Disallowance or Adjustment by any of the methods set forth in this subsection through documentation accompanying the Petition Form, the Health Care Provider's receipt of the Notice of Disallowance or Adjustment will be deemed to be five (5) calendar days after the issue date on the Notice of Disallowance or Adjustment. An affidavit attesting to the date of receipt will not be accepted as proof of the date of receipt.

(2) Petitioning the Department to resolve a Reimbursement Dispute is effectuated upon submission of the Petition Form and supporting documentation to the Department. The timeliness of a Petition Form will be calculated based on the date of submission of the Petition Form to the Department in accordance with subsection (4), below.

(3) The thirty (30) day time period within which a Response Form must be submitted to the Department begins upon the date the Carrier receives the Petition Form, which will be established by the USPS certified mail receipt date. If the Department issues a notice of deficiency to the Petitioner, then the thirty (30) day time period within which a Response Form must be submitted to the Department begins upon the date the Carrier receives the curative documentation, which will be established by the USPS certified mail receipt date. Timely submission by the Carrier to the Department of the Response Form and supporting documentation will be determined based

on the date of submission of the Response Form and supporting documentation to the Department in accordance with subsection (4), below.

(4) Submission of a Petition Form or Response Form to the Department must be by USPS mail, by common carrier, or by hand delivery. If submission is by USPS mail, the date of submission to the Department will be the postmark date placed on the envelope by USPS. If submission is by common carrier, the date of submission to the Department will be the common carrier pick-up date. If submission is by hand delivery, the date of submission will be the date the Petition Form or Response Form is hand delivered to the receptionist at the hand delivery address listed on the forms (which can only be accomplished Monday through Friday, between 8:00 a.m. and 5:00 p.m., Eastern Time, excluding state of Florida holidays).

(5) Time periods established for petitioning the Department to resolve a Reimbursement Dispute or responding to a Petition Form are not tolled by any of the following actions: requesting an on-site audit; conducting an on-site audit; referral of the Health Care Provider for peer review consultation; or an independent medical examination of the injured employee.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) ~~440.13(7)(a) and (b)~~, 440.13(11) FS. History—New 11-28-06, Formerly 59A-31.008, Amended .

69L-31.009 Carrier Response Requirements.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b) FS. History—New 11-28-06, Formerly 59A-31.009, Repealed .

69L-31.010 Effect of Non-Response by Carrier.

Rulemaking Authority 440.13(7), 440.591 FS. Law Implemented 440.13(7)(b) FS. History—New 11-28-06, Formerly 59A-31.010, Repealed .

69L-31.011 Complete Record.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(c) FS. History—New 11-28-06, Formerly 59A-31.011, Repealed .

69L-31.012 Joint Stipulation of the Parties.

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) FS. History—New 11-28-06, Formerly 59A-31.012, Repealed .

69L-31.013 Petition Withdrawal.

(1) Prior to the issuance of a determination, the Ppetitioner may voluntarily withdraw its Petition Form for Resolution of Reimbursement Dispute.

(2) The withdrawal ~~must~~ of a petition shall be in writing and must clearly indicate:

(a) The case number assigned by the Department; or

(b) The name of the ~~Petitioner health care provider or facility~~ requesting withdrawal; ~~(b) [The name of the Ccarrier~~

against ~~which whom~~ the Reimbursement Dispute petition has been initiated; ~~(e) The date(s) of service identified on the Petition Form, covered by the petition;~~ and ~~(d) The identity of the injured employee to whom medical services were delivered.~~

(3) ~~Upon the Department's The result of receipt by the Department of a written request for withdrawal of a Petition Form, the Department will close its file on the matter without further action petition shall be dismissal of the determination case by the Department.~~

Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7) 440.13(7)(a) and, (e), 440.13(11) FS. History—New 11-28-06, Formerly 59A-31.013, Amended.

69L-31.014 Overutilization Issues Raised in Reimbursement Dispute Resolution.
Rulemaking Authority 440.13(7)(e), 440.591 FS. Law Implemented 440.13(7)(b) and (c), FS. History—New 11-28-06, Formerly 59A-31.014, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Andrew Sabolic
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: CFO Jimmy Patronis
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 21, 2019

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

RULE NOS.:	RULE TITLES:
1-1.010	Style and Form for Filing Rules; Certification Accompanying Materials
1-1.013	Materials Incorporated by Reference 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. 182, September 18, 2019 issue of the Florida Administrative Register.

1-1.010 Style and Form for Filing Rules; Certification Accompanying Materials.

