

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-555.310	Source and Siting Requirements for Public Water Systems
62-555.314	Location of Public Water System Mains
62-555.316	Public Water System Utilizing Direct or Indirect Potable Reuse
62-555.317	Engineering Report and Source Water Evaluation for Potable Reuse
62-555.318	Pilot Testing Program for Potable Reuse
62-555.320	Design and Construction of Public Water Systems
62-555.350	Operation and Maintenance of Public Water Systems
62-555.520	Applying for Public Water System Construction Permits

**PURPOSE AND EFFECT:** Revisions to Chapter 62-555, F.A.C. are being considered to ensure proper regulation for the use of reclaimed water in the state of Florida. Particular attention for the implementation of Direct Potable Reuse programs in Public Water Systems is important for these revisions proposed to Chapter 62-555, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** The Division of Water Resource Management is proposing amendments to Florida Administrative Code, Chapter 62-555, entitled Permitting, Construction, Operation, and Maintenance of Public Water Systems, which regulates the establishment, continual operation, and expansion of Public Water Systems. The proposed revisions will update the chapter to be consistent with other title 62 chapters, correct regulatory references, clarify current language, as well as identify the requirements for implementing treated reclaimed water as a source for Public Water Systems.

**RULEMAKING AUTHORITY:** 403.861(9) F.S.  
**LAW IMPLEMENTED:** 403.852(12), 403.861(7), 403.853(6), 403.861(17) F.S.

**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:** Jamie Shakar, Environmental Administrator, Division of Water Resource Management, MS 568E, 2600 Blair Stone Road,

Tallahassee, FL 32399, (850)245-8626 or by email at Jamie.Shakar@FloridaDEP.gov.

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

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

RULE NOS.:	RULE TITLES:
64B32-5.001	Disciplinary Guidelines
64B32-5.0015	Out-of-State Telehealth Discipline

**PURPOSE AND EFFECT:** The proposed revisions clarify and amend existing guidelines and add new guidelines for out-of-state telehealth discipline.

**SUBJECT AREA TO BE ADDRESSED:** To update existing language and add new rule language.

**RULEMAKING AUTHORITY:** 456.079, 456.353(3), 468.365(4) FS.

**LAW IMPLEMENTED:** 456.0635, 456.072, 456.079, 468.365 FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Allen Hall, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3253.

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

## Section II Proposed Rules

NONE

## Section III Notice of Changes, Corrections and Withdrawals

**DEPARTMENT OF HEALTH**

**Board of Chiropractic Medicine**

RULE NO.:	RULE TITLE:
64B2-16.003	Guidelines for the Disposition of Disciplinary Cases

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. 47 No. 60, March 29, 2021 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a meeting held May 21, 2021. The changes are as follows:

64B2-16.003 Guidelines for the Disposition of Disciplinary Cases.

(1) No change.

(2) Violations and Range of Penalties. When the Board finds that an applicant or licensee whom it regulates pursuant to Chapter 460, F.S., has violated the below-listed provisions, it shall issue a final order imposing appropriate penalties, for each count, as set forth in Section 456.072(2), F.S., within the ranges recommended in the following disciplinary guidelines. The identification of offenses are descriptive only; the full language of each statutory provision cited must be considered in order to determine the conduct included. If the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient. In addition to or in lieu of any guideline penalties provided herein, if the violation is for fraud or making a false or fraudulent representation, the Board shall impose a fine of \$10,000 per count or offense.

Statutory or Rule cite and brief descriptor.	First Offense	Second Offense	Third or Subsequent Offenses
(a) through (g) No change.			
(h) Section 460.412 or 456.072(1)(v), F.S.: (sexual misconduct).	From a minimum of a PRN referral for evaluation, one (1) year suspension followed by two (2) years' probation including a chaperone, up to a maximum \$7,500 fine and/or	\$10,000 fine and permanent revocation.	\$10,000 fine and permanent revocation.

(i) Section 460.413(1)(a) or 456.072(1)(h), F.S., Obtain license by bribery, fraudulent misrepresentation or Department or Board Error.	permanent revocation.		
<del>1.</del> Obtain license by bribery.	From a minimum \$500 fine and/or two (2) years' probation to a maximum of permanent revocation.	From a minimum \$10,000 fine and one (1) year suspension to permanent revocation.	Permanent revocation.
<del>2.</del> Obtain license by fraudulent misrepresentations.	From six months' probation and a fine of \$10,000 to a maximum of five (5) years suspension, passage of the SPEC Exam as condition of reinstatement, and a fine of \$10,000.	\$10,000 fine and permanent revocation.	
<del>3.</del> Obtain license by Department or Board error.	Suspension until appearance before Board, demonstration of entitlement to licensure and certification	Same Penalty as first violation.	Same Penalty as first violation

	by Board, and a \$500 fine.		
(j) No change.			
(k). Section 460.413(1)(c) or 456.072(1)(c), F.S., crime related to practice.			
<u>1.</u> <del>ii.</del> Misdemeanor.	From a minimum \$1,500 fine and six (6) months' probation, up to a \$3,000 fine and one (1) year suspension.	From a minimum \$3,000 fine, six (6) months suspension and one (1) year probation up to a \$5,000 fine and eighteen (18) month suspension.	From a minimum of \$4,000 fine, two (2) year Permanent revocation.
<u>2.</u> <del>ii.</del> Felony.	From a minimum \$5,000 fine and 1 year probation up to a maximum \$7,500 fine and one (1) year suspension followed by two (2) years' probation or permanent revocation.	From a minimum \$7,500 fine and two (2) years suspension followed by two (2) years' probation, up to a maximum \$10,000 fine and <del>or</del> four (4) year suspension, passage of the SPEC exam as a condition of reinstatement of license to be followed by four (4) years' probation.	Permanent revocation.
(l) Section 460.413(1)(d), F.S.: false/mislead	From a minimum \$1,000 fine and a letter of	In addition to three (3) three hours CE on Laws, Rules	From a minimum of a \$10,000

ing advertising.	concern, up to a maximum \$2,500 fine and 3 hours Laws, Rules and Ethics CE.	and Ethics, from a minimum \$2,500 fine and one (1) year probation to a maximum \$5,000 fine and three (3) months suspension.	fine and <del>or</del> one (1) year suspension to a maximum \$10,000 fine and permanent revocation.
(m) through (p) No change.			
(q) Section 460.413(1)(i) or 456.072(1)(k), F.S.: failure to perform statutory or legal obligation.	In addition to three (3) three hours Laws, Rules and Ethics CE, from a minimum \$1,000 fine and a letter of concern, up to a maximum \$3,000 fine and one (1) year suspension followed by two (2) years' probation.	From a minimum three (3) three hours Laws, Rules and Ethics CE, \$2,500 fine and one (1) year probation up to a maximum \$5,000 fine, 2 year suspension, SPEC Exam as condition of reinstatement followed by 2 years' probation or permanent revocation.	From a minimum \$10,000 fine and 1 year suspension up to a maximum \$10,000 fine and permanent revocation.
<u>1.</u> <del>ii.</del> Negligent filing of false report.	From a minimum \$2,000 fine, up to a maximum \$5,000 fine, two (2) hours Ethics and three (3) hours Laws and Rules CE and	From a minimum \$3,000 fine and a reprimand to a maximum \$5,000 fine, two (2) hours Ethics and three (3) hours Laws and	From a minimum \$5,000 fine up to a maximum \$10,000 fine and permanent

	one (1) year probation with records monitoring.	Rules CE and two (2) year suspension.	revocation.
<u>2. #</u> Willful filing of false report, impeding, or inducing another to file false report.	From a minimum \$5,000 fine and one (1) year suspension, followed by one (1) year probation with records monitoring, up to a maximum of 1 year suspension, SPEC Exam as condition of license reinstatement, followed by 3 years' probation	From a minimum \$5,000 fine and three (3) year suspension with two (2) hours Ethics and three (3) hours Laws and Rules CE and passage of the SPEC Exam as conditions of licensure reinstatement followed by 3 years' probation with records monitoring up to a maximum \$7,500 fine and permanent revocation.	From a minimum \$10,000 fine and five (5) year suspension up to a maximum \$10,000 fine and permanent revocation.
<u>(r) Section 460.413(1)(r), F.S.:</u> Gross or repeated malpractice or failure to practice at acceptable level of reasonably prudent care, skill or treatment.			
<u>1.</u> Gross malpractice.	From a minimum \$2,500 fine, up to a maximum \$5,000 fine and	From a minimum \$5,000 fine and one (1) year suspension followed by	From a minimum \$10,000 fine, two (2) years suspension

	<u>permanent revocation.</u>	<u>one (1) year probation up to a maximum \$7,500 fine, three (3) year suspension followed by three (3) year probation or permanent revocation.</u>	<u>on and two (2) years' probation up to a maximum \$10,000 fine and permanent revocation.</u>
<u>2. Repeated malpractice.</u>	From a minimum \$1,000 fine, three (3) hours Laws, Rules and Ethics CE, and one (1) year suspension followed by one (1) year probation up to a maximum \$6,000 fine, two (2) year suspension, three (3) hours Laws, Rules and Ethics CE and passage of the SPEC Exam as conditions of license reinstatement, followed by two (2) year probation with monitoring or permanent revocation.	From a minimum \$5,000 fine, two (2) year suspension and two (2) year probation up to a maximum \$10,000 fine, four (4) year suspension, three (3) hours Laws, Rules and Ethics CE and passage of the SPEC Exam as conditions of license reinstatement, followed by four (4) years' probation with monitoring or permanent revocation.	\$10,000 fine and permanent revocation (minimum and maximum same).
<u>3. Unacceptable level of care, skill, and treatment.</u>	For a first offense, from a minimum \$3,000 fine, 1 year suspension	From a minimum \$5,000 fine and 2 year suspension, passage of	For a third offense, from a minimum \$7,500

