

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:
61C-4.010 Sanitation and Safety Requirements
PURPOSE AND EFFECT: Update Food Code references and documentation requirements to match adopted version of Food Code and adopt current forms.
SUBJECT AREA TO BE ADDRESSED: Food Code references and requirements and optional forms for food cooking, holding and handling procedures.
RULEMAKING AUTHORITY: 509.032, 509.221 FS.
LAW IMPLEMENTED: 509.032, 509.035, 509.221 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: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32399-1011, DHR.Rules@myfloridalicense.com, (850)488-1133
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

RULE NO.: RULE TITLE:
60Y-2.003 General Description of the Commission
PURPOSE AND EFFECT: The proposed rule amendment seeks to specify how a vacancy in the positions of Chairperson and Vice-chairperson will be addressed.
SUMMARY: The rule chapter language is amended to clarify what will occur upon a vacancy in the office of the Chairperson or the Vice-chairperson.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase

directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule amendment is to a procedural rule and will have no economic impact and, therefore, will not require ratification. There are no applicable federal standards that relate to Rule 60Y-2.003, F.A.C.
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
RULEMAKING AUTHORITY: 760.06(12) FS.
LAW IMPLEMENTED: 760.03 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cheyanne Costilla, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, (850)488-7082, Cheyanne.Costilla@fchr.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

- 60Y-2.003 General Description of the Commission.
 - (1) through (5) No change.
 - (6) The Chairperson of the Commission serves for a term of 2 years and has the following duties:
 - (a) Call Commission meetings and set the agenda for same;
 - (b) Preside at Commission meetings;
 - (c) Appoint one or more Panels of not less than 3 Commissioners to exercise, as provided in Chapters 60Y-4 and 60Y-5, F.A.C., Commission powers under subsection 760.06, F.S.;
 - (d) Appoint and define the role of such committees as are necessary or expedient to advise the Commission or its Executive Director;
 - (e) Perform such other functions as the Commission may assign by rule or order.
 - (7) In the event the office of the Chairperson becomes vacant, the Vice-chairperson shall temporarily assume all responsibilities and perform all duties of the Chairperson until such time as an election for filling the office of Chairperson can be held. Such election shall be held within ninety (90) days from the date that the Chairperson's vacancy occurs. In the event that there is no Vice-chairperson serving at the time of the Chairperson's vacancy, the Commissioner whose current term

has been in effect for the longest period of time shall temporarily serve as Chairperson until elections for filling both the office of Chairperson and Vice-chairperson can be held, as long as such elections are held within ninety (90) days from the date the Chairperson's vacancy occurs.

~~(8)(7)~~ The Vice-chairperson serves for a term of 2 years, the term to run concurrently with that of the Chairperson. The Vice-chairperson performs the duties of the Chairperson in the Chairperson's absence and performs such other duties as the Chairperson may assign.

~~(8) If a vacancy occurs in the Office of Chairperson, the Vice chairperson shall become the Chairperson for the unexpired term of the Chairperson. If a vacancy occurs in the Office of Vice chairperson, the Commission will select another member to fill the unexpired term of the Vice chairperson.~~

(9) If a vacancy occurs in the office of the Chairperson, the Vice-chairperson shall temporarily assume all responsibilities and perform all duties of the Chairperson until such time as an election can be held, as detailed in subsection 60Y-2.003(7), F.A.C. If a vacancy occurs in the office of the Vice-chairperson, the Commission will select another member to fill the unexpired term of the Vice-chairperson.

~~(10)(9)~~ A special meeting of the Commission shall be called by the Chairperson, or by the Executive Director upon the written request of not fewer than 5 Commissioners.

~~(11)(10)~~ Seven members shall constitute a quorum for the conduct of Commission business.

~~(12)(11)~~ A majority of the members of a Panel shall constitute a quorum for the conduct of business assigned to a Panel.

~~(13)(12)~~ In the presence of a quorum, Commission or Panel business shall be conducted by majority vote.

Rulemaking Specific Authority 760.06(12) FS. Law Implemented 760.03 FS. History—New 11-2-78, Formerly 22T-6.03, 22T-6.003, Amended 12-31-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Cheyanne Costilla

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michelle Wilson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 13, 2014

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.008
RULE TITLE: Standards for Telemedicine Prescribing Practice

PURPOSE AND EFFECT: The proposed rule repeal is intended to delete language which is no longer necessary. Some of the language which is still appropriate is being put into Rule 64B15-14.0081, F.A.C.

SUMMARY: This rule addresses the standards for telemedicine prescribing. The Board has determined that the rule should be repealed and the language which remains appropriate shall be merged into the telemedicine practice Rule 64B15-14.0081, F.A.C.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of these rules at its Board meeting, the Board concluded that because the rule is being repealed and some of the language is being merged into the telemedicine practice Rule 64B15-14.0081, F.A.C., this will not have any additional impact on licensees and their businesses or the businesses that employ them. The rule repeal will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. The repeal will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 459.005, 459.015(1)(z) FS.

LAW IMPLEMENTED: 459.015(1)(x), (t) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christy Robinson, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.008 Standards for Telemedicine Prescribing Practice.
 Rulemaking Authority 459.005, 459.015(1)(z) FS. Law Implemented 459.015(1)(x), (t) FS. History—New 10-16-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Board of Osteopathic Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2014

DEPARTMENT OF HEALTH
Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
 64B15-14.0081 Standards for Telemedicine Practice
 PURPOSE AND EFFECT: The proposed rule amendment is intended merge some of the language which is currently contained in Rule 64B15-14.008, F.A.C., into the telemedicine practice rule.
 SUMMARY: The proposed rule amendment merges some of the language which is currently contained in Rule 64B15-14.008, F.A.C., into the telemedicine practice rule.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule imposes no additional regulation or costs on licensees. Some of the language which currently exists in Rule 64B15-14.008, F.A.C., is simply being placed into this rule. This rule amendment will not have any additional impact on licensees and their businesses or the businesses that employ them. The rule amendment will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 459.015(1)(z) FS.
 LAW IMPLEMENTED: 459.015(1)(z) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christy Robinson, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

- 64B15-14.0081 Standards for Telemedicine Practice.
- (1) through (4) No change.
 - (5) Prescribing medications based solely on an electronic medical questionnaire constitutes the failure to practice medicine with that level of care, skill, and treatment which is recognized by reasonably prudent physicians as being acceptable under similar conditions and circumstances, as well as prescribing legend drugs other than in the course of a physician’s professional practice.
 - (6) Physicians and physician assistants shall not provide treatment recommendations, including issuing a prescription, via electronic or other means, unless the following elements have been met:
 - (a) A documented patient evaluation, including history and physical examination to establish the diagnosis for which any legend drug is prescribed.
 - (b) Discussion between the physician or the physician assistant and the patient regarding treatment options and the risks and benefits of treatment.
 - (c) Maintenance of contemporaneous medical records meeting the requirements of Rule 64B15-15.004, F.A.C.
 - (7)~~(5)~~ No change.
 - (8)~~(6)~~ No change.
 - (9)~~(7)~~(a) through (c) No change.
 - (d) The provisions of this rule shall not be construed to prohibit patient care in consultation with another physician who has an ongoing relationship with the patient, and who has agreed to supervise the patient’s treatment, including the use of any prescribed medications, nor on-call or cross-coverage situations in which the physician has access to patient records.
- Rulemaking Authority 459.015(1)(z) FS. Law Implemented 459.015(1)(z) FS. History—New 3-12-14, Amended 7-22-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Osteopathic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 24, 2014

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-19.002 Violations and Penalties

PURPOSE AND EFFECT: The proposed amendment to Rule 64B15-19.002, F.A.C., is intended to address the appropriate penalty for violation of the required educational training set forth in section 2, Ch. 2014-157, Laws of Florida, prior to ordering low-THC cannabis for patient use.

SUMMARY: The proposed amendment to Rule 64B15-19.002, F.A.C., addresses the appropriate penalty for violation of the required educational training set forth in section 2, Ch. 2014-157, Laws of Florida, prior to ordering low-THC cannabis for patient use.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. The rule will not have any impact on the licensees and their businesses (1) through (7) No change.

(8) Failing to comply with the educational requirement prior to ordering low-THC cannabis.

(Section 456.072(1)(k), F.S.)

FIRST OFFENSE:

a letter of concern, and aprobation and a fine

fine of

of \$5,000

\$1,000

revocation and a fine of

SECOND OFFENSE:

a reprimand and a fine of

\$10,000

\$5,000

or the businesses that employ them. The rule imposes no additional regulation or costs on licensees. Physicians are required by statute to successfully complete the required course prior to ordering low-THC cannabis for patients. The rule amendment simply sets forth the guidelines for physicians who fail to comply with the statutory mandate. The rule amendment will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, will not require any specialized knowledge to comply, and will not increase any direct or indirect regulatory costs. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christy Robinson, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.002 Violations and Penalties.

In imposing discipline upon applicants and licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The statutory language is intended to provide a description of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited directly under each violation description.

(8) through (79) renumbered (9) through (80) No change.

THIS RULE SHALL TAKE EFFECT ON JANUARY 1, 2015.

Rulemaking Authority 456.079, 459.015(5) FS. Law Implemented 456.072, 456.079, 456.50 FS. History—New 9-30-87, Amended 10-28-91, 1-12-93, Formerly 21R-19.002, 61F9-19.002, 59W-19.002, Amended 2-2-98, 2-11-01, 6-7-01, 2-26-02, 12-7-05, 11-14-06, 11-27-06, 5-10-10, 7-27-10, 11-10-11, 3-27-12, 7-3-12, 1-1-15.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Osteopathic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

August 22, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

September 24, 2014

DEPARTMENT OF HEALTH**Board of Osteopathic Medicine****RULE NOS. : RULE TITLES:**

64B15-19.0041 Standard Terms Applicable to Orders

64B15-19.005 Probationary Conditions and Definitions

PURPOSE AND EFFECT: The proposed new Rule 64B15-19.0041, F.A.C., is intended to set forth standard terms utilized by the board in its disciplinary orders and orders requiring probation. The proposed amendment to Rule 64B15-19.005, F.A.C., is intended to provide clarification with regard to supervising/monitoring physicians.

SUMMARY: The proposed new Rule 64B15-19.0041, F.A.C., is sets forth standard terms utilized by the board in its disciplinary orders and orders requiring probation. The proposed amendment to Rule 64B15-19.005, F.A.C., provides clarification with regard to supervising/monitoring physicians.