(1) An agency shall file a complete rule certification packet when filing a rule for adoption with the Administrative Code and Register Section.

(a) A complete rule certification packet for all rules, except emergency rules, shall consist of the following:

- 1. through 3. No change.
- 4. One original and two copies of the following:
 - a. The signed rule certification form.

b. The signed Certification of Department of State Designation of Rule the Violation Which is a Minor Violation form (DS-FCR-6).

~~c~~b. through e. renumbered c. through f. No change.

(b) For emergency rules, a complete rule certification packet filed with the Administrative Code and Register Section shall consist of the following:

- 1. through 3. No change.
- 4. One original and two copies of the following:
 - a. The signed rule certification form.

b. The signed Certification of Department of State Designation of Rule the Violation Which is a Minor Violation form (DS-FCR-6)

~~c~~b. through d. renumbered c. through e. No change.

(2) No change.

(3) An agency adopting a rule shall file the original and two copies of the rule certification form as specified in paragraphs (3)(a) through (f), of this rule. More than one rule may be listed on a rule certification form so long as the rules are from the same rule chapter, and so long as the adoption packet includes rules that were included in the same notice in the Florida Administrative Register. A separate rule certification form shall be filed for each rule chapter affected.

(a) through (e) No change.

(f) Rule certification form DS-FCR-6, Certification of Department of State Designation of Rule the Violation of Which is a Minor Violation, is incorporated by reference and shall be used in filing new, emergency, amended or repealed rules to certify parts of the rules the violation of which would be a minor violation pursuant to section 120.695(2)(c)3., F.S. (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08723>, Form DS-FCR-6, effective 10-17).

(4) through (10) No change.

Rulemaking Authority 20.10(3), 120.54(1)(i)6., 120.54(1)(j), 120.55(1)(c) FS. Law Implemented 120.54(1)-(4), (6), 120.55, 403.8055 FS. History—New 5-29-80, Formerly 1-1.02, Amended 12-30-81, 2-9-84, 10-1-84, 11-14-85, 10-19-86, 4-10-90, 6-17-92, 10-1-96, 9-13-98, 8-23-99, 6-20-02, Formerly 1S-1.002, Amended 3-8-09, 1-1-11, Formerly 1B-30.002, Amended 10-1-12, 10-26-17, XX-XX-XX.

1-1.013 Materials Incorporated by Reference.

(1) through (4) No change.

(5)(a) through(c) No change.

(d) The following form shall be used for certification of materials incorporated by reference:

CERTIFICATION OF MATERIALS INCORPORATED
BY REFERENCE IN RULES FILED WITH THE
DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code, that materials incorporated by reference in Rule _____ have been:

[] (1) Electronically filed with the Department of State.
[] (2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials described below electronically, a true and complete paper copy of the incorporated materials are attached to this certification for filing. Paper copies of the incorporated materials below may be inspected and examined ~~obtained~~ at the agency by [include address(es)/location(s)]. List form number(s) and form title(s), or title of document(s) below:

Under the provisions of section 120.54(3)(e)6., F.S., the attached material(s) take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.

Signature, Person Authorized to Certify Rules

Title

(6) through (7) No change.

Rulemaking Authority 20.10(3), 120.54(1)(i)6., 120.55(1)(c) FS. Law Implemented 120.54(1)(i), 120.55 FS. History--New 5-29-80, Formerly 1-1.04, Amended 9-13-98, Formerly 1S-1.005, Amended 3-8-09, 1-1-11, _____, Formerly 1B-30.005.

DEPARTMENT OF MANAGEMENT SERVICES

Division of State Technology

RULE NOS.: RULE TITLES:
60GG-4.004 Cloud Security and Risk Mitigation Strategy
60GG-4.005 State Agency Request for Variance or Waiver

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. 191, October 1, 2019 issue of the Florida Administrative Register.

60GG-4.004 Cloud Security and Risk Mitigation Strategy
(1) through (2), No change.

(3) The state agency will identify and document all current security rules (to include Chapter 60GG-2, Florida Administrative Code, Information Technology Security) and applicable standards that apply to state agency applications regardless of hosting infrastructure. The state agency will base the data classification on the Federal Information Processing Standards (FIPS) Publication No. 199, (February 2004), which is hereby incorporated into this rule by reference and may be found at: http://flrules.org/Gateway/reference.asp?No=Ref-11363.

