

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: **RULE TITLE:**
 61J1-4.003 Continuing Education
PURPOSE AND EFFECT: The purpose of the rule amendment is to update how continuing education can be earned.
SUBJECT AREA TO BE ADDRESSED: Earning continuing education credits.
RULEMAKING AUTHORITY: 475.614, FS.
LAW IMPLEMENTED: 475.613, 475.618, 475.628, FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allison McDonald, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801.
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: **RULE TITLE:**
 64B1-4.0011 Documentation Necessary for Licensure Application
PURPOSE AND EFFECT: The purpose of the rule amendment is to update the incorporated application.
SUBJECT AREA TO BE ADDRESSED: Incorporated application.
RULEMAKING AUTHORITY: 457.104 FS.
LAW IMPLEMENTED: 456.048, 456.013(1), 456.0635, 457.105 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, JD, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: **RULE TITLE:**
 64B3-2.003 Definitions
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to update the language.
SUBJECT AREA TO BE ADDRESSED: Update to the rule language.
RULEMAKING AUTHORITY: 483.805(4), 483.811(2) FS.
LAW IMPLEMENTED: 483.803, 483.811, 483.821, 483.823 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: **RULE TITLE:**
 64B3-3.001 General Requirements of Clinical Laboratory Personnel Training Programs
PURPOSE AND EFFECT: The purpose of the amendment is to update the application incorporated in the rule.
SUBJECT AREA TO BE ADDRESSED: The incorporated application.
RULEMAKING AUTHORITY: 483.805(4), 483.811(2) FS.
LAW IMPLEMENTED: 483.807, 483.809, 483.811 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-6.001 Experience Requirement

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

SUMMARY: Update experience requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 475.614, 475.615(2) FS.

LAW IMPLEMENTED: 455.213, 475.611(1)(q), 475.615(2), 475.617, 475.628, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison McDonald, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801.

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-6.001 Experience Requirement.

(1) All applicants for certification must present evidence satisfactory to the Board that the applicant has the experience

required in Section 475.617, F.S., in real property appraisal activity. Acceptable appraisal experience includes fee and staff appraisals, ad valorem tax appraisals, condemnation appraisals, and technical review appraisals, appraisal analysis, real estate counseling, highest and best use analysis, and feasibility analysis/study.

(2) Experience is described as follows:

(a)1. For the certified residential appraiser – one two thousand five hundred (12500) hours of real property appraisal experience obtained over a 1224-month period.

2. For the certified general appraiser – three thousand (3000) hours of real property appraisal experience obtained over an 1830-month period, of which one thousand five hundred (1500) hours must be in non-residential appraisal work.

~~(b) For the certified residential appraiser and the certified general appraiser, the experience claimed must have been accumulated in a time period of not less than 24 months and 30 months, respectively.~~

~~(b)(e)~~ All experience claimed for all licensure classifications must be obtained after January 30, 1989, and must be Uniform Standards of Professional Appraisal Practice (USPAP) compliant as set forth in Rule 61J1-9.001, F.A.C.

~~(3) For the certified general appraiser, at least 50% (1500 hours) of the claimed experience must be in nonresidential appraisal work. Residential is defined as one to four residential units.~~

~~(3)(4)~~ Each applicant shall verify the required experience by certifying in such a manner as provided by the Department. Any proportional combination of required reports or hours, as required below, will be acceptable as long as the experience for the certified general appraiser is at least 50% nonresidential appraisal work as stated in subsection ~~(2)(3)~~ above.

~~(4)(5)~~ Experience as defined in subsection (2) above shall be accounted for on an appraisal experience log, which shall include the following minimum information: type of property, date of report, address of appraised property, description of work performed by the registered trainee/applicant and scope of the review and supervision of the supervising appraiser, number of work hours, and signature and license number of supervising appraiser. The log and supporting documents shall be retained for a minimum of 5 years after licensure or certification. All work submitted for experience shall comply with the USPAP Uniform Standards of Professional Appraisal Practice, as defined in Rule 61J1-9.001, F.A.C. Types of acceptable experience are, ~~as follows:~~

(a) Fee appraisal assignments ~~and staff appraisers:~~

1. Certified residential: Experience shall consist of a minimum of 150 supportable and documented appraisal reports presented in a format generally acceptable to the appraisal industry.

2. Certified general: Experience shall consist of a minimum of 23 ~~Summary or Self-Contained~~ Appraisal Reports in a narrative format which comply with the ~~USPAP Uniform Standards of Professional Appraisal Practice~~; or 12 nonresidential ~~Summary or Self-Contained~~ Appraisal Reports in a narrative format which comply with the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611(1)(~~bb~~)(~~w~~), F.S., and 135 non-narrative supportable and documented appraisal reports presented in a format generally acceptable to the appraisal industry.

(b) Mass appraisals:

1. Mass appraisals must be as set forth in compliance with Standards 5 and 6 of the ~~USPAP Uniform Standards of Professional Appraisal Practice set forth in Rule 61J1-9.001, F.A.C.~~

2. Mass appraisal experience claimed by the applicant should be given credit to the extent that it demonstrates proficiency in appraisal practices, techniques, or skills used by appraisers practicing under USPAP Standard 1-~~adopted in June 1997.~~

3. In developing a mass appraisal, an appraiser must be aware of, understand, and correctly employ those recognized methods and techniques necessary to produce and communicate credible mass appraisals.

4. Mass appraisal experience shall include:

a. Identifying properties to be appraised;

b. Defining market area of consistent behavior that applies to properties;

c. Identifying characteristics (supply and demand) that affect the creation of value in that market area;

d. Determining highest and best use;

Demonstrating proficiency with elements and concept of highest and best use through separate analysis if not contained in appraisals submitted for audit;

e. Developing a model structure to determine the contribution of the individual characteristics affecting value;

f. Calibrating the model structure to determine the contribution of the individual characteristics affecting value;

g. Applying the conclusions reflected in the model to the characteristics of the property or properties being appraised; and

h. Reviewing the mass appraisal results.

All other components of the mass appraisal process are not eligible for experience credit.

5. Experience will be granted for appraisals of individual parcels of real estate.

(c) Review Appraiser:

1. Certified residential: Experience shall consist of a minimum of 300 appraisal review reports.

2. Certified general: Experience shall consist of a minimum of 150 appraisal review reports of narrative appraisal reports. At least 50% (1500 hours) of the experience must be in nonresidential appraisal work as defined in subsection ~~(2)~~(3) above.

a. Review appraisal experience shall be granted only when the applicant has performed review(s) of appraisals prepared either by employees, associates, or others, provided the appraisal report was not signed by the review appraiser.

b. Review appraisal experience may be claimed only when reviews are as set forth in Standards ~~Rule 3 and 4~~ of the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611(1)(~~bb~~)(~~e~~), F.S.

(d) Appraisal analysis, real estate counseling and highest and best use analysis:

1. Experience shall consist of a minimum of 150 narrative reports.

2. Experience may be claimed only when performed as set forth in Standards ~~1 and 2~~ ~~Rules 4 and 5~~ of the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611(1)(~~bb~~)(~~e~~), F.S., as applicable.

(e) Feasibility analysis/study:

1. Experience shall consist of a minimum of 150 narrative reports.

2. Experience may be claimed only when the analysis/study is prepared as set forth in Standards ~~Rules 1 and 2~~ of the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611(1)(~~bb~~)(~~e~~), F.S., and the applicant can demonstrate that he or she utilized ~~is using~~ similar techniques as appraisers to value properties and effectively utilize the appraisal process.

~~(5)~~(6) The Board shall require an applicant to document experience by producing appraisal reports, file memoranda, or other documentation to support the experience claimed.

Rulemaking Authority 475.614, 475.615(2) FS. Law Implemented 455.213, 475.611(1)(q), 475.615(2), 475.617, 475.628 FS. History—New 10-15-91, Formerly 21VV-6.001, Amended 9-22-93, 9-6-94, 2-19-98, 9-6-98, 12-12-99, 10-1-00, 6-1-04, 3-1-06, 12-4-06, 4-18-07, 11-25-07, 11-12-09, 2-10-14, 7-30-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 18, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**Florida Real Estate Appraisal Board**

RULE NO.: RULE TITLE:

61J1-10.003 Certified Residential Appraiser

PURPOSE AND EFFECT: The purpose of the amendment is a substantial rewording of the rule language.

SUMMARY: Substantial rewording.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 475.614, FS.

LAW IMPLEMENTED: 475.613(2), 475.617(2), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allison McDonald, Executive Director, Florida Real Estate Appraisal Board, 400 West Robinson Street, #N801, Orlando, FL 32801.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 61J1-10.003 follows. See Florida Administrative Code for present text.

61J1-10.003 Certified Residential Appraiser.