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

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

person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 459.005 459.015(5) FS.

LAW IMPLEMENTED: 459.015(2) (5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christy Robinson, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.0041 Standard Terms Applicable to Orders.

Unless otherwise approved by the Board or its designee, or addressed by the Final Order, the following are the terms applicable to all Final Orders rendered by the Board in disciplinary proceedings.

(1) PAYMENT OF FINES AND COSTS. All fines and costs shall be paid by check or money order made payable to the Board and sent to DOH/Compliance Management Unit, Bin #C76, P. O. Box 6320, Tallahassee, Florida 32314-6320, within 30 days of the filing of the Order.

(2) ADDRESSES. Respondent must keep current residence and practice addresses on file with the Board. Respondent shall notify the Compliance Office, in writing, within 10 days of any changes of those addresses. Furthermore, if the Respondent's license is on probation, the Respondent shall notify the Compliance Office within 10 days in the event that Respondent leaves the active practice of medicine in Florida.

(3) COMPLIANCE ADDRESS. All reports, correspondence and inquiries shall be sent to: DOH, Compliance Management Unit, Bin #C76, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3251, Attn: Osteopathic Medicine Compliance Officer.

(4) CONTINUING EDUCATION. Continuing education imposed by Board Order shall be in addition to those hours required for biennial renewal of licensure. The Board confers authority on the Chair to approve or disapprove said continuing education courses. The Respondent is required to submit a course syllabus for all continuing education courses that the Respondent needs to have the Chair approve. The courses shall consist of a formal live lecture format. The time frame for completing such continuing education follows:

(a) Florida Medical Association sponsored medical records course or Board approved equivalent is to be completed within twelve (12) months from the date the Order is filed;

(b) University of Florida sponsored prescribing course or Board-approved equivalent is to be completed within twelve (12) months from the date the Order is filed; and

(c) Continuing medical education is to be completed within twelve (12) months from the date the order is filed.

(5) LECTURES. In the event the Respondent is required by Board Order to present an original one (1) hour lecture on a specific topic, one component of the lecture must address the specific events arising from the Respondent's disciplinary matter. The Respondent shall present the lecture to the medical staff of a hospital or ambulatory surgical center at which the Respondent maintains staff privileges or to an osteopathic medical society meeting.

(a) Respondent is required to submit a written plan to the Board for approval prior to the performance of said lecture. The written plan shall include an outline of the content to be presented, a list of references, and proposed venue, date, and time. The Board confers authority to the Chair to approve proposed lecture.

(b) Lectures imposed by Order of the Board shall be completed within six (6) months from the date the Order is filed. Within seven (7) months of the Order, documentation from the physician shall set forth the date, time, place, topic, and duration of the lecture, and be submitted to the Compliance Officer. In addition, the Respondent shall submit to the Compliance Officer a letter from the facility's certified licensed risk manager or Director of Medical Education or if presented to an osteopathic medical society a letter signed by the society's executive director or president which indicates the date, time, location, and length of the lecture and the number of physicians (osteopathic and allopathic) in attendance.

(6) WRITTEN ARTICLES. In the event the Respondent is required by Board Order to write an article addressing the subject based upon the specific events arising from the Respondent's disciplinary matter, Respondent is required to submit the article to the Board for approval within six (6) months from the date the Order is filed. The article shall be a minimum of ten (10) pages and shall contain a title page, abstract, introduction, review of results, discussion, conclusion, acknowledgements, and references. The article must review at least five (5) articles on the required subject published in medical peer-reviewed journals within the past three (3) years. The Respondent shall describe how the information reviewed will be used in his or her practice. The Board confers authority to the Chair for approval of the article.

(7) PRN REQUIRED. Should the Board determine that a contract by the Professionals Resource Network (PRN) is appropriate, Respondent shall participate and comply with the PRN contract.

(a) Respondent shall enter into an after care contract with PRN, shall comply with all its terms, and shall be responsible for assuring that the medical director of PRN send the Board a copy of said contract.

(b) Respondent shall execute a release that authorizes PRN to release information and medical records (including psychiatric records and records relating to treatment for drug dependence and alcoholism) to the Board of Osteopathic Medicine as needed to monitor the progress of Respondent in the PRN program.

(c) Respondent shall authorize the director of PRN to report to the Board of Osteopathic Medicine any problems that may occur with Respondent and any violations of Chapter 456 or 459, F.S. Such a report shall be made within 30 days of the occurrence of any problems, or violations of Chapter 456 or 459, F.S.

(8) RESTRICTIONS ON TREATING FEMALE PATIENTS. Should the Board determine there should be a restriction on treating female patients, Respondent shall not examine or treat female patients without a female chaperone who is a health care practitioner licensed by the Florida Department of Health present in the room in any examination or treatment setting. The Respondent is required to maintain a log of each such patient contact, and the name of the chaperone present. The log shall be immediately available to a Department of Health inspector, monitor, and Board Compliance Officer upon request.

(9) CONTINUITY OF PRACTICE.

(a) TOLLING PROVISIONS. In the event the Respondent leaves the State of Florida for a period of 30 days or more or otherwise does not or may not engage in the active practice of osteopathic medicine in the State of Florida, then certain provisions of the requirements in the Board's Order shall be tolled and shall remain in a tolled status until Respondent returns to the active practice of osteopathic medicine in the State of Florida. Respondent shall notify the Compliance Officer 10 days prior to his or her return to practice in the State of Florida. The following requirements shall be tolled until the Respondent returns to active practice:

1. The time period of probation shall be tolled.

2. The provisions regarding supervision whether direct or indirect by the monitor/supervisor, and required reports from the monitor/supervisor shall be tolled.

3. The requirement for quality assurance review of Respondent's practice shall be tolled.

4. Any requirements regarding lectures.

(b) ACTIVE PRACTICE. In the event that Respondent leaves the active practice of osteopathic medicine for a period of one year or more, the Respondent may be required to appear before the Board and demonstrate the ability to practice osteopathic medicine with reasonable skill and safety to patients prior to resuming the practice of osteopathic medicine in the State of Florida.

(10) PROBATION TERMS. If probation was imposed by Board Order, the following provisions are applicable:

(a) DEFINITIONS.

1. INDIRECT SUPERVISION is supervision by a monitoring physician (monitor), as set forth in the Board's Order. Indirect supervision does not require that the monitor practice on the same premises as the Respondent. However, the monitor shall practice within a reasonable geographic proximity to Respondent, which shall be within 20 miles and shall be readily available for consultation. The monitor shall be board-certified in the Respondent's specialty area.

2. DIRECT SUPERVISION is supervision by a supervising physician (supervisor), as set forth in the Order. Direct supervision requires that the supervisor and Respondent work in the same office. The supervisor shall be board-certified in the Respondent's specialty area.

(b) REQUIRED SUPERVISION.

1. If the terms of the Order include indirect monitoring of the licensee's practice (monitoring) or direct monitoring of the licensee's practice (supervision), the Respondent shall not practice osteopathic medicine without an approved monitor/supervisor, as specified by the Final Order.

2. The monitor/supervisor must be licensed under Chapter 459, F.S., or Chapter 458, F.S., in good standing, in active status, without restriction or limitation on his or her license, must be qualified by training and experience, and must not have any conflicts of interest that would prohibit him or her from impartially performing his or her duties as a monitor. Specific grounds for rejecting a proposed monitor/ supervisor by the Board or its designee shall include but are not limited to the following:

a. The proposed monitor/supervisor has previously been subject to disciplinary action against his/her medical license in this or any other jurisdiction;

b. The proposed monitor/supervisor is currently under investigation, or is the subject of a pending disciplinary action;

c. The proposed monitor/supervisor is not actively engaged in the same or similar specialty area;

d. The proposed monitor/supervisor is not practicing within a distance of no more than 20 miles from the Respondent's practice location;

e. The proposed monitor/supervisor is a relative or employee of the Respondent.

(c) TEMPORARY APPROVAL. The Board confers authority on the Chair to temporarily approve Respondent's monitor/supervisor. To obtain this temporary approval, Respondent shall submit to the Compliance Officer the name and curriculum vitae of the proposed monitor/supervisor, and letter from the proposed monitor/supervisor stating that he or she is willing to serve as a monitor/supervisor, that he or she has received a copy of the Administrative Complaint and Final Order, that he or she is aware of his or her duties and responsibilities as a monitor/supervisor, that he or she discloses any conflicts of interests, and specifies distance to the Respondent's practice location, and that he or she agrees to appear before the Board for formal approval at the next meeting of the Board. This information shall be furnished to the Chair by way of the Compliance Officer. Should Respondent's monitoring/supervising physician be temporarily approved, said approval shall only remain in effect until the next meeting of the Board. Absent said approval, Respondent shall not practice osteopathic medicine until a monitoring/supervising physician is approved.

(d) FORMAL APPROVAL. Respondent shall have the monitor/supervisor with him or her at the first probation appearance before the Board. Prior to consideration of the monitor/supervisor by the Board, the Respondent shall provide the monitor/supervisor a copy of the Administrative Complaint and the Board's Order in this case. Respondent shall submit a current curriculum vitae, a description of current practice, and a letter agreeing to serve from the proposed monitor/supervisor to the Compliance Officer no later than 21 days before the Respondent's first scheduled probation appearance. Respondent's monitor/ supervisor shall also appear before the Board at such times as directed by the Board. It shall be the Respondent's responsibility to ensure the appearance of his or her monitor/supervisor as directed. Failure of the monitor/supervisor to appear as directed shall constitute a violation of the terms of the Board's Order and shall render the Respondent subject to additional disciplinary action.

(e) CHANGE IN MONITOR/SUPERVISOR. In the event that Respondent's monitor/supervisor is unable or unwilling to fulfill his/her responsibilities as a monitor/supervisor as described above, the Respondent shall advise the Compliance Office of this fact within 24 hours of becoming aware of the situation. Respondent shall submit to the Compliance Office the name of a temporary monitor/supervisor for consideration. Respondent shall not practice pending approval of this temporary monitor/ supervisor by the Chair. Furthermore, Respondent shall make arrangements with his or her temporary monitor/supervisor to appear before the Board at its next regularly scheduled meeting for consideration of the monitor/supervisor. Respondent shall only practice under the supervision of the temporary monitor/supervisor (approved by

the Chair) until the next regularly scheduled meeting of the Board whereat the issue of the Respondent's new monitor/supervisor shall be addressed.