(4) through (6), No change.
60GG-4.005 State Agency Request for Variance or Waiver

A state agency may request a variance or waiver from these rules by filing a petition with the Department of Management Services (DMS) agency clerk, with a copy to the Joint Administrative Procedures Committee in accordance with section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code, Variance or Waiver. The DMS Secretary, or designee, will review and grant or deny the request and provide an approval or rejection.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:
14-75.003 Minimum Technical Qualification Standards by Type of Work

NOTICE IS HEREBY GIVEN that on November 21, 2019, the Florida Department of Transportation, received a petition for waiver from the provisions of subparagraph 14-75.003(5)(m)2, Florida Administrative Code, providing minimum experience requirements for landscape architects on Department projects, from Ayers Architecture, Inc.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458, FDOT.AgencyClerk@dot.state.fl.us.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District
RULE NO.: RULE TITLE:
40B-400.091 Publications and Agreements Incorporated by Reference

The Suwannee River Water Management District (District) hereby gives notice: that on November 12, 2019 Final Order 19-0005 has been issued. This order grants variance under Section 120.542, F.S. subparagraph 62-330.051(4)(e)(7) F.A.C., to Chad Rischar, an agent for the petitioner, Brad Carter, Bradford County, 945 N Temple Avenue, Starke, FL 32091, as to repair, stabilization, paving, or repaving of existing roads, and the repair or replacement of vehicular bridges that are part of the road, where notice of intent to use this exemption is provided to the Agency 30 days before performing any work. The petition has been assigned Environmental Resource Permit (ERP)

Number ERP-007-233697-2, SW 101st Avenue. The petition for variance was received by the District on October 8, 2019. Notice of receipt of the petition requesting variance was published in F.A.R., Volume 45, Number 198 on October 10, 2019. There were no public comments received for this project. SRWMD granted the petition because the petitioner demonstrated that the purpose of the statute underlying the rule will be met and that a substantial hardship would be created if the petitioners were required to comply with this rule.

A copy of the Order or additional information may be obtained by contacting: Tilda Musgrove, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on November 21, 2019, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Pristine Place Homeowners Association, Inc., File Tracking No. 20-4305

Date Petition Filed: October 18, 2019

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: November 5, 2019

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Michael Bench, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org. (T2019044).

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on November 8, 2019, the Agency for Health Care Administration, received a petition for variance from subsection 59A-4.1265(5), F.A.C., from Consulate Health Care at Lake Parker to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019018034. Any interested person or other agency may submit written comments on the petition

within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

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

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on July 1, 2019, by Timothy Flynn, D.C. The Notice of Petition for Waiver or Variance was published in Volume 45, Number 130, of the July 5, 2019, Florida Administrative Register. The Petitioner was seeking a waiver or variance of subsection 64B2-13.004(2), Florida Administrative Code, entitled, "Continuing Education," which requires that for the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education during the past two years.

The Board considered the instant Petition at a duly-noticed public meeting held August 23, 2019, in Orlando, Florida. The Board's Order, filed on September 18, 2019, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from subsection 64B2-13.004(2), Florida Administrative Code. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Anthony Spivey, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Florida Department of Agriculture and Consumer Services, Seed Investigation and Conciliation Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday December 11, 2019, 10:30 a.m. – 12:30 p.m.

PLACE: University of Florida – IFAS, Gulf Coast Research and Education Center, 14625 County Road 672, Wimauma, Florida 33598, Telephone No. 1(813)419-6670

GENERAL SUBJECT MATTER TO BE CONSIDERED: Seed Complaint Arbitration Hearing

A copy of the agenda may be obtained by contacting: Mr. Neil Richmond, Florida Department of Agriculture and Consumer Services, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, Phone (850)617-7996.

If special accommodations are needed to attend this meeting because of a disability, please contact Neil Richmond as soon as possible.

DEPARTMENT OF EDUCATION

Postsecondary Reciprocal Distance Education Coordinating Council

The Postsecondary Reciprocal Distance Education Coordinating Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2019, 2:00 p.m.

PLACE: Florida Department of Education, Turlington Building, Room 1721, 325 West Gaines Street, Tallahassee, Florida 32301.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Postsecondary Reciprocal Distance Education Coordinating Council (PRDECC) will conduct a review of initial and renewal institutional applications to participate in the Florida-State Authorization Reciprocity Agreement (FL-SARA). PUBLIC COMMENT: The Council is committed to promoting transparency and public input during its public meetings. Speakers are requested to complete a public comment form, which will be available at the meeting and to indicate whether they represent a group or faction. The Council will hear public comment only regarding issues on the agenda. Individuals and representatives of groups will generally be allotted three minutes, but the time may be extended or shortened at the discretion of the chair. The Chair may impose a cumulative time limit for all public comment on any agenda item.