An applicant for certification as a residential real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

(1) Satisfactory completion of at least 200 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:

(a) Basic appraisal principles (30 hours);

(b) Basic appraisal procedures (30 hours);

(c) The 15-hour National USPAP course, or its equivalent, taught by an AQB-certified USPAP instructor;

(d) Residential Market Analysis and Highest and Best Use (15 hours);

(e) Residential Appraiser Site Valuation and Cost Approach (15 hours);

(f) Residential Sales Comparison and Income Approaches (30 hours);

(g) Residential Report Writing and Case Studies (15 hours);

(h) Statistics, Modeling and Finance (15 hours);

(i) Advanced Residential Applications and Case Studies (15 hours); and

(j) Appraisal Subject Matter Electives (20 hours) which shall include the Florida laws and rules and the Roles and Responsibilities of Supervisors and Trainees.

(2) Applicants for the Certified Residential credential must also satisfy at least one of the following five options:

(a) Bachelor's degree in any field of study from an accredited college or university

(b) An Associate's degree, or higher, from an accredited college, junior college, community college, or university in a field of study related to:

1. Business Administration;

2. Accounting;

3. Finance;

4. Economics;

5. Real Estate.

(c) Successful completion of at least 30 semester credit hours of college-level courses including all of the following collegiate subject matter courses from an accredited college, junior college, community college, or university:

1. English Composition (3 semester hours);

2. Microeconomics (3 semester hours);

3. Macroeconomics (3 semester hours);

4. Finance (3 semester hours);

5. Algebra, Geometry, or higher mathematics (3 semester hours);

6. Statistics (3 semester hours);

7. Computer Science (3 semester hours);

8. Business or Real Estate Law (3 semester hours); and

9. Two elective courses in the following topics:

a. accounting (3 semester hours);

b. geography (3 semester hours);

- c. agricultural economics (3 semester hours);
- d. business management (3 semester hours);
- e. real estate (3 semester hours).
- (d) Successful completion of at least 30 semester hours of

College Level Examination Program (CLEP) examinations
from each of the following subject matter areas:

- 1. College Algebra (3 semester hours);
- 2. College Composition (6 semester hours);
- 3. College Composition Modular (3 semester hours);
- 4. College Mathematics (6 semester hours);
- 5. Principles of Macroeconomics (3 semester hours);
- 6. Principles of Microeconomics (3 semester hours);
- 7. Introductory Business Law (3 semester hours); and
- 8. Information Systems (3 semester hours).

(e) Any combination from section 1(c) and 1(d) above that
ensures that all the courses listed in 1(c) have been completed.

(3) As an alternative to the requirements in section (2)
above, licensees who have held the Licensed Residential
credential for a minimum of five (5) years may qualify for a
Certified Residential credential by satisfying all of the
following:

(a) No record of any adverse, final, non-appealable
disciplinary action affecting the Licensed Residential
appraiser’s legal eligibility to engage in appraisal practice
within the five (5) years immediately preceding the date of
application for a Certified Residential appraiser credential;

(b) Successful completion of the additional required
qualifying education as follows:

- 1. Statistics, Modeling and Finance (15 hours);
- 2. Advanced Residential Applications and Case Studies (15
hours);
- 3. Appraisal Subject Matter Electives (20 hours);

(c) Successful completion of the required experience
requirements as stated in section (4) below;

(d) Successful completion of the examination as stated in
paragraph (5) below.

(4) Experience requirements. At least 1500 hours as set
forth in Rule 61J1-6.001, F.A.C.

(5) Examination. Successful completion of the AQB-
approved Certified Residential Real Property Examination and
the Florida laws and rules examination.

Rulemaking Specific Authority 475.614 FS. Law Implemented
475.613, 475.615, 475.617 FS. History—New 12-27-07, Amended 3-
31-09, 7.17-11, 9-8-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Florida Real Estate Appraisal Board
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 4, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: June 18, 2018

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.018
 RULE TITLE: Mandatory Standardized Informed Consent
 for Medical Marijuana; Required
 Documentation for Comparable Medical
 Conditions

PURPOSE AND EFFECT: The proposed amendments are
 intended to address recent legislation authorizing smokable
 medical marijuana. The proposed amendments incorporate the
 revised medical marijuana consent form and incorporate a new
 documentation form for use by qualified physicians who
 determine that smoking marijuana is an appropriate route of
 administration for a qualified patient.

SUMMARY: The proposed rule amendments incorporate the
 revised medical marijuana consent form and incorporate a new
 documentation form for use by qualified physicians who
 determine that smoking marijuana is an appropriate route of
 administration for a qualified patient.

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

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

The Agency has determined that the proposed rule is not
 expected to require legislative ratification based on the
 statement of estimated regulatory costs or if no SERC is
 required, the information expressly relied upon and described
 herein: During discussion of the economic impact of this rule at
 its Board meeting, the Board concluded that this rule change
 will not have any impact on licensees and their businesses or
 the businesses that employ them. The rule will not increase any
 fees, business costs, personnel costs, will not decrease profit
 opportunities, and will not require any specialized knowledge
 to comply. This change will not increase any direct or indirect
 regulatory costs. Hence, the Board determined that a Statement
 of Estimated Regulatory Costs (SERC) was not necessary and
 that the rule will not require ratification by the Legislature. No
 person or interested party submitted additional information
 regarding the economic impact at that time.

Any person who wishes to provide information regarding a
 statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 381.986 FS.

LAW IMPLEMENTED: 381.986 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.018 Mandatory Standardized Informed Consent for Medical Marijuana; Required Documentation for Comparable Medical Conditions; Required Documentation for Smokable Medical Marijuana.

(1) Pursuant to section 381.986, F.S., the Board has approved form DOH-MQA-5026 (rev. 4/19 2/18), entitled "Medical Marijuana Consent Form," which is hereby incorporated by reference and available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-09314>, or the Board's website at <http://www.flboardofmedicine.gov/forms/medical-marijuana-consent-form.pdf>, as the mandatory standardized informed consent form that a qualified physician must use each time the qualified physician issues a certification for medical marijuana to a patient he or she has diagnosed with at least one qualifying medical condition.

(2) No change.

(3) Pursuant to section 381.986(4)(c), F.S., qualified physicians who determine that smoking marijuana is an appropriate route of administration for a qualified patient, other than a patient diagnosed with a terminal condition, are required to submit form DH-MQA-5035 (4/19), entitled "Documentation Required Under Section 381.986(4)(c), Florida Statutes, Supporting the Determination that the Smoking of Medical Marijuana is an Appropriate Route of Administration," which is hereby incorporated by reference and available from http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or the Board's website at <http://www.flboardofmedicine.gov/forms>.

Rulemaking Authority 381.986 FS. Law Implemented 381.986 FS. History--New 4-30-18, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joint Committee on Medical Marijuana

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 22, 2019

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-41.001 Fees

PURPOSE AND EFFECT: The purpose of the rule amendment is to temporarily and/or permanently reduce fees.

SUMMARY: Temporarily or permanently reduce fees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.507, 456.017(1), FS.

LAW IMPLEMENTED: 456.013, 456.027, 456.0635, 456.38, 468.508, 468.509, 468.511, 468.513, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Medicine/Dietetics and Nutrition Practices Council, 4052 Bald Cypress

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-41.001 Fees.

(1) No change.

(2) The endorsement fee for an applicant seeking licensure by endorsement is \$5.00 ~~75.00~~.

(3) through (5) No change.

(6) The biennial renewal fee is \$95.00, with the exception that for the 2021 and 2023 renewal fee periods the fee shall be \$75.00. The Department of Health assesses an additional fee of \$5.00, payable at the time of each biennial renewal, for the fund to combat unlicensed activity pursuant to Section 456.065, F.S.

(7) No change.

(8) A fee of \$95.00, with the exception that for the 2021 and 2023 renewal periods the fee shall be \$75.00 and shall be paid to remove a license from delinquent status.

(9) through (12) No change.

Rulemaking Authority 456.036(3), (7), (16), 468.507, 468.508 FS. Law Implemented 456.013, 456.025(10), (11), 456.036, 456.065(3), 468.508 FS. History—New 4-9-89, Amended 8-28-90, 11-9-90, Formerly 21M-47.001, Amended 9-21-93, 11-4-93, 1-3-94, Formerly 61F6-47.001, Amended 12-28-94, 5-2-95, Formerly 59R-41.001, Amended 11-24-97, 6-22-99, 8-19-99, 9-26-01, 7-22-02, 8-18-02, 2-20-06, 11-18-07, 1-26-15, 12-23-15,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Dietetics and Nutrition Practices Council

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 5, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 10, 2018

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NOS.: RULE TITLES:

73B-20.003 Form of Appeal

73B-20.004 Filing an Appeal or Request to Reopen

73B-20.005 Time for Filing Appeal

73B-20.007 Late Filing of Appeals

73B-20.010 Consolidation

73B-20.012 Disqualification and Substitution of Appeals Referee

73B-20.014 Scheduling of Hearings

73B-20.015 Notice of Hearing

73B-20.016 Continuances

73B-20.017 Nonappearance of Parties

73B-20.022 Withdrawal

73B-20.024 Conduct of the Hearing

73B-20.025 Decision

73B-20.026 Post Decision Communication

73B-20.027 Appeal to the Unemployment Appeals Commission

PURPOSE AND EFFECT: The purposes and effects of the rule revisions are to incorporate new forms; add email addresses; clarify existing procedures; and incorporate new procedures.