(f) APPEARANCES. The Respondent shall appear before the Board at the first Board meeting after probation commences, at the last meeting of the Board preceding scheduled termination of probation, and at such other times as requested by the Board or Board Chair.

(g) REPORTS. If directed by Board Order, probation reports, in affidavit form, shall be submitted by the Respondent and shall contain the following:

1. Brief statement of why physician is on probation.
2. Practice location.
3. Describe current practice (type and composition).
4. Brief statement of compliance with probationary terms.
5. Describe relationship with monitoring/supervising physician.
6. Advise Compliance Officer of any problems including office incident reports filed; loss or restriction of hospital staff privileges; loss or restriction of DEA registration; or any Medicare/Medicaid program exclusions, restrictions or limitations.

(h) MONITOR/SUPERVISOR REPORTS. If directed by Board Order, monitor/supervisor reports, in affidavit form, shall include the following:

1. Brief statement of why physician is on probation.
2. Description of probationer's practice.
3. Brief statement of probationer's compliance with terms of probation.
4. Brief description of probationer's relationship with monitoring physician.
5. Detail any problems which may have arisen with probationer.

(i) MONITOR/SUPERVISOR MEDICAL RECORDS REVIEW. Should the Board determine that the Respondent's medical records need to be reviewed, the Board shall set forth the percentage of the records and type of records to be reviewed by the monitoring/supervising physician. The patient records shall be selected by the supervising physician on a random basis at least once every month.

(j) INVESTIGATIVE REPORTS. Respondent understands that during the period of probation, at a minimum, semi-annual investigative reports will be compiled with the Department of Health concerning compliance with the terms and conditions of probation and the rules and statutes regulating the practice of medicine.

(11) COSTS OF COMPLIANCE. Respondent shall pay all costs necessary to comply with the terms of the Board's Order. Such costs include, but are not limited to, the costs of preparation of the investigative reports detailing compliance with the terms of the Order, the cost of analysis of any blood or

urine specimens submitted pursuant to the Order, and administrative costs directly associated with Respondent's probation. See Section 459.015(2), F.S.

(12) SUPERVISION OF PHYSICIAN ASSISTANTS AND/OR ANESTHESIOLOGIST ASSISTANTS. Respondent is required to notify, in writing, any physician assistant and/or anesthesiologist assistant which the Probationer supervises, of his or her probationary status. A copy of said written notification(s) shall be submitted to the Board's Compliance Officer within 10 days of entry of the Board's Order. Supervision of physician assistants and/or anesthesia assistants is prohibited when a physician is on probation.

(13) SUSPENSION. In the event that a Respondent's license expires during the period that the license is suspended, this action shall not relieve the Respondent of the responsibility to renew the license at the end of each licensure period. If the Respondent fails to renew the license at the end of any licensure period, all normal conditions and consequences imposed by statute or rule of the Board for failure to timely and properly renew a license shall apply. Renewal of a suspended license during the period of suspension shall not affect the suspension of the license and the suspension shall continue until all requirements for reinstatement have been met.

(14) RETURN OF LICENSE. Any Order which suspends a license, revokes a license, or accepts a Respondent's offer to voluntarily relinquish his or her license shall require the Respondent to return the license to the Department within 30 days from the date the Final Order is filed. This shall not apply to instances where the Board or a court has granted the Respondent a stay of the suspension.

Rulemaking Authority 459.005(1), 459.015(5) FS. Law Implemented 459.015(5) FS. History—New _____.

64B15-19.005 Probationary Conditions and Definitions.

(1) through (2) No change.

(3) Provisions governing all supervised or monitored physicians.

(a) through (c) No change.

(d) The supervisor/monitor must be a licensee under Chapter 459, F.S., or Chapter 458, F.S., in good standing and without restriction or limitation on his license. ~~However, when no physician licensed under Chapter 459, F.S., is available to supervise/monitor a licensee, the Board shall approve a physician licensed under Chapter 458, F.S., provided that said licensee is willing to serve as a supervisor/monitor.~~ In addition, the Board may reject any proposed supervisor/monitor on the basis that he or she has previously been subject to any disciplinary action against his or her license to practice osteopathic medicine in this or any other jurisdiction. The supervisor/monitor must be actively engaged in the same or similar specialty area unless otherwise provided by the Board.

The Board may also reject any proposed supervisor/monitor for good cause shown.

(4) No change.

Rulemaking Authority 459.005 FS. Law Implemented 459.015(2) FS. History—New 4-18-89, Formerly 21R-19.005, 61F9-19.005, Amended 9-5-94, Formerly 59W-19.005, Amended 11-27-97, 10-20-98, 11-2-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 24, 2014

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-41.001	Definitions
65C-41.002	Application Procedures for Readmission to Extended Foster Care
65C-41.003	Appeals

PURPOSE AND EFFECT: In 2013, the Florida Legislature passed Senate Bill 1036 authorizing young adults in foster care, who have not reached permanency before 18 years of age, to remain in care until 21 years of age, or age 22 years of age in the case of a young adult with a disability. This legislation substantially amended the following sections of the Florida Statutes: 39.013, 39.6013, 39.701, 409.145, 409.1451, 409.175, and 409.903 and created Sections 39.6035 and 39.6251, Florida Statutes. These changes necessitate new rule development.

SUMMARY: The Department of Children and Families intends to implement Senate Bill 1036 in Chapter 65C-41, F.A.C., Extension of Foster Care. The new rule will provide definitions of relevant terms; establish an application process; and provide an appeal procedure for young adults determined to no longer be eligible for, or denied readmission into, extended foster care.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an

economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in Section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 39.012, 39.0121 FS.

LAW IMPLEMENTED: 409.1451, 39.6251 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jodi Abramowitz, jodi_abramowitz@dcf.state.fl.us or (850)717-4189. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz, jodi_abramowitz@dcf.state.fl.us or (850)717-4189

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-41.001 Definitions.

(1) “Adverse action” means any action by the Department, community-based care lead agency, or its contracted service provider that denies a young adult’s application for readmission to extended foster care, or that discharges a young adult from extended foster care.

(2) “Designated staff” means a case manager or other staff assigned by the community-based care lead agency or its contracted service provider to work with young adults ages 18 to 23 to handle all matters pursuant to Extended Foster Care and the Road to Independence Program.

(3) “Extended Foster Care” means the program available pursuant to Section 39.6251, F.S.

(4) “Fair hearing” means a hearing that is conducted pursuant to the procedural requirements of Rules 65-2.056 and 65-2.057, F.A.C.

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251 FS. History—New _____.

65C-41.002 Application Procedures for Readmission to Extended Foster Care.

A young adult may apply for readmission to extended foster care at any time before his or her 21st birthday. Prior discharge

from the program is not a barrier to readmission. A young adult shall be readmitted provided the young adult meets the eligibility requirements of Section 39.6251, F.S.

(1) Applications for readmission must be readily available to young adults. The application form to be used is "Application for Extended Foster Care," CF-FSP 5377, August 2014, incorporated by reference, and available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx.

(2) To reenter extended foster care, the young adult must complete the Application for Extended Foster Care and provide proof of participating in a qualifying activity. If requested by the young adult, the case manager or designated staff shall assist the young adult with completing the application, choosing a qualifying activity, enrolling in a qualifying activity, and/or obtaining necessary documentation.

(3) A decision on readmission shall be made within 10 business days of receipt of a complete application, including all supporting documentation.

(a) The decision shall be based solely on whether the young adult meets the requirements of Section 39.6251(2), F.S.

(b) The young adult must be notified within 10 business days of submitting the complete application, including all supporting documentation, whether the application was approved or denied.

(4) If the decision is to readmit the young adult into extended foster care, within three (3) business days, the case manager shall request the Children's Legal Services attorney or legal representative of the Department petition the court for reinstatement of jurisdiction.

(5) If the decision is to deny the application for extended foster care, the community-based care agency shall provide a notice that specifies all of the reasons for the denial of extended foster care, notice of the right to appeal this decision, as required by Rule 65C-41.003, F.A.C., and an "Application for Aftercare Services," CF-FSP 5391, August 2014, incorporated by reference, and available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx. Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251, 409.1451 FS. History—New _____.

65C-41.003 Appeals.

(1) The Department, the community-based care agency and its contracted service provider staff shall treat all young adults fairly and afford them due process. A young adult applying for or receiving extended foster care services has the right to receive written notice of adverse actions by the Department or its contracted service provider and to resolve issues about eligibility by meeting with representatives of the Department or its contracted service provider or through the fair hearing process. The fair hearing process is available to any young adult who is determined to no longer be eligible for extended foster

care, or who has been denied readmission into extended foster care.

(2) Community-based care agency or its contracted service provider staff shall work with the young adult in meeting the requirements of this rule.

(3) Notice of Adverse Action. The community-based care agency shall give timely and adequate written notice to the young adult regarding any decision to deny readmission or terminate participation in extended foster care. The notice shall include the right to a fair hearing, the method of obtaining a fair hearing, and that the young adult may present the case himself or herself, or have legal counsel or a representative present the case.

(a) The notice shall be considered timely:

1. When the notice concerns an application for readmission into care, if it is delivered to the young adult within 10 business days of receiving the application.

2. When the notice concerns any decision to discharge a young adult from participation in extended foster care, if it is delivered to the young adult at least 30 calendar days before the action described in the notice becomes effective.

(b) The notice shall be considered adequate if it explains in the primary language of the young adult:

1. The proposed action;

2. The reasons for the proposed action;

3. The young adult's right to request a fair hearing;

4. The person whom the young adult would contact to request a fair hearing or for additional information about the decision, including the contact's name, telephone number, e-mail address and mailing address; and

5. In bold type, the timeline for requesting a fair hearing; The notice must specifically include the following information, in bold type:

a. That the request for a fair hearing must be received by the case manager no later than 30 calendar days from the date the notice was received by the young adult; and

b. That the request for a fair hearing must be received no later than 10 business days after the notice is received for the young adult to continue to participate in the program pending the completion of the fair hearing process.

6. The notice also must inform the young adult that if the last day to request a fair hearing falls on a weekend or holiday, the request will be considered timely if it is received the first business day after the deadline.

(c) A "Request for Fair Hearing on Application Denial or Discharge from the Extended Foster Care Program; or on Denial, Termination, or Reduction of PESS or Aftercare Services Benefits," CF-FSP 5380, August 2014, incorporated by reference, and "Due Process Rights for Young Adults Formerly in Foster Care," CF-FSP 5379, August 2014, incorporated by reference, shall be attached to the notice. These

forms are available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx.