	<u>followed by two (2) years' probation up to a maximum \$6,000 fine, 5 year suspension, SPEC Exam as condition of licensure reinstatement, followed by 2 year probation with monitoring.</u>	<u>SPEC Exam as condition of license renewal, followed by two (2) years' probation with monitoring up to a maximum \$8,000 fine and three (3) year suspension, six (6) hours Documentation and Coding CE and passage of the SPEC Exam as a condition of license reinstatement, followed by three (3) years' probation with monitoring or permanent revocation.</u>	<u>fine, one (1) year suspension then two (2) years, probation up to a maximum \$10,000 fine and/or permanent revocation.</u>
(s) No change.			
(t) Section 460.413(1)(l) or 456.072(1)(y), F.S.: soliciting patients or commercial solicitation from accident report information.	From a minimum \$3,000 fine and <del>two (2) years'</del> probation, up to a maximum \$6,000 fine, two (2) year suspension followed by two (2) year probation and two (2) hours Ethics and three (3) hours Laws and Rules CE.	From a minimum \$5,000 fine and <del>one year</del> suspension followed by two (2) years' probation, up to a maximum \$10,000 fine, and permanent revocation.	Permanent Revocation.
(u) Section 460.413(1)(m), F.S.: medical recordkeeping.	In addition to three (3) hours Laws, Rules and Ethics and six (6) hours Documentation and Coding CE, from a minimum \$1,000 fine and <del>one (1) year</del> probation with records monitoring, up to a maximum \$3,000 fine, six (6) months suspension, followed by one (1) year probation with records monitoring.	From a minimum of \$2,500 fine and one (1) year suspension followed by one (1) year probation up to a maximum \$10,000 fine, one (1) year suspension followed by two (2) years' probation.	From a minimum \$7,500 fine and two (2) years suspension, followed by two (2) years' probation with records monitoring up to a maximum \$10,000 fine and permanent revocation.
(v) Section 460.413(1)(n) or 456.072(1)(n), F.S.: exploit patient for financial gain.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum \$2,000 fine and <del>one (1) year</del> probation, up to a maximum \$4,000 fine and <del>two (2) year</del> suspension followed by two (2) years' probation of license.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE from a \$3,000 fine, one (1) year suspension with passage of the SPEC Exam as a condition of reinstatement followed by two (2) year probation with monitoring up to a maximum \$7,500 fine or permanent revocation	From a minimum \$7,500 fine, two (2) years suspension followed by two (2) years' probation up to a maximum \$10,000 fine and permanent revocation.
(w) Section 460.413(1)(o)	From a minimum	From a minimum	For a third

<p>), F.S.: unauthorized services.</p>	<p>\$1,000 fine and/or one (1) year probation with monitoring, up to a maximum \$3,000 fine and two (2) years' probation with monitoring,</p>	<p>\$3,000 fine and two (2) years' probation with monitoring, up to a maximum \$5,000 fine, two (2) years' suspension with passage of the SPEC Exam as a condition of license reinstatement followed by two (2) years' probation with monitoring or permanent revocation.</p>	<p>offense, from a minimum \$5,000 fine, two (2) year suspension with passage of the SPEC Exam as a condition of license reinstatement followed by two (2) years' probation with monitoring, up to a maximum \$10,000 fine and permanent revocation.</p>
<p>(x) Section 460.413(1)(p), F.S.: dispensing drugs/performing surgery.</p>	<p>In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum fine of \$5,000 and/or one year of probation, up to a maximum fine of \$10,000 and/or five (5)</p>	<p>\$10,000 fine and permanent revocation.</p>	<p>\$10,000 fine and permanent revocation.</p>

	<p>year suspension with passage of the SPEC Exam as a condition of license reinstatement followed by two (2) years' probation.</p>		
<p>(y) No change.</p>			
<p>(z) Section 460.413(1)(t) or 456.072(1)(o), F.S., practicing beyond scope or competency.</p>	<p><u>In addition to three (3) three hours Laws, Rules and Ethics CE, from a minimum \$1,000 fine and a letter of concern, up to a maximum \$3,000 fine and one (1) year suspension followed by two (2) years' probation.</u></p>	<p><u>From a minimum three (3) three hours Laws, Rules and Ethics CE, \$2,500 fine and one (1) year probation up to a maximum \$5,000 fine, 2 year suspension, SPEC Exam as condition of reinstatement followed by 2 years' probation or permanent revocation.</u></p>	<p><u>From a minimum \$10,000 fine and 1 year suspension up to a maximum \$10,000 fine and permanent revocation.</u></p>
<p>i. <del>Gross malpractice.</del></p>	<p><del>From a minimum \$2,500 fine, up to a maximum \$5,000 fine and/or permanent revocation.</del></p>	<p><del>From a minimum \$5,000 fine and one (1) year suspension followed by one (1) year probation up to a maximum \$7,500 fine, three (3) year suspension followed by three (3) year</del></p>	<p><del>From a minimum \$10,000 fine, two (2) years' suspension and two (2) years' probation up to a maximum \$10,000</del></p>

		probation or permanent revocation.	fine and/or permanent revocation.		SPEC Exam as condition of licensure reinstatement, followed by 2 year probation with monitoring.	with monitoring up to a maximum \$8,000 fine and three (3) year suspension, six (6) hours Documentation and Coding CE and passage of the SPEC Exam as a condition of license reinstatement, followed by three (3) years' probation with monitoring or permanent revocation.	n up to a maximum \$10,000 fine and/or permanent revocation.
ii. Repeated malpractice.	From a minimum \$1,000 fine, three (3) hours Laws, Rules and Ethics CE, and one (1) year suspension followed by one (1) year probation up to a maximum \$6,000 fine, two (2) year suspension, three (3) hours Laws, Rules and Ethics CE and passage of the SPEC Exam as conditions of license reinstatement, followed by two (2) year probation with monitoring or permanent revocation.	From a minimum \$5,000 fine, two (2) year suspension and two (2) year probation up to a maximum \$10,000 fine, four (4) year suspension, three (3) hours Laws, Rules and Ethics CE and passage of the SPEC Exam as conditions of license reinstatement, followed by four (4) years' probation with monitoring or permanent revocation.	\$10,000 fine and permanent revocation (minimum and maximum same).	(aa) Section 460.413(1)(s), F.S.: experimentation on human subjects without consent.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a \$2,000 fine and/or five (5) years' probation, up to a maximum of five (5) year suspension, passage of the SPEC Exam as condition of reinstatement, followed by two (2) years' probation.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum \$5,000 fine, one (1) year suspension and/or five (5) years' probation up to permanent revocation.	\$10,000 fine and permanent revocation.
iii. Unacceptable level of care, skill, and treatment.	For a first offense, from a minimum \$3,000 fine, 1 year suspension followed by two (2) years' probation up to a maximum \$6,000 fine, 5 year suspension,	From a minimum \$5,000 fine and 2 year suspension, passage of SPEC Exam as condition of license renewal, followed by two (2) years' probation	For a third offense, from a minimum \$7,500 fine, one (1) year suspension then two (2) years, probation	(bb) Section 460.413(1)(t) or 456.072(1)(o), F.S.:	In addition to three (3) hours Laws, Rules and Ethics CE, a	In addition to three (3) hours Laws and Rules and two (2) hours	From a minimum \$10,000 fine up to

practicing beyond the scope permitted or competent to perform.	minimum \$2,500 fine and <del>one</del> (1) year probation with monitoring, up to a maximum two (2) year suspension followed by two (2) years' probation with monitoring and a \$5,000 fine.	Ethics CE, from a minimum \$5,000 fine and <del>two</del> (2) year suspension followed by two (2) years' probation up to a maximum \$7,500 fine, four (4) year suspension, passage of the SPEC Exam as condition of license reinstatement, followed by four (4) year probation.	a maximum \$10,000 fine and permanent revocation.
(cc) No change.			
(dd) Section 460.413(1)(v) or 456.072(1)(q), F.S.: violating any lawfully issued order or subpoena.	From a minimum \$1,000 fine and a letter of concern, up to a maximum three (3) hours Laws, Rules and Ethics CE.	In addition to three (3) hours Laws and Rules and two (2) hours Ethics CE, from a minimum \$3,000 fine and <del>two</del> (2) years of probation up to a maximum \$5,000 fine or one (1) year suspension.	From a minimum \$7,500 fine and <del>six</del> (6) month suspension followed by probation up to a maximum \$10,000 fine and permanent revocation.
(ee) Section 460.413(1)(w), F.S.: conspiring or committing an act to	From a minimum \$1,000 fine to a maximum of Letter of Concern and	From a minimum \$3,000 fine and six (6) months suspension up	From a minimum \$7,500 fine and <del>two</del> (2)

prevent a licensee from advertising.	two (2) hours Ethics and Three (3) hours Laws and Rules CE.	to a maximum \$5,000 fine, one (1) year suspension, two (2) hours Ethics and Three (3) hours Laws and Rules CE as conditions of reinstatement of license.	year suspension followed by probation up to a maximum \$10,000 fine and/or permanent revocation.
(ff) Section 460.413(1)(x) or 456.072(1)(ee), F.S.: submitting claims for treatment not provided.	From a minimum \$3,000 fine and <del>two</del> (2) year probation, up to a maximum \$5,000 fine or one (1) year suspension, three (3) hours Laws and Rules, two (2) hours Ethics and six (6) hours Documentation and Coding CE as conditions of licensure reinstatement, followed by one (1) year probation with records monitoring.	From a minimum \$5,000 fine and one (1) year suspension followed by two (2) years' probation with monitoring to a maximum \$7,500 fine and <del>five</del> (5) year suspension, SPEC Exam as condition of licensure reinstatement, followed by five (5) years' probation with monitoring.	\$10,000 fine and permanent revocation.
(gg) Section 460.413(1)(y), F.S.: commingling or conversion of patient funds and financial	In addition to three (3) hours Laws and Rules CE, from a minimum \$2,000 fine and <del>one</del> (1)	In addition to three (3) hours Laws and Rules and two (2) hours Documentation and Coding CE, from a	From a minimum \$7,500 fine and <del>one</del> (1) year suspension