SUMMARY: Rule 73B-20.003, F.A.C. – incorporates new appeal form (use is not mandatory); Rule 73B-20.004, F.A.C. – adds email address as an acceptable way of filing an appeal; adds rule citations to clarify that requests for reopening are limited to nonappearances and withdrawals;

Rule 73B-20.005, F.A.C. – makes changes to address appeals filed by email; reorganizes the language and numbering of the subparagraphs; expands definition of “holiday”; clarifies effective filing dates; Rule 73B-20.007, F.A.C. – adds language about referees reserving ruling on the issue of timeliness; Rule 73B-20.01, F.A.C.0 – clarifies procedures; Rule 73B-20.012, F.A.C. – clarifies circumstances under which an appeals referee should be disqualified/substituted; Rule 73B-20.014, F.A.C. – changes title and includes language from Rule 73B-20.015, F.A.C. Notice of Hearing for better flow; includes language regarding the 24-hour advance call requirement; changes “appeals referee” to “Office of Appeals” in subsections (2) and (4); changes “mailed” and “provided” to “sent”; Rule 73B-20.015, F.A.C. – corrects inconsistency in prior Rule 73B-20.014, F.A.C. regarding 24-hour advance delivery of tangible evidence and makes more logical flow with rules; minor grammatical changes; Rule 73B-20.016, F.A.C. – adds form number to incorporate by reference (not mandatory); adds in references to new procedures regarding the appeals magistrate; Rule 73B-20.017, F.A.C. – references advance call requirement and adds language about referees reserving ruling on the issue of nonappearance; minor grammatical changes; Rule 73B-20.022, F.A.C. – adds references to appeals magistrate and submission of withdrawal requests by email; removes

requirement that withdrawal request be signed to account for electronic submission; Rule 73B-20.024, F.A.C. – adds 10-minute contact requirement; reorders to better reflect referees' duties in light of federal guidelines; addresses parties' duty to object to evidence; Rule 73B-20.025, F.A.C. – removes statutory references to clarify; adds electronic distribution; Rule 73B-20.026, F.A.C. – sets out the guidelines for the issuance of corrected decisions; Rule 73B-20.027, F.A.C. – reworded for flow/clarity; changes "appeals referee" to "Office of Appeals" for more specificity.

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 proposed rules to be amended are procedural rules that have no economic impact. A SERC has not been prepared by the agency. For rules listed where no SERC was prepared, the agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rules will not require legislative ratification.

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

RULEMAKING AUTHORITY: 443.012(11) FS.

LAW IMPLEMENTED: 443.041(2), 443.151(3)(a), (e), (4)(a),(d),(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Marie Frazee, anne.frazee@raac.myflorida.com, (850)487-2685

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-20.003 Form of Appeal.

(1) Written notice of disagreement with an adverse determination or redetermination shall constitute an appeal. Preferably, an appeal should be filed by completing the Notice of Appeal form (DEO-A100(E) (English), Office of Appeals Notice of Appeal, Rev. 11/18,

[\(2\) The notice of appeal Any person entitled to file an appeal may obtain an appeal form \(DEO A100\(E\) \(English\), Office of Appeals Notice of Appeal\), Rev. 5/12, http://www.flrules.org/Gateway/reference.asp?No=Ref-01655; \(DEO A100\(S\) \(Spanish\), Oficina de Apelaciones Aviso de Apelación español\), Rev. 05/12, http://www.flrules.org/Gateway/reference.asp?No=Ref-01656; \(DEO A100\(C\) \(Creole\), Biwo Apèl Yo Avi Apèl\), Rev. 05/12, http://www.flrules.org/Gateway/reference.asp?No=Ref-01657, incorporated herein by reference, available at the Department's website, http://www.floridajobs.org/RAforms. Use of the form is not mandatory; however, whatever instrument is used, it should include the following information:](http://www.flrules.org/Gateway/reference.asp?No=Ref-01655;DEO-A100(S) (Spanish), Oficina de Apelaciones Aviso de Apelación, Rev. 11/18, http://www.flrules.org/Gateway/reference.asp?No=Ref-01656;DEO-A100(C) (Creole), Biwo Dapèl Avi Sou Apèl, Rev. 11/18, http://www.flrules.org/Gateway/reference.asp?No=Ref-01657), incorporated herein by reference, available at the Department's website, http://www.floridajobs.org/RAforms. Any legible written notice filed in accordance with these rules which expresses disagreement with or otherwise indicates a desire to appeal a determination or redetermination shall constitute an appeal.</u></p>
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- (a) The name and last four digits of the social security account number of each claimant, if any, involved;
- (b) The name and tax account number of each employer, if any, involved;
- (c) The date, issue identification number, and subject matter of the determination; ~~and,~~
- (d) A concise statement of the reasons for disagreement with the determination;-
- (e) A concise statement of the reason the appeal is filed untimely, if applicable; and,
- (f) A statement of hearing specifications as outlined in the Notice of Appeal form, including information regarding interpretation, witnesses, representation, and exhibits.

(3) No change.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(d) FS. History–New 5-22-80, Formerly 38E-5.03, Amended 8-20-86, 8-7-01, Formerly 38E-5.003, 60BB-5.003, Amended 10-4-12, _____.

73B-20.004 Place for Filing an Appeal or Request to Reopen.

(1) Appeals, or requests to reopen filed pursuant to rule 73B-20.017(4) or rule 73B-20.022(1), F.A.C., may be submitted to the central Office of Appeals by email, RA.AppealsClerks@deo.myflorida.com; facsimile (FAX), (850)617-6504; courier service or in person, Caldwell Building, MSC #347, 107 East Madison Street, Tallahassee FL 32399-

4143; or by mail, P.O. Box 5250, Tallahassee, FL 32399-5250; or

(2) Submitted to the Reemployment Assistance Appeals Commission by facsimile (FAX), (850) 488-2123; or courier service, in person, or by mail, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151); or

(3) No change.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(b)1., (d) FS. History—New 5-22-80, Formerly 38E-5.04, Amended 8-20-86, 8-7-01, Formerly 38E-5.004, 60BB-5.004, Amended 10-4-12, 9-8-15, _____.

73B-20.005 Time for Filing Appeal.

(1) The appeal shall be filed within 20 calendar days of the date the determination or redetermination was mailed to the appellant’s last known address via the United States Postal Service, delivered electronically via the CONNECT system, or, in the absence of postal mailing or electronic distribution, the date of delivery to the appellant.

(2) In computing any period of time prescribed or allowed by these rules, the date of the distribution/ mailing of a determination, redetermination, order, decision, or notice shall not be counted. The last day of the period shall be counted unless it is a Saturday, Sunday, or holiday; in which event, the period shall run until the end of the next day that is not a Saturday, Sunday, or holiday. For the purpose of this section, “holiday” means:

- (a) Those dates so designated by section 110.117, F.S.;
- (b) Any other day on which the offices of the Department of Economic Opportunity are closed;
- (c) Any other day on which the United States Postal Service is closed; and,
- (d) Any other day covered by an order issued pursuant to Florida Rule of Judicial Administration 2.205(a)(2)(B)(iv) that suspends, tolls, or otherwise grants relief from time deadlines for the area in which the appellant resides.

(3) Appeals filed by mail are deemed filed when postmarked by the United States Postal Service. Appeals filed by hand delivery, courier service or facsimile are filed when date stamped at an authorized location. Appeals delivered in person are deemed filed on the date hand delivered. Appeals filed by facsimile transmission are deemed filed on the date recorded on the document by the Department or Commission fax system. Appeals filed by email are deemed filed when sent, as recorded in the email. Appeals filed electronically through the CONNECT system are deemed filed on the date the confirmation is issued by the system. The CONNECT system shall post on the appeal the date the confirmation is issued and the appeal was successfully received by the system.

~~(3) An appeal delivered in person or by facsimile transmission will be date stamped by a Commission or Department of Economic Opportunity employee on the date~~

~~hand delivered or the date placed on the document by the Department or Commission fax system. The Internet filing system shall post on the appeal the date the confirmation is issued and the appeal was successfully received by the system.~~

~~(4) In computing any period of time prescribed or allowed by these rules, the date of the issuance of a determination, redetermination, order, decision or notice shall not be counted. The last day of the period shall be counted unless it is a Saturday, Sunday or holiday; in which event, the period shall run until the end of the next day that is not a Saturday, Sunday or holiday. For the purpose of this section, “holiday” means:~~

- ~~(a) Those dates so designated by section 110.117, F.S.;~~
- ~~(b) Any other day on which the offices of the Department of Economic Opportunity are closed; and,~~
- ~~(c) Any other day on which the United States Postal Service is closed.~~

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(3)(a), (4)(b)1., (d) FS. History—New 5-22-80, Formerly 38E-5.05, Amended 8-20-86, 3-1-98, 8-7-01, Formerly 38E-5.005, 60BB-5.005, Amended 11-19-12, 12-6-16, _____.