(d) The notice shall be sent by certified mail or provided to the young adult by hand delivery. The notice shall also be sent via e-mail if the young adult has provided an e-mail address. Documentation of hand delivery and e-mail shall be made in the young adult's file contemporaneously with the hand and e-mail delivery. The certified mail receipt shall also be placed in the young adult's file.

(4) Request for Fair Hearing.

(a) A young adult shall have 30 calendar days from the date of receipt of the notice of adverse action to request a fair hearing. If the young adult requests the fair hearing within 10 business days of the date of receipt of the notice of adverse action terminating participation in extended foster care, then the young adult shall remain in extended foster care pending the resolution of the fair hearing.

(b) The request for a fair hearing may be made orally or in writing.

1. The form "Oral Request for Fair Hearing," CF-FSP 5381, August 2014, incorporated by reference, shall be used by the case manager to document oral requests for a fair hearing. This form is available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx.

2. Written requests may be prepared by the young adult on the form "Request for Fair Hearing on Application Denial or Discharge from the Extended Foster Care Program; or on Denial, Termination, or Reduction of PESS or Aftercare Services Benefits," CF-FSP 5380, incorporated in subsection (3)(c) of this rule, or in any other manner the young adult chooses.

(c) The request for a fair hearing is made on the date the young adult sends a written request for fair hearing by U. S. Mail or e-mail, or hand-delivers the written request to the staff member of the agency (or his or her designee) who sent the notice of adverse action. An oral request for a fair hearing is made on the date the young adult speaks with his or her case manager or designated staff, the community-based care agency providing him or her with independent living services, or the Office of Appeal Hearings in Tallahassee. If the deadline to request a fair hearing is a Saturday, Sunday or holiday, the request shall be timely if it is made on or before the first business day after the weekend or holiday.

(5) Transmittal of Hearing Request to the Department or Its Contracted Service Provider.

(a) Within one (1) business day of receiving the young adult's request for a fair hearing, staff shall send the request for fair hearing and notice of adverse action by facsimile or e-mail transmission to the legal representative for the Department and the Office of Appeal Hearings of the Department of Children and Families.

(b) A request for a hearing can be rejected or dismissed only by the hearing officer. If a request for a hearing is not received within the stated timeframes, the request shall be forwarded to the Florida Department of Children and Families Office of Appeal Hearings with a notation that the request was late.

(c) Staff shall forward a copy of all documentation supporting the decision regarding participation in extended foster care to the Regional Legal Counsel and the legal representative for the Department within three (3) business days of receipt of the young adult's request for fair hearing.

(6) Additional Local Preparation for Fair Hearings.

(a) The staff person receiving the request shall, within three (3) business days, prepare copies of the young adult's complete extended foster care file, and copies of the young adult's case file records from his or her dependency case file during the young adult's 17th year of age to provide to both the young adult and the legal representative for the Department or its contracted service provider. Staff shall provide the complete file to both the young adult and the legal representative for the Department or its contracted service provider, whether or not a request has been made.

(b) The case manager responsible for the young adult's extended foster care case (the case manager in the county where the young adult's participation originated) shall coordinate and participate in the fair hearing, even if the hearing takes place in a different county or region. The fair hearing shall take place in the county in which the young adult lives.

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 39.6251, 409.1451 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kirk Brown
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 15, 2013

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:
65C-42.001 Definitions
65C-42.002 Postsecondary Education Services and Support
65C-42.003 Aftercare Services
65C-42.004 Appeals

PURPOSE AND EFFECT: In 2013, the Florida Legislature substantially amended Section 409.1454, F.S., Independent Living Transition Services, by deleting the title of the statute,

as well as all of the language contained therein. The statute was renamed The Road-to-Independence Program. As components of the program, the legislature created Postsecondary Education Services and Support and Aftercare Services. These changes necessitate new rule development.

SUMMARY: The Department of Children and Families intends to implement Section 409.1451, F.S., in Chapter 65C-42, F.A.C., Road to Independence Program. The new rule will provide definitions of relevant terms; establish application processes for Postsecondary Services and Support and Aftercare Services; and provide an appeal procedure for young adults determined to no longer be eligible for, or denied entry into, either of the programs.

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

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

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

RULEMAKING AUTHORITY: 39.012, 39.0121, 409.1451(10) FS.

LAW IMPLEMENTED: 409.1451, 39.6251 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jodi Abramowitz, jodi_abramowitz@dcf.state.fl.us or (850)717-4189. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz, jodi_abramowitz@dcf.state.fl.us or (850)717-4189

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-42.001 Definitions.

The following definitions are to be used in this Chapter.

(1) “Adverse action” means any action by the Department, community-based care lead agency, or its contracted service provider that denies a young adult’s application for readmission to extended foster care, or that discharges a young adult from extended foster care.

(2) “Aftercare Services” means services provided pursuant to Section 409.1451(3), F.S.

(3) “Court-approved dependency guardian” means the caregiver for a child placed in out-of-home care pursuant to a custody order entered by the dependency court.

(4) “Designated Staff” means a case manager or other staff assigned by the community-based care lead agency or its contracted service provider to work with young adults ages 18 to 23 to handle all matters pursuant to the Extended Foster Care and the Road to Independence Program.

(5) “Educational and Training Voucher ” means the federally funded program, codified in 42 U.S.C. 677, for young adults formerly in foster care that provides monthly stipends to assist in meeting the cost of postsecondary education.

(6) “Extended Foster Care” means the program available pursuant to Section 39.6251, F.S.

(7) “Fair hearing” means a hearing that is conducted pursuant to the procedural requirements of Rules 65-2.056 and 65-2.057, F.A.C.

(8) “Immediately” means within 24 hours.

(9) “Postsecondary Education Services and Support (PESS)” means the voluntary program available to young adults who meet the eligibility requirements in Section 409.1451(2), F.S., that provides services and support to assist with postsecondary education.

(10) “Road to Independence Program” means the programs described in Section 409.1451, F.S. Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451, 39.6251 FS. History—New _____.

65C-42.002 Postsecondary Education Services and Support.

(1) Application for Postsecondary Education Services and Support (PESS). Each young adult who wishes to receive a PESS stipend shall complete and sign an application for this program. A copy of the application shall be placed in the young adult’s case file, and one given to the young adult.

(2) Initial Application Process for PESS Stipend. Designated staff shall provide the young adult with the “Application for Postsecondary Education Services and Support (PESS) and/or Education and Training Voucher (ETV) Funds,” CF-FSP 5382, August 2014, which is hereby incorporated by reference and available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx.

(a) Designated staff shall offer to assist the young adult in completing the application or meeting eligibility requirements.

(b) The young adult must obtain and provide documentation of the following:

1. A high school diploma or its equivalent, in accordance with Section 409.1451(2)(a)3., F.S.;

2. Admittance for enrollment as a full-time student or its equivalent in an eligible postsecondary educational institution or as a part-time student if he or she has a recognized disability or other challenge or circumstance that would prevent full-time attendance;

3. Application for any other grants and scholarships for which he or she may qualify; and

4. A complete and error-free submission of the Free Application for Federal Student Aid.

(c) Designated staff shall verify the following:

1. The young adult was living in foster care on his or her 18th birthday or is currently living in foster care; or was at least 16 years of age and was adopted from foster care or placed with a court-approved dependency guardian after spending at least six (6) months in licensed care within the 12 months immediately preceding such placement or adoption;

2. The young adult spent at least six (6) months in licensed care before reaching his or her 18th birthday;

3. The young adult has reached 18 years of age but is not yet 23 years of age; and

4. The young adult signed an agreement to allow the Department and the community-based care lead agency access to school records.

(d) If the young adult is requesting assistance in choosing and/or enrolling in an eligible post-secondary educational institution, information about aftercare services and an “Application for Aftercare Services,” CF-FSP 5391, August 2014, which is hereby incorporated by reference, and available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx, shall also be provided. Aftercare services may be utilized temporarily to assist the young adult in working toward qualifying for PESS.

(e) Designated staff shall have 10 business days from the date of submission of the complete application, including all supporting documentation, to review, approve or deny the award, and notify the young adult whether the application was approved or denied.

1. If the application is denied, designated staff shall provide the young adult with information detailing the procedure for appeal and the brochure “Due Process Rights for Young Adults Formerly in Foster Care,” CF-FSP 5379, August 2014, incorporated by reference and available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx.

2. If the application is denied, designated staff shall also notify the young adult of other available services, including extended foster care, funding through educational and training vouchers, aftercare services, and services that are locally available.

(f) The young adult’s eligibility for or ability to obtain other funding for postsecondary education shall not be considered when determining eligibility for PESS.

(3) Renewal Application Process. Designated staff shall offer to assist the young adult in completing an updated “Application for Postsecondary Education Services and Support (PESS) and/or Education and Training Voucher (ETV) Funds”, CF-FSP 5382, incorporated in subsection (2) of this rule. The young adult must obtain and provide documentation of continuing to meet all renewal eligibility requirements. The renewal period is based on the initial date of enrollment into PESS.

(a) Designated staff shall ask each young adult who is receiving PESS if he or she wishes to apply to renew the award during the 90-day period before the end of the annual award period, and no later than 30 calendar days before the end of the annual award period.

(b) Designated staff shall process the application and shall notify the young adult of the approval or denial, as required by subsection 65C-42.002(2), F.A.C.

(4) Reinstatement of PESS. The reinstatement process shall be the same as for an initial application pursuant to subsection 65C-42.002(2), F.A.C. The young adult must meet initial and renewal eligibility requirements for reinstatement of PESS.

(5) The young adult is eligible for financial assistance under PESS during the summer months if he or she is enrolled in the eligible postsecondary educational institution, as determined by the postsecondary institution.

(6) Termination of PESS. Upon termination of PESS, the Department or contracted agency shall notify the young adult of his or her right to a request fair hearing, pursuant to Rule 65C-42.004, F.A.C.

Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451 FS. History—New _____.

65C-42.003 Aftercare Services.

(1) Eligibility. A young adult is eligible for Aftercare Services if he or she reached the age of 18 while in licensed foster care.

(2) Application for Aftercare Services. Designated staff shall offer to assist a young adult who is requesting Aftercare Services in completing the “Application for Aftercare Services,” CF-FSP 5391, incorporated in paragraph 65C-42.002(2)(d), F.A.C.

(3) Processing Application for Aftercare Services.

(a) Designated staff shall have 10 business days from the date of submission to review the application and approve or deny the award.