recordkeeping.	year probation, up to a maximum \$4,000 fine, one (1) year suspension followed by one (1) year probation with records monitoring and three (3) hours Laws and Rules and two (2) hours Ethics CE.	minimum \$5,000 fine and one (1) year suspension followed by one (1) year probation with records monitoring to a maximum of \$7,500 fine, five (5) year suspension, passage of the SPEC Exam as condition of reinstatement of license, followed by five (5) years' probation with records monitoring.	on, followed by two (2) years' probation with records monitoring up to a maximum \$10,000 fine and permanent revocation.
(hh) Section 460.413(1)(z), F.S.: offering or accepting payment by assignment if it appears to eliminate requirement for insured to pay deductible.	From a minimum \$1,000 fine and <del>one</del> a letter of concern up to a maximum \$3,000 fine and three (3) hours Laws, Rules and Ethics CE.	From a minimum \$3,000 fine and <del>one</del> one (1) year probation with monitoring to a maximum \$5,000 fine and one (1) year suspension followed by one (1) probation with records monitoring and three (3) hours Laws, Rules and Ethics CE.	From a minimum of a \$10,000 fine up to a \$10,000 fine and permanent revocation.
(ii) Section 460.413(1)(a), F.S.: failure to provide	From a minimum \$1,000 fine and Letter of Concern up to	From a minimum \$3,000 fine and <del>one</del> one (1) years'	From a minimum \$10,000 fine up to
insured with copy of claim (citation offense).	a maximum of two (2) hours Ethics and Three (3) hours Laws and Rules CE.	probation to a maximum \$4,000 fine, two (2) hours Ethics and Three (3) hours Laws and Rules CE and 3 years suspension, SPEC Exam as condition of license reinstatement, followed by probation with monitoring.	a maximum \$10,000 fine and permanent revocation.
(jj) No change.			
(kk) Sections 460.413(1)(c), 456.062, F.S.: failure of advertisement to state usual fee when offers free or discount services (citation offense).	From a minimum \$1,000 fine, Letter of Concern and three hours Laws, Rules and Ethics CE.	From a minimum \$2,000 fine and <del>one</del> Letter of Concern up to one (1) year probation with monitoring to approve all advertising and three (3) hours Laws, Rules and Ethics CE.	\$5,000 fine, one (1) year suspension followed by one (1) year probation with monitoring to approve all advertising and three (3) hours Laws, Rules and Ethics CE.
(ll) Section 460.413(1)(d), F.S.: using acupuncture without certification.	\$3,000 fine and <del>one</del> one (1) year probation, Letter of Concern, and three (3) hours Laws, Rules	From a minimum of a \$7,500 fine and 3 year suspension, passage of the SPEC Exam as a condition	From a minimum of a \$10,000 fine up to a maximum

	and Ethics CE.	of license reinstatement, followed by two (2) years' probation up to a maximum of a \$7,500 fine, three (3) hours Laws, Rules and Ethics CE and three (3) year suspension followed by three (3) year probation or permanent revocation of acupuncture certification.	\$10,000 fine and permanent revocation.
(mm) Section 460.413(1)(e), F.S.: failure to report violation in the facility.	From a minimum of a letter of concern and/or a \$1,000 fine up to a maximum Letter of Concern and three (3) hours Laws, Rules and Ethics CE.	From a minimum of a \$2,000 fine and one (1) year probation up to a maximum \$3,000 fine, three (3) hours Laws, Rules and Ethics CE, and two (2) year probation.	From a minimum \$5,000 fine and two (2) year suspension followed by two (2) year probation up to a maximum \$7,500 fine, passage of the SPEC Exam and three (3) hours Laws and Rules and two (2) hours Ethics CE.

(nn) Section 460.413(1)(ff), 456.072(1)(b), or 456.072(1)(d), F.S.: violating Chapter 460, Chapter 456, F.S., or any Board rules.	\$1,000 fine and/or a letter of concern.	From a minimum \$5,000 fine and/or two (2) years' probation up to a maximum \$10,000 fine and permanent revocation of license.	\$10,000 fine and permanent revocation.
(oo) No change.			
(pp) Section 456.057(6), F.S.: timely and appropriate release of medical records.	In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum \$1,000 fine and/or a letter of concern up to a maximum \$3,000 fine and one (1) year of probation.	In addition to three (3) hours Laws, Rules and Ethics CE, from a minimum \$2,500 fine and/or one (1) year probation to a maximum \$5,000 fine and six (6) month suspension followed by two (2) years' probation.	From a minimum \$7,500 fine and one (1) year suspension followed by two (2) years' probation up to a maximum \$10,000 fine and/or permanent revocation.
(qq) No change.			
(rr) Section 456.072(1)(d), F.S.: improper usage of laser device.	In addition to passage of a training/competency course for the device type, from a minimum \$1,000 fine and/or one (1) year probation up to a	In addition to passage of a training/competency course for the device type, from a minimum \$3,000 fine and one (1) year suspension	From a minimum \$10,000 fine, up to a maximum \$10,000 fine and permanent

	maximum \$3,000 fine and two (2) year suspension followed by two (2) years' probation.	followed by one (1) year probation up to a maximum \$6,000 fine and five (5) year suspension, SPEC Exam as condition of licensure reinstatement, followed by five (5) years' probation.	nt revocatio n.
(ss) Section 456.072(1)(g), F.S.:	From a minimum \$2,000 fine to a maximum \$3,000 fine, a letter of concern and two (2) hours Ethics CE.	From a minimum of 2 hours Ethics CE, \$3,000 fine and one (1) year suspension followed by one (1) year probation to a maximum \$5,000 fine and <del>one</del> three (3) year suspension, SPEC Exam and two (2) hours Ethics CE as conditions of licensure reinstatement, followed by three (3) years' probation.	From a minimum \$10,000 fine up to a maximum \$10,000 fine and permanent revocatio n.
(tt) No change.			
(uu) Section 456.072(1)(r), F.S.:	From a minimum letter of concern, \$1,000 fine and <del>one</del> one (1) year of probation up	In addition to two (2) hours Ethics CE, from a minimum \$5,000 fine and three (3) year	From a minimum \$5,000 fine up to a maximum \$10,000

inspection, or discipline.	to a maximum \$3,000 fine and two (2) hours Ethics CE.	suspension, SPEC Exam as condition of license reinstatement, followed by one (1) year probation up to a maximum \$5,000 fine or permanent revocation.	fine—and permanent revocatio n.
(vv) No change.			
(ww) Section 456.072(1)(x), F.S.:	\$1,000 fine and <del>one</del> a letter of concern and three (3) hours Laws, Rules and Ethics CE.	From a minimum of a reprimand and a \$5,000 fine up to one (1) year suspension followed by probation and a \$10,000 fine.	From a minimum \$10,000 fine up to a maximum \$10,000 fine and <del>one</del> permanent revocatio n.
(xx) Section 456.072(1)(a), F.S.:	Suspension of license until PRN evaluation and recommendation of ability to practice with reasonable skill and safety to patients; if contract recommended, entry into contract and from a minimum \$1,000 fine and one (1) year suspension	From a \$2,500 fine and suspension until PRN referral and <del>one</del> evaluation followed by probation to a \$10,000 fine and permanent revocation.	From a \$5,000 fine, suspension until PRN referral and <del>one</del> evaluation and five (5) years' probation up to a maximum \$10,000 fine and <del>one</del> permanent

	and <del>or</del> two (2) years' probation and referral for a PRN evaluation, up to a maximum of one (1) year suspension followed by three (3) years' probation with monitoring.		revocation.	failing to remit the sum owed to state for an overpayment from Medicaid program pursuant to a final order, judgment, or stipulation or settlement.	concern to one (1) year probation and a \$1,000 fine to a maximum of a reprimand, \$2,500 fine and <del>or</del> two (2) year suspension, three (3) hours Laws, Rules and Ethics and six (6) hours Documentation and Coding CE as conditions of reinstatement.	\$3,000 fine and one (1) year suspension followed by one (1) year probation up to a maximum of \$6,000 fine, three (3) year suspension followed by three (3) years' probation, passage of the SPEC Exam, three (3) hours Laws, Rules and Ethics and six (6) hours Documentation and Coding CE as conditions of license reinstatement or permanent revocation.	\$5,000 fine and one (1) year suspension, to a maximum \$10,000 fine and permanent revocation.
(yy) Section 456.072(1)(b) b), F.S.: wrong patient, wrong-site, or wrong or unnecessary procedure.	In addition to six (6) hours CE in Documentation and Coding, from a minimum \$1,000 fine and <del>or</del> a reprimand, up to a maximum \$3,000 fine and <del>or</del> one (1) year suspension followed by one (1) year probation with monitoring.	In addition to six (6) hours CE in Documentation and Coding, from a minimum \$3,000 fine and <del>or</del> two (2) year suspension followed by two (2) year probation with monitoring up to a maximum \$6,000 fine five (5) year suspension, passage of the SPEC Exam as condition of reinstatement, followed by five (5) year probation with monitoring.	From a minimum \$10,000 fine and <del>or</del> one (1) year probation up to a maximum \$10,000 fine and permanent revocation.	(ddd) through (fff) No change.			
(zz) through (bbb) No change.				(ggg) Section 456.072(1)(o) o), F.S., willfully failing to comply with s. 627.64194 or 641.513, F.S. as to indicate a business practice – regarding provision of emergency services and insurance billing.	From a minimum \$1,000 fine and <del>or</del> one (1) year of probation, up to a maximum \$3,000 fine.	From a minimum \$5,000 fine and <del>or</del> six (6) month suspension followed by two (2) years of probation to a maximum \$10,000 fine and or permanent revocation.	\$10,000 fine and permanent revocation.
(ccc) Section 456.072(1)(j) j), F.S., for	From a minimum of a letter of	From a minimum of a reprimand,	From a minimum of a				

(hhh) through (iii) No change.			
(jjj) Failure to comply with Section 456.51, F.S., regarding consent for Pelvic Exams.	Written reprimand to \$500 fine.	Minimum of reprimand, \$500 fine and 3 hours Laws and Rule Ethics CE to a maximum of \$1,000 fine, one (1) year suspension followed by two (2) years' probation with records review and/or chaperone.	Minimum of Reprimand, \$1,000 fine, 3 hours Laws, Rules and Ethics CE and passage of national Ethics and Boundaries Exam to a maximum of \$10,000 fine and permanent revocation.