73B-20.007 Late Filing of Appeals.

(1) through (2) No change.

(3) If the referee finds that the appeal was timely filed; or reserves ruling as provided in subsection (4) of this rule, evidence shall then be taken with regard to the merits of the case, and the appeals referee’s decision shall include findings of fact and conclusions of law with respect to both the timeliness issue and the merits of the appeal.

(4) Referees may reserve ruling on the issue of timeliness and proceed with the merits portion of the hearing when the late-filing party has made an initial showing that the appeal should be deemed timely.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(3)(a), (4)(b)1., (d) FS. History—New 5-22-80, Formerly 38E-5.07, Amended 8-20-86, Formerly 38E-5.007, 60BB-5.007, Amended 10-4-12, _____.

73B-20.010 Consolidation.

If there are separate appeals which involve the same factual situation, similar issues of law or identity of parties, the Office of Appeals ~~appeals referee~~ may schedule a consolidated hearing for the purpose of taking evidence and receiving argument with respect to all of the appeals; however, the Office of Appeals ~~referee~~ shall not schedule a consolidated hearing if consolidation would prejudice the rights of any party thereto. The Commission may also direct the Office of Appeals to consolidate cases for the reasons set forth above.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.10, 38E-5.010, 60BB-5.010, Amended _____.

73B-20.012 Disqualification and Substitution of Appeals Referee.

(1) At any time prior to or during the course of a hearing governed by these rules, any party may move to disqualify the appeals referee on the grounds of bias, prejudice, or that the appeals referee is an interested party, for any of the reasons set forth in sections 120.665(1) and 443.151(4)(a), F.S.

(2) – (3) No change.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (d) FS. History—New 5-22-80, Formerly 38E-5.12, 38E-5.012, 60BB-20.012, Amended 12-6-16, ____.

73B-20.014 Scheduling and Notice of Hearings.

(1) Hearings shall be by telephone conference unless an in-person hearing is agreed upon by the parties and approved by the appeals referee. If an in-person hearing is held, it shall be conducted held at those regularly established hearing locations convenient to the interested parties or by telephone. If the parties agree to an in person hearing, however, the appeals referee shall conduct an in person hearing at one of the regularly established hearing locations.

(2) The Office of Appeals shall send notice of the hearing to all parties via electronic service to the parties' CONNECT inbox or by U. S. Postal Service at least 10 days prior to the date of the hearing. In proceedings to which the Department of Economic Opportunity is a party, the notice shall be directed to the Director of the Division of Workforce Services in the Department of Economic Opportunity or one or more of his or her designees. Whenever practicable, notices to employers shall be sent to both the employer's official address of record and to the job site where the claimant was employed. Notices shall also be sent to attorneys and representatives of record.

(3) The notice shall include or be accompanied by:

(a) A statement of the date, time, and place of the hearing;

(b) A statement of the legal authority and jurisdiction under which the hearing is to be held;

(c) A statement of the issues to be decided by the appeals referee with reference to the specific statutory or rule provisions involved. In the event that any party has not been provided a copy of the determination on appeal, a copy thereof shall be appended to such party's notice;

(d) A statement that a 24-hour advance call confirmation is required and that the parties' failure to call in as required by the notice of hearing may result in dismissal of the appeal or an unfavorable decision;

(e) A statement that failure to attend the hearing may result in a dismissal of the appeal or an unfavorable decision;

(f) A statement of the rules regarding requests for continuances and subpoenas;

(g) The address of the office to which all motions, requests, or other correspondence concerning the hearing should be directed;

(h) A DEO Form UCA Bulletin 6E, Appeals Information, Rev. _____ 04/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05732>; DEO Form UCA Bulletin 6S, Información sobre Apelaciones, Rev. _____ 04/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05733>; or DEO Form UCA Bulletin 6C, Enfòmasyon Dapèl, Rev. 04/19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-05734>; incorporated herein by reference, and available at the Department's website, www.floridajobs.org/RAforms; and,

(i) Copies of the significant documents from the official file.

(4) Waiver. If the Office of Appeals fails to provide notice in the manner set forth in this section, or if the notice provided is defective in any other way, and all improperly noticed parties nevertheless appear at the hearing, the referee shall inquire whether such parties are willing to waive their rights set forth in subsections (1) - (3). If the appeals referee obtains informed and intelligent consent from all parties who were not properly noticed, the referee may proceed with the hearing. If any party refuses to consent to waiver, the referee shall continue the hearing and provide proper notice of the rescheduled hearing to all parties.

(2) ~~Where the appeals referee schedules a hearing to be conducted by telephone conference, copies of the significant documents from the official file shall be provided to each party prior to the date of hearing. If any party wishes to submit written or other physical evidence, that party must arrange for delivery of copies to the appeals referee and other parties prior to the scheduled date of hearing. If the hearing is scheduled for a Monday or a day following a holiday, the Saturday and Sunday or the holiday will be excluded from the calculation of the 24-hour period. The 24-hour period will presumptively provide the party against whom the evidence is offered a reasonable opportunity to review such evidence prior to the hearing pursuant to section 443.151(4)(b)5.c.I., F.S. Documents that have not been provided in this manner Documents which are not available to all parties or their representatives and the public at the time of hearing may not be considered by the appeals referee, absent waiver.~~

(3) ~~If any party wishes to submit evidence to be considered, pursuant to section 443.151(4)(b)5.c., F.S., as the basis for a finding of fact, notwithstanding section 120.57(1)(c), F.S., the party must arrange for delivery of the evidence to all parties and the appeals referee at least 24 hours prior to the scheduled hearing time. If the hearing is scheduled for a Monday or a day~~

following a holiday, the Saturday and Sunday or the holiday will be excluded from the calculation of the 24 hour period. The 24 hour period will provide the party against whom the evidence is offered a reasonable opportunity to review such evidence prior to the hearing.

(4) Waiver. If the party submitting evidence to be considered, pursuant to section 443.151(4)(b)5.c., F.S., fails to provide the evidence to all parties and the appeals referee at least 24 hours prior to the scheduled hearing time, and all parties to whom the evidence was improperly provided appear at the hearing, the referee shall inquire whether such parties are willing to waive their rights set forth in subsection (3). If the appeals referee obtains informed and intelligent consent from all parties to whom the evidence was not properly provided, the referee may proceed to consider the evidence.

(5) No change.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.14, Amended 10-5-86, 3-11-99, Formerly 38E-5.014, Amended 3-11-12, Formerly 60BB-5.014, Amended _____.

73B-20.015 Service of Written and Other Physical Evidence Notice of Hearing.

(1) If any party wishes to submit written or other physical evidence, that party must arrange for delivery of copies to the appeals referee and other parties at least 24 hours prior to the scheduled date and time of hearing. If the hearing is scheduled for a Monday or a day following a holiday, the preceding Saturday and Sunday or the preceding holiday will be excluded from the calculation of the 24-hour period. The 24-hour period will presumptively provide the party against whom the evidence is offered a reasonable opportunity to review such evidence prior to the hearing pursuant to section 443.151(4)(b)5.c.I., F.S. Documents that have not been provided in this manner may not be considered by the appeals referee, absent waiver.

(2) Waiver. If the party submitting written or other physical evidence to be considered fails to provide the evidence to all parties and the appeals referee at least 24 hours prior to the scheduled hearing time, and all parties to whom the evidence was not properly provided appear at the hearing, the referee shall inquire whether such parties are willing to waive their rights set forth in subsection (1). If the appeals referee obtains informed and intelligent consent from all parties to whom the evidence was not properly provided, the referee may proceed to consider the evidence.