(b) If the application is denied, designated staff shall notify the young adult within 10 business days of submitting the application. Designated staff shall also provide the young adult with information detailing the procedure for appeal and the brochure “Due Process Rights for Young Adults Formerly in Foster Care,” CF-FSP 5379, which is incorporated by reference in subparagraph 65C-42.002(2)(e)1., F.A.C. Designated staff shall notify the young adult of other available services, including Extended Foster Care, funding through PESS or educational and training vouchers, and services that are locally available.

(4) If the request for assistance is to prevent homelessness, services shall be provided as expeditiously as possible, but in no case longer than 24 hours.

(5) Providing Aftercare Services.

(a) Once approved, services shall be provided as soon as they are available in the community. Referrals for services shall be provided to the young adult within 10 business days of approval.

(b) At the discretion of designated staff, cash assistance may be provided directly to the young adult or paid in whole or in part to a vendor for such items as security deposits for rent or utilities.

Rulemaking Authority 409.1451(10) FS. Law Implemented 409.1451 FS. History—New _____.

65C-42.004 Appeals.

(1) The Department, the community-based care lead agency and its contracted service provider staff shall treat all young adults fairly and afford them due process. A young adult applying for or receiving Postsecondary Education Services and Support or Aftercare Services has the right to receive written notice of adverse actions by the Department or its contracted service provider and to resolve issues about eligibility by meeting with representatives of the Department or its contracted service provider or through the fair hearing process. The fair hearing process is available to any young adult who is determined to no longer be eligible for either of these programs, whose benefits have been reduced or changed, or whose application for either of these programs has been denied.

(2) Community-based care lead agency or its contracted service provider staff shall work with the young adult in meeting the requirements of this rule.

(3) Notice of Adverse Action. The community-based care lead agency shall give timely and adequate written notice to the young adult regarding any decision to deny an application for or terminate participation in PESS or Aftercare Services. The notice shall include the right to a fair hearing, the method of obtaining a fair hearing, and that the young adult may present the case himself or herself, or have legal counsel or a representative present the case.

(a) The notice shall be considered timely:

1. When the notice concerns an application for PESS or Aftercare Services, if it is delivered to the young adult within 10 business days of receiving the application.

2. When the notice concerns any decision to terminate funds for a young adult in PESS, if it is delivered to the young adult at least 30 calendar days before the action described in the notice becomes effective.

(b) The notice shall be considered adequate if it explains in the primary language of the young adult:

1. The proposed action;

2. The reasons for the proposed action;

3. The young adult’s right to request a fair hearing;

4. The person the young adult would contact to request a fair hearing or for additional information about the decision, including the contact’s name, telephone number, e-mail address and mailing address; and

5. In bold type, the timeline for requesting a fair hearing. The notice must specifically include the following information, in bold type:

a. That the request for a fair hearing must be received by the case manager no later than 30 calendar days from the date the notice was received by the young adult; and

b. That the request for a fair hearing must be received no later than 10 business days after the notice is received for the young adult to continue to participate in the program pending the completion of the fair hearing process.

6. The notice must also inform the young adult that if the last day to request a fair hearing falls on a weekend or holiday, the request will be considered timely if it is received the first business day after the deadline.

(c) A “Request for Fair Hearing on Application Denial or Discharge from the Extended Foster Care Program; or on Denial, Termination, or Reduction of PESS or Aftercare Services Benefits,” CF-FSP 5380, August 2014, incorporated by reference, and “Due Process Rights for Young Adults Formerly in Foster Care,” CF-FSP 5379, incorporated by reference in subparagraph 65C-42.002(2)(c)2., F.A.C., shall be attached to the notice. These forms are available at www.dcf.state.fl.us/dcfforms/Search/DCFFormSearch.aspx.

(d) The notice shall be sent by certified mail or provided to the young adult by hand delivery. The notice shall also be sent via e-mail, if the young adult has provided an e-mail address. Documentation of hand delivery and e-mail shall be made in the young adult’s file contemporaneously with the hand and e-mail delivery. The certified mail receipt shall also be placed in the young adult’s file.

(4) Request for Fair Hearing.

(a) A young adult shall have 30 calendar days from the date of receipt of the notice of adverse action to request a fair hearing. If the young adult requests the fair hearing within 10 business days of the date of receipt of the notice of adverse action, then the young adult shall continue to receive the monthly PESS stipend or Aftercare Services pending the resolution of the fair hearing.

(b) The request for a fair hearing may be made orally or in writing.

1. The form “Oral Request for Fair Hearing,” CF-FSP 5381, August 2014, incorporated by reference, shall be used by the case manager to document oral requests for a fair hearing. This form is available at www.dcf.state.fl.us/dcf/forms/Search/DCFFormSearch.aspx.

2. Written requests may be prepared by the young adult on the form “Request for Fair Hearing on Application Denial or Discharge Discharge from the Extended Foster Care Program; or on Denial, Termination, or Reduction of PESS or Aftercare Services Benefits,” CF-FSP 5380, incorporated in subsection (3)(c) of this rule, or in any other manner the young adult chooses.

(c) The request for a fair hearing is made on the date the young adult sends a written request for fair hearing by U. S. Mail or e-mail, or hand-delivers the written request to the staff member of the agency (or his or her designee) who sent the notice of adverse action. An oral request for a fair hearing is made on the date the young adult speaks with his or her case manager or designated staff, the community-based care agency providing him or her with independent living services, or the Office of Appeal Hearings in Tallahassee. If the deadline to request a fair hearing is a Saturday, Sunday or holiday, the request shall be timely if it is made on or before the first business day after the weekend or holiday.

(5) Transmittal of Hearing Request to the Department or Its Contracted Service Provider.

(a) Within one (1) business day of receiving the young adult’s request for a fair hearing, staff shall send the request for fair hearing and notice of adverse action by facsimile or e-mail transmission to the legal representative for the Department and the Office of Appeal Hearings of the Department of Children and Families.

(b) A request for a hearing can be rejected or dismissed only by the hearing officer. If a request for a hearing is not received within the stated timeframes, the request shall be forwarded to the Florida Department of Children and Families’ Office of Appeal Hearings with a notation that the request was late.

(c) Staff shall forward a copy of all documentation supporting the decision regarding participation in PESS or Aftercare Services to the Regional Legal Counsel and the legal representative for the Department within three (3) business days of receipt of the young adult’s request for fair hearing.

(6) Additional Local Preparation for Fair Hearings.

(a) The staff person receiving the request for a fair hearing shall, within three (3) business days, prepare copies of the young adult’s complete PESS or Aftercare Services file, as applicable, and copies of the young adult’s case file records from his or her dependency case file during the young adult’s 17th year of age to provide to both the young adult and the legal representative for the Department or its contracted service provider. Staff shall provide the complete file to both the young adult and the legal representative for the Department or its contracted service provider, whether or not a request has been made.

(b) The case manager responsible for providing PESS or Aftercare Services (the case manager in the county where the young adult’s participation originated) shall coordinate and participate in the fair hearing, even if the hearing takes place in a different county or region. The fair hearing shall take place in the county in which the young adult lives.

Rulemaking Authority 39.012, 39.0121 FS. Law Implemented 409.1451 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kirk Brown
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 10, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 1, 2013

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

The Board of Chiropractic Medicine hereby gives notice:

Of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on June 30, 2014, by Elisa Leavitt on behalf of Alan R. Leavitt, D.C. The Notice of Petition for Waiver or Variance was published in Volume 40, Number 145, of the July 28, 2014, Florida Administrative Register. The Petitioner was seeking a waiver or variance of Rule 64B2-13.004, Florida Administrative Code, entitled "Continuing Education," which requires that for the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education during the past two years. The Board considered the instant Petition at a duly-noticed meeting, held August 22, 2014, in Orlando, Florida.

The Board's Order, filed on September 15, 2014, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a temporary variance or waiver from Rule 64B2-13.004, F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

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

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-11.013 Acupuncture Certification Examination

NOTICE IS HEREBY GIVEN that on October 7, 2014, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Robert M. Manestar. The Petitioner is seeking a waiver or variance of subsection 64B2-11.013(4), Florida Administrative Code, which requires that the passage of

the acupuncture certification examination shall not grant any applicant the right to practice chiropractic or acupuncture without passing the chiropractic licensure examination and obtaining a license as a chiropractic physician. Petitioner is also seeking a waiver or variance of subsection 64B2-17.003(5), Florida Administrative Code, which requires that prior to any chiropractic physician engaging in the practice of acupuncture, said physician shall be required to present certification to the Board of examination by an approved college or institution of said physician, after completion of said approved minimum course of study.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Adrienne.Rodgers@flhealth.gov. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-11.001 Continuing Education

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on June 30, 2014, by Ae Young Cho. The Notice of Petition for Waiver or Variance was published in Volume 40, Number 145, of the July 28, 2014, Florida Administrative Register. The Petitioner was seeking a waiver or variance of Rule 64B3-11.001, Florida Administrative Code, entitled, "Continuing Education," which requires that in order to renew a clinical laboratory personnel license, a minimum of 24 contact hours of continuing education shall be earned during each biennium.

The Board considered the instant Petition at a duly-noticed public meeting, held on August 8, 2014, in Orlando, Florida. The Board's Order, filed on August 22, 2014, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from Rule 64B3-11.001, F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-5.003 Technologist

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on June 30, 2014, by Vanessa Negrón-Asencio. The Notice of Petition for Waiver or Variance was published in Volume 40, Number 144, of the July 25, 2014, Florida Administrative Register. The Petitioner was seeking a waiver or variance of paragraph 64B3-5.003(3)(a), Option 3, Florida Administrative Code, entitled, "Technologist," which sets forth the education, training/experience and examination requirements for a specialty licensure as a medical technologist. The Board considered the instant Petition at a duly-noticed public meeting, held on August 8, 2014, in Orlando, Florida. The Board's Order, filed on August 22, 2014, granted the petition finding that Petitioner established that the purpose of the underlying statute would be met by granting a variance or waiver from Rule 64B3-11.001, F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-11.001 Continuing Education

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on July 17, 2014, by Christopher Skillington. The Notice of Petition for Waiver or Variance was published in Volume 40, Number 147, of the July 30, 2014, Florida Administrative Register. The Petitioner was seeking a waiver or variance of Rule 64B3-11.001, Florida Administrative Code, entitled, "Continuing Education," which requires that in order to renew a clinical laboratory personnel license, a minimum of 24 contact hours of continuing education shall be earned during each biennium.