A copy of the agenda may be obtained by contacting: The Council Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by visiting www.flcara.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Council Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by visiting www.flcara.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.

For more information, you may contact: The Council Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400 or by visiting www.flcara.org.

DEPARTMENT OF REVENUE

RULE NOS.:RULE TITLES:

12-11.002 Definitions

12-11.003 Requests for Technical Assistance Advisements

12-11.011Requests for Technical Advice

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12-11.002, F.A.C., Definitions

Rule 12-11.003, F.A.C., Requests for Technical Assistance Advisements

Rule 12-11.011, F.A.C., Requests for Technical Advice

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department’s website at <http://floridarevenue.com/rules/>.

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: Tonya Fulford at (850)717-6799. 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 REVENUE

RULE NO.: RULE TITLE:

12-13.005: Grounds for Finding Doubt as to Liability

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12-13.005, F.A.C., Grounds for Finding Doubt as to Liability

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department’s website at <http://floridarevenue.com/rules/>.

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: Tonya Fulford at (850)717-6799. 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).

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to s. 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to s. 120.54(3)(e)2., F.S.:

Rule 12A-1.006, F.A.C., Charges by Dealers Who Adjust, Apply, Alter, Install, Maintain, Remodel, or Repair Tangible Personal Property

Rule 12A-1.0071, F.A.C., Boats Temporarily Docked in Florida

Rule 12A-1.025, F.A.C., Receipts from Sales of Tangible Personal Property Sold to Building Operators, Business Establishments, Offices

Rule 12A-1.060, F.A.C., Registration

Rule 12A-1.097, F.A.C., Public Use Forms

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department’s website at <http://floridarevenue.com/rules/>.

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: Tonya Fulford at (850)717-6799. 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 REVENUE

Sales and Use Tax

RULE NOS.:RULE TITLES:

12A-1.006 Charges by Dealers Who Adjust, Apply, Alter, Install, Maintain, Remodel, or Repair Tangible Personal Property

12A-1.0071 Boats Temporarily Docked in Florida

12A-1.025 Receipts from Sales of Tangible Personal Property Sold to Building Operators, Business Establishments, Offices

12A-1.060 Registration

12A-1.097: Public Use Forms

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12A-12.003 Registration

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon

reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12A-12.003, F.A.C., Registration

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department's website at <http://floridarevenue.com/rules/>.

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12A-16.004 Registration

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12A-16.004, F.A.C., Registration

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department's website at <http://floridarevenue.com/rules/>.

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

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.:RULE TITLES:

12A-19.010 Registration

12A-19.020 Tax Due at Time of Sale; Tax Returns and Regulations

12A-19.070 Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods

12A-19.100 Public Use Forms

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of the following proposed rule, which was noticed in the September 25, 2019 (Vol. 45, No. 187, pp. 4219-4223), issue of the Florida Administrative Register:

Rule 12A-19.100, F.A.C., Public Use Forms

A Notice of Change to Rule 12A-19.100, F.A.C., was published in the Florida Administrative Register on November 15, 2019 (Vol. 45, No. 223, p. 5077).

Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12A-19.010, F.A.C., Registration

Rule 12A-19.020, F.A.C., Tax Due at Time of Sale; Tax Returns and Regulations

Rule 12A-19.070, F.A.C., Assignment of Service Addresses to Local Taxing Jurisdictions; Liability for Errors; Avoidance of Liability Through Use of Specified Methods; Reduction in Collection Allowance for Failure to Use Specified Methods

Rule 12A-19.100, F.A.C., Public Use Forms

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department's website at <http://floridarevenue.com/rules/>.

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

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:

12B-4.001 Payment of Tax

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12B-4.001, F.A.C., Payment of Tax

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department's website at <http://floridarevenue.com/rules/>.

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

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.:RULE TITLES:

12B-5.050 Terminal Suppliers

12B-5.070 Terminal Operators

12B-5.120 Resellers and Retail Dealers

12B-5.121 Temporary Licenses Issued Under a Declared Emergency

12B-5.150 Public Use Forms

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subsection 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subsection 120.54(3)(e)2., F.S.:

Rule 12B-5.050, F.A.C., Terminal Suppliers

Rule 12B-5.070, F.A.C., Terminal Operators

Rule 12B-5.120, F.A.C., Resellers and Retail Dealers

Rule 12B-5.121, F.A.C., Temporary Licenses Issued Under a Declared Emergency

Rule 12B-5.150, F.A.C., Public Use Forms

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department's website at <http://floridarevenue.com/rules/>.