(1) The appeals referee shall send notice of the hearing to all parties via electronic service to the parties' designated electronic mailboxes or by U.S. Postal Service at least 10 days

~~prior to the date of the hearing. In proceedings to which the Department of Economic Opportunity is a party, the notice shall be directed to the Director of the Division of Workforce Services in the Department of Economic Opportunity or one or more of his or her designees. Whenever practicable, notices to employers shall be mailed to both the employer's official address of record and to the job site where the claimant was employed. Notices shall also be provided to attorneys and representatives of record.~~

~~(2) The notice shall include or be accompanied by:~~

~~(a) A statement of the date, time and place of the hearing;~~

~~(b) A statement of the legal authority and jurisdiction under which the hearing is to be held;~~

~~(c) A statement of the issues to be decided by the appeals referee with reference to the specific statutory or rule provisions involved. In the event that any party has not been provided a copy of the determination on appeal, a copy thereof shall be appended to such party's notice;~~

~~(d) A statement that failure to attend may result in a decision in favor of the other side;~~

~~(e) A statement of the rules regarding requests for continuances and subpoenas;~~

~~(f) The address of the office to which all motions, requests, or other correspondence concerning the hearing should be directed; and,~~

~~(g) A DEO Form UCA Bulletin 6E, Appeals Information, Rev. _____ 01/14, http://www.flrules.org/Gateway/reference.asp?No=Ref_05732; DEO Form UCA Bulletin 6S, Información Sobre Apelaciones, Rev. _____ 01/14, http://www.flrules.org/Gateway/reference.asp?No=Ref_05733; or DEO Form UCA Bulletin 6C, Enfoque en Apel, Rev. 01/14, http://www.flrules.org/Gateway/reference.asp?No=Ref_05734; incorporated herein by reference, and available at the Department's website, www.floridajobs.org/RAforms.~~

~~(3) Waiver. If the appeals referee fails to provide notice in the manner set forth in this section, or if the notice provided is defective in any other way, and all improperly noticed parties nevertheless appear at the hearing, the referee shall inquire whether such parties are willing to waive their rights set forth in subsections (1) and (2). If the appeals referee obtains informed and intelligent consent from all parties who were not properly noticed, the referee may proceed with the hearing. If any party refuses to consent to waiver, the referee shall continue the hearing and provide proper notice of the rescheduled hearing to all parties.~~

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Amended 11-30-81, 5-22-83, Formerly 38E-5.15, Amended 8-20-86, Formerly 38E-5.015, 60BB-5.015, Amended 10-4-12, 9-8-15, _____.

73B-20.016 Continuances.

(1) No change.

(2) Requests for continuance shall state the reasons therefor and must be made either in writing prior to the hearing or orally on the record at the hearing. A party may request a continuance prior to the hearing by completing the Request for Continuance form (DEO-A200(E) (English), Office of Appeals Request for Continuance, 11/18; DEO-A200(S) (Spanish), Oficina de Apelaciones Solicitud de Aplazamiento, 11/18; DEO-A200(C) (Creole), Biwo Apèl Demann Pou Kontinyasyon, 11/18), incorporated herein by reference, available at www.floridajobs.org/RAforms. A continuance request may be submitted by email, Deoappeals.magistrate@deo.myflorida.com; facsimile (FAX), (850) 617-6504; courier service or in person, Caldwell Building, MSC #347, 107 East Madison Street, Tallahassee FL 32399-4143; mail, P.O. Box 5250, Tallahassee, FL 32399-5250; or online via the CONNECT system.

(3) Upon receipt of a continuance request prior to the scheduled date of the hearing, the appeals referee or appeals magistrate shall immediately consider it and provide written notice of the ~~referee's~~ ruling to the parties.

(a) If granted, the appeals referee or appeals magistrate shall notify the parties of the rescheduled hearing date in the manner prescribed by these rules.

(b) If denied, the appeals referee shall proceed in accordance with these rules.

(c) If it does not appear that the parties will receive the ~~appeals referee's~~ written ruling on the request prior to the scheduled date of the hearing, the referee shall, nevertheless, mail the ruling or provide electronic notice via the parties' CONNECT inbox designated electronic mailboxes, but also convene the hearing and notify any parties in attendance of the ruling. If the request is granted, the referee shall adjourn; if it is denied, the referee shall proceed.

(4) No change.

(5) If subsequent to hearing, but prior to rendition of decision, the appeals referee or appeals magistrate decides that additional hearing is necessary, the parties shall be so advised in writing.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.16, 38E-5.016, 60BB-5.016, Amended 9-8-15, _____.

73B-20.017 Nonappearance of Parties.

(1) through (2) No change.

(3) Any party to a hearing must call the Office of Appeals at least 24 hours before the scheduled hearing to confirm attendance and provide a telephone number where the party can be reached at the time of the hearing. Failure of the appellant to complete the advance confirmation call as required will be

treated as failure to appear and may result in dismissal of the appeal. Failure of the appellee to complete the advance confirmation call may be treated as a failure to appear and may result in an unfavorable decision.

~~(4)~~ Upon written request of the appellant to reopen the hearing or upon the referee's own motion, the appeals referee shall for good cause shown for nonappearance rescind a dismissal decision and reopen the appeal. Upon written request of the appellee to reopen the hearing or upon the referee's own motion, the appeals referee shall for good cause shown for nonappearance rescind a decision and reopen the appeal if the appellee did not appear at the last scheduled hearing and the referee has entered a decision adverse to the appellee. The appeals referee shall have the authority to reopen an appeal under this rule provided that the request has been filed or motion entered within 20 days of rendition of the decision.

(a) A threshold issue to be decided at the hearing held to consider reopening an appeal shall be whether there is a good cause for proceeding with an additional hearing. If good cause is found, the appeals referee shall proceed on the merits. If good cause is not found, the referee shall reinstate the decision. The referee shall have no further authority with respect to a reinstated decision; however, any party or other person entitled by law to do so may file an appeal of the reinstated decision in accordance with chapter 73B-21, F.A.C. Referees may reserve ruling on the issue of nonappearance and proceed with the merits portion of the hearing when the nonappearing party has made an initial showing of good cause for nonappearance.

(b) No change.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.17, Amended 8-20-86, 3-1-98, Formerly 38E-5.017, 60BB-5.017, Amended _____.

73B-20.022 Withdrawal.

(1) The appellant may with the approval of the appeals referee withdraw the appeal prior to or at the hearing. If the withdrawal request is made prior to the hearing, it must be in writing ~~and signed by the appellant~~; if made during the hearing, it must be entered orally on the record. If approved, the referee shall issue a written decision dismissing the appeal; provided, however, the appellant may request reopening of the appeal within 20 days of the date of issuance of the dismissal decision. The referee shall act upon such a request in the manner set forth in rule 73B-20.017, F.A.C., regarding reopening the appeals dismissed for nonappearance of the appellant. Notwithstanding those provisions, however, a withdrawn appeal shall be reopened only upon showing that the withdrawal request was made as a result of misinformation from or coercion by the appellee or an employee of the Department of Economic Opportunity.

(2) A withdrawal request may be submitted by email to the Office of Appeals, RA.AppealsClerks@deo.myflorida.com; by facsimile (FAX), (850) 617-6504; by courier service or in person, Caldwell Building, MSC #347, 107 East Madison Street, Tallahassee FL 32399-4143; by mail, P.O. Box 5250, Tallahassee, FL 32399-5250; or online via the CONNECT system.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(b)2., (d) FS. History—New 5-22-80, Formerly 38E-5.22, 38E-5.022, 60BB-5.022, Amended.

73B-20.024 Conduct of the Hearing.

(1) No change.

(2) When calling a party or a party’s witness on the telephone for the hearing, if the party or witness is initially unavailable, the referee shall wait at least ten minutes, and then make a second attempt to call the party or witness.

(3)(2) The appeals referee shall review the issues presented and set forth the procedures to be followed during the hearing.

(4)(3) Evidence.

(a) Oral evidence shall only be taken upon oath or affirmation.

(b) The appeals referee shall prescribe the order in which testimony shall be taken and examine or cross-examine any witness as is necessary to properly develop the record. The referee shall also preserve the right of each party to present evidence relevant to the issues, cross-examine opposing witnesses, impeach any witness, and rebut the evidence presented against him or her. The referee shall restrict the inquiry of any witness to the scope of the proceedings and shall examine or cross examine any witness as is necessary to properly develop the record.

(c) No change.

(d) The hearing need not be conducted according to the technical rules regarding evidence and witnesses. When the appeals referee declines to accept as evidence any written or physical material presented for consideration, the appeals referee should specifically address on the record or in the written decision the reason the material was rejected. A party or the party’s representative may state an objection to the referee’s acceptance of written or physical material or refusal to accept written or physical material as evidence. A party or the party’s representative may also advise the appeals referee of a defect in the character of any evidence introduced by voicing an objection. The objecting party shall be given an opportunity to explain the grounds for the objection. A lack of an objection does not relieve the referee of the duty to determine the competency of the evidence under the applicable evidentiary standards.~~Failure of a party to voice an objection to any evidence~~

~~introduced at the hearing or to the referee’s refusal to accept as evidence any written or physical material shall not prevent the party from raising the objection on appeal to the Reemployment Assistance Appeals Commission.~~

(e) No change.

(5)(4) Prior to the close of the hearing, the appeals referee shall give each party a reasonable amount of time for closing argument.

(6)(5) All parties may submit briefs to the appeals referee at the hearing. A party may request permission to submit a brief subsequent to the hearing within a reasonable time set by the referee; however, the referee shall not delay rendition of the decision for a period of time which would constitute an undue burden on any party.