The Board considered the instant Petition at a duly-noticed public meeting, held on August 8, 2014, in Orlando, Florida. The Board's Order, filed on August 22, 2014, granted the petition finding that Petitioner established that the purpose of

the underlying statute would be met by granting a variance or waiver from Rule 64B3-11.001, F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Adrienne Rodgers, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-33.002 Certification for Child Protection Professionals

NOTICE IS HEREBY GIVEN that on September 26, 2014, the Department of Children and Families, received a petition for waiver of subsection 65C-33.002(10), Florida Administrative Code, from Kids in Distress. Subsection 65C-33.002(10), F.A.C., states Certification is a requirement for individuals in the following positions: Child Protection Licensing Specialist which includes any individual regardless of position title, who performs the same or substantially similar function as a Program Specialist, Quality Assurance Professional, Field Trainer, Job Coach, or is otherwise responsible for evaluating the job performance of a Child Protection Licensing Counselor, or for providing case oversight or review in the program area of Child Protection Licensing.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on September 24, 2014, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Gulf Coast Jewish Family and Community Services, Inc. and Pervis Parker. Rule 65C-15.017(3), F.A.C., states agency staff responsible for performing casework services shall have a bachelor's degree in social work or related area of study or master's degree in social work or a related area of study from an accredited college or university.

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on September 26, 2014, the Department of Children and Families received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Tanya Warren. Subsection 65C-15.017(3), F.A.C., requires staff who perform casework services in licensed child-placing agencies to possess at least a bachelor's degree in social work or a related field from an accredited college or university. A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 23, 2014, 5:30 p.m., Finance and Investment Meeting

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Friends of Mission San Luis will hold a meeting for the purposes of conducting Friends' business and assisting the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly with the Division of Historical Resources at Diane.Ogorzaly@DOS.MyFlorida.com or at (850)245-6388.

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 23, 2014, 6:00 p.m., Board of Directors' Meeting

PLACE: Mission San Luis, 2100 W. Tennessee St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Friends of Mission San Luis will hold a meeting for the purposes of conducting Friends' business and assisting the Division of Historical Resources in carrying out the purposes, duties, and responsibilities of the division.

A copy of the agenda may be obtained by contacting: Diane Ogorzaly with the Division of Historical Resources at Diane.Ogorzaly@DOS.MyFlorida.com or at (850)245-6388.

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

The Florida Elections Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: October 28, 2014, 8:30 a.m. until adjourned and October 29, 2014, 8:30 a.m. until adjourned

PLACE: Senate Office Building, 404 South Monroe Street, Room S-110, Tallahassee, Florida 32399-6526

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agency matters. Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports. Rules Review. Portions of this meeting are confidential and closed to the public.

A copy of the agenda may be obtained by contacting: Donna Ann Malphurs, Agency Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050 or by viewing the Commission's website: www.fec.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Ann Malphurs, Agency Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050. 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: Donna Ann Malphurs, Agency Clerk at (850)922-4539, by e-mail: FEC@myfloridalegal.com or write to: 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050 or by viewing the Commission's website: www.fec.state.fl.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

The Florida Lettuce Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 5, 2014, 12:00 Noon – 1:45 p.m.

PLACE: Everglades Research and Education Center

GENERAL SUBJECT MATTER TO BE CONSIDERED:

12:00 Lunch

12:20 Welcome and Introductions

12:25 Update of PrimusLabs Services (Water, Soil, Tissue and Environmental Pathogen Tests, Multiresidue Pesticide Screening, 3rd Party Auditing Services, etc.) – Kiley Harper-Larsen, Business Development / Southern USA & SE Canada, PrimusLabs

Questions and Answers – General Discussion

12:50 Innovation at Work, Advances in Pathogen Detection – Lauretta Johnson, Sr Director Business Development, Roka Bioscience

Questions and Answers – General Discussion

1:15 Old Business

1:25 New Business

a. Division of Plant Industry Representatives

b. EREC staff project updates

1:45 Adjourn

*Lunch is sponsored by PrimusLabs and Roka Bioscience

A copy of the agenda may be obtained by contacting: Christian F. Miller, DPM; Commercial Vegetable Production and Tropical Fruit Agent; UF/IFAS Extension-Palm Beach County Cooperative Extension Service, Office: (561)233-1718, Cell: (561)801-1718.

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: Christian F. Miller, DPM; Commercial Vegetable Production and Tropical Fruit Agent; UF/IFAS Extension-Palm Beach County Cooperative Extension Service, Office: (561)233-1718, Cell: (561)801-1718. 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: Christian F. Miller, DPM; Commercial Vegetable Production and Tropical Fruit Agent; UF/IFAS Extension-Palm Beach County Cooperative Extension Service, Office: (561)233-1718, Cell: (561)801-1718.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees (FSCJ DBOT) announces the following meetings pertaining to the Association of Community College Trustees (ACCT) 2014 Trustee Leadership Congress, which are open to the public. All meetings will be held at the Hyatt Regency Chicago, 151 East Wacker Drive, Chicago, IL 60601.

DATE AND TIME: Tuesday, October 21, 2014, 8:00 a.m. – 5:00 p.m.

GENERAL SUBJECT MATTER: National Trustee Leadership Training (Attendees must be registered in advance to attend)

DATE AND TIME: Tuesday, October 21, 2014, 5:00 p.m. – 6:00 p.m.

GENERAL SUBJECT MATTER: Symposium Reception (By Invitation Only)

DATE AND TIME: Wednesday, October 22, 2014, 7:30 a.m. – 6:30 p.m.

GENERAL SUBJECT MATTER: National Trustee Leadership Training (Attendees must be registered in advance to attend)

DATE AND TIME: Thursday, October 23, 2014, 7:00 a.m. – 5:30 p.m.

GENERAL SUBJECT MATTER: National Trustee Leadership Training (Attendees must be registered in advance to attend)

DATE AND TIME: Thursday, October 23, 2014, 5:30 p.m. – 7:00 p.m.

GENERAL SUBJECT MATTER: Welcome Reception (Attendees must be registered in advance to attend)

DATE AND TIME: Friday, October 24, 2014, 7:30 a.m. – 4:30 p.m.

GENERAL SUBJECT MATTER: National Trustee Leadership Training (Attendees must be registered in advance to attend)

DATE AND TIME: Friday, October 24, 2014, 7:00 p.m. – 10:00 p.m.

GENERAL SUBJECT MATTER: Annual Awards Gala (Attendees must be registered in advance to attend)

DATE AND TIME: Saturday, October 25, 2014, 8:00 a.m. – 12:00 Noon

GENERAL SUBJECT MATTER: National Trustee Leadership Training (Attendees must be registered in advance to attend)

Should registration be requested or special accommodations are required, please advise ACCT forty-eight (48) hours in advance of the conference by contacting ACCT Board Services Associate Ms. Anne Campbell at (202)499-5550 or acampbell@acct.org.

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, marital status or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

FLORIDA STATE COLLEGE AT JACKSONVILLE

Dr. Cynthia A. Bioteau
College President

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 2 announces a hearing to which all persons are invited.

DATE AND TIME: October 21, 2014, 4:30 p.m.

PLACE: University of North Florida, Adam W. Herbert University Center, 12000 Alumni Drive, Jacksonville, FL 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning Financial Project ID Number 209301-3, otherwise known as the I-295 Express Lanes project from SR 9B to J.T. Butler Boulevard in Duval County, Florida. Express lanes are an innovative concept to manage traffic congestion and provide choices for motorists. These additional lanes will provide more capacity in areas where traffic congestion is a major problem. At this time, the Department is proposing the construction of express lanes on I-295 eastern beltway from SR 9B to J.T. Butler Boulevard in Jacksonville, Duval County, Florida. The feasibility of noise barriers is also being considered in the project area. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874.

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. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS 2007, Lake City, Florida 32025-5874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Wednesday, November 5, 2014, 2:00 p.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Coast Steering Committee Meeting. Work through partnerships to restore and protect springs through implementation of system specific scientifically sound, community-based management plans. Spring management plans will be developed by a technical and management committee with oversight, input and approval by the Steering Committee.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Chris.zajac@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4413 (Ad Order EXE0358).

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, October 28, 2014, 9:00 a.m.

PLACE: 1(888)670-3525, conference code: 8050334011

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long-Term Care will be meeting to review applications received for consideration for the Gold Seal Award designation. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Long-Term Care Services Unit, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, Florida 32308, (850)412-4437, jacqueline.williams@ahca.myflorida.com.

For more information, you may contact: Jacquie Williams, Long-Term Care Services Unit, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308, (850)412-4437, jacqueline.williams@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners - Rate Review Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 21, 2014, 10:00 a.m.

PLACE: 1(888)670-3525, participant passcode: 1628623372#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rate Review Committee meeting

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1981.

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: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1981. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, in conjunction with the Florida Fish and Wildlife Conservation Commission, announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 22, 2014, 5:30 p.m. – 8:30 p.m.

PLACE: <https://www2.gotomeeting.com/register/338981370>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection (DEP) and the Florida Fish and Wildlife Conservation Commission (FWC) are

hosting a public webinar to inform, educate and gather public input on potential projects and programs being considered by the State of Florida for the RESTORE Act's Council-Selected Restoration Component. Since the September 23 webinar, DEP and FWC have received additional information from the public on potential projects and programs. This additional information will be presented as part of the webinar. Please register in advance using the link above. Once registered, webinar related details will be electronically provided.

A copy of the agenda may be obtained by contacting: Ashley M. Williams, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 240, Tallahassee, FL 32399, phone: (850)245-2197, email: Ashley.M.Williams@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ashley M. Williams, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 240, Tallahassee, FL 32399, phone: (850)245-2197, email: Ashley.M.Williams@dep.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: Ashley M. Williams, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 240, Tallahassee, FL 32399, phone: (850)245-2197, email: Ashley.M.Williams@dep.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

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

DATE AND TIME: November 3, 2014, 2:00 p.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee conference call. This was previously noticed in Vol. 40, No. 187, F.A.R. on 9/25/14.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

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

DATE AND TIME: November 26, 2014, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Employment & Self-Sufficiency Committee conference call. This was previously notced in Vol. 40, No. 187, F.A.R. on 9/25/14.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

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

DATE AND TIME: November 12, 2014, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Affordable Housing Committee conference call. This was previously noticed in Vol. 40, No. 187, F.A.R. on 9/25/14.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

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

DATE AND TIME: November 25, 2014, 2:00 p.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuum of Care Committee conference call. This was previously noticed in Vol. 40, No. 187, F.A.R. on 9/25/14.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness

RULE NO.: RULE TITLE:

65I-1.006 Program Administration

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

DATE AND TIME: November 6, 2014, 10:00 a.m.