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: Tonya Fulford at (850)717-6799. 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 REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:

12B-8.003 Tax Statement; Overpayments

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of the following proposed rule, which was noticed in the September 25, 2019 (Vol. 45, No. 187, pp. 4226-4231), issue of the Florida Administrative Register:

Rule 12B-8.003, F.A.C.: Tax Statement; Overpayments

A Notice of Change to Rule 12B-8.003, F.A.C., was published in the Florida Administrative Register on November 15, 2019 (Vol. 45, No. 223, p. 5077).

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department’s website at <http://floridarevenue.com/rules/>.

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: Tonya Fulford at (850)717-6799. 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 REVENUE

Miscellaneous Tax

RULE NO.: RULE TITLE:

12B-12.005 Registration

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12B-12.005, F.A.C., Registration

A copy of the agenda may be obtained by contacting: Danielle Boudreaux at (850)717-7082, email: RuleComments@floridarevenue.com, or referring to the Cabinet agenda posted to the Department’s website at <http://floridarevenue.com/rules/>.

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: Tonya Fulford at (850)717-6799. 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 REVENUE

Division of Child Support Enforcement

RULE NOS.:RULE TITLES:

12E-1.023 Suspension of Driver License; Suspension of Motor Vehicle Registration

12E-1.028 Garnishment by Levy

12E-1.029 Financial Institution Data Matches

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

DATE AND TIME: December 3, 2019, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule for the following rules, as well as request final adoption of these rules and approval to file and certify the rules with the Secretary of State pursuant to subparagraph 120.54(3)(e)1., F.S., if the substance of the proposed rules [including materials incorporated by reference, if any] remain unchanged upon reaching the date applicable to filing for final adoption pursuant to subparagraph 120.54(3)(e)2., F.S.:

Rule 12E-1.023, F.A.C., Suspension of Driver License

Rule 12E-1.028, F.A.C., Garnishment by Levy

Rule 12E-1.029, F.A.C., Financial Institution Data Matches

A copy of the agenda may be obtained by contacting: Bobby York at (850)617-8037, email: Bobby.York@floridarevenue.com, or referring to the Cabinet agenda posted to the Department’s website at <http://floridarevenue.com/rules/>.

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: Bobby York at (850)617-8037. 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).

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:

19-8.029 Insurer Reporting Requirements and Responsibilities

The Florida Hurricane Catastrophe Fund announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2019, 9:00 a.m. ET to conclusion of the meeting

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the State Board of Administration to authorize the Florida Hurricane Catastrophe Fund (the Fund) to file a Notice of Proposed Rule for Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, and to file this rule for adoption if no member of the public timely requests a rule hearing or if a rule hearing is requested but no Notice of Change is needed. The meeting will also address the appointment of the chair of the Florida Commission on Hurricane Loss Projection Methodology. Other general business of the Trustees may also be addressed. The rule and incorporated forms are available on the Fund's website: www.sbafla.com/fhcf.

A copy of the agenda may be obtained by contacting: Not available.

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: Donna Sirmons, Florida Hurricane Catastrophe Fund, (850)413-1349, donna.sirmons@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: December 4, 2019, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.swfwmd.state.fl.us/about/calendar/month

A copy of the agenda may be obtained by contacting: Justin J. Eddy, (352)796-7211, ext. 4374.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources Bureau Chief at 1(800)423-1476, ext. 4701; TDD (FL only) 1(800)231-6103; or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Tuesday, December 10, 2019, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Public Hearings, Workshops, and Committee Meetings. Consideration of Suwannee River Water Management District business.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only) or on the District's website at www.mysuwanneeriver.com, when published.

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: (386)362-1001 or 1(800)226-1066 (Florida only). 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.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Tuesday, December 3, 2019, 10:00 a.m.

Water Resources Accountability and Collaboration Public Forum Group and Governing Board

PLACE: SFWMD, District Headquarters, B-1 Building, 3301 Gun Club Rd., West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Forum of the Water Resources Accountability and Collaboration (WRAC) regarding water resources protection, water supply and flood protection issues. This first meeting will include an introduction of WRAC Public Forum group members and an overview of SFWMD priorities. There will be an opportunity for public comment during this meeting. The public is advised that it is possible that one or more members of

the Governing Board of the South Florida Water Management District may attend and participate in this public forum. No Governing Board action will be taken.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, (561)682-6286, ybonilla@sfwmd.gov, or sfwmd.gov/meetings

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: District Clerk, (561)682-6805. 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: Yvette Bonilla, (561)682-6286.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Commission for the Transportation Disadvantaged announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, November 25, 2019, 9:00 a.m. until conclusion of business

PLACE: Commission for the Transportation Disadvantaged, FDOT Barry Building, 3185 S. Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Emergency CTD Business Meeting/Teleconference to discuss Commission business related to budget and administrative issues.