(3) The Board may take into consideration the following factors in determining the appropriate disciplinary action to be imposed and in going outside of the disciplinary guidelines:

(a) through (k) No change.

(l) The actual negligence of the licensee pertaining to any violation;

~~(m) Any other mitigating or aggravating circumstances.~~

(4) When the Board orders probation, that probation will automatically include monitoring by either the Department of Health Compliance Management Unit and/or a Board-approved Monitor. If the type of monitor is not specified, monitoring shall be by the DOH/CMU. Unless otherwise specified, if monitoring by a Board-approved Monitor is ordered, such monitoring shall be at random intervals as chosen by the Monitor, and shall be either with or without advance notice to the Respondent, at the discretion of the Monitor. In addition to monitoring any or all of the following conditions may be imposed as terms of probation:

(a) through (l) No changes.

(m) Successful completion of the Special Purposes Examination (SPEC) examination of the National Board of Chiropractic Examiners;

~~(n) Other conditions as appropriate.~~

Rulemaking Authority 456.039(3), 456.072, 456.079, 460.405, 460.413 FS. Law Implemented 456.039(3), 456.072, 456.079, 460.413(4) FS. History—New 1-10-80, Formerly 21D-16.03, Amended 1-28-87, 1-28-90, 6-24-93, Formerly 21D-16.003, Amended 10-26-93, Formerly 61F2-16.003, Amended 7-18-95, Formerly 59N-16.003, Amended 11-4-98, 6-6-02, 5-23-04, 4-13-05, 9-15-05, 2-6-06, 5-11-10,\_\_\_\_\_.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; (850)488-0595 or by electronic mail – Christina.Mcginnis@flhealth.gov

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-44.003 RULE TITLE: Disciplinary Guidelines  
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., FS, published in Vol. 46, No. 224, of the November 17, 2020, issue of the Florida Administrative Register. The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the board at a meeting held June 4, 2021. The changes are as follows:

Substantial reword of Rule 64B8-44.003 follows. See Florida Administrative Code for present text.

64B8-44.003 Disciplinary Guidelines.

(1) When the Board finds any person has committed any of the acts set forth in section 456.072(1) or Chapter 468, Part X, F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines. The language identifying offenses below is descriptive only. The full language of each statutory provision cited must be consulted to determine the conduct included.

<u>RECOMMENDED RANGE OF PENALTY</u>				
<u>VIOLATION</u>	<u>FLORIDA LICENSES</u>		<u>TELEHEALTH REGISTRANTS</u>	
	<u>FIRST OFFENSE</u>	<u>ADDITIONAL OFFENSE</u>	<u>FIRST OFFENSE</u>	<u>ADDITIONAL OFFENSE</u>
	<u>E</u>	<u>E</u>	<u>NSE</u>	<u>SE</u>

<p><u>(a) Violating any provision of Chapter 468, part X, any board or department rule adopted pursuant thereto, or any lawful order of the board or department previously entered in a disciplinary hearing held pursuant to Chapter 468, part X, or failing to comply with a lawfully issued subpoena of the department. (Sections 468.518(1)(a), (n), 456.072(1)(b)(dd),(k),(q), F.S.)</u></p>	<p><u>\$150 fine and/or continuing education to probation and/or \$1,000 fine.</u></p>	<p><u>Probation and/or \$200 fine to Revocation and \$1,000 fine.</u></p>	<p><u>Suspension and corrective action plan to Revocation.</u></p>	<p><u>Revocation.</u></p>	<p><u>(b) Being unable to engage in dietetics and nutrition practice or nutrition counseling with reasonable skill and safety to patients by reason of illness or use of alcohol, drugs, narcotics, chemicals, or any other type of material or as a result of any mental or physical condition. (Sections 468.518(1)(b), 456.072(1)(z), F.S.)</u></p>	<p><u>Suspension until such time as the licensee can provide proof of reasonable skill and safety to revocation.</u></p>	<p><u>Suspension until such time as the licensee can provide proof of reasonable skill and safety to revocation.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>	<p><u>Revocation.</u></p>
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<p>(c)  <u>Attempting to procure or procuring a license to practice dietetics and nutrition or nutrition counseling by fraud, material misrepresentation of material fact, or by error of the department or the board. (Sections 468.518(1)(c) and 456.072(1)(h), F.S.)</u></p> <p>1. <u>By error of the department or the board.</u></p> <p>2. <u>By fraud, or material misrepresentation of material fact.</u></p>	<p><u>Letter of concern and/or rules continuing education.</u></p> <p><u>\$10,000 fine to probation or suspension and \$10,000 fine.</u></p>	<p><u>\$1,000 fine.</u></p> <p><u>\$10,000 fine to revocation and \$10,000 fine.</u></p>	<p><u>Letter of concern to suspension and corrective action plan.</u></p> <p><u>Suspension and a corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p> <p><u>Revocation.</u></p>
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<p>(d) <u>Having a license to practice dietetics and nutrition or nutrition counseling revoked, suspended, or otherwise acted against, including the denial of licensure by the licensing authority of another state, district, territory, or country. (Sections 468.518(1)(d) and 456.072(1)(f), F.S.)</u></p>	<p><u>Reprimand, laws and rules continuing education to \$1,000 fine, and suspension of license until unencumbered in other jurisdiction, laws and rules continuing education.</u></p>	<p><u>\$1,000 fine, suspension and/or probation to revocation.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>
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<p><u>(e) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of dietetics and nutrition or nutrition counseling or the ability to practice dietetics and nutrition or nutrition counseling. (Sections 468.518(1)(e) <sup>^</sup> 456.072(1)(c) , F.S.)</u></p>	<p><u>\$1,000 fine and probation to revocation and \$1,000 fine.</u></p>	<p><u>\$1,000 fine, and probation to revocation and \$1,000 fine.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>
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<p><u>(f) Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. (Sections 468.518(1)(f) <sup>^</sup> 456.072(1)(g) , F.S.)</u></p>	<p><u>Letter of concern and/or \$300 fine to probation and \$1,500 fine.</u></p>	<p><u>One year probation and/or \$1,500 fine to revocation and \$10,000 fine.</u></p>	<p><u>Letter of concern to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>
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<p>(g) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content, or employing a trick of scheme related to the profession. (Sections 468.518(1)(g) and 456.072(1)(a), (m), F.S.)</p> <p>1. If misleading or deceptive.</p> <p>2. If fraudulent representation found.</p>	<p>Letter of concern and \$300 fine to suspension and \$1,500 fine.</p> <p>\$10,000 fine to \$10,000 fine and revocation.</p>	<p>Suspension and \$2,500 fine to revocation.</p> <p>\$10,000 fine and probation to \$10,000 fine and revocation.</p>	<p>Reprimand to suspension and corrective action plan.</p> <p>Suspension and corrective action plan to revocation.</p>	<p>Suspension and corrective action plan to revocation.</p> <p>Revocation.</p>	<p>(h) Committing an act of fraud or deceit, or of negligence, incompetency, or misconduct in the practice of dietetics and nutrition or nutrition counseling. (Section 468.518(1)(h), F.S.)</p> <p>1. If negligence, incompetency or misconduct.</p> <p>2. If by fraud or deceit.</p>	<p>Letter of concern and \$300 fine to suspension and \$1,500 fine.</p> <p>\$10,000 fine to \$10,000 fine and revocation.</p>	<p>Suspension and \$2,500 fine to revocation.</p> <p>\$10,000 fine and probation to \$10,000 fine and revocation.</p>	<p>Reprimand to suspension and corrective action plan.</p> <p>Suspension and corrective action plan to revocation.</p>	<p>Suspension and corrective action plan to revocation.</p> <p>Revocation.</p>
					<p>(i) Practicing with a revoked, suspended, inactive, or delinquent license. (Section 468.518(1)(i), F.S.)</p>	<p>\$250 fine and continuing education to \$1,000 fine and continuing education.</p>	<p>Probation, \$2,500 fine to revocation.</p>	<p>Reprimand to suspension and corrective action plan.</p>	<p>Suspension and corrective action plan to revocation.</p>

<p><u>(j) Treating or undertaking to treat human ailments by means other than by dietetics and nutrition practice or nutrition counseling. (Section 468.518(1)(j), 456.072(1)(o), F.S.)</u></p>	<p><u>\$250 fine and probation to \$1,000 fine and probation and/or suspension.</u></p>	<p><u>\$400 fine and probation to \$2,500 fine and probation and/or suspension.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>	<p><u>(l) Engaging directly or indirectly in the dividing, transferring, assigning, rebating, or refunding of fees received for professional services, or profiting by means of a credit or other valuable consideration, such as an unearned commission, discount, or gratuity, with any person referring a patient or with any relative or business associate of the referring person. (468.518(1)(l), F.S.)</u></p>	<p><u>\$1,000 fine and probation to \$2,500 fine and suspension.</u></p>	<p><u>\$3,500 fine and suspension to revocation.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>
<p><u>(k) Failing to maintain acceptable standards of practice as set forth by the board and the council in rules adopted pursuant to this part. (Section 486.518(1)(k), F.S.)</u></p>	<p><u>\$100 fine and probation to \$1,000 fine and probation.</u></p>	<p><u>\$350 fine and suspension to revocation.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>					

<p><u>(m) Advertising, by or on behalf of a licensee under this part, any method of assessment or treatment which is experimental or without generally accepted scientific validation. (Section 468.518(1)(m), F.S.)</u></p>	<p><u>\$500 fine and/or suspension to \$1,000 fine and revocation.</u></p>	<p><u>\$2,000 fine and suspension to \$2,500 fine and revocation.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>
<p><u>(n) Failing to comply with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome, required by Section 456.003, F.S. or failing to comply with the educational course requirements for human trafficking as required by Section 456.0341, F.S. (Section 456.072(1)(e), F.S.)</u></p>	<p><u>Reprimand, \$100 fine and proof of completion of CE to \$500 fine and probation.</u></p>	<p><u>\$1,000 fine and probation to \$2,000 fine and probation.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>