PLACE: Conference call toll-free: 1(888)670-3525, press: 7015398451 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awareness & Outreach Committee conference call. This was previously noticed in Vol. 40, No. 187, F.A.R. on 9/25/14.

A copy of the agenda may be obtained by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.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: Erik Braun, Director, Office on Homelessness, (850)922-9850, erik_braun@dcf.state.fl.us.

NAVIGATION DISTRICTS

Florida Inland Navigation District

The Florida Inland Navigation District announces a public meeting to which all persons are invited.

DATES AND TIME: all meetings start at 8:00 a.m. at the dates and location listed below

PLACE: Saturday, October 18, 2014 in Broward County

Friday, November 14, 2014 in Martin County

Saturday, December 13, 2014 in Volusia County

Friday, January 16, 2015 in St. Johns County

Saturday, February 21, 2015 in St. Lucie County

Friday, March 20, 2015 in Duval County

Saturday, April 18, 2015 in Flagler County

Friday, May 15, 2015 in Miami-Dade County

Friday and Saturday, June 19 & 20, 2015 in Brevard County

Saturday, July 18, 2015 in Nassau County

Friday, August 21, 2015 in Indian River County

Saturday, September 12, 2015 in Palm Beach County

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business of the Board of Commissioners of the Florida Inland Navigation District.

A copy of the agenda may be obtained by contacting: the District by mail at: 1314 Marcinski Rd., Jupiter, FL 33477, by website: www.aicw.org or by phone: (561)627-3386.

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 District by mail at: 1314 Marcinski Rd., Jupiter, FL 33477, by website: www.aicw.org or by phone: (561)627-3386. If you are hearing or speech impaired, please contact the

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida Fish and Wildlife Conservation Commission, in conjunction with the Florida Department of Environmental Protection, announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 22, 2014, 5:30 p.m. – 8:30 p.m.

PLACE: <https://www2.gotomeeting.com/register/338981370>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (FWC) and the Florida Department of Environmental Protection (DEP) are hosting a public webinar to inform, educate and gather public input on potential projects and programs being considered by the State of Florida for the RESTORE Act’s Council-Selected Restoration Component. Since the September 23 webinar, FWC and DEP have received additional information from the public on potential projects and programs. This additional information will be presented as part of the webinar. Please register in advance using the link above. Once registered, webinar related details will be electronically provided.

A copy of the agenda may be obtained by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email: Doc.Kokol@myfwc.com.

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

For more information, you may contact: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email: Doc.Kokol@myfwc.com.

SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 16, 2014, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., #102

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, Ag Lab Report, MIL Report, and District Projects. A copy of the agenda may be obtained by contacting: Gina Dolleman, (305)242-1288.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: SDSWCD, (305)242-1288. 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: Morgan Levy, District Administrator, (305)242-1288.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that Division of Drugs, Devices and Cosmetics has received the petition for declaratory statement from Edwin A. Bayo, Counsel on behalf of Owens and Minor Distribution, Inc., filed on October 9, 2014. The petition seeks the agency’s opinion as to the applicability of Sections 499.01, and 499.01212, Florida Statutes ,and Rule 61N-1, Florida Administrative Code, as they apply to the petitioner.

Owens and Minor Distribution, Inc., a duly permitted prescription drug wholesale distributor is requesting that the Department of Business and Professional Regulation issue a declaratory statement determining whether: (A) Resident and non-resident prescription drug wholesale distributors, third party logistics providers, re-packers and manufacturers doing business with the State of Florida must maintain a license with the State of Florida, DBPR if conducting distributions of DQSA exempted drug products, or whether entities conducting distributions of drug products exempted under the DQSA are no longer required to maintain State DBPR licensure as resident and non-resident prescription drug wholesale distributors, third party logistics providers, re-packers or manufacturers since distributions of these products are not by definition a “transaction” under Federal Law. (B) Resident and non-resident

prescription drug wholesale distributors, third party logistics providers, re-packers and manufacturers doing business with the State of Florida must continue to comply with the recordkeeping requirements of Section 499.0121(6)(a)-1-5, Florida Statutes and paragraphs 61N-1.012(1)(a) and (2), Florida Administrative Code, with regard to the sale or transfer of DQSA exempted prescription drug containing kits and IV solutions into or within Florida, or whether entities so engaged need not comply with recordkeeping laws since distributions of these products are not by definition a “transaction” under Federal Law. (C) Resident and non-resident prescription drug wholesale distributors, third party logistics providers, re-packers and manufacturers doing business with the State of Florida must, starting January 1, 2015, provide prior to or at the time of each transaction, transaction history (TH), transaction information (TI) and a transaction statement (TS), defined by Section 581 of the DQSA paragraphs (25), (26) and (27) and further implemented into tracing requirements under Section 582 of the DQSA paragraph (b)(1)(A)(i) et.al., and paragraph (c)(1)(A)(i) et. al., for the sale and transfer (distribution) of “exempt” prescription drug containing kits and IV products into or within the State of Florida or whether entities so engaged need not comply with recordkeeping laws since distributions of these products are not by definition a “transaction” under Federal Law.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047.

Please refer all comments to: Please refer all comments to: Reggie Dixon, Division Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047, website: http://interredesignalpha/dbpr/ddc/ddc_division_notices.html.

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filled 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

AREA AGENCY ON AGING OF PALM BEACH/
TREASURE COAST, INC.

AAAPB/TC CCE/HCE/ADI RFP – INDIAN RIVER
COUNTY

AREA AGENCY ON AGING PALM BEACH/TREASURE
COAST, INC.

2015 COMMUNITY CARE FOR THE ELDERLY (CCE),
HOME CARE FOR THE ELDERLY (HCE), ALZHEIMER’S
DISEASE INITIATIVE (ADI) REQUEST FOR PROPOSAL
(RFP) FOR COMMUNITY CARE SYSTEM LEAD

AGENCY DESIGNATION IN INDIAN RIVER COUNTY

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. dba Your Aging and Disability Resource Center is requesting proposals from organizations that have the operational capacity and interest in being designated as the Lead Agency for the Community Care System in Indian River County for the contract period beginning July 1, 2015. Pursuant to Chapter 430, Florida Statutes, a designated Lead Agency will provide all case management services, and coordinate the provision of in-home, community based services to frail elderly clients in each respective Community Care Service Area (CCSA). This Request for Proposal is for the provision of services to all eligible CCE, HCE, and ADI clients in the CCSA of Indian River County. Organizations interested in obtaining Community Care System Lead Agency designation are requested to submit written proposals (through the RFP process) detailing their respective qualifications and plans for providing case management services, coordinating core and other contracted services, and performing other required lead agency functions.

Proposal format and instructions will be available on October 29, 2014 via Your Aging and Disability Resource Center website at www.YourADRC.org.

All written inquiries must be received by 5:00 p.m. November 21, 2014. The written inquiries must be submitted to Nancy Yarnall, Director of Consumer Care and Planning via email at NYarnall@YourADRC.org. It is the bidder’s responsibility to confirm receipt of all electronically submitted documents.

Hardcopy versions of proposals are due on December 29, 2014 at 12:00 p.m. The proposals must be delivered to Nancy Yarnall, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407. All proposals will be opened at 1:00 p.m. December 29, 2014 at the Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407.

Your Aging and Disability Resource Center reserves the right to reject any or all proposals or accept minor irregularities in the best interest of Your Aging and Disability Resource Center and the senior population.

AREA AGENCY ON AGING OF PALM BEACH/
TREASURE COAST, INC.

AAAPB/TC CCE/HCE/ADI RFP – MARTIN COUNTY
AREA AGENCY ON AGING PALM BEACH/TREASURE
COAST, INC.

2015 COMMUNITY CARE FOR THE ELDERLY (CCE),
HOME CARE FOR THE ELDERLY (HCE), ALZHEIMER’S
DISEASE INITIATIVE (ADI) REQUEST FOR PROPOSAL
(RFP) FOR COMMUNITY CARE SYSTEM LEAD
AGENCY DESIGNATION IN MARTIN COUNTY

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. dba Your Aging and Disability Resource Center is requesting proposals from organizations that have the operational capacity and interest in being designated as the Lead Agency for the Community Care System in Martin County for the contract period beginning July 1, 2015. Pursuant to Chapter 430, Florida Statutes, a designated Lead Agency will provide all case management services, and coordinate the provision of in-home, community based services to frail elderly clients in each respective Community Care Service Area (CCSA). This Request for Proposal is for the provision of services to all eligible CCE, HCE, and ADI clients in the CCSA of Martin County. Organizations interested in obtaining Community Care System Lead Agency designation are requested to submit written proposals (through the RFP process) detailing their respective qualifications and plans for providing case management services, coordinating core and other contracted services, and performing other required lead agency functions.

Proposal format and instructions will be available on October 29, 2014 via Your Aging and Disability Resource Center website at www.YourADRC.org.

All written inquiries must be received by 5:00 p.m. November 21, 2014. The written inquiries must be submitted to Nancy Yarnall, Director of Consumer Care and Planning via e-mail at NYarnall@YourADRC.org. It is the bidder’s responsibility to confirm receipt of all electronically submitted documents.

Hardcopy versions of proposals are due on December 29, 2014 at 12:00 Noon. The proposals must be delivered to Nancy Yarnall, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407. All proposals will be opened at 1:00 p.m. December 29, 2014 at the Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407.

Your Aging and Disability Resource Center reserves the right to reject any or all proposals or accept minor irregularities in the best interest of Your Aging and Disability Resource Center and the senior population.

AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC.

AAAPB/TC CCE/HCE/ADI RFP – OKEECHOBEE COUNTY

AREA AGENCY ON AGING PALM BEACH/TREASURE COAST, INC.

2015 COMMUNITY CARE FOR THE ELDERLY (CCE), HOME CARE FOR THE ELDERLY (HCE), ALZHEIMER’S DISEASE INITIATIVE (ADI) REQUEST FOR PROPOSAL (RFP) FOR COMMUNITY CARE SYSTEM LEAD AGENCY DESIGNATION IN OKEECHOBEE COUNTY

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. dba Your Aging and Disability Resource Center is requesting proposals from organizations that have the operational capacity and interest in being designated as the Lead Agency for the Community Care System in Okeechobee County for the contract period beginning July 1, 2015. Pursuant to Chapter 430, Florida Statutes, a designated Lead Agency will provide all case management services, and coordinate the provision of in-home, community based services to frail elderly clients in each respective Community Care Service Area (CCSA). This Request for Proposal is for the provision of services to all eligible CCE, HCE, and ADI clients in the CCSA of Okeechobee County. Organizations interested in obtaining Community Care System Lead Agency designation are requested to submit written proposals (through the RFP process) detailing their respective qualifications and plans for providing case management services, coordinating core and other contracted services, and performing other required lead agency functions.