(7)(6) Preservation of testimony. The proceedings shall be mechanically recorded by the appeals referee or by a court reporter under the supervision of the referee. The recording of the testimony shall be placed in the official record and shall be preserved for at least 120 days from the date of the decision of the referee, unless review by the Reemployment Assistance Appeals Commission is initiated; in which case the recording shall be preserved for a period of at least 120 days from the date of the Commission’s final order. If the recording is transcribed for purposes of administrative or judicial review, it shall constitute the official transcript of the proceedings.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.24, Amended 8-20-86, Formerly 38E-5.024, Amended 3-11-12, 60BB-5.024, Amended.

73B-20.025 Decision.

(1) through (2) No change.

(3) The decision shall include, but not be limited to, the following:

(a) through (c) No change.

(d) An analysis of the findings including a concise and explicit statement of the underlying evidence in the record which supports the findings.

1. Where a finding is based solely on hearsay, ~~notwithstanding section 120.57(1)(c), F.S., as provided in section 443.151(4)(b)5.c., F.S.,~~ the appeals referee shall set forth the rationale by which the evidence was determined to be admissible in accordance with sections 443.151(4)(b)5.c.(I) and (II), F.S.

2. If confronted with conflicting evidence with respect to a disputed issue of fact, the finding of which is determinative of the outcome of the appeal, the appeals referee shall acknowledge such conflict and set forth the rationale by which the conflict was resolved.

(e) through (f) No change.

(4) A copy of the decision shall be distributed/mailed to the address of record of each of the parties or their attorneys or representatives of record, if any, by regular U.S. Mail, or by electronic correspondence via the party's CONNECT inbox designated electronic mailbox if that method was elected. Copies of the decision shall also be furnished to the offices of the Department of Economic Opportunity which have an interest in the proceedings. The decision shall advise the parties of their right to and the means by which an appeal of the decision may be filed with the Reemployment Assistance Appeals Commission.

(5) The appeals referee or the referee's designated clerk shall complete, sign and affix to the decision a certificate stating that the decision was filed and copies were distributed/mailed to each of the parties at the address listed on the decision on the date certified.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(a), (b), (d) FS. History—New 5-22-80, Formerly 38E-5.25, Amended 8-20-86, Formerly 38E-5.025, Amended 3-11-12, Formerly 60BB-5.025, Amended 9-8-15,_____.

73B-20.026 Corrected Decisions Post—Decision Communications.

(1) An appeals referee may correct errors in a decision after the decision has been distributed/mailed as follows:

(a) Where the correction is solely of a clerical nature and does not change, and is not reasonably interpreted to change, the substantive outcome of the prior decision, the correction may be made at any time prior to the filing of an appeal of the decision;

(b) Where the correction changes, or is reasonably interpreted to change, the substantive outcome of the prior decision, a corrected decision may be distributed/mailed:

1. Within 20 days of the distribution/ mailing of the decision to be corrected, by the distribution/ mailing of a notice of proposed corrected decision, which shall identify the corrections to be made, and provide for the opportunity of any party to request a hearing on the proposed corrections;

2. After 20 days of the distribution/ mailing of the decision to be corrected, by the filing of an application for revised decision by the Department.

(2) Once distributed/mailed, the corrected decision supersedes the prior decision in the case, and may be appealed to the Commission pursuant to rule 73B-21.003, F.A.C.

(3) If a party files an appeal to the Commission after the appeals referee has given notice of a proposed corrected decision, but prior to the mailing/distributing of the corrected decision, the referee shall retain jurisdiction over proceedings regarding the proposed corrected decision.

(4) If the Office of Appeals or appeals referee concludes that a decision should be corrected after the decision has been appealed to the Commission, the Office of Appeals or referee may request relinquishment to the referee for that purpose. The Commission may also relinquish jurisdiction of the case for a corrected decision on its own motion.

~~(1) At any time prior to the filing of an appeal, the appeals referee may issue a corrected decision to eliminate any clerical errors contained therein, but the referee shall not make any changes which affect the substantial interest of any party.~~

~~(5)(2) This section does not supersede the provisions regarding dismissal decisions entered pursuant to rules 73B-20.017 and 73B-20.022, F.A.C.~~

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(3)(e)1.,(4)(a)-(d) FS. History—New 5-22-80, Formerly 38E-5.26, Amended 8-20-86, Formerly 38E-5.026, 60BB-5.026, Amended _____.

73B-20.027 Appeal to the Reemployment Assistance Appeals Commission.

Except as provided by rules 73B-20.017(4) and 73B-20.022, F.A.C., if the Office of Appeals appeals referee receives a written communication from a party which expresses disagreement with or otherwise indicates a desire to appeal a decision, the referee Office of Appeals shall immediately forward it to the Reemployment Assistance Appeals Commission. This section does not supersede the provisions regarding dismissal decisions entered pursuant to rules 73B-20.017 and 73B-20.022, F.A.C.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.151(4)(c), (d) FS. History—New 5-22-80, Formerly 38E-5.27, Amended 8-20-86, Formerly 38E-5.027, 60BB-5.027, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anne Marie Frazee, Deputy General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Reemployment Assistance Appeals Commission (Frank E. Brown, Chairman; Thomas D. Epsky, Member; Joseph D. Finnegan, Member)

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 03, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 12, 2019

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:
73B-20.0011 Scope and Purpose

PURPOSE AND EFFECT: The purpose and effect of the rule is to state the intent that the rules should be interpreted in accordance with federal guidelines.

SUMMARY: The rule provides that Chapter 73B-20, F.A.C. rules should be interpreted in accordance with applicable Department of Labor standards and guidance.

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.

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: 443.012(11) FS.

LAW IMPLEMENTED: 443.031; 443.151(4)(a), (b), (d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anne Marie Frazee, anne.frazee@raac.myflorida.com, (850)487-2685

THE FULL TEXT OF THE PROPOSED RULE IS:

73B-20.0011 Scope and Purpose

These rules are adopted to establish the procedures for hearings before the Office of Appeals on appeals of determinations and redeterminations as provided by the reemployment assistance law, and are intended to maintain substantial compliance with standards and guidance for such hearings as promulgated by the U. S. Department of Labor.

Rulemaking Authority 443.012(11) FS. Law Implemented 443.031; 443.151(4)(a), (b), (d) FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anne Marie Frazee, Deputy General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Reemployment Assistance Appeals Commission (Frank E. Brown, Chairman; Thomas D. Epsky, Member; Joseph D. Finnegan, Member)

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 03, 2019
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 12, 2019

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.: RULE TITLES:
6A-23.004 Standards of Apprenticeship
6A-23.006 Deregistration of Department Registered Program
6A-23.008 Complaints
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. 79, April 23, 2019 issue of the Florida Administrative Register.

6A-23.004 Standards of Apprenticeship.

An apprenticeship program, to be eligible for approval and registration by the Department, must conform to the following Standards of Apprenticeship:

- (1) No change.
- (2) The program standards must contain provisions that address:
 - (a) through (x) No change.
 - (y) All apprenticeship standards must contain articles necessary to comply with Title 29 C.F.R. Part 29 and Title 29 C.F.R. Part 30. Title 29 C.F.R. Parts 29 (effective October 29, 2008) (DOS link) and 30 (effective December 19, 2016) (DOS link) are hereby incorporated by reference. A copy of the C.F.R. provisions may be obtained by contacting Apprenticeship Programs, Division of Career and Adult Education, Department of Education, 325 W. Gaines Street, Tallahassee, Florida 32399.

6A-23.006 Deregistration of Department Registered Program.

Deregistration of a program may be effected either upon the voluntary action of the sponsor by a request for cancellation or upon notice by the Department to the sponsor stating ~~reasonable~~ cause and instituting formal deregistration proceedings.

- (1) No change.
- (2) Deregistration by the Department ~~upon reasonable~~ **cause**. Deregistration proceedings shall be conducted as follows:

(a) through (b) No change.

(c) The notice shall be sent by registered or certified mail, return receipt requested, shall state the deficiency(ies) and remedy(ies) required, and shall state that the program will be deregistered for ~~reasonable~~ cause unless corrective action is taken within thirty (30) calendar days of receipt.

(d) Upon request by the sponsor ~~for good cause~~, the 30-day term may be extended for another thirty (30) days. During the period for corrective action, the Department must assist the sponsor in every reasonable way to achieve conformity.

(e) If the required action is not taken within the allotted time, the Department shall send a notice to the sponsor by registered or certified mail, return receipt requested, stating the following:

1. thorough 2. No change.

3. Based upon the stated deficiency(ies) and failure to remedy, a determination has been made that there is ~~reasonable~~ cause to deregister the program, and the program may be deregistered unless within fifteen (15) days of the receipt of this notice, the Department receives a request for hearing from the sponsor;

4. through 5. No change.

(f) though (g) No change.