<p><u>(o) Failure to keep written medical records (Rule 64B8-44.004, F.A.C.)</u></p>	<p><u>Reprimand and \$100 fine to \$500 fine and probation.</u></p>	<p><u>\$500 fine and probation to \$2,000 fine and suspension.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>
<p><u>(p) Except as provided in s. 465.016, failing to report to the department any person who the licensee knows is in violation of Chapter 456, and Chapter 468, Pat X, or the rules of the department or the board. (Section 456.072(1)(i))</u></p>	<p><u>Letter of concern to \$1,000 fine and reprimand.</u></p>	<p><u>Reprimand, and \$1,000 fine to \$1,000 fine and suspension.</u></p>	<p><u>Letter of concern to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>
<p><u>(q) Exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party. (Section 456.072(1)(n), F.S.)</u></p>	<p><u>Probation and continuing education to revocation.</u></p>	<p><u>Revocation.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>Revocation.</u></p>

<p><u>(r) Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting for performance of the responsibilities knows, or has reason to know, the person is not qualified by training, experience, and authorization when required to perform them. (Section 456.072(1)(p))</u></p>	<p><u>Letter of Concern to \$500 fine, probation and continuing education.</u></p>	<p><u>Suspension and \$1,500 fine to revocation and \$1,500 fine.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>(t) Failing to identify through written notice, which may include the wearing of a name tag, or orally to a patient the type of license under which the practitioner is practicing. Any advertisement for health care services naming the practitioner must identify the type of license the practitioner holds. (Section 456.072(1)(t), F.S.)</u></p>	<p><u>Letter of Concern to \$100 fine.</u></p>	<p><u>\$100 fine to \$500 fine.</u></p>	<p><u>Letter of Concern to reprimand.</u></p>	<p><u>Reprimand.</u></p>
<p><u>(s) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding. (Section 456.072(1)(r), F.S.)</u></p>	<p><u>Reprimand and \$250 fine to \$500 fine and continuing education.</u></p>	<p><u>\$500 fine, probation and continuing education to \$2000 fine and suspension.</u></p>	<p><u>Letter of concern to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>(u) Failing to comply with the requirements of ss. 381.026 and 381.0261 to provide patients with information about their patient rights and how to file a patient complaint. (Section 456.072(1)(u), F.S.)</u></p>	<p><u>Reprimand to \$500 fine and reprimand and continuing education.</u></p>	<p><u>\$500 fine and reprimand and continuing education to \$1,000 fine and probation.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>

<p><u>(v) Engaging or attempting to engage in sexual misconduct as defined and prohibited in Sections 456.063. (Section 456.072(1)(v), F.S.)</u></p>	<p><u>\$500 fine and probation to revocation.</u></p>	<p><u>Revocation.</u></p>	<p><u>Suspension and corrective action plan to revocation.</u></p>	<p><u>Revocation.</u></p>
<p><u>(w) Failing to report to the board, or the department if there is no board, in writing within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction. (Section 456.072(1)(x), F.S.)</u></p>	<p><u>Reprimand and \$100 fine and continuing education to reprimand to \$500 fine and continuing education.</u></p>	<p><u>Reprimand and \$500 fine and \$1,000 fine and suspension.</u></p>	<p><u>Reprimand top suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>

<p><u>(x) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers or persons involved in accidents under s. 316.066, or using information published in a newspaper or other news publication or through a radio or television broadcast that has used information gained from such reports, for the purposes of commercial or any other solicitation whatsoever of the people involved in the accidents. (Section 456.072(1)(v), F.S.)</u></p>	<p><u>Letter of Concern to \$500 fine and reprimand.</u></p>	<p><u>\$500 fine and reprimand to suspension.</u></p>	<p><u>Reprimand to suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>
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<p><u>(y) Testing positive for any drug, as defined in s. 112.0455, on any confirmed preemployment or employer-ordered drug screening when the practitioner does not have a lawful prescription and legitimate medical reason for using the drug. (Section 456.072(1)(aa), F.S.)</u></p>	<p><u>Suspension until evaluation by a licensed health care practitioner qualified by skill and training to address respondent's condition.</u></p>	<p><u>Suspension until evaluation by a licensed health care practitioner qualified by skill and training to address respondent's condition.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revoke.</u></p>	<p><u>(aa) With respect to making a personal injury protection claim as required by s. 627.736, intentionally submitting a claim, statement, or bill for payment of services that were not rendered. Section 456.072(1)(ff), F.S.</u></p>	<p><u>Reprimand and \$1,000 fine to \$2,500 fine and probation.</u></p>	<p><u>\$5,000 fine and suspension to revocation.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revoke.</u></p>
<p><u>(z) With respect to making a personal injury protection claim as required by s. 627.736, intentionally submitting a claim, statement, or bill that has been "upcoded" as defined in s. 627.732. Section 456.072(1)(ee), F.S.</u></p>	<p><u>\$1,000 fine and probation to \$2,500 fine and probation.</u></p>	<p><u>\$5,000 fine and probation to revocation.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan to revoke.</u></p>					

<p><u>(bb) Being terminated from an impaired practitioner program that is overseen by a consultant as described in s. 456.076, for failure to comply, without good cause, with the terms of the monitoring or participant contract entered into by the licensee, or for not successfully completing any drug treatment or alcohol treatment program. Section 456.072(1)(h), F.S.</u></p>	<p><u>Suspension until such time as licensee is readmitted into a treatment or monitoring program.</u></p>	<p><u>Suspension until such time as licensee successfully completes a treatment or monitoring program.</u></p>	<p><u>Revocation.</u></p>		<p><u>(cc) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program. Section 456.072(1)(ii)</u></p>	<p><u>Revocation and \$10,000 fine.</u></p>		<p><u>Revocation.</u></p>	<p><u>Revocation.</u></p>
					<p><u>(dd) Failing to remit the sum owed to the state for an overpayment from the Medicaid program pursuant to a final order, judgment, or stipulation or settlement. Section 456.072(1)(jj), F.S.</u></p>	<p><u>\$1,000 fine and probation to \$2,500 fine and probation.</u></p>	<p><u>\$2,500 fine and probation to \$5,000 fine and probation.</u></p>	<p><u>Suspension and corrective action plan.</u></p>	<p><u>Suspension and corrective action plan.</u></p>

<p><u>(ee) Being terminated from the state Medicaid program pursuant to s. 409.913, any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored. Section 456.072(1)(k), F.S.</u></p>	<p><u>\$10,000 fine and revocation.</u></p>		<p><u>Revocation.</u></p>
<p><u>(ff) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud. Section 456.072(1)(ll), F.S.</u></p>	<p><u>\$10,000 fine and revocation.</u></p>		<p><u>Revocation.</u></p>

(2) All guidelines allow for the imposition of continuing education without a finding of aggravating factor regardless of the penalty stated.

(3) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended below. The Board shall consider as aggravating or mitigating factors the following:

- (a) Exposure of patients or public to injury or potential injury, physical or otherwise; none, slight, severe, or death,
- (b) Legal status at the time of the offense; no restraints, or legal constraints,
- (c) The number of counts or separate offenses established,
- (d) The number of times the same offense or offenses have previously been committed by the licensee or applicant,
- (e) The disciplinary history of the applicant or licensee in any jurisdiction and the length of practice,
- (f) Pecuniary benefit or self-gain inuring to the applicant or licensee,
- (g) Any efforts at rehabilitation, attempts by the licensee to correct or to stop violations, or refusal by the licensee to correct or to stop violations.

(4) Stipulations or Settlements. The provisions of this rule are not intended and shall not be construed to limit the ability of the Board to dispose informally of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S.

Rulemaking Authority 456.072(1)(t), 456.079, 458.309, 468.507 FS. Law Implemented 456.072(1)(t), 456.079, 468.517, 468.518(2) FS. History—New 12-4-90, Formerly 21M-50.003, Amended 6-22-94, Formerly 61F6-50.003, 59R-44.003, Amended 3-16-98, 8-19-99, 9-28-00, 9-26-01, 2-13-03, 4-10-06, 1-8-07, 5-13-10, 7-13-10

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Dietetic and Nutrition Practices Council, Board of Medicine, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255, or telephone (850)245-4444, or by electronic mail – Allen.Hall@flhealth.gov.

## Section IV Emergency Rules

### DEPARTMENT OF HEALTH

RULE NO.: 64ER21-10  
 RULE TITLE: MMTC Authorization Procedures  
 SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Pursuant to Chapter 2020-114, § 14, Laws of Florida, the Department is not required to make findings of an immediate danger to the public, health, safety, or welfare.  
 REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Department of Health is directed by Chapter 2020-114, § 14, Laws of Florida,



to adopt emergency rules to implement section 381.986, Florida Statutes.

SUMMARY: Emergency Rule 64ER21-10 establishes procedures for a medical marijuana treatment center to obtain cultivation, processing, and dispensing authorizations from the Department of Health.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Christopher Ferguson at Christopher.Ferguson@flhealth.gov.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64ER21-10 MMTC Authorization Procedures.

(1) An MMTC may not cultivate marijuana until it has received cultivation authorization from the department.

(2) An MMTC may not process marijuana until it has received processing authorization from the department.

(3) An MMTC may not dispense marijuana or marijuana delivery devices until it has received dispensing authorization from the department.

(4) An MMTC must obtain cultivation authorization prior to receiving processing authorization.

(5) An MMTC must obtain processing authorization prior to receiving dispensing authorization.

(6) Marijuana may not be present at any MMTC facility prior to the MMTC's receipt of the appropriate written notice of approval of the facility to cultivate, process, or dispense marijuana or marijuana delivery devices.

(7) Within 60 calendar days of licensure, an MMTC shall request cultivation authorization by submitting a completed Form DH8027-OMMU-06/2021 "Request for Authorization," incorporated by reference herein and available at <https://knowthefactsmmj.com/rules-and-regulations/>, to the department. An MMTC must have the ability to begin cultivating marijuana upon requesting cultivation authorization. MMTCs must submit a separate request form for each facility for which it is requesting approval.