Proposal format and instructions will be available on October 29, 2014 via Your Aging and Disability Resource Center website at www.YourADRC.org.

All written inquiries must be received by 5:00 p.m. November 21, 2014. The written inquiries must be submitted to Nancy Yarnall, Director of Consumer Care and Planning via e-mail at NYarnall@YourADRC.org. It is the bidder’s responsibility to confirm receipt of all electronically submitted documents.

Hardcopy versions of proposals are due on December 29, 2014 at 12:00 Noon. The proposals must be delivered to Nancy Yarnall, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407. All proposals will be opened at 1:00 p.m. December 29, 2014 at the Area Agency on Aging on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407.

Your Aging and Disability Resource Center reserves the right to reject any or all proposals or accept minor irregularities in the best interest of Your Aging and Disability Resource Center and the senior population.

AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC.

AAAPB/TC CCE/HCE/ADI RFP – PALM BEACH COUNTY AREA A

AREA AGENCY ON AGING PALM BEACH/TREASURE COAST, INC.

2015 COMMUNITY CARE FOR THE ELDERLY (CCE), HOME CARE FOR THE ELDERLY (HCE), ALZHEIMER’S DISEASE INITIATIVE (ADI) REQUEST FOR PROPOSAL (RFP) FOR COMMUNITY CARE SYSTEM LEAD AGENCY DESIGNATION IN PALM BEACH COUNTY

AREA A

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. dba Your Aging and Disability Resource Center is requesting proposals from organizations that have the operational capacity and interest in being designated as the Lead Agency for the Community Care System in Palm Beach County Area A for the contract period beginning July 1, 2015. Palm Beach County is separated into two CCSAs: Palm Beach County Area A and Palm Beach County Area B. These are determined by zip code and generally fall to the East and West of the Turnpike to the North of Hypoluxo Road and to the East and West of Military Trail South of Hypoluxo Road. Specific zip codes for Palm Beach County Area B are listed below.

Palm Beach County Area B (North of Hypoluxo Road and Glades/West County)

- 34460 33461 33462 33405 33406 33413 33415 33480 33409 33417 33401 33407 33403 33404 33408 33410 33477 33458 33469 33463 33411 33414 33418 33412 33478 33470 33467 33438 33476 33430 33493 33449 33400

Pursuant to Chapter 430, Florida Statutes, a designated Lead Agency will provide all case management services, and coordinate the provision of in-home, community based services to frail elderly clients in each respective Community Care Service Area (CCSA). This Request for Proposal is for the provision of services to all eligible CCE, HCE, and ADI clients in the CCSA of Palm Beach County Area A. Organizations interested in obtaining Community Care System Lead Agency designation are requested to submit written proposals (through the RFP process) detailing their respective qualifications and plans for providing case management services, coordinating core and other contracted services, and performing other required lead agency functions.

Proposal format and instructions will be available on October 29, 2014 via Your Aging and Disability Resource Center website at www.YourADRC.org.

Proposal format and instructions will be available on October 29, 2014 via your Aging and Disability Resource Center website at www.YourADC.org.

All written inquiries must be received by 5:00 p.m. November 21, 2014. The written inquiries must be submitted to Nancy Yarnall, Director of Consumer Care and Planning via email at NYarnall@YourADRC.org. It is the bidder's responsibility to confirm receipt of all electronically submitted documents.

Hardcopy versions of proposals are due on December 29, 2014 at 12:00 Noon. The proposals must be delivered to Nancy Yarnall, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407. All proposals will be opened at 1:00 p.m. December 29, 2014 at the Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407.

Your Aging and Disability Resource Center reserves the right to reject any or all proposals or accept minor irregularities in the best interest of Your Aging and Disability Resource Center and the senior population.

**AREA AGENCY ON AGING OF PALM BEACH/
TREASURE COAST, INC.**

**AAAPB/TC CCE/HCE/ADI RFP – PALM BEACH
COUNTY AREA B**

**AREA AGENCY ON AGING PALM BEACH/TREASURE
COAST, INC.**

**2015 COMMUNITY CARE FOR THE ELDERLY (CCE),
HOME CARE FOR THE ELDERLY (HCE), ALZHEIMER'S
DISEASE INITIATIVE (ADI) REQUEST FOR PROPOSAL
(RFP) FOR COMMUNITY CARE SYSTEM LEAD
AGENCY DESIGNATION IN PALM BEACH COUNTY
AREA B**

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. dba Your Aging and Disability Resource Center is requesting proposals from organizations that have the operational capacity and interest in being designated as the Lead Agency for the Community Care System in Palm Beach County Area B for the contract period beginning July 1, 2015. Palm Beach County is separated into two CCSAs: Palm Beach County Area A and Palm Beach County Area B. These are determined by zip code and generally fall to the East and West of the Turnpike to the North of Hypoluxo Road and to the East and West of Military Trail South of Hypoluxo Road. Specific zip codes for Palm Beach County Area B are listed below.

Palm Beach County Area B (South of Hypoluxo Road)
33435 33436 33444 33445 33486 33487 33431 33432 33483
33426 33437 33484 33446 33496 33498 33434 33428 33433
33472 33473 33067

Pursuant to Chapter 430, Florida Statutes, a designated Lead Agency will provide all case management services, and coordinate the provision of in-home, community based services to frail elderly clients in each respective Community Care Service Area (CCSA). This Request for Proposal is for the provision of services to all eligible CCE, HCE, and ADI clients in the CCSA of Palm Beach County Area B. Organizations interested in obtaining Community Care System Lead Agency designation are requested to submit written proposals (through the RFP process) detailing their respective qualifications and plans for providing case management services, coordinating core and other contracted services, and performing other required lead agency functions.

Proposal format and instructions will be available on October 29, 2014 via Your Aging and Disability Resource Center website at www.YourADRC.org.

All written inquiries must be received by 5:00 p.m. November 21, 2014. The written inquiries must be submitted to Nancy Yarnall, Director of Consumer Care and Planning via email at NYarnall@YourADRC.org. It is the bidder's responsibility to confirm receipt of all electronically submitted documents.

Hardcopy versions of proposals are due on December 29, 2014 at 12:00 Noon. The proposals must be delivered to Nancy Yarnall, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407. All proposals will be opened at 1:00 p.m. December 29, 2014 at the Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407.

Your Aging and Disability Resource Center reserves the right to reject any or all proposals or accept minor irregularities in the best interest of Your Aging and Disability Resource Center and the senior population.

AREA AGENCY ON AGING OF PALM BEACH/
TREASURE COAST, INC.

AAAPB/TC CCE/HCE/ADI RFP – ST. LUCIE COUNTY
AREA AGENCY ON AGING PALM BEACH/TREASURE
COAST, INC.

2015 COMMUNITY CARE FOR THE ELDERLY (CCE),
HOME CARE FOR THE ELDERLY (HCE), ALZHEIMER’S
DISEASE INITIATIVE (ADI) REQUEST FOR PROPOSAL
(RFP) FOR COMMUNITY CARE SYSTEM LEAD
AGENCY DESIGNATION IN ST. LUCIE COUNTY

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. dba Your Aging and Disability Resource Center is requesting proposals from organizations that have the operational capacity and interest in being designated as the Lead Agency for the Community Care System in St. Lucie County for the contract period beginning July 1, 2015. Pursuant to Chapter 430, Florida Statutes, a designated Lead Agency will provide all case management services, and coordinate the provision of in-home, community based services to frail elderly clients in each respective Community Care Service Area (CCSA). This Request for Proposal is for the provision of services to all eligible CCE, HCE, and ADI clients in the CCSA of St. Lucie County. Organizations interested in obtaining Community Care System Lead Agency designation are requested to submit written proposals (through the RFP process) detailing their respective qualifications and plans for providing case management services, coordinating core and other contracted services, and performing other required lead agency functions.

Proposal format and instructions will be available on October 29, 2014 via Your Aging and Disability Resource Center website at www.YourADRC.org.

All written inquiries must be received by 5:00 p.m. November 21, 2014. The written inquiries must be submitted to Nancy Yarnall, Director of Consumer Care and Planning via e-mail at NYarnall@YourADRC.org. It is the bidder’s responsibility to confirm receipt of all electronically submitted documents.

Hardcopy versions of proposals are due on December 29, 2014 at 12:00 Noon. The proposals must be delivered to Nancy Yarnall, Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407. All proposals will be opened at 1:00 p.m. December 29, 2014 at the Area Agency on Aging of Palm Beach/Treasure Coast, Inc., 4400 North Congress Avenue, West Palm Beach, FL 33407.

Your Aging and Disability Resource Center reserves the right to reject any or all proposals or accept minor irregularities in the best interest of Your Aging and Disability Resource Center and the senior population.

Section XII
Miscellaneous

NONE

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN OCTOBER 6, 2014
 AND OCTOBER 10, 2014

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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PUBLIC SERVICE COMMISSION

25-6.058	10/7/2014	10/27/2014	40/174	
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DEPARTMENT OF CORRECTIONS

33-602.101	10/8/2014	10/28/2014	40/175	
33-602.230	10/8/2014	10/28/2014	40/175	

DEPARTMENT OF VETERANS' AFFAIRS

55-11.005	10/6/2014	10/26/2014	40/132	
55-12.004	10/6/2014	10/26/2014	40/132	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

61-30.503	10/10/2014	10/30/2014	40/165	
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Board of Professional Engineers

61G15-18.020	10/8/2014	10/28/2014	40/162	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-9.014	10/6/2014	10/26/2014	40/172	
64B8-9.0141	10/6/2014	10/26/2014	40/172	
64B8-13.005	10/6/2014	10/26/2014	40/172	

Board of Podiatric Medicine

64B18-16.002	10/7/2014	10/27/2014	40/173	
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**LIST OF RULES AWAITING LEGISLATIVE
 APPROVAL PURSUANT TO SECTION 120.541(3),
 FLORIDA STATUTES**

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

58A-5.0191	3/28/2014	*****	39/231	40/43
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DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-7.020	10/24/2011	*****	37/24	37/36
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