6A-23.008 Complaints.

(1) This section is not applicable to any complaint concerning discrimination or other equal employment opportunity matters; all such complaints must be submitted, processed, and resolved in accordance with provisions of Title 29 C.F.R. Part 30 as incorporated in rule 6A-23.004, F.A.C., or provisions of the Florida State Plan for Equal Employment Opportunity in Apprenticeship- which is hereby incorporated by reference (effective June 2019) (DOS link). A copy of the C.F.R. and the State Plan may be obtained by contacting Apprenticeship Programs, Division of Career and Adult Education, Department of Education, 325 W. Gaines Street, Tallahassee, Florida 32399.

(2) through (5) No change.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-18.005 RULE TITLE: Closed Seasons for Harvest of Bay Scallops
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. 67, April 5, 2019 issue of the Florida Administrative Register.

68B-18.005 Seasons.

(1) Except as provided in paragraphs (a) and (b), the harvest of bay scallops begins on July 1 and continues through September 24 each year.

(a) Within the Fenholloway – Suwannee River Zone, the harvest of bay scallops shall be limited to an open season that begins on June 15 and continues through Labor Day ~~September 10~~ each year.

(b) No change.

(2) through (3) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-13-85, Amended 3-1-95, Formerly 46-18.005, Amended 9-1-13, 11-26-14, _____.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 29, 2019 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Katherine Catering Services Inc. located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 45/84 on April 30, 2019. The Order for this Petition was signed and approved on May 7, 2019. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service

establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 8, 2019, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from HM Retail LLC located in Hialeah. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Lee@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

NOTICE IS HEREBY GIVEN that on May 3, 2019, the Board of Employee Leasing Companies, received a petition for variance or waiver filed by Total Leasing Company, Inc.; Total LC, Inc.; Total LC II, Inc.; Total Employee Staffing, Inc.; Total LC III, Inc.; Alfred Wayne Brown, an individual; and Judy Darlene Chavers, an individual. Petitioners collectively seek a variance or waiver of subsection 61G7-10.0011(1), F.A.C., with regards to the timeframe for filing the annual financial statements.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Morrison, Executive

Director, Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783. Comments on this petition should be filed with the Board of Employee Leasing Companies within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.023 Personnel and Staffing Requirements

NOTICE IS HEREBY GIVEN that on May 2, 2019, the Department of Children and Families, received a petition for received a petition for variance of paragraph 65C-14.023(15)(c), Florida Administrative Code, from Hibiscus Children's Center and Valencia Horton, assigned Case No. 19-009W. Paragraph 65C-14.023(15)(c), F.A.C., requires residential child-caring agency staff responsible for the supervision, evaluation and monitoring of the direct care staff shall have a bachelor's degree in social work, or in a related area of study from an accredited college or university, and at least two (2) years of experience working with children or two (2) years of college and four (4) years of experience working with children.

A copy of the Petition for Variance or Waiver may be obtained by contacting: A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.003 Application and Selection Process for Developments

The Florida Housing Finance Corporation hereby gives notice: On May 7, 2019, Orlando Leased Housing Associates XI, LLLP, withdrew its Petition for a waiver of paragraph 67-21.003(1)(b) F.A.C. (2018), and on May 8, 2019, Florida Housing Finance Corporation issued an Order Closing File. The Petition was filed on April 11, 2019, and notice of receipt of the petition was published on April 12, 2019, in Volume 45, Number 72 of the F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.003 Application and Selection Process for Developments

The Florida Housing Finance Corporation hereby gives notice: On May 7, 2019, Vero Beach Leased Housing Associates III, LLLP, withdrew its Petition for a waiver of paragraph 67-21.003(1)(b) F.A.C. (2018), and on May 8, 2019, Florida Housing Finance Corporation issued an Order Closing File. The Petition was filed on April 11, 2019, and notice of receipt of the petition was published on April 12, 2019, in Volume 45, Number 72 of the F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 16, 2019, 10:00 a.m.

PLACE: Call in Number: 1(888)585-9008, Conference Pin Number: 837-653-349

GENERAL SUBJECT MATTER TO BE CONSIDERED: General FTC issues/ business.

A copy of the agenda may be obtained by contacting: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105.

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: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, 850-414-4105. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105.

PUBLIC SERVICE COMMISSION

The FLORIDA PUBLIC SERVICE COMMISSION announces a public customer meeting in the following docket to which all persons are invited.

DAY, DATE AND TIME: Thursday, May 30, 2019, 6:00 p.m.

PLACE: Merritt Island Public Library, 1195 North Courtenay Parkway, Merritt Island, FL 32953.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 20180218-SU– Application for staff-assisted rate case in Brevard County by TKCB, Inc.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff Margo Duval at (850)413-6076.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the meeting, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

EMERGENCY CANCELLATION OF MEETING

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission’s website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 20, 2019, 10:30 a.m. (ET)

PLACE: #: 1(888)585-9008, Code: 721648837

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business

A copy of the agenda may be obtained by contacting: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.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: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.org.

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 29, 2019, 9:00 a.m. – 5:00 p.m. or until all business is complete

PLACE: #: 1(888)585-9008, Code: 721-648-837.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Series of calls discussing general business. Calls will begin every hour on the hour with the exception of 12:00 PM for a lunch break.

A copy of the agenda may be obtained by contacting: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.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: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 20, 2019, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 1 Oakwood Boulevard., Suite 250, Hollywood, FL 33020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; General Council Business.

A copy of the agenda may be obtained by contacting: The South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653.

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 South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653. 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 South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

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

DATE AND TIME: Thursday, May 23, 2019, 9:00 a.m.

PLACE: In person: Florida Department of Health - Orange County, 6101 Lake Ellenor Drive, Lake Ellenor Auditorium, Orlando, Florida 32809

Conference Call #: 1(888)585-9008, Conference Room #: 998-518-088

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the full Governor's Panel on Excellence in Long-Term Care and subgroups to which all interested parties are invited. The Panel will be meeting to review applications received for consideration for the Gold Seal Award and vote on recommendations to the Governor. The Gold Seal Award Panel subgroups will review the Gold Seal Award nursing home criteria. Other business as needed may also be discussed.

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

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

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

DATE AND TIME: May 23, 2019, 9:00 a.m.

PLACE: 1(888)585-9008, participant passcode: 491089625

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancements.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine –Full Board Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 7, 2019, 8:00 a.m.

PLACE: Hilton Miami Airport Blue Lagoon, 5101 Blue Lagoon Drive, Miami, Florida 33126. The hotel phone number (305)262-1000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board. Meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website is: <https://www3.hilton.com/en/hotels/florida/hilton-miami-airport-blue-lagoon-MIAAHHH/index.html>.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 6, 2019, 8:00 a.m.

PLACE: Hilton Miami Airport Blue Lagoon, 5101 Blue Lagoon Drive, Miami, Florida 33126. The hotel phone number (305)262-1000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website is: <https://www3.hilton.com/en/hotels/florida/hilton-miami-airport-blue-lagoon-MIAAHHH/index.html>.

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

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

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For more information, you may contact: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Council on Physician Assistants announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 6, 2019, 1:00 p.m. or soon thereafter.

PLACE: Hilton Miami Airport Blue Lagoon, 5101 Blue Lagoon Drive, Miami, Florida 33126. The hotel phone number (305)262-1000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website is: <https://www3.hilton.com/en/hotels/florida/hilton-miami-airport-blue-lagoon-MIAAHHH/index.html>.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

evidence from which the appeal is to be issued.

For more information, you may contact: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 6, 2019, immediately following the Council on Physician Assistants meeting or soon thereafter.

PLACE: Hilton Miami Airport Blue Lagoon, 5101 Blue Lagoon Drive, Miami, Florida 33126. The hotel phone number (305)262-1000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website is: <https://www3.hilton.com/en/hotels/florida/hilton-miami-airport-blue-lagoon-MIAAHHH/index.html>.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 6, 2019, immediately following the Probation Committee meeting or soon thereafter.
 PLACE: Hilton Miami Airport Blue Lagoon, 5101 Blue Lagoon Drive, Miami, Florida 33126. The hotel phone number (305)262-1000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website is: <https://www3.hilton.com/en/hotels/florida/hilton-miami-airport-blue-lagoon-MIAAHHH/index.html>.

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

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

For more information, you may contact: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 6, 2019, immediately following the Rules/Legislative Committee meeting or soon thereafter.

PLACE: Hilton Miami Airport Blue Lagoon, 5101 Blue Lagoon Drive, Miami, Florida 33126. The hotel phone number (305)262-1000.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information. The hotel website is: <https://www3.hilton.com/en/hotels/florida/hilton-miami-airport-blue-lagoon-MIAAHHH/index.html>.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
 The Department of Health/EMSAC Mid-Quarter Conference
 Call announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 23, 2019 10:00 a.m. – 11:30 a.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/512251101>

You can also dial in using your phone.