(a) Upon receipt of a completed "Request for Authorization" form, the department will inspect the MMTC's cultivation facility(ies) and operations within 14 business days.

(b) The inspection will be conducted to determine compliance with section 381.986, F.S., the department's rules, and the representations made in the MMTC's application on file with the department. The department will send written notice to the MMTC after completion of the inspection either granting cultivation authorization or identifying any omissions, deficiencies, or violations.

(c) Within seven (7) calendar days of the MMTC's receipt of a written notice of omissions, deficiencies, or violations, the department must receive from the MMTC a written corrective action plan that details the correction(s) to resolve the

omissions, deficiencies, or violations identified in the written notice and the date the correction(s) were or will be completed. The department will send written notice to the MMTC approving or denying the MMTC's corrective action plan.

(d) All corrections must be completed within 30 calendar days of the MMTC's receipt of the department's written notice identifying the omissions, deficiencies, or violations.

(e) The MMTC's cultivation facility(ies) and operations are subject to inspection to confirm that the omissions, deficiencies, or violations have been resolved and that the corrective action plan has been implemented and completed.

(8) Within 120 calendar days of licensure, an MMTC shall request processing authorization by submitting a completed "Request for Authorization" form to [OMMULicenseOperation@flhealth.gov](mailto:OMMULicenseOperation@flhealth.gov). An MMTC must have the ability to begin processing marijuana upon requesting processing authorization. MMTCs must submit a separate request form for each facility for which it is requesting approval.

(a) Upon receipt of a request for processing authorization, the MMTC's processing facility(ies) and operations will be inspected by the department within 14 business days.

(b) The inspection will be conducted to determine compliance with section 381.986, F.S., the department's rules, and the representations made in the MMTC's application on file with the department. The department will send written notice to the MMTC after completion of the inspection either granting processing authorization or identifying any omissions, deficiencies, or violations.

(c) Within seven (7) calendar days of the MMTC's receipt of a written notice of omissions, deficiencies, or violations, the department must receive from the MMTC a written corrective action plan that details the correction(s) to resolve the omissions, deficiencies, or violations identified in the written notice and the date the correction(s) were or will be completed. The department will send written notice to the MMTC approving or denying the MMTC's corrective action plan.

(d) All corrections must be completed within 30 calendar days of the MMTC's receipt of the department's written notice identifying the omissions, deficiencies, or violations.

(e) The MMTC's processing facility(ies) and operations are subject to inspection to confirm that the omissions, deficiencies, or violations have been resolved and that the corrective action plan has been implemented and completed.

(9) Within 180 calendar days of licensure, an MMTC shall request dispensing authorization by submitting a completed "Request for Authorization" form to [OMMULicenseOperation@flhealth.gov](mailto:OMMULicenseOperation@flhealth.gov). An MMTC must have the ability to dispense marijuana upon requesting dispensing authorization. MMTCs must submit a separate request form for each facility for which it is requesting approval.

(a) Upon receipt of a request for dispensing authorization, the MMTC’s dispensing facility(ies) and operations will be inspected by the department within 14 business days.

(b) The inspection will be conducted to determine compliance with section 381.986, F.S., the department’s rules, and the representations made in the MMTC’s application on file with the department. The department will send written notice to the MMTC after completion of the inspection either granting dispensing authorization or identifying any omissions, deficiencies, or violations.

(c) Within seven (7) calendar days of the MMTC’s receipt of a written notice of omissions, deficiencies, or violations, the department must receive from the MMTC a written corrective action plan that details the correction(s) to resolve the omissions, deficiencies, or violations identified in the written notice and the date the correction(s) were or will be completed. The department will send written notice to the MMTC approving or denying the MMTC’s corrective action plan.

(d) All corrections must be completed within 30 calendar days of the MMTC’s receipt of the department’s written notice.

(e) The MMTC’s dispensing facility(ies) and operations are subject to inspection to confirm that the omissions, deficiencies, or violations have been resolved and that the corrective action plan has been implemented and completed.

(10) For any MMTC licensed before the effective date of this rule and for which cultivation authorization, processing authorization, or dispensing authorization has not been granted, the date of licensure, for the purposes of this rule only, shall be deemed the effective date of this rule.

(11) Failure to comply with the requirements of this rule is grounds for disciplinary action, up to and including, license revocation.

Rulemaking Authority 381.986(8)(k), FS. Law Implemented 381.986 FS. History – New 06-22-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: June 22, 2021

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

### WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District hereby gives notice:

that on June 24, 2021, it issued a Final Order granting Tiger Bay Mitigation, LLC a variance from the provisions of Rules 62-342.700(5)(b), 62-342.700(10)(b), and 62-342.700(11)(b),

F.A.C., governing financial assurance for mitigation banks. The Petition was received on March 25, 2021 and assigned F.O.R. No. 2021-13. Notice of receipt of the Petition was published in the Florida Administrative Register on April 5, 2021, and no public comment was received. Petitioner demonstrated it would suffer substantial economic hardship if the variance was not granted and demonstrated the variance serves the purposes of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Thomas Mayton, Jr., St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, telephone (386) 329-4108, or e-mail [tmayton@sjrwmd.com](mailto:tmayton@sjrwmd.com).

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

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

On June 1, 2021 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from BELIEVIN LLC located in Orlando. 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 handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 47/106 on June 2, 2021. The Order for this Petition was signed and approved on June 24, 2021. 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 the wastewater holding tank for the handwash and 3-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: [Kasimira.Kelly@myfloridalicense.com](mailto:Kasimira.Kelly@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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on June 25, 2021, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Paragraph 61C-4.010(7) Florida Administrative Code and Paragraph 61C-4.010(6), Florida Administrative Code from CISCO'S CAFE LLC located In Orlando. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the bathrooms located within a nearby establishment under a different ownership for use by customers and employees.

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: [Kasimira.Kelly@myfloridalicense.com](mailto:Kasimira.Kelly@myfloridalicense.com), Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Services and Resources Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday July 8, 2021, 1:00 p.m. until conclusion

PLACE: Teleconference – 1-877-309-2074; Access Code: 219-206-087 (audio) and <https://attendee.gotowebinar.com/register/1265972606238860816>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business.

A copy of the agenda may be obtained by contacting: Ned Hance at [Ned.Hance@myfloridalegal.com](mailto:Ned.Hance@myfloridalegal.com) or by accessing the board's website at:

[http://myfloridalegal.com/\\_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting](http://myfloridalegal.com/_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting)

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: the Office of the Attorney General Ashley Moody at (850)414-3300. 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: Ned Hance at [Ned.Hance@myfloridalegal.com](mailto:Ned.Hance@myfloridalegal.com) by telephone at (813)287-7140.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

The Pest Control Enforcement Advisory Council (PCEAC) announces a public meeting to which all persons are invited.

DATE AND TIME: July 14, 2021, 10:00 a.m.

PLACE: Due to COVID 19, this meeting will be held via GoToMeeting ONLY. GoToMeeting:

<https://global.gotomeeting.com/join/668964445>

TELECONFERENCE INFORMATION: You can also dial in using your phone.

United States (Toll Free): 1 877 309 2073

United States: +1 (571) 317-3129

Access Code: 668-964-445

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the Council.

A copy of the agenda may be obtained by contacting: Mr. Jerry Everton, Chief, Bureau of Licensing and Enforcement, (850) 617-7997, [Gerald.Everton@fdacs.gov](mailto:Gerald.Everton@fdacs.gov).

For more information, you may contact: Mr. Jerry Everton, Chief, Bureau of Licensing and Enforcement, (850) 617-7997, [Gerald.Everton@fdacs.gov](mailto:Gerald.Everton@fdacs.gov).

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 8, 2021, 5:30 p.m.

PLACE: Virtually on GoTo Webinar; By phone at 1-866-901-6455 with passcode 111-115-295; In-Person at St. Luke's Lutheran Church

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management Number: 445221-1

A public meeting will be held regarding project plans on State Road (S.R.) 426 from west of S.R. 417 to Eyrie Drive. (FPID no. 445221-1)

The purpose of this project is to enhance safety for pedestrians, bicyclists, and drivers and improve the roadway surface by

repaving this segment of S.R. 426. The project will make multi-modal improvements such as filling gaps of bicycle lanes near SR 417 and providing a wider bicycle lane (where possible) through the corridor. Pedestrians will also benefit from a wider sidewalk from the S.R. 417 overpass to Mystic Lake Drive. Other pedestrian safety enhancements include reconstructing sidewalk curb ramps in accordance with current Americans with Disabilities Act (ADA) standards, improving intersection lighting, and upgrading pedestrian signals and crosswalks. The project also proposes to reconstruct and upgrade existing traffic signals and improve drainage. The public meeting is being held to present information and receive community feedback.

The Department is offering multiple ways for the community to participate in the meeting. All participants, regardless of platform they choose, will receive the same information on the proposed project.

**Virtual Option:** Interested persons may join the Virtual Public Meeting (VPM) from a computer, tablet, or mobile device. A VPM is a free live presentation or webinar over the internet. For this option, advance registration is required by visiting the link below. Once registered, participants will receive a confirmation email containing information about joining the meeting online. Please note, Internet Explorer cannot be used to register or attend this webinar. <https://bit.ly/3tEyD0b>

**Phone Option (Listen Only):** Participants may join the meeting in listen-only mode by dialing 1-866-901-6455 and entering the passcode 111-115-295 when prompted.

**In-Person Open House Option:** Participants may attend in person by going to St. Luke's Lutheran Church, 2021 W. State Road 426, Oviedo, FL 32765. The in-person meeting will be an open house where participants can stop by anytime between 5:30 p.m. and 7 p.m.) to view a looping presentation and project displays, speak with project team members, and submit comments or questions. The Department requests advance registration for this option to ensure all attendees are accommodated safely and according to social distancing guidelines. To register for the in-person open house option, please contact the FDOT Project Manager, Tyler Burgett by phone at 386-943-5338, by email at [Tyler.Burgett@dot.state.fl.us](mailto:Tyler.Burgett@dot.state.fl.us), or U.S. mail at Florida Department of Transportation, 719 S. Woodland Boulevard, MS 542, DeLand, Florida 32720.