Teleconference: 1(888)585-9008, Conference Code: 837-653-349.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)410-5721.

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 days before the workshop/meeting by contacting: Lisa O. Stone at (850)410-5721. 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: Commission for the Transportation Disadvantaged at (850)410-5700.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Thursday, December 12, 2019, 5:00 p.m. – 6:30 p.m. ET

PLACE: This meeting will be held via online webinar and requires a telephone for audio. To join the webinar, please use the following link <https://attendee.gotowebinar.com/register/6973482477883620354>. Call United States (Toll-free):1(866)901-6455, Access Code: 888-411-455. Enter your audio pin and press #. If you have any difficulty accessing the teleconference, please call the Florida Center’s main number at (850)412-3730. This meeting will be recorded.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Full Pediatric Cardiac Technical Advisory Panel (PCTAP) to which all interested parties are invited. The purpose of this meeting is to discuss the business of the PCTAP. A copy of the agenda may be obtained by contacting: The agenda and other meeting materials will be posted to the PCTAP Website: <http://ahca.myflorida.com/SCHS/PCTAP/meetings.shtml>.

For more information, you may contact: Jess Hand, Florida Center for Health Information and Transparency at Jessica.Hand@ahca.myflorida.com or (850)412-3750.

DEPARTMENT OF HEALTH

Board of Acupuncture

The Board of Speech-Language, Pathology and Audiology announces a public meeting to which all persons are invited.

DATE AND TIME: July 24, 2020, 9:00 a.m., ET

PLACE: TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board

A copy of the agenda may be obtained by contacting: <https://floridasspeechaudiology.gov/meeting-information/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III christa.peace@flhealth.gov at (850)245-4161 or 4052 Bald Cypress Way, Bin C-06, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: March 27, 2020, 9:00 a.m. ET

PLACE: Hilton Daytona Beach Oceanfront Resort, 100 N. Atlantic Avenue, Daytona Beach, Florida 32118, (386)254-8200

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business of the board

A copy of the agenda may be obtained by contacting: www.floridasacupuncture.gov/meeting-information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III at christa.peace@flhealth.gov or on the Board website at www.floridasacupuncture.gov/meeting-information. 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: December 11, 2019, 8:30 a.m.; December 12, 2019, 8:30 a.m.

PLACE: Edgewater Beach Resort, 11212 Front Beach Road, Panama City Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss substantive and procedural issues associated with the Fish and Wildlife Conservation Commission and to take action on proposed rules and policy issues. The meeting may include fact finding field trips to Commission managed areas or facilities and to other areas to learn about management, and enforcement activities.

A copy of the agenda may be obtained by contacting: Lisa Davis, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Emily Norton, General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or (850)487-1764.

DEPARTMENT OF FINANCIAL SERVICES

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

DATE AND TIME: Thursday, December 5, 2019, 2:00 p.m. – 4:00 p.m. Eastern Time

PLACE: 2450 Shumard Oak Boulevard, Building 2, Room 1250, Tallahassee, FL 32311

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY

The Regional 10 Criminal Justice Training School announces a public meeting to which all persons are invited.

DATE AND TIME: February 12, 2020, 10:00 a.m.

PLACE: Southwest Florida Public Service Academy

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda: Pledge of Allegiance; Approval of minutes of November 13, 2019; Introduction of guests; F.D.L.E. report – Shawn Fagan; Academy report from Suncoast Technical College; Academy report from Southwest Florida Public Service Academy; Old business; New business; Schedule of next Meeting; Adjournment.

A copy of the agenda may be obtained by contacting: Rosa Henshaw at (239)334-3897.

SANTA FE COMMUNITY COLLEGE

The CJSTC Region IV Training Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2019, 1:00 p.m.

PLACE: Santa Fe College Institute of Public Safety, 3737 NE 39th Avenue, Gainesville, FL 32609

GENERAL SUBJECT MATTER TO BE CONSIDERED: a meeting to approve proposed CJSTC Region IV Officers Training Monies Operating Budget for FY 2020/2021, training centers' activities for the current fiscal year.

A copy of the agenda may be obtained by contacting: Kathyleen Hardage, (352)271-2943.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: 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: Kathyleen Hardage, (352)271-2943.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC
The Florida Department of Transportation District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 5, 2019, 5:00 p.m. – 7:00 p.m.