United States (Toll Free): 1(877)309-2073, United States: (646)749-3129, Access Code: 512-251-101

Joining from a video-conferencing room or system?

Dial: 67.217.95.2##512251101, Cisco devices: 512251101@67.217.95.2
 New to GoToMeeting? Get the app now and be ready when your first meeting starts:
<https://global.gotomeeting.com/install/512251101>
GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the EMS Advisory Council.
 A copy of the agenda may be obtained by contacting: NA
 For more information, you may contact: Bonnie Anderson, (850)558-9544, Bonnie.Anderson@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
 The Department of Health/EMSAC Mid-Quarter Conference Call announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 23, 2019, 10:00 a.m. – 11:30 a.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone.

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New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/512251101>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the EMS Advisory Council.

A copy of the agenda may be obtained by contacting: NA

For more information, you may contact: Bonnie Anderson, (850)558-9544, Bonnie.Anderson@flhealth.gov.

DEPARTMENT OF FINANCIAL SERVICES

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

DATE AND TIME: May 22, 2019, 2:00 p.m. – 4:00 p.m., Eastern Time

PLACE: Department of Revenue, 2450 Shumard Oak Boulevard, Building 2, Room 1250, Tallahassee, Florida 32399

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

A copy of the agenda may be obtained by contacting: 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: FloridaPALM@myfloridacfo.com. If you have any questions or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services
 The License Review Committee of the Board of Funeral, Cemetery, and Consumer Services, operating under Chapter 497, Florida Statutes announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 30, 2019, 1:00 p.m.

PLACE: Claude Denson Pepper Building, 111 W Madison Street #302, Tallahassee FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Future licensure requirements for individual licensure.

A copy of the agenda may be obtained by contacting: Ellen Simon at Ellen.Simon@myfloridacfo.com or (850)413-3039.

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: LaTonya Bryant at (850)413-3039. 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: LaTonya Bryant at LaTonya.Bryant@myfloridacfo.com or (850)413-3039.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Executive Committee Meeting, Sunday, June 9, 2019, 7:00 p.m. until completion of agenda

PLACE: Call in number: 1(888)585-9008 Code: 605-155-637

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

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

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

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available

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

FLORIDA WATEREUSE ASSOCIATION

The Potable Reuse Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 17, 2019, 9:30 a.m.

PLACE: Osceola County UF/IFAS Extension, 1921 Kissimmee Valley Lane, Kissimmee, FL 34744

GENERAL SUBJECT MATTER TO BE CONSIDERED: PRC meeting topics include a discussion of the PRC framework document and upcoming workshop #3.

A copy of the agenda may be obtained by contacting: atracy@hydrosc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: atracy@hydrosc.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).

QCAUSA

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

DATE AND TIME: June 12, 2019, 5:30 p.m.

PLACE: Northwest Regional Library, Multipurpose Room, 3151 North University Drive, Coral Springs, FL 33065

GENERAL SUBJECT MATTER TO BE CONSIDERED: Design and construction of Coral Ridge Drive mobility improvement project (Coral Ridge Drive from Southgate Boulevard to Wyndham Circle Broward County, Florida).

The goal of the project:

Roadway widening and median width modifications to incorporate buffered bike lanes

Replace existing signalization at Atlantic Blvd, Royal Palm Blvd and Wiles Road to accommodate roadway widening

Pedestrian signal upgrades

ADA / curb ramp upgrades

Regrading of roadside drainage swales

Limited tree removal due to roadway widening

Milling, resurfacing and restriping of roadway

The public information workshop is scheduled from 5:30 p.m. to 7:30 p.m. and will have an open house format. Project representatives will be available to answer questions and provide assistance at any time during the workshop.

A copy of the agenda may be obtained by contacting: Damaris Williams, P.E., 3400 West Commercial Blvd, Fort Lauderdale, FL 33309, (954)777-4679 or 1(888)336-8435, ext 4679; damaris.williams@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: 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: Damaris Williams, P.E., 3400 West Commercial Blvd, Fort Lauderdale, FL 33309, (954)777-4679 or 1(888)336-8435, ext 4679, damaris.williams@dot.state.fl.us.

DEPARTMENT OF TRANSPORTATION

THE Florida Department of Transportation (FDOT), District Four

ANNOUNCES two Public Kick-Off Meeting TO WHICH ALL PERSONS ARE INVITED.

DATES AND TIMES: Thursday, May 16, 2019. Elected Officials/Agencies Meeting: 2:30 p.m. – 4:30 p.m.

Thursday, May 16, 2019. Public Meeting: 5:30 p.m. – 7:30 p.m., with a Formal Presentation 6:00 p.m.

PLACE: The Inn at Boynton Beach, 480 W. Boynton Beach Boulevard, Boynton Beach, FL 33435

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Department of Transportation (FDOT), District Four, will conduct a Public Kick-Off Meeting for SR 9/I-95 from South of Woolbright Road to North of Woolbright Road in Palm Beach County, Florida. The purpose of this study is to address traffic spillback onto I-95, and improve interchange operations and safety through the 2045 design year horizon.

This Kick-Off Meeting is being held to give the public an opportunity to express their comments and concerns about the project. Project representatives will be available during the Kick-Off Meeting to discuss the project, answer questions and receive comments.

A COPY OF THE AGENDA MAY BE OBTAINED BY CONTACTING: Humberto Arrieta, PE, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, or humberto.arrieta@dot.state.fl.us.

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

PURSUANT TO THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT, ANY PERSON REQUIRING SPECIAL ACCOMODATIONS TO PARTICIPATE IN THE PUBLIC MEETING IS ASKED TO ADVISE THE AGENCY AT LEAST

Seven (7) days
 BEFORE THE Public Kick-Off Meeting BY CONTACTING:
 Humberto Arrieta, PE at (954)777-4152 or toll free at
 1(866)336-8435, ext. 4152 or by email at
 humberto.arrieta@dot.state.fl.us. Any persons who require
 translation services (free of charge) should also contact Mr.
 Humberto Arrieta, PE seven (7) days before the meeting.
 FOR MORE INFORMATION, YOU MAY CONTACT:
 Humberto Arrieta, PE, Florida Department of Transportation,
 District Four, 3400 West Commercial Boulevard, Fort
 Lauderdale, Florida 33309, by telephone (954)777-4152 or toll
 free at 1(866)336-8435, ext. 4152 or by email at
 humberto.arrieta@dot.state.fl.us. You may also visit the project
 website at www.fdot.gov/project/95atwoolbright.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

FLORIDA INDEPENDENT LIVING COUNCIL
 The Florida Independent Living Council, Inc. announces a
 telephone conference call to which all persons are invited.
DATE AND TIME: Executive Committee Meeting, Sunday,
 June 9, 2019, 7:00 p.m. until completion of agenda
PLACE: Call in number: 1(888)585-9008 Code: 605-155-637
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Business of the Committee.
 Persons who want to be notified of such meetings may request
 to be put on the mailing list for such notices by writing to Jenny
 Bopp at jenny@floridasilc.org.
 A copy of the agenda may be obtained by contacting: Florida
 Independent Living Council, 1882 Capital Circle NE, Suite
 202, Tallahassee, Florida 32308 (850)488-5624 or Toll Free
 1(877)822-1993.
 Pursuant to the Americans with Disabilities Act,
 accommodations for persons with disabilities are available
 upon request. If you have a disability and require a reasonable
 accommodation to fully participate in this event, please contact
 Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-
 5624 to discuss your accessibility needs. Please allow 5
 business days' notification to process: last minute requests will
 be accepted, but may not be possible to fulfill.

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., Thursday, May 2, 2019 and 3:00 p.m.,
 Wednesday, May 8, 2019.

Rule No.	File Date	Effective Date
5N-1.113	5/3/2019	5/23/2019

5N-1.114	5/3/2019	5/23/2019
6C6-5.016	5/3/2019	5/23/2019
59G-4.020	5/7/2019	5/27/2019
59G-4.360	5/7/2019	5/27/2019
61DER19-1	5/3/2019	5/3/2019
61G1-16.003	5/8/2019	5/28/2019
64B8-31.012	5/8/2019	5/28/2019
64B15-7.012	5/8/2019	5/28/2019
65C-42.001	5/2/2019	5/22/2019
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On May 7, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Kelley Sue Collins, L.P.N., License # PN 5195409. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On May 7, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Betty Joanne Crespo, R.N., License No.: RN 9288698. Department orders that the Emergency Suspension of License be lifted.

DEPARTMENT OF HEALTH

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

Notice of Emergency Action

On May 7, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the license of Shelly Kirsch Mincy, L.C.S.W., License # SW 7360. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On May 7, 2019, the State Surgeon General issued an Order of Emergency Suspension with regard to the certificate of Icylin R. Malcolm, C.N.A., Certificate # CNA 291004. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2018). The State

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.