Attendees will be asked to follow all safety and sanitation guidelines as well as adhere to any local ordinances. Persons who are not feeling well should not attend the in-person meeting.

The virtual and in-person meeting location will open at 5:30 p.m. on Thursday, July 8. If joining online, please allow adequate log-in time to view the presentation in its entirety.

All meeting materials, including the presentation, will be available on the project website at [www.cflroads.com/project/445221-1](http://www.cflroads.com/project/445221-1) prior to the meeting.

FDOT is sending notices to all property owners, business owners, interested persons and organizations to provide the opportunity to offer comments and express their views regarding this project and the proposed improvements.

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

A copy of the agenda may be obtained by contacting: N/A

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Carolyn Fitzwilliam at 386-943-5215, or by email at [Carolyn.Fitzwilliam@dot.state.fl.us](mailto:Carolyn.Fitzwilliam@dot.state.fl.us). Persons who require translation services (free of charge) should also contact Carolyn Fitzwilliam at 386-943-5215, or by email at [Carolyn.Fitzwilliam@dot.state.fl.us](mailto:Carolyn.Fitzwilliam@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: FDOT Manager Tyler Burgett by phone at 386-943-5338, by email at [Tyler.Burgett@dot.state.fl.us](mailto:Tyler.Burgett@dot.state.fl.us), or U.S. mail at Florida Department of Transportation, 719 South Woodland Boulevard, M.S. 542, DeLand, FL 32720. Information about this project is also available online at [www.cflroads.com](http://www.cflroads.com). Simply type 445221-1 in the search box, click "go" and then select the project. We encourage you to participate in the S.R. 426 Resurfacing public meeting.

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#### REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, a Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 15, 2021, 10:00 a.m., ET.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for Integrated Program Management Consulting Services, CONTRACT NO.: 2022-001. As a part of the selection process, the Selection Committee will meet to review and discuss the responses and ranking of the firms, determine if interviews are needed and review potential interview questions.

A copy of the agenda may be obtained by contacting: Records Department at (727)796.2355.

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: Records Department at (727)796.2355. 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: Records Department at (727)796.2355.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

DATE AND TIME: August 11, 2021, 1:00 p.m. – 4:00 p.m.

PLACE: Virtual meeting, email Michael.Isaacson@FloridaDEP.gov for an invitation

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public virtual meeting will commence at 1:00 p.m. until not later than 4:00 p.m., to conduct a workshop for the Fiscal Year (FY) 2022 Clean Water and Drinking Water State Revolving Fund intended use plans as well as the Additional Supplemental Appropriations for Disaster Relief intended use plans for both programs. This is to be immediately followed by a public meeting to discuss the issues and recommendations for management of the FY 2022 Clean Water State Revolving Fund and Drinking Water State Revolving Fund priority lists of projects to be funded with loans under Chapter 62-503 and Chapter 62-552, Florida Administrative Code, respectively. To request an invitation to the virtual meeting, please send an email to the following email address: Michael.Isaacson@FloridaDEP.gov.

A copy of the agenda may be obtained by contacting: Michael Isaacson, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000, (850)245-2928, Michael.Isaacson@FloridaDEP.gov.

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

For more information, you may contact: Michael Isaacson, (850)245-2928, Michael.Isaacson@FloridaDEP.gov, State Revolving Fund Program, 3900 Commonwealth Boulevard, Mail Station 3505, Tallahassee, Florida 32399-3000.

**DEPARTMENT OF HEALTH**

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 8, 2021, 10:30 a.m.

PLACE: Toll Free Number – 1-888-585-9008, 275-112-502

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct public disciplinary cases.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.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 48 hours before the workshop/meeting by contacting: 850-245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF HEALTH**

Division of Children's Medical Services

The Child Abuse Death Review Circuit 13 Committee announces a public meeting to which all persons are invited.

DATE AND TIME: July 14, 2021, 1:00 p.m. - 1:15 p.m.

PLACE: Zoom Meeting Link:

[https://urldefense.com/v3/\\_\\_https://zoom.us/meeting/register/tJYtduGvrzIqHd1DVY5IIEGUp7oMSmW1xq5\\_\\_;!!B6dj6w!sCVDdcbIvYtOgVa5yS3pi282BGtibwmtFtrfLXcmHWKOoP BjUyZiLtH66X7kC\\_mc9w\\$](https://urldefense.com/v3/__https://zoom.us/meeting/register/tJYtduGvrzIqHd1DVY5IIEGUp7oMSmW1xq5__;!!B6dj6w!sCVDdcbIvYtOgVa5yS3pi282BGtibwmtFtrfLXcmHWKOoP BjUyZiLtH66X7kC_mc9w$)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by Section 383.412(3) (a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: [jmurphy@hstart.org](mailto:jmurphy@hstart.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 7 days before the workshop/meeting by contacting: [jmurphy@hstart.org](mailto:jmurphy@hstart.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [jmurphy@hstart.org](mailto:jmurphy@hstart.org).

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: July 6, 2021, 12:00 p.m.

PLACE: Telephonically via Microsoft Teams

Join on your computer or mobile app

Click here to join the meeting

Or call in (audio only)

+1 850-666-4692, 656982158# United States, Tallahassee

Phone Conference ID: 656 982 158#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Children and Families (DCF) is the designated agency responsible for administering the Children's Justice Act grant (CJA) for the State of Florida. Florida complies with Section 107(a) of the Child Abuse and Prevention Treatment Act (CAPTA) in order to continue its eligibility to receive the CJA grant award. The CJA Task Force is a requirement of the Grant.

The purpose of the CJA grant is to develop, establish, and operate programs to improve:

- The handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation, in a manner which limits additional trauma to the child victim;
- The handling of cases of suspected child abuse or neglect-related fatalities;
- The investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and
- The handling of cases involving children who are victims of abuse and neglect who have disabilities or serious health-related problems who are victims of abuse and neglect.

A copy of the agenda may be obtained by contacting: Justine Hicks at Justine.Hicks@myflfamilies.com or 850-717-4658.

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: Justine Hicks at Justine.Hicks@myflfamilies.com or 850-717-4658. 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).

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 13, 2021, 1:00 p.m. with two concurrent meetings to follow (Finance & Investment Committee and Actuarial and Underwriting Committee).

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746. Phone: 1-786-635-1003

Code: 942 6219 6052 . Zoom Webinar, Audio with Presentations.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** As per the agenda.

A copy of the agenda may be obtained by contacting: Betty Veal @ betty.veal@citizensfla.com or at the website: www.Citizensfla.com.

For more information, you may contact: Barbara Walker, 850-513-3744, or email Barbara.Walker@citizensfla.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 8, 2021, 10:00 a.m. (ET)

PLACE: Contact Kathy Coyne at 941-378-7408 to participate.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The matter to be considered is the internet providers.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM

The Panhandle Public Library Cooperative System (PPLCS) announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2021, 10:00 a.m.

PLACE: The PPLCS office located at 2862 Madison St., Ste. 1, Marianna, FL 32448

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Monthly board meeting items.

A copy of the agenda may be obtained by contacting: Cynthia De La Hunt at cdelahunt@pplcs.net or 850.482.9296.

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: Cynthia De La Hunt at cdelahunt@pplcs.net or 850.482.9296. 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: Cynthia De La Hunt at cdelahunt@pplcs.net or 850.482.9296.

THE CORRADINO GROUP, INC.

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

DATE AND TIME: Thursday, July 8, 2021, 5:00 p.m. – 6:00 p.m.

The Virtual Public Meeting is scheduled for 5:00 p.m. – 6:00 p.m.

The In-person Construction Open House is scheduled for 6:00 p.m. – 7:00 p.m.

The Virtual Public Meeting is scheduled for Thursday, July 8, 2021, from 5:00 p.m. – 6:00 p.m. Please use the following link to register: <https://bit.ly/GBB-VPM>, or dial (213) 929-4232, Access Code: 134-481-959. A brief presentation followed by questions and comments will be held from 5:00 p.m. to 5:30 p.m., and again from 5:30 p.m. to 6:00 p.m. Please note, questions and comments may be submitted via the online chat for the project team to address directly.

The In-person Construction Open House is scheduled for Thursday, July 8, 2021, from 6:00 p.m. – 7:00 p.m. at the City of Delray Beach ‘Swinton Operations Center’ located at 434 S. Swinton Ave., Delray Beach, FL 33444. This meeting will have an informal open house format, with project representatives available to answer questions and address comments at any time during the meeting. The Open House will be in compliance with the latest social distancing guidelines.

PLACE: City of Delray Beach ‘Swinton Operations Center’, 434 S. Swinton Ave., Delray Beach, FL 33444

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 438395-1-52-01 & 438395-1-52-02

Project Description: George Bush Boulevard Improvements Project from NE 2nd Avenue to State Road A1A in the City of Delray Beach, Florida.

Project improvements include milling and resurfacing the roadway with minor widening, concrete sidewalk and driveway replacement, including curb and gutter improvements, signing and pavement marking upgrades, including bike lane and detectable warning surfaces, and drainage and utility improvements. Work can be expected Monday through Friday, 7:00 a.m. to 6:00 p.m., and Saturday from 8:00 a.m. to 4:00 p.m. Lane closures can be expected daily, but are not permitted during ‘School Speed Zone’ Hours. Full roadway closures will be required to install new drainage upgrades; notice will be provided in advance and motorist and pedestrian detours will be clearly marked. Pedestrian, driveway and street access will be maintained at all times.

Construction will begin July 16, 2021 and is estimated to be completed in Summer 2023. The estimated construction cost is \$2,029,421.78.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Mr. Jon Droge, FDOT Project Manager, at (561) 632-5768 or by email at [jon.droge@dot.state.fl.us](mailto:jon.droge@dot.state.fl.us).

A copy of the agenda may be obtained by contacting: No Agenda

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: Mr. Jon Droge, FDOT Project Manager, at (561) 632-5768 or by email at [jon.droge@dot.state.fl.us](mailto:jon.droge@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Meredith Cruz, Community Outreach Specialist, at (561) 641-6440 or by email at [mcruz@corradino.com](mailto:mcruz@corradino.com).