PLACE: Miami Beach Golf Club, 2301 Alton Road, Miami Beach, FL 33140

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Meeting for a bridge rehabilitation project along State Road (SR) 112/I-195 over the Westshore Waterway Bridges (next to Martell Park), in Miami-Dade County. The project identification numbers are 441967-1-52-01. Graphic displays will be shown and FDOT representatives will be available to discuss these projects and answer questions.

The Florida Department of Transportation (FDOT) District Six will hold a Public Meeting for a bridge rehabilitation project along State Road (SR) 112/I-195 over the Westshore Waterway Bridges (next to Martell Park), in Miami-Dade County. The project identification numbers are 441967-1-52-01. Graphic displays will be shown and FDOT representatives will be available to discuss these projects and answer questions.

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

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

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

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

END HUMAN TRAFFICKING, INC.
The End Human Trafficking/Direct Support Organization announces a public meeting to which all persons are invited.
DATE AND TIME: Monday, December 16, 10:00 a.m. – 1:00 p.m.

PLACE: Office of the State Attorney, Executive Conference Room, Second Floor, 15th Judicial Circuit, 401 N. Dixie Highway West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors meeting

A copy of the agenda may be obtained by contacting: Erin Collins, Executive Director, erin.choy@gmail.com.

For more information, you may contact: Erin Collins, Executive Director, erin.choy@gmail.com.

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

PASCO COUNTY BOARD OF COUNTY COMMISSIONERS

IFB-KM-20-042 SWEET BAY COURT SIDEWALK PROJECT (FROM TANGLEWOOD DRIVE TO CYPRESS ELEM SCHOOL)

NOTICE OF INVITATION FOR BID: The Pasco County Board of County Commissioners, Purchasing Department is soliciting formal, competitive, sealed bids from contractors for bid number IFB-KM-20-042, Sweet Bay Court Sidewalk Project (From Tanglewood Drive to Cypress Elem School); Closing 12/30/2019, 1:00 p.m. More information at www.BidNetDirect.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., Friday, November 15, 2019 and 3:00 p.m., Thursday, November 21, 2019.

Rule No.	File Date	Effective Date
2A-2.002	11/21/2019	12/11/2019
2A-2.013	11/21/2019	12/11/2019
2A-2.014	11/21/2019	12/11/2019
2A-2.015	11/21/2019	12/11/2019
2A-2.016	11/21/2019	12/11/2019
2A-2.017	11/21/2019	12/11/2019
6B-11.007	11/20/2019	12/10/2019
40E-8.221	11/19/2019	12/9/2019

61G7-10.001	11/19/2019	12/9/2019
61J1-2.0026	11/19/2019	12/9/2019
64B-9.002	11/18/2019	12/8/2019
64B5-10.004	11/21/2019	12/11/2019
64B5-10.011	11/21/2019	12/11/2019
64B5-12.013	11/21/2019	12/11/2019
64B5-12.0185	11/21/2019	12/11/2019
64B5-12.019	11/21/2019	12/11/2019
64B5-12.020	11/21/2019	12/11/2019
64B5-25.002	11/21/2019	12/11/2019
64B5-25.003	11/21/2019	12/11/2019
64B5-25.005	11/21/2019	12/11/2019
64B5-25.006	11/21/2019	12/11/2019
64B12-9.0015	11/20/2019	12/10/2019
64C-2.003	11/21/2019	12/11/2019
64K-1.001	11/21/2019	12/11/2019
64K-1.003	11/21/2019	12/11/2019
64K-1.004	11/21/2019	12/11/2019
64K-1.005	11/21/2019	12/11/2019
64K-1.007	11/21/2019	12/11/2019
69W-600.0011	11/15/2019	12/5/2019
69W-600.0021	11/15/2019	12/5/2019
69W-1000.001	11/20/2019	12/10/2019

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	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners Pilotage Rate Review Committee

The Board of Pilot Commissioners announces that a petition for a change in the rates of pilotage charged by the licensed state pilots and certified deputy pilots at the combined port areas of Jacksonville, Florida and Fernandina, Florida has been filed with the Pilotage Rate Review Committee, pursuant to Section 310.151, Florida Statutes and Chapter 61G14, Florida Administrative Code.

The last rate change (increase) granted the Port of Jacksonville was January 1, 2004. The last rate change (increase) granted the Port of Fernandina was January 1, 2011. The committee intends to consider the requested rate changes submitted by the St. Johns Bar Pilot Association on the dates and times noticed. The petition filed by the St. Johns Bar Pilot Association on October 1, 2019 requests the following changes:

The formula for calculating pilotage rates shall be modified from a base rate of [Draft Rate x Draft + GT Rate x GT]

To a base pilotage rate of: [LOA Rate x LOA + Beam Rate x Beam + Draft Rate x Draft + GT Rate x GT]

LOA = Length overall, Beam = Extreme beam, Draft = Deepest draft, and GT = Gross Tonnage (1969 IMO Conv.)

All linear dimensions shall be in feet and computed in half foot increments, or fraction thereof. Gross Tonnage rate is per 1000 gross tons, or fraction thereof.

The initial rates in dollars per foot or per 1000 gross tons for Arrivals or Sailings shall be:

Vessels of GT:	Up to 10,000 GT	10,001 to 40,000 GT	Over 40,000 GT	Over 40ft draft & over 80,000 GT
LOA Rate	\$0.75	\$1.00	\$1.25	\$1.50
Beam Rate	\$3.75	\$5.00	\$8.50	\$12.00
Draft Rate	\$22.50	\$25.00	\$30.00	\$40.00
GRT Rate	\$12.50	\$15.00	\$22.50	\$27.50

Minimum pilotage charge of \$880 is based on minimums of: LOA = 300ft, Beam = 50ft, Draft = 18ft, GT = 5,000

The pilotage rate for a barge towed on a hawser, towed alongside or pushed (not a composite unit) is based on the sum of the LOA, Beam, Draft and GT attributes of the towing tug and barge(s).

The pilotage rate for a tug pushing a barge in the notch as a composite unit is based on the barge's LOA, Beam, GT and deepest Draft of the combined unit.

Pilotage Rates for shifting vessels between berths and/or anchorages within the port landward of the COLREGS line:

Zone A (up to 1 mile) = ¼ Standard Pilotage (\$450 minimum)

Zone B (over 1 mile and up to 4 miles) = ½ Standard Pilotage (\$600 minimum)

Zone C (over 4 miles and up to 8 miles) = ¾ Standard Pilotage (\$750 minimum)

Zone D (over 8 miles) = Standard Pilotage rate; regular LOA, Beam, Draft and GT rates apply

Zone E (Fuller Warren Bridge to Shands Bridge); in or out of Green Cove Springs, FL = Standard Pilotage

Detention, Delay, Standby or Cancellation of pilot not caused by local weather, medical emergency or force majeure:

Detention of pilot = \$150 per half hour or fraction thereof after first half hour, no maximum.

Delayed arrival or sailing = \$150 per half hour or fraction thereof after first half hour, no maximum.

Standby charge when pilot is on the bridge part of the bridge team as in, but not limited to, holding a vessel in stream, tending a vessel at anchor, making up a tow or breaking tow = \$150 per half hour or fraction thereof, no maximum.

Cancellation of pilot; if cancelled, detention rate of \$150 per half hour will be charged from the pilot call out, (2 hours before the ordered arrival time or 1.5 hours before the ordered sailing time), until notice of cancellation is received by the pilot dispatched to the vessel or by the pilot office.

Port Control Fee = \$100 per vessel handle per inbound or outbound transit

Training and Technology Fee = \$15 per vessel handle per inbound or outbound transit

In Fernandina a docking and undocking rate based on a vessel's LOA.

LOA less than 330 ft = No Charge

LOA 330 ft to less than 550 ft = \$0.50 per ft LOA

LOA 550 ft and over = \$0.75 per ft LOA

At the discretion of the pilots covering the ports of Fernandina and Jacksonville, an additional pilot may be assigned to any neo-panamax vessel, dead ship tow, or special circumstance vessel. The commensurate result being that said vessel will be charged two standard pilotage fees.

Pilot kept on board vessel when vessel departs the port area = \$250 per day plus First-class return transportation.

Payment is due upon invoicing. Balances beyond 45 days shall be considered in-arrears. Lines and Agencies in arrears may be placed on a cash basis for future departures.

All rates and fees shall increase by 2.5% each year for 10 years starting on the anniversary date one year following the effective date of this order.

All interested parties may file an answer, an additional or alternative application, or any other applicable pleading or

response, including all documentation in support thereof within thirty (30) days of this publication by December 23, 2019.

The Committee's site visit to the combined ports of Jacksonville and Fernandina and the hearing of the Pilotage Rate Review Committee will be announced at a later date.

A copy of the applications for the rate change and for a copy of the investigative committee's report (when available) may be obtained by contacting: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

For more information, you may contact: The Board of Pilot Commissioners/Pilotage Rate Review Committee, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1982.

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.