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF HEALTH  
Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has received the petition for declaratory statement from Tish Haight, APRN, filed on June 23, 2021. The petition seeks the agency’s opinion as to the applicability of Section 464.003, F.S., as it applies to the petitioner.

The petitioner seeks a Declaratory Statement from the Board in regard to the interpretation of Section 464.003, F.S., as to whether the continuous IV infusion of non-anesthetic Ketamine for acute pain expected to be of a longer duration to patients at Sarasota Memorial Hospital in Sarasota, Florida, is within Petitioner’s scope of practice as an advanced practice registered nurse (APRN), under the circumstances as outlined in the petition. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399, [info@floridasnursing.gov](mailto:info@floridasnursing.gov), or by telephone at (850) 245-4125.

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**DEPARTMENT OF TRANSPORTATION**  
 Notice of Upcoming Public Meetings for E59A1  
 In accordance with 120.525 F.S., the Florida Department of Transportation (FDOT) announces public meetings associated with the subject procurement, to which all persons are invited.  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Selection of intended awardee for Project E59A1  
**PROJECT DESCRIPTION:** This project provides for the design-build of the next phase (Phase 2 North) of the Central Florida Commuter Rail (SunRail) Transit System. The successful bidder will be responsible for the implementation of this project from concept to completion of construction.  
 For complete advertisement information including the agenda for all public meetings and any schedule updates please refer to the Procurement Internet site:

<https://pdaexternal.fdot.gov/Pub/AdvertisementPublic/AllAdDetail/D-B/A>

**DEPARTMENT OF TRANSPORTATION**  
 Notice of Upcoming Public Meetings for E59A2  
 In accordance with 120.525 F.S., the Florida Department of Transportation (FDOT) announces public meetings associated with the subject procurement, to which all persons are invited.  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Selection of intended awardee for Project E59A2  
**PROJECT DESCRIPTION:** This project provides for the design-build of the wayside signal and grade crossing warning systems that are part of the next phase (Phase 2 North) of the Central Florida Commuter Rail (SunRail) Transit System. The successful bidder will be responsible for the implementation of this project from concept to completion of construction.  
 For complete advertisement information including the agenda for all public meetings and any schedule updates please refer to the Procurement Internet site:  
<https://pdaexternal.fdot.gov/Pub/AdvertisementPublic/AllAdDetail/D-B/A>

**DEPARTMENT OF MILITARY AFFAIRS**  
 219016 Jacksonville FMS 11 Construct PEMB Storage  
**STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS**  
**PUBLIC ANNOUNCEMENT**  
**INVITATION TO BID**  
 The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered and qualified contractors for the following project located at FMS 11, 9900 Normandy Blvd, Jacksonville, FL.  
**FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 06/25/2021 AT**  
[http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).  
**PROJECT:** 219016 Jacksonville FMS #11 Construct PEMB Storage.  
**FUNDING:** The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.  
**BID OPENING DATE:** As stated on the Vendor Bid System (late bids will not be accepted)  
**MANDATORY PRE-BID/SITE VISIT DATE:** As stated on the Vendor Bid System  
**STATEMENT OF WORK:** General Project Description (See Bid Documents for complete details): Project involves construction of an 1800 square foot pre-engineered metal building, (30' x 60') with a poured in place concrete foundation. Building shall include one overhead roll up door, two walk



doors and a 12’ wide x 15’ long concrete apron. Interior build out shall involve installation of self-standing shelving units, general task lighting, emergency/exit lighting, exhaust fan ventilation and ceiling fans. Electrical power and telephone service will be made available in the immediate vicinity of the building. Water service shall be extended on site for one new fire hydrant.

All permitting is the responsibility of the contractor. Regulatory permitting to include the preparation, submittal, payment and review coordination of the Water management District, Environmental Resource Permit (including permit fees), Florida Department of Environmental Protection (FDEP) Notice of Intent (including filing fees), County permitting fees, and any other permits and fees required by local or state authorities.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904) 823-0285 or 823-0255 or e-mail [ng.fl.flarnng.list.cfmo-contracting@mail.mil](mailto:ng.fl.flarnng.list.cfmo-contracting@mail.mil).

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner’s representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

## 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., Monday, June 21, 2021 and 3:00 p.m., Friday, June 25, 2021.

Rule No.	File Date	Effective Date
6A-1.0014	6/24/2021	7/14/2021
6A-1.0018	6/24/2021	7/14/2021
6A-1.0943	6/24/2021	7/14/2021

6A-1.09963	6/24/2021	7/14/2021
6A-1.09981	6/24/2021	7/14/2021
6A-4.002	6/24/2021	7/14/2021
6A-6.03311	6/24/2021	7/14/2021
6A-6.0571	6/24/2021	7/14/2021
6A-6.0573	6/24/2021	7/14/2021
6A-6.0575	6/24/2021	7/14/2021
6A-10.0401	6/24/2021	7/14/2021
6A-14.0582	6/24/2021	7/14/2021
6B-10.009	6/23/2021	7/13/2021
6B-10.012	6/23/2021	7/13/2021
6N-1.005	6/24/2021	7/14/2021
12AER21-2	6/24/2021	6/24/2021
42QQ-1.002	6/23/2021	7/13/2021
59A-36.001	6/22/2021	7/12/2021
59A-36.016	6/22/2021	7/12/2021
59A-36.017	6/22/2021	7/12/2021
60Y-11.004	6/18/2021	7/8/2021
61G18-30.005	6/25/2021	7/15/2021
61-35.010	6/22/2021	7/12/2021
61-35.029	6/23/2021	7/13/2021
61K1-4.022	6/18/2021	7/8/2021
62-640.600	6/22/2021	6/21/2021
62-640.650	6/22/2021	6/21/2021
62-640.700	6/22/2021	6/21/2021
62-640.800	6/22/2021	6/21/2021
62-640.850	6/22/2021	6/21/2021
62-640.880	6/22/2021	6/21/2021
64B2-11.001	6/22/2021	7/12/2021
64B2-12.022	6/22/2021	7/12/2021
64B8-3.002	6/25/2021	7/15/2021
64B8-3.003	6/25/2021	7/15/2021

64B8-4.009	6/23/2021	7/13/2021
64B8-9.018	6/23/2021	7/13/2021
64B8-9.0181	6/23/2021	7/13/2021
64B8-31.012	6/25/2021	7/15/2021
64B15-7.012	6/25/2021	7/15/2021
64B15-14.013	6/23/2021	7/13/2021
64B15-14.0131	6/23/2021	7/13/2021
64ER21-10	6/22/2021	6/22/2021

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Certificate of Need

**RECEIPT OF EXPEDITED APPLICATION**

The Agency for Health Care Administration received the following CON application for expedited review:

CON #10664 Received: 06/24/2021

County: Pinellas District: 5-2

Facility/Project: Pinellas NH LLC

Applicant: Pinellas NH LLC

Project Description: Transfer CON #10621 from Pinellas Palms NH LLC to Pinellas NH LLC establish a 120-bed community nursing home

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Clean Water State Revolving Fund

**NOTICE OF AVAILABILITY**

**FLORIDA FINDING OF NO SIGNIFICANT IMPACT NOTICE**

**CHARLOTTE COUNTY, FLORIDA**

The Florida Department of Environmental Protection (DEP) has determined that Charlotte County's project involving capacity expansion of the Burnt Store Water Reclamation Facility is not expected to generate controversy over potential

environmental effects. The total estimated construction cost is \$56,097,400. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850) 245-2967 or emailing to thomas.montgomery@dep.state.fl.us.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Clean Water State Revolving Fund

**NOTICE OF AVAILABILITY**

**FLORIDA CATEGORICAL EXCLUSION NOTICE**

**CHARLOTTE COUNTY, FLORIDA**

The Florida Department of Environmental Protection (DEP) has determined that Charlotte County's project involving the capacity expansion of the East Port Water Reclamation Facility is not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$68,686,000. The project may qualify for a Clean Water State Revolving Fund (CWSRF) loan comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS#3505, Tallahassee, Florida 32399-3000 or calling (850) 245-2967

**DEERING PARK STEWARDSHIP DISTRICT**

**NOTICE OF RULE DEVELOPMENT**

In accord with Chapter 120, Florida Statutes and Chapter 2020-197, Laws of the Florida, the Deering Park Stewardship District ("District") hereby gives notice of its intention to develop Rules of Procedure to govern the operations of the District.

The Rules of Procedure will address such areas as the Board of Supervisors, officers and voting, district offices, public information and inspection of records, policies, public meetings, hearings and workshops, rulemaking proceedings and competitive purchase including procedure under the Consultants Competitive Negotiation Act, procedure regarding auditor selection, purchase of insurance, pre-qualification, construction contracts, goods, supplies and materials, maintenance services, contractual services and protests with respect to proceedings, as well as any other area of the general operation of the District.

The purpose and effect of the Rules of Procedure is to provide for efficient and effective District operations and to ensure compliance with recent changes to Florida law. The legal authority for the adoption of the proposed Rules of Procedure includes Chapter 2020-197(6)(6)(e), (6)(6)(q) and (6)(20), Laws of Florida. The specific laws implemented in the Rules of Procedure include, but are not limited to, Sections 112.08, 112.3143, 122.31446, 112.3145, 119.07, 119.0701, 189.053, 189.069(2)(a)16, 218.33, 218.391, 255.05, 255.0518, 255.0525, 255.20, 286.0105, 286.011, 286.0113, 286.0114, 287.017, 287.055 and 287.084, Florida Statutes (2020), Chapter 2020-197(5), (6)(1)-(4), (6)(6)(c), (6)(6)(e), (6)(6)(q), (6)(19), (6)(20), Laws of Florida.

A copy of the proposed Rules of Procedure may be obtained by contacting the District Manager at 2300 Glades Road, Suite 410W, Boca Raton, Florida 33431, or by calling (561) 571-0010.

Craig Wrathell, District Manager

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### 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.